

February 15, 2010

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

G-366-001

As a native of Guam and a member of the We Are Guahan Coalition, the DEIS for the Guam and CNMI military relocation of U.S. Marines from Okinawa, the Apra Harbor dredging and construction associated for the Visiting Aircraft Carrier Berthing, and the Army Air and Missile Defense Task Force is troubling to the future survival of our people because it threatens the ecosystem and resources upon which we depend. Specifically, it does not adequately address the following, regarding the current and future state of Guam's water resources:

- 1) The sustainable yield of 80.5 million gallons per day, referred to in Chapter 2 of the DEIS, is based on a study that is 19 years old. How can we be assured that the sustainable yield in Northern Guam Lens Aquifer (NGLA) that is based on the old methodology is still accurate today? In specific terms, how is the sustainable yield defined and determined?
- 2) Do the methodologies used in determining sustainable yield of the Northern Guam Lens Aquifer definitively show that the current climate of global warming and rising sea levels has no effect on the quantity and quality of water resources?
- 3) What level of salt concentration in the water extracted from the Northern Guam Lens Aquifer is used to define the sustainable yield?
- 4) To what extent has the sustainable yield diminished due to the increased development over the Northern Guam Lens Aquifer (NGLA)? How has the increase of impervious surfaces impacted the rate of recharge of the NGLA? Which scientific studies have been completed to determine if the recharge rate has been affected? What are the scientific limitations in these studies?
- 5) Is the Northern Guam Lens Aquifer divided into distinct and separate subbasins? Or are these subbasins connected hydrologically? How are the subbasins defined and determined scientifically? What are the limitations of the techniques used to determine them?
- 6) Is it possible that over-extraction of one part of the aquifer can impact other areas of the aquifer? What current studies have been completed to support these findings? Are the sampling techniques used sufficient to determine the state of the water throughout the Northern Guam Lens Aquifer? What are the limitations in the sampling techniques used in these studies?
- 7) What is the rate of sinkhole formation over the Northern Guam Lens Aquifer? How does the changing topography affect the recharge rates and the quality of the water recharging the aquifer? Are there any current studies that are used to determine the recharge rates? What are the limitations to these studies? How will the rate of sinkhole formation change with the increase of construction and activity over the Northern Guam Lens Aquifer?
- 8) How will the impacts to the state of the Northern Guam Lens Aquifer

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Thank you for your comment.

1) Sustainable yield is defined as the amount of potable water that can continuously be withdrawn from the aquifer without degrading water quality or the production of the extraction wells. As discussed in Volume 6, Section 2.2.5.4 of the DEIS, University of Guam—Water and Environmental Research Institute conducted a study to validate the sustainable yield presented in 1991 study. The study concluded that the approach and methodology used in Barrett 1991 to estimate the sustainable yield are still valid. To make use of the data which has been collected since the 1991 study was prepared, DoD plans to support an updated NGLA study by the USGS. The study 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. Please see Volume 6, Section 2.2.5.7 for more information.

2) The Barrett 1991 study did not include an assessment of the impact of climate change on the sustainable yield. The USGS NGLA study will incorporate the latest available climate data to estimate the sustainable yield.

3) The chloride level is not a direct factor in the modeling supporting the sustainable yield estimates in the Barrett 1991 study. From the 1982 NGLS, typical chloride ranges for different environments within the NGLA are:

- Parabasal groundwater <30mg/L
- Saltwater toe groundwater 30 to 70 mg/L
- Basal groundwater >70 to <150 mg/L
- Saltwater upconing indicator level: 150 mg/L

4) The change in the amount of land cover over northern Guam and the

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of drilling additional water wells be determined? Will the impacts be determined before drilling or afterwards?

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- 9) What is the current level of water consumption by the military both for industrial and residential purposes? How much of this water will be used in situ? How much will be used off-island? How and with what frequency will water consumption by the military be monitored?
- 10) Will there be an annual cap for water consumption by the military? If not, what is the estimated peak and average water consumption? What safeguards or procedures are in place to ensure that over-extraction of our water resources both in the Northern Guam Lens Aquifer and surface waters does not occur?
- 11) The DEIS does not adequately explain their figures of how much water will be consumed during the construction phase and the expected use of water by the H2B worker population. What methodology was used to determine water consumption for construction and usage by the worker population?
- 12) The DEIS projects a shortfall of water consumption during the construction phase based on current water production levels. How will this shortfall impact the existing water consumers?
- 13) What is the proximity of the toxic sites, including but not limited to Installation Restoration Projects (IRPs), to the potential location of proposed water wells? What methodologies will be used to determine the potential for the drilling of new wells to facilitate the movement of toxic materials from the surface or subsurface into the water supply in the Northern Guam Lens Aquifer? What are the limitations to these methodologies?
- 14) What containment procedures will be used in case of release of toxics from increased military activity, training, and/or usage? How will these toxics be prevented from reaching the water supply in the Northern Guam Lens Aquifer? What is the level of effectiveness of these procedures? What are the limitations of these procedures?
- 15) Are there any current containment measures for accidental explosion of THAD missiles? How will the toxics from the THAD missiles be prevented from reaching the water supply both in the Northern Guam Lens Aquifer and other water sources? What is the effectiveness of these procedures? What particular studies have been completed to show the effectiveness? What are the limitations of these studies and the procedures of containment and prevention of the spread of contamination?
- 16) What chemicals and toxins that are of environmental and health concern that are currently used by the U.S. military and which are not included on the battery of tests for water quality (drinking and otherwise) required by the U.S. EPA and Guam EPA?
- 17) Will the water be tested for these potential toxins (chemical, biological, radiological, and others)?

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Sincerely,

Sabina Perez
c/o We Are Guahan Coalition at core@weareguahan.com
comment submitted online on February 15, 2010

resulting changes in water quality is the subject of a study being prepared by Dr. Yuming Wen of the University of Guam. This information among other will be incorporated into the USGS study of the NGLA which will provide an updated estimate of the sustainable yield, including changes to the rate of recharge since the previous study was completed in 1991/2. The study will describe the scientific limitations of the data and methodology used to determine the sustainable yield.

Notable, the wells planned for the Marine Corps base are located within two sub-basins that are primarily located beneath Andersen AFB. Unlike other parts of northern Guam, the amount of land cover has not changed significantly since the previous study was completed on most parts of the base. Therefore, it is probable that the sustainable yield for the basins of direct concern for the DoD water supply expansion will not be significantly impacted by the change in land cover since the early 1990s.

5) The NGLA was divided into a series of six sub-basins based upon basement volcanic contours (NGLS; CDM 1982). The sub-basins boundaries reflect the basement topography forming hydrological divides in the subsurface. Sub-basin boundaries were subsequently revised by Vann (2002) on the basis of updated basement contours. The basement topography was determined by geophysical methods. The data coverage is sufficient for a large scale (sub-basin wide) determination of the contours, but local changes in topography will not be evident. Therefore, DoD will consider additional geophysical studies to support the water supply design.

6) The sub-basins are defined by the topography of the volcanic basement which provides a hydrological barrier between portions of the NGLA. Impacts from overextraction of a well are localized and will not impact wells in other sub-basins. The basement contours have been revised by work presented in Vann (2002). This study covered the extent of the NGLA. Water quality studies are not included in Vann

(2002), but can be found in the annual water quality reports prepared by GWA. The basement topography was determined by geophysical methods. The data coverage is sufficient for large scale (sub-basin wide) determination of the contours, but local changes in topography will not be evident. Therefore, DoD will consider additional geophysical studies to support the water supply design.

7) Karst features of the NGLA, including sinkholes, are identified, mapped and interpreted in a study by University of Guam from 2006. This and other studies, including the 2004 dye trace study prepared by University of Guam, will be incorporated into the USGS NGLA update of the sustainable yield estimates as appropriate. No impacts from construction are anticipated to the aquifer where the planned Marine Corps base water supply is located, because no significant construction relating to the relocation is planned in the vicinity of these wells. Geotechnical studies will be conducted as part of base facility design at Finegayan to determine the appropriate construction methods and limit impacts to the subsurface.

8) Potential impacts to the NGLA from installation of the Marine Corps base water supply wells will be assessed before and after installation. Prior to installation, test boring and water quality analysis will be conducted. Please see Volume 6, Section 2.2.5.5. During well operation, groundwater samples will be collected periodically to measure and track the quality of the water.

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Thank you for your comment. The military's current water demand for both industrial and residential use is summarized in Volume 6, Table 2.2-6 of the DEIS. The maximum demand estimates are 0.1 MGd for Finegayan, 2.9 MGd for Andersen AFB and 9.4 MGd for the Navy bases throughout the island. The current and future estimated water demands

presented in Table 2.2-6 are for use on Guam only. None of the estimated water demands is for use off island except for 0.14 MGd designated for the CVN. For the Marine Corps base, water will be monitored by meters installed at all facilities and at key locations within the water distribution system significantly improving the ability to quickly identify leaks and take corrective action. More information on the sustainability measures planned for the Marine Corps base and existing military bases on Guam is provided in Volume 6, Section 2.2.2.1 of the DEIS.

The projected future DoD average daily demands and maximum daily demands (peak) are presented on Volume 6, Table 2.2-2 during the buildup period through 2019. For the Marine Corps base Main Cantonment Alternatives 1 and 2, the average daily demand is 0.12 MGd at baseline and increases to 5.89 in 2019; the maximum daily demand is 0.14 MGd at baseline and increases to 10.5 MGd in 2019. These estimates are based on the UFC criteria. As described in Volume 6, Section 2.2.2.1 of the DEIS, DoD anticipates a far lower demand because the Marine Corps base design will incorporate numerous sustainability features which will conserve water. The reduction in on-base water demand for the new Marine Corps base is expected to be on the order of 22% for the average daily demand, and 40% for the maximum daily demand if conservation measures, sustainability principles, and Guam site-specific conditions are applied to the UFC based estimates.

Extraction of water from the NGLS will be limited by the size of the water supply system installed for the Marine Corps base which is based on the estimated maximum daily demand using UFC criteria. As discussed in Volume 6, Section 3.2.3.1, the day-to-day demand on the aquifer is approximated by the average daily demand. The total well withdrawal estimated during the peak year of production (2014) is provided in Volume 6, Table 3.2-8 for Main Cantonment Alternatives 1 and 2. The

total well withdrawal for the military and civilian populations is 63.5 MGd which is significantly below the sustainable yield estimate for the NGLA of 80 MGd. Therefore, over extraction of the NGLA is not expected to occur as a result of the Marine relocation. Additionally, monitoring of the aquifer to examine trends in the chloride levels will be a part of operation and maintenance. The monitoring data will be examined by DoD and actions taken to maintain stable chloride levels. See Volume 7, Section 2.3.4.2 for more information on best management practices related to the water supply.

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Thank you for your comment. Proximity of Waste Sites to Water Wells; Volume 2, chapter 17 Figures show the locations of various wastes sites and Figure 2.2-2 shows the locations of existing and planned water wells. Containment Procedures 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. THADD Missiles Eight new climate-controlled, earth-covered magazines (ECMs) and Modular Storage Magazines (MSMs) are proposed on Andersen Air Force Base (AFB) approximately 1 mile (1.6 kilometers [km]) north of the junction of Route 9 and Route 3A. The proposed magazines would be used to store Army missiles and provide safe stowage of the system launchers during inclement weather. The proposed magazines would be constructed based on a standard design that provides required structural components, humidity control, and fire and lightning protection systems. All proposed magazines would meet Anti-Terrorism/Force Protection

requirements. One THAAD launcher storage module (ECMs), two Patriot launcher storage module (ECMs), one SLAMRAAM/Avenger launcher storage module (ECMs), and four missile magazines (MSMs) (see table 2.3-3). The ECMs would be covered with a minimum of 2 ft (0.6 m) of earth. In accordance with established ammunitions storage requirements, native grassy vegetation would be established on and around the magazines. The vegetation would be maintained (e.g., periodically mowed) to minimize fire hazard. An important operational component of ammunition 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 Department of Defense (DoD) lands. Existing munitions storage facilities generate an ESQD arc that encompasses much of the land in central Andersen AFB. The new magazines would require expansion of the existing ESQD arc. The arc could be up to 1,250 feet (381 m) from each magazine. Chemical Testing Decisions regarding what parameters to test for are based upon regulatory requirements as well as knowledge of potential contaminants of concern (COCs) regarding a particular site or area. A list of potential COCs is developed once historical waste information has been studied. Testing protocol relative to a particular site or area should therefore, establish the presence or absence of various COCs that may be present from past, present, or future activities.



SAIPAN CHAMBER OF COMMERCE

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February 17, 2010

Joint Guam Program Office
c/o Naval Facilities Engineering Command, Pacific
258 Makalapa Drive, Suite 100
Pearl Harbor, HI 96860-3134
Attention: Guam Program Management Office

Re: Draft Environmental Impact Statement / Overseas
Environmental Impact Statement – Guam and CNMI
Military Relocation

Gentlemen and Ladies:

The Saipan Chamber of Commerce welcomes this opportunity to comment on the Draft Environmental Impact Statement / Overseas Environmental Impact Statement for the Guam and CNMI Military Relocation, in connection with the relocation of United States Marines from Okinawa, visiting aircraft carrier berthing, and Army Air and Defense Task Force.

The Saipan Chamber of Commerce is the largest business organization in the Commonwealth of the Northern Mariana Islands, with approximately 150 members that range from individuals and small companies to some of the largest corporations operating in the Pacific region and which collectively employ thousands of individuals in the Commonwealth. The Chamber was founded in 1959 and incorporated in 1976, two years before the Northern Mariana Islands gained U.S. Commonwealth status. The Chamber not only promotes and protects business interests in, and the economic interests of, the Commonwealth, but also works to promote the civic interests and general health and welfare of the Commonwealth community as a whole.

I. INTRODUCTION

In the 3,532 pages that comprise volumes one through eight of the Draft Environmental Impact Statement / Overseas Environmental Impact Statement (the "DEIS"), there are four substantive references to Saipan. The remaining mentions of Saipan are contained in bibliography citations, historical and



geographic discussions of the islands, and the like. The four substantive references are:

- Vol. 3, pp. 7-4 through 7-5 "No SUA [special use airspace] would be developed involving Tinian or Saipan."
"Flights between Tinian Airport (West Field), Saipan International Airport, and other airfields would not change."
"Since there would be no restricted airspace or other SUA for activities on Tinian, there would be no impacts to Saipan International Airport approaches, departures, or traffic patterns for either Saipan International Airport or Tinian Airport (West Field)."
- Vol. 3, p. 8-11 "[Tinian] crops (e.g., watermelons, cucumbers) are exported to Saipan and Guam (COMNAV Marianas 2004)."
- Vol. 3, pp. 16-17 through 16-18 "Most construction contracts are expected to be fulfilled by contractors based on Saipan or Guam (Tinian Business Panel 2008)."
"There is no construction, related to the proposed action, expected to occur on Saipan. Neither is it expected that any lay down areas (off-site construction) would be located on the island. There may be some increased, indirect demand for Saipan's manufactured or agricultural products, however that impact is likely to be small. Slight beneficial economic impacts are expected for Saipan and no economic costs are anticipated."
"There are no plans for any operational component of the proposed action to be located on Saipan. Some economic benefits from increased tourism, increased local agricultural consumption, and operational contracts for Saipan companies may be expected but these impacts would be very small. No economic costs are anticipated."
- Vol. 7, p. 3-17 "There would be no new SUA and no impacts to existing arrival and departure patterns from either the Tinian or Saipan airports. There are no en route low-altitude airways, and no Instrument Flight Rule procedures would need to change. Approach and departure patterns associated with the airports and airfields would not be restricted, nor would they be required to change."



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It seems clear from the DEIS discussion of Saipan (as distinct from the Commonwealth or Tinian) that the military believes there will be neither benefit nor cost to the island as a result of the Guam and the Commonwealth of the Northern Mariana Islands (CNMI) military relocation (the "Guam Buildup"). While we do not disagree that there will likely be no benefit to Saipan (or any other island of the Commonwealth, including Tinian), we disagree that there will be no costs to the Commonwealth. There will be significant costs to the island of Tinian and to the other islands of the Commonwealth as a whole. Issues relating solely to the island Tinian are more properly addressed by the Commonwealth government, the Tinian municipal government, and the Tinian Chamber of Commerce. We seek here to address matters affecting the island of Saipan and the Commonwealth as a whole.

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II. THERE IS NO ANALYSIS OF SOCIOECONOMIC IMPACTS TO THE COMMONWEALTH VIS-À-VIS THE BUILDUP IN GUAM

The DEIS delves extensively into the potential socioeconomic impacts on the island of Guam as a result of the buildup that will occur in that territory. There is, to a lesser degree, an evaluation of the potential socioeconomic impacts on the islands of Saipan, Tinian, and Rota, as a result of the development and use of live-fire ranges on Tinian. What seems missing, however, is consideration of the likely socioeconomic impacts on the Commonwealth that will be brought about as a result of the buildup that will occur in the neighboring Territory of Guam.

It is noted in the DEIS overview, that "Workers [for the buildup in the Territory of Guam] may be available from the CNMI and the Federated States of Micronesia." That broad assertion is somewhat refined in Volume 2, where it is noted that "Possible sources for direct on-site military construction workers include. . . CNMI and Other U.S. Pacific Islands. . ." and "Possible sources for construction-related jobs other than direct on-site jobs (i.e., direct from purchases and indirect); direct federal civilian jobs associated with the military; and spin-off jobs include. . . Other U.S. Pacific Island Workers." In the Socioeconomic Impact Assessment Study (the "SIAS"), Appendix F to the DEIS, it is made clearer that CNMI citizens and foreign workers are presumed as likely sources of labor in Guam during, and after, the Guam Buildup. As regards construction-related labor, the SIAS states: "The CNMI, the political entity nearest to Guam, is undergoing an economic depression, and it may be assumed that some CNMI residents are already moving to Guam. However, a substantial part of the CNMI's private-sector workforce consists of 'guest workers' who face repatriation as a result of the U.S. federalization of the country's immigration policy. Even with

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Thank you for your comment. DoD welcomes the opportunity to continue to work cooperatively with the Commonwealth and the islands of Saipan and Tinian relative to the proposed military relocation.

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Thank you for your comment. The number of workers expected to work on Guam construction projects is included in Table 4.3-9 of the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F, Volume 9 of the DEIS under "Other U.S. Pacific Islands." This Table has been updated for the Final EIS to show the number of construction workers specifically from the CNMI. However, it must be recognized that the movement of workers to Guam from CNMI and other areas are estimates, and individual decision making are based on a number of factors, many of which are based on personal circumstances and decisions.



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those guest workers, the construction workforce numbered just 1,640 as of 2005." As regards Other Employment, the study asserts: "Given its deteriorating economy, the CNMI is likely to provide Guam with a number of non-construction employees at all levels of the workforce, including civil servants. Among the more likely to go to Guam would be the CNMI's non-Chamorro U.S. residents (among them many naturalized Filipinos) who cannot own land under current CNMI land laws." We disagree with the suggestions that the out-migration from the Commonwealth will be limited mostly to foreign workers or non-Chamorro U.S. residents, but agree with the assessment that there will be a significant outflow of labor from the Commonwealth to Guam during, and potentially following, the Guam Buildup. As regards the "local" (Chamorro and Carolinian) workforce in the Commonwealth, we believe that there is a great likelihood of workers relocating to Guam, either for the duration of the construction operation, or permanently¹. As the SAIS avers, the Commonwealth economy is in a severe depression. Many families and individuals, especially younger ones, are emigrating from the Commonwealth in order to find better job opportunities, such as will be offered on Guam. A move to Guam, which is an island 25 minutes south of Saipan and filled with similar indigenous groups (and indeed, often direct family members) is much less difficult a move than to the mainland United States, particularly for younger people who may wish to remain close to family and friends.

Any such out-migration of U.S. citizens from the Commonwealth at this time, or in coming years, will be disastrous. By virtue of the Consolidated Natural Resources Act of 2008 (Public Law 110-229, the "CNRA"), the Department of Homeland Security has been directed to reduce the number of Commonwealth-only Transitional Workers (foreign workers in the Commonwealth without federal work visas) to zero no later than December 31, 2014. Those workers currently comprise approximately two-thirds of the Commonwealth's labor pool. It will be impossible for positions vacated by those workers to be filled in that time frame even if every adult in the Commonwealth able to work was to be employed and there was no further out-migration of U.S. citizens. The Guam Buildup, and the attendant certainty that U.S. citizens will relocate to Guam, especially during the critical early years of the CNRA implementation, will prove ruinous to the Commonwealth's economy and culture. The Guam Buildup will impose a

¹ The SAIS observes that "There are also concerns that FAS or CNMI in-migrants that migrate for construction-period jobs but either do not become employed, or lose those jobs, may stay on Guam. FAS and CNMI migrants have the status of U.S. citizens and can migrate within the U.S. without constraint." To clarify, any Commonwealth "migrants" to Guam who are not holders of federal visas do not "have the status of U.S. citizens." Citizens of the Commonwealth are U.S. citizens.

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Thank you for your comment. Additional discussion of the economic impacts on the CNMI from loss of labor to the proposed action has been added to the Final EIS.



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significant cost upon the Commonwealth, which has been apparently neither considered nor studied. This issue, and equitable mitigation measures, must be studied and proposed by the military. At a minimum, we request that the Department of Defense support an immediate congressional amendment to the CNRA that would extend the initial termination date of the transition period from December 31, 2014 to December 31, 2021, which is five years beyond the anticipated completion date of Guam Buildup construction.

III. PROPOSED MITIGATION MEASURES IDENTIFIED IN THE DEIS ARE INSUFFICIENT

The DEIS acknowledges that "Tinian's economy is dominated by one existing casino, a small *tourism trade centered on the island's role in WWII*, and marine activities such as diving" and "*tourism [is] dependent on access to the military lease area.*" [Emphasis added.] The scope of the negative impact is further clarified through the assertions that "Restriction to certain sites during construction and operation would cause *significant adverse impact to Tinian's economy, particularly: tourism*, ranching, and the collection and selling of wild chili peppers." [Emphasis added.] A portion of the Commonwealth's overall economy is directly related to the health of Tinian's local economy. Negative economic impacts, which include but are not limited to those brought about by reduced access to tourist sites, inaccessibility of agricultural sites, increased noise, and the association of the island with military training, will not be limited to the shores of Tinian, they will be felt Commonwealth-wide. The measures proposed to mitigate a "significant adverse impact to Tinian's economy" (and thus the CNMI economy) are: (1) the Marine Corps would consider providing access to the Atomic Bomb Pits via 8th Avenue as frequently as practicable; (2) 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; (3) the Marine Corps would consider avoidance of scheduling training on religious holidays; and (4) CNMI could seek federal financial assistance for development of a small museum dedicated to Tinian's history.

None of the proposed mitigation measures will adequately compensate the Commonwealth community for the significant adverse impact that the construction and operation of live-fire ranges on Tinian will bring about. Additionally, funding for a "small museum" should be secured by the military, which bears the duty of mitigation, not the Commonwealth government. Inasmuch as a significant amount of the adverse impact to Tinian, and the

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Thank you for your comment. Restrictions to certain areas are required to maintain public safety. DoD concurs that maintaining access to important cultural and recreational sites is important when the firing ranges are in use. So the current plan is to access the important cultural and recreational sites in the northern portion of Tinian through 8th Avenue. Although specific plans concerning access to sites through 8th Avenue have not been specifically developed, 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.

The Navy has re-evaluated the need to not renew all subleases in the leaseback area and will only propose to not renew subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone of the proposed firing ranges.

As to possible sites for the relocation of any leases, such actions would be under the control of CNMI officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for Endangered Species Act listed species are taken into account in any relocation effort.

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Thank you for your comment. A Curation Assessment would be prepared as part of the mitigation efforts. The curation of cultural material/artifacts recovered on Tinian would be at the CNMI Museum. However, artifacts for display would stay on Tinian for education and tourism purposes.



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Commonwealth, will relate to tourism, we request that the military consider promoting MWR tourism in Tinian and the Commonwealth as an equitable means of mitigating the likely economic harm to the islands as a result of the Guam Buildup. We also request that the military affirmatively commit to incorporate into training schedules an allowance for brief liberty stays in Tinian by those troops who train there. Currently, MWR to the Commonwealth is contracted to a tour company in Guam, which subcontracts MWR in the Commonwealth to a tour company in Saipan. Thus, military personnel desiring to visit Saipan, Tinian, or Rota, who arrange accommodations, rental cars, or tourist activities through the MWR office in Guam are paying a higher price than if those personnel made arrangements directly with a hotel, rental car company, or tourism company in the Commonwealth. When coupled with the relatively high price of travel from Guam to the Commonwealth, the added expense of multiple layers of MWR tour companies lead many personnel stationed in Guam to consider the Commonwealth too expensive a destination for a weekend visit. We have been informed by Guam MWR representatives that because of contractual restrictions, it is not possible for the Commonwealth to market itself (through the Marianas Visitors Authority, the Hotel Association of the Northern Mariana Islands, or other similar association) directly to military personnel in Guam through military channels. We request that this matter be addressed in a manner that allows the Commonwealth to be marketed directly to Guam military personnel as a viable and affordable MWR destination.

IV. ANY POTENTIAL FOR ECONOMIC BENEFITS TO THE COMMONWEALTH RELATED TO MANUFACTURED OR AGRICULTURAL PRODUCTS WILL LIKELY BE NEGATED BY THE HIGH COST OF INTER-ISLAND SHIPPING

A potential economic benefit to the Commonwealth, though small, is identified as "some increased, indirect demand for Saipan's manufactured or agricultural products. . ." This assumption seems not to take into account the high cost of shipping, both for inbound raw materials as well as outbound finished product. To ship a 40 foot refrigerated container from the mainland United States to Saipan, approximately 6,100 statute miles, costs approximately \$8,000. To ship that same container 130 miles from Saipan to Guam costs approximately \$3,000. To ship that container from the mainland to Guam costs, in the retail market, approximately \$6,200, but when shipping products destined for Commissary or AAFES sales on Guam, the cost is subsidized and substantially lower than the retail price. In other words, manufacturers in Saipan face not only higher inbound shipping costs, but must also absorb the high costs of shipping between the islands. It seems reasonably unlikely that, except in very limited

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G-367-006

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.

The Final EIS cannot confirm that liberty would be provided to the Marines training on Tinian. Liberty is granted by the commanders and may or may not be granted depending on the training schedule, number of personnel, and other considerations.

Restrictions to certain areas are required to maintain public safety. DoD concurs that maintaining access to important cultural and recreational sites is important when the firing ranges are in use. So the current plan is to access the important cultural and recreational sites in the northern portion of Tinian through 8th Avenue. Although specific plans concerning access to sites through 8th Avenue have not been specifically developed, 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.

G-367-007

Thank you for your comment. An expanded discussion on mitigation measures is provided in the FEIS.



G-367-008

circumstances, purchasers in Guam would be willing to pay higher prices for goods manufactured on Saipan than they would for products that can be manufactured on Guam or purchased from the mainland at lower prices (and in the case of military purchasers, be shipped via military-subsidized means that does not impact the FOB cost of the products).

We believe that sales by Commonwealth businesses to military consumers in Guam should include subsidized air or ocean freight for finished products.

G-367-009

V. THE DEIS LACKS SUBSTANTIVE ANALYSIS OF THE IMPACT OF MILITARY OPERATIONS ON EXISTING TINIAN INFRASTRUCTURE

The DEIS relies on conclusory statements that "The additional traffic proposed by transporting equipment and ammunition from the [Tinian] airport to the [live-fire] ranges would not exceed the existing capacity of the roadways," "No impacts to the Tinian International Airport are anticipated," and "the addition of one barge per month would result in no impact to marine transportation in Tinian Harbor." Those unsubstantiated assumptions fail to consider the eventual degradation of infrastructure from the incremental additional use by military vehicles and vessels. Most roads in Tinian were, as the DEIS notes, constructed over 65 years ago and are in "good to poor" condition. The reason that those roads remain serviceable is precisely because traffic is "extremely light." Additionally, the DEIS fails to acknowledge that the rerouting of traffic during active range use will entail diverting traffic from a relatively modern, well-paved road to one that is in a state of considerable disrepair.

G-367-010

Road improvements are normally funded from governmental revenues derived from fees and taxes. In the case of the Guam Buildup, however, the Commonwealth will not see any increase in its tax base as a result of the military's use of Tinian. Likewise, airport runways have a finite number of takeoffs and landings before resurfacing is mandatory. Landing (and other) fees associated with commercial flights are the typical source of funds for such resurfacing. In this case, however, the airport will see additional use that does not generate corresponding revenues to offset the shortened usable life of the runway. As regards the statement concerning Tinian Harbor, one needs only read headlines from October 2009, at which time the mayor of Tinian and governor of the Commonwealth concurrently declared states of emergency for the harbor area. Any increase in governmental expenditures, now or in the future, to pay for construction, maintenance, or replacement of existing infrastructure is an economic burden that will inequitably be borne by Commonwealth taxpayers.

G-367-008

Thank you for your comment. Shipping costs are not part of the proposed action and are therefore not addressed in the EIS.

G-367-009

Thank you for your comment. The proposed action is to move equipment and troops from the Airport Road to the MLA using Broadway. Military personnel would travel by foot or bus. The impact would be minimal to the existing roadways.

G-367-010

Thank you for your comment. Please see Section 6.1 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for discussion of the expected economic impacts in the CNMI. DoD utilization of Tinian Harbor would be minimal and no improvements based on any DoD use is anticipated.



G-367-011

The military should be required to conduct a survey of existing Tinian infrastructure, which will degrade faster than in the absence of live-fire range operations and should agree to assist with funding for improvements that are necessary now or become necessary in the future.

G-367-012

VI. THE NOISE ANALYSIS RELATING TO TINIAN LIVE-FIRE RANGE CONSTRUCTION AND OPERATIONS RELIES ON MODELING AND ASSUMPTIONS – NOT TESTED FACT

Volume 3, Chapter 6 of the DEIS (“Noise”) addresses considerations of construction and operations noise related to the Tinian live-fire range. In order to reach a series of assumptions in the DEIS, “widely applied noise models were used for evaluating small arms ranges, large caliber ranges, construction, and airfields.” These assumptions, which are characterized as “projections” in the DEIS, are accompanied by a number of qualifiers such as “usually,” “likely,” “may be,” “typically,” “expected,” “potentially,” and the like. It appears that no actual noise measurements were conducted either on Tinian or Southern Saipan (which is separated from the northeastern periphery of the 87dB noise contour (in Alternatives 1 and 2) by only a thin stretch of water.

While tourists vacationing on small islands in the middle of the Pacific might reasonably expect to hear the noises associated with construction activities or aircraft arrivals and departures, they do not expect to hear the sound of automatic weapons fire, no matter whether it is intrusively loud or not. If tourists staying in Tinian or at one of the major resort hotels in Southern Saipan are subjected to automatic weapons fire (estimated at a maximum of 41,000 rounds *per day* – which equates to approximately one shot every two seconds for a 24-hour period), tourism in the Commonwealth will suffer greatly.

It is unacceptable that the source of such a potentially significant negative impact to the Commonwealth is being evaluated based on modeling and assumptions. Tinian and Southern Saipan are geographically tiny areas. It would be easy and inexpensive to take noise measurements in these areas so that the DEIS would incorporate fact instead of theory. We request that the military conduct such tests and then reconsider the need for mitigation measures based on the actual outcome of such measurements.

G-367-011

Thank you for your comment. No airport, harbor, or roadway improvements are required for the scale of operations in the proposed action.

G-367-012

Thank you for your comment. The U.S. Army Center for Health Protection and Preventative Medicine (USACHPPM) provided the calculations for this EIS and uses SARNAM for the range modeling. SARNAM is software that can calculate and display noise level contours for firing operations at small arms ranges. Source model parameter values are based on empirical data from actual live-fire testing. Live-fire testing on Tinian would likely result in lower noise levels because the noise contours are modeled to depict noise levels from individual weapons using weather conditions or wind direction that favors sound propagation.

Thank you for your suggestion to add more mitigation measures. Mitigation for impacts to agricultural use and tourism continues to be discussed among local government leaders, DoD, tour companies, farmers and ranchers. As of the writing of this response, no decisions have been made on additional mitigation. Specific recommendations for mitigation are welcome.



G-367-013

Thank you for your comment.

G-367-013

VII. PROPOSED MITIGATION MEASURES WITH RESPECT TO BROWN TREE SNAKE MIGRATION ARE NOT ADEQUATELY ADDRESSED

The DEIS acknowledges that “the brown tree snake (BTS) has the potential to impact the economy, human health, and island ecology in the CNMI” and that “Damage [due to Brown Tree Snakes] to the economy of Guam has been significant.” The potential negative impact to Tinian is further described: “The potential establishment of the BTS is of great concern on Tinian. . . . If BTS were to become established (without immediate suppression) on Tinian as a result of the proposed action, the impacts would likely be similar to those experienced on Guam.” The DEIS notes that “existing control and containment activities at air and sea ports for BTS are insufficient to deal with the risk associated with the increased cargo and personnel movement from Guam to other vulnerable destinations.”

Despite the clearly significant potential for the introduction of the Brown Tree Snake from Guam into Tinian and the attendant negative impacts to the economy, human health, and the island ecology of the Commonwealth, the DEIS discussion of mitigation measures is mostly limited to what intended ongoing or future collaborative efforts with other governmental agencies the military plans to undertake, generally:

Implementation of brown tree snake (BTS) control to address potential unintentional transport and introduction of BTS to CNMI/Tinian including development of permanent and temporary quarantine and inspections areas would be as established after consultation with U.S. Department of the Agriculture (USDA) Wildlife Services and USFWS. Biosecurity risk assessment and biosecurity plan non-native species plan) would be developed in conjunction with the National Non-native Species Council, USFWS, USDA Wildlife Services, Guam Division of Aquatic and Wildlife Resources (GDAWR), CNMI Department of Fish and Wildlife, and other interested parties to facilitate a comprehensive approach to control non-native species export, import, and spread. The plan would be comprehensive for all Marine Corps and Navy actions on Guam, including those being proposed in this EIS/OEIS for Marine Corps actions on Guam and Tinian.



G-367-014

In Volume 2, Chapter 10 of the DEIS, it is acknowledged that:

The DoD, working in collaboration with the USFWS, and USDA Wildlife Services (USDA-WS) and Animal and Plant Health Inspection Service (APHIS) would decide how best to implement the Joint Region BTS Control Plan relevant to the proposed activities. The Navy strategy would involve three components: (1) avoidance, (2) minimization, and (3) offsetting measures. Specific aspects of these strategies are still in development and would be included in the USFWS Biological Opinion; however, the overall strategies are outlined in the following bullets.

While an overall strategy of preventing the movement of Brown Tree Snakes from Guam to the Commonwealth is admirable, it is impossible for the public or relevant governmental agencies to offer informed comments about a program or programs that are currently under development and not contained in the DEIS. We refer you to a July 30, 2007 comment letter from the United States Department of the Interior Fish and Wildlife Service with respect to the Mariana Islands Range Complex EIS, enclosed herewith, which offers a detailed discussion of the Brown Tree Snake threat and suggested mitigation measures. We request that the military provide adequate notice and a comment period once the "specific aspects of these strategies" are determined and before any movement of troops or material from Guam to Tinian is undertaken.

VIII. CONCLUSION

The Saipan Chamber of Commerce is an ardent supporter of America's military. We believe, however, that any military expansion, such as the Guam Buildup, entails costs to the host community. While the DEIS devotes extensive consideration to the costs and potential mitigating actions relative to the Territory of Guam, there is nearly no acknowledgment of the costs to Tinian and the Commonwealth, and even less discussion of how to mitigate those negative impacts. It rings hollow to suggest that 400 troops can train in a community as geographically small and lightly populated as Tinian, that there will be minimal negative impacts, and that there are even fewer mitigating measures that can be identified.

The Guam Buildup will have a significantly greater impact on the Commonwealth than is acknowledged in the DEIS, both as a result of the locating of a live-fire range on Tinian as well as the larger regional increase in military presence. We

G-367-014

Thank you for your comment. Stakeholders will have opportunity to comment on the Micronesia Biosecurity Plan (MBP) that is currently in preparation, well before any movement of materials or troops to Tinian. DoD cannot provide details in the FEIS since the plan is not yet finished. The summary points in the DEIS do provide key information and any additional relevant information from discussions with USFWS in the ongoing Endangered Species Act Section 7 consultation is also being added. Information pertaining to the MBP and 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 projected cargo traffic through the Port of Guam associated with both organic growth and the military buildup.

G-367-015

Thank you for your comment. Volume 3 identifies the environmental impacts, as well as potential mitigation measures of the proposed firing ranges on Tinian.



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will lose U.S. workers to Guam, we will lose tourists because of the regional association with United States military training and because of reduced access to tourist sites, we stand to bear increased costs associated with the use of Tinian for live-fire exercises, and we will lose access to recreational and culturally-significant areas. Possible mitigating measures identified in the DEIS do not adequately compensate the citizens and businesses of the Commonwealth for the negative impacts that will be visited upon them by a military expansion not of their choice. We note that while there are a number of "costs" to the Commonwealth as a result of the Guam Buildup, nowhere are any real "benefits" to our community identified.

G-367-017

We request that the military consider more carefully the issues outlined above, as well as those identified by the Tinian Chamber of Commerce in its comment letter. We ask that the military be more forthright in acknowledging the great likelihood of negative impacts on the Commonwealth by virtue of the Guam Buildup, and propose more substantial and equitable mitigation measures along the lines of those requested above and by the Tinian Chamber of Commerce.

Sincerely,

Douglas A. Brennan
President

G-367-018

enclosure

cc: The Honorable Gregorio C. Sablan
Member, U.S. House of Representatives

The Honorable Madeleine Z. Bordallo
Member, U.S. House of Representatives

The Honorable Benigno R. Fitial
Governor of the Commonwealth of the Northern Mariana Islands

The Honorable Felix P. Camacho
Governor of Guam

G-367-016

Thank you for your comments. The Navy has re-evaluated the need to not renew all subleases in the leaseback area and will only propose to not renew subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone of the proposed firing ranges.

As to possible sites for the relocation of any leases, such actions would be under the control of Commonwealth of the Northern Mariana Islands (CNMI) officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for Endangered Species Act (ESA) listed species are taken into account in any relocation effort.

In addition, access to historical and cultural sites in northern Tinian would be accessed through 8th Avenue. Thus, access to these sites can be provided even when the firing ranges are in use.

G-367-017

Thank you for your comment. See responses to specific comments.

G-367-018

Thank you for your comment. The USFWS letter is presented with responses in Volume 10 of this FEIS.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122, Box 50088
Honolulu, Hawaii 96850

In Reply Refer To:
2007-FA-0116

JUL 30 2007

Mariana Islands Range Complex EIS
258 Makalapa Drive, Suite 100
Pearl Harbor, HI 96860-3134
Attn: EV2

Dear Sir or Madam:

The U.S. Fish and Wildlife Service (Service) has reviewed the Notice of Intent (NOI) published by the Department of Defense (DoD) on June 1, 2007, to develop an Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) for the Mariana Islands Range Complex (MIRC). The proposed action would upgrade and modernize the capabilities of the MIRC, which encompasses land, air and sea training ranges in the Mariana Islands. MIRC supports local military units, multi-national exercises and facilitates the rapid deployment of U.S. defense forces, as necessary. This proposed action is intended to fulfill and improve U.S. government national security and alliance requirements in the Western Pacific Region and increase the strategic defense role of Guam and the Commonwealth of the Northern Mariana Islands (CNMI). These comments are provided in accordance with the National Environmental Policy Act of 1969 [42 U.S.C. 4321 *et seq.*; 83 Stat. 852] (NEPA); and other authorities mandating concern for environmental resources including the Fish and Wildlife Coordination Act of 1934 [16 U.S.C. 661 *et seq.*; 48 Stat. 401], as amended (FWCA); the Federal Clean Water Act [33 U.S.C. 1251 *et seq.*; 62 stat. 1155], as amended (CWA); the Endangered Species Act of 1973 [16 U.S.C. 1531 *et seq.*; 87 Stat. 884], as amended (ESA); and the Sikes Act of 1960 [16 USC *et seq.*; 74 stat. 1052], as amended;

Little specific detail has been provided in the NOI, supporting documentation distributed at public meetings, or the military's informational website; therefore, we provide only general comments related to the proposed action. The proposed EIS/OEIS is large in scope, complex and includes numerous actions that may have significant impacts on fish and wildlife resources in the Mariana Islands. Specific information is required in order to assess and adequately disclose these impacts, including the nature, duration, and specific location of training activities and infrastructure improvements. Because this information is currently unavailable, we recommend that DoD begin coordination with us and other relevant resource agencies at the earliest possible

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time in the planning process to ensure concerns for threatened and endangered and other Federal trust species have been adequately addressed in planning and development of the EIS/OEIS.

A cooperative agreement between the U.S. Air Force and the Service for the establishment and management of the Guam National Wildlife Refuge (dated March 10, 1994) states that the Air Force will provide for consultation with us for actions that may impact habitat of endangered or threatened species even if those species are extirpated from the affected area, but are not extinct. The conditions of this agreement remain valid as the planning process advances, and appropriate consideration for listed species and their habitat will be given in the EIS/OEIS to these Refuge overlay lands.

Federally Listed Species, Candidate Species and other Federal trust resource

Many threatened and endangered plant and animal species occur in the Mariana Islands. Pursuant to section 7 of the ESA, if you determine that your proposed action may affect listed species you should either initiate formal consultation or seek written concurrence from us that the proposed action is not likely to adversely affect listed species. We are concerned that proposed facility and live fire range construction, base expansion and alteration projects, and military training activities may result in habitat loss and physical disturbance that may adversely affect listed species. Additionally, the proposed action has the potential to result in substantial indirect impacts on threatened and endangered species from infrastructure, commercial, residential, and industrial growth and development within the Mariana Islands for support services that are not funded by the military. Although some of these actions may not have a federal nexus, they all should be considered in a cumulative impact analysis within the scope of section 7 consultation under the ESA (see also cumulative impact section below).

In addition to green (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricate*) sea turtles, for which we share joint responsibility with National Marine Fisheries Service (NMFS), other federally listed marine species, including both permanent and seasonally resident species, occur in ocean waters surrounding the Mariana Islands and may be adversely impacted by activities associated with the proposed action. We recommend that the Navy consult with NMFS to ensure that the proposed infrastructure improvements and expanded training activities are adequately addressed for these species in marine waters.

Because the NOI is not specific about the location of proposed base expansion activities, including expanded live fire ranges and enhanced training activities, we have provided a list of U.S. threatened and endangered species occurring within the Mariana Islands (Enclosure 1). Recovery plans with detailed information on these species can be obtained from our office in Honolulu or via the worldwide web at <http://www.fws.gov/endangered/recovery/index.html>.

Numerous other Federal trust resources occur in the Marianas Islands, including migratory birds, wetlands, and coral reefs. Please refer to Executive Orders 13186, 11990, and 13089, which

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instructs Federal agencies to use their programs and authorities to avoid and minimize impacts to these resources from their activities. We are concerned that the proposed facility constructions and military training activities may result in disturbance, damage, or harm to these resources.

Numerous species have been identified as Species of Concern, including candidate species for listing under the ESA, species listed by the Territory of Guam and the CNMI as threatened or endangered, identified by us as Birds of Conservation Concern, and species with restricted ranges (see Enclosure 2). We recommend that an analysis of potential impacts to these Species of Concern resulting from the proposed action be included in the EIS/OEIS.

The Tinian Monarch (*Monarcha takatsukasae*) has been delisted, and we are in the process of a 5-year post-delisting monitoring project (Federal Register: December 13, 2004 (Volume 69, Number 238)). This monitoring is intended to ensure that our decision to delist was appropriate and that the threats to this species have been removed. Increased military activity on Tinian may result the loss of large areas of secondary tangantangan (*Leucaena leucocephala*) forest and may increase the likelihood of brown tree snake becoming established, both of which could adversely impact the Tinian monarch. Declines in the species' population could require us to re-evaluate the status of this species. We recommend that impacts and appropriate compensatory mitigation for the Tinian monarch be considered in the EIS/OEIS.

Potential impacts from the proposed activities on federally listed species, candidate species and other Federal trust resources may include:

- Habitat destruction from expansion of installations, including live fire ranges, and from training exercises. Birds may be adversely affected by disturbance or destruction of breeding colonies, the destruction of intact native forest, and the construction of artificial wetlands or the alteration of natural wetlands associated with expanded installations and training grounds. Wetlands, including coral reefs, may be adversely affected by dredging and filling and increased terrestrial inputs via runoff resulting from expanded installations and training exercises that employ large vehicles and live munitions training. Live fire ranges may promote increased occurrences of wildland fires. These fires and associated soil erosion and coastal sedimentation are serious threats to federally listed bird and plant species and resting sea turtles. Damage may occur to sea turtle nesting beaches as a result of amphibious training and coral reefs may be impacted by training exercises that require vessels to operate on or near the shallow fringing reefs prevalent around most of the Mariana Islands. Training activities that release contaminants directly or indirectly into the marine environment may also adversely impact coral reef species, many of which show significant adverse effects at concentrations well below established U.S. Environmental Protection Agency (EPA) levels.
- Disturbance of or collision with marine life during nearshore training exercises. Damage to the marine environment may occur from the mooring of buoy arrays or dredging of shallow areas to facilitate new or expanded training support installations.

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- Disturbance by aircraft overflights and land-base training activities. These activities cause noise and physical motion that may disrupt foraging and nesting by forest birds and nesting by sea turtles.
- Introduction of invasive alien species, especially brown tree snake (*Boiga irregularis*). The brown tree snake is known to be a significant troublesome predator of native forest bird in the Mariana Island chain. In addition, cats, rats, plants, insects, ungulates, and other non-native species are known to adversely impact federally listed birds, nesting sea turtles, and plants.
- Increased vandalism, illegal hunting, and disturbance resulting from increased human access into previously inaccessible areas. Cave vandalism, resulting from increased human visitation may have significant impacts on cave dwelling. Illegal hunting is already a significant problem for the Mariana fruit bat (*Pteropus mariannus*), and expansion of installations may increase access to bat roosting trees and provide opportunities for bat poaching.

Potential impacts from the indirect and cumulative effects of activities associated with the proposed action may be similar to those listed above but occurring on more discrete or localized scales. We recommend that the impacts to federally listed species, candidate species and other Federal trust species be analyzed and that appropriate conservation measures (including avoidances of unnecessary impacts, minimization, and compensation of unavoidable resource losses) be fully described in the EIS/OEIS. We recommend that coordination with the Service be initiated early in the planning process to ensure that these resource concerns are adequately addressed.

Invasive alien species

With increased traffic and the movement of personnel and materials into, within, and out of the Mariana Islands, new invasive alien species may be introduced to numerous areas across the Pacific. The potentially adverse impacts of these introductions are difficult to predict or quantify, but they may prove significant and could represent the single largest threat to the native species in the Mariana Islands and other islands in the Pacific (e.g., consider the brown tree snake effect on Guam).

- Training operations conducted in the Mariana Islands that include forces originating from outside the region, including U.S. flag and foreign vessels and troops, increase the risk of new species introductions to the Mariana Islands.
- Active training by forces stationed within the Mariana Islands, and specifically on Guam, that requires movement among the islands of the archipelago increases the risk of invasive species introductions on islands where they are currently not present. This is a concern particularly for the Northern Islands of the CNMI, which historically have been seldom visited due to their relative isolation and are currently free of many of the invasive

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species present on the southern islands. We are particularly concerned that the brown tree snake may spread from Guam to islands throughout the CNMI.

- The movement of training equipment and forces from the Mariana Islands to other regions of the Pacific increases the risk of spreading destructive invasive species that are currently present only in the Mariana Islands to other jurisdictions, especially other U.S. islands with military activity (e.g., Wake, Kwajalein etc.) and the State of Hawaii. For example, the introduction of the brown tree snake to Hawaii may lead to their establishment which would likely result in the devastation of avifauna, including many federally listed species.

Invasive species of concern are not restricted to one specific taxonomic group, and may include:

- Terrestrial vertebrates – brown tree snake (covered in detail below), goats, pigs, deer, rats, mice, cats, shrews, frogs, and non-native skinks and geckos.
- Terrestrial invertebrates – flatworms (e.g., *Platydemus manokwari*), snails (e.g., giant African snail, *Achitina fulica*, and the rosy wolfsnail, *Euglandina rosea*), and insects (e.g., erythrina gall wasp, *Quadrastichus erythrinae*, and Asian cycad scale *Aulacaspis yasumatsui*).
- Terrestrial plants – scarlet gourd (*Coccinia grandis*), vines (e.g., *Meremia* sp.), and fire promoting grasses.
- Aquatic and Marine species – algae, invertebrates, and fish.

The inadvertent introduction of one or a few of these species could adversely affect threatened and endangered species and other Federal trust species within the Mariana Islands and elsewhere across the Pacific. Once established, new invasive species are often difficult and costly to eradicate, and prevention is the best way to reduce this potential threat.

The proposed action includes numerous avenues for transporting invasive species, including stowaway of individuals in cargo or equipment, import of individuals or seeds with landscaping materials, transport of seeds or eggs via soil trapped in vehicle tires, tracks and personnel footwear, and transport of individuals or larvae in marine ballast water or as hull fouling. We recommend that the EIS/OEIS outline inspection and sanitary procedures to avoid introducing invasive species to any islands upon which they are not currently found. Additionally the EIS/OEIS should identify techniques and funding mechanisms for the early detection and eradication of incipient invasive species introduced as a result of the MIRC activities.

Brown tree snake control and interdiction

The accidental introduction of the brown tree snake on Guam in the 1940s resulted in the extinction and extirpation of most of the island's native forest bird species. This snake has also become a significant economic problem, agricultural pest, and public health concern. Because Guam is a focal point of trans-shipment of air and sea cargo, the risk exists for the inadvertent

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transport of the brown tree snake to other islands and continental U.S. sites as a stowaway in cargo or transportation vehicles.

The brown tree snake may cause similar ecological and socioeconomic problems elsewhere. For example, in Hawaii there are at least 30 endangered avian species and 1 endangered mammal, the Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) that may be adversely affected if the brown tree snake becomes established. All of the avian and mammalian species of the CNMI would be vulnerable to brown tree snakes if they became established on these islands.

With the increase in military personnel and training activities, as well as infrastructure expansion and improvements, military and civilian traffic and cargo shipment via air and sea ports will likely increase. We are concerned that existing control and containment activities for brown tree snakes at air and sea ports will not be adequate to screen the increase in cargo and personnel that will be transported from Guam to other high-risk destinations (e.g., Hawaii, CNMI etc.). We recommend that an analysis of the risks associated with brown tree snake dispersal from Guam to other Pacific Islands such as the CNMI and Hawaii as a result of activities associated with the proposed action be included in the EIS/OEIS. This is particularly critical considering the proposed expansion of training facilities and activities in the islands of the CMNI.

The best way to reduce the risk of brown tree snake dispersal from Guam is likely through long-term support of snake suppression on a landscape level on Guam. We recommend that the Navy assure that funding is available to consistently sustain a 100 percent inspection rate of all military cargo, vehicles, munitions, household goods and other items departing Guam. Support for brown tree snake quarantine efforts by United States Department of Agriculture's Wildlife Services (USDA-WS) should be based on the staff levels required to maintain programmatic integrity during peak periods of cargo and vehicle movement off Guam. We recommend that the Navy adequately support sustained brown tree snake trapping, capture, and toxicant use by USDA-WS in the vicinity of sites where Navy cargo, munitions, vehicles, and other items are staged, stored, or packed prior to departing Guam. We also recommend that the Navy, USDA-WS, and the Service cooperatively develop a mechanism that estimates the cost for USDA-WS brown tree snake interdiction efforts at a 100 percent level for all Navy cargo and vehicles departing Guam. This estimated level of funding should be requested and funded annually as part of the Navy operations budget. The Navy should develop a brown tree snake control plan for all facilities in the Marianas similar to the Andersen Air Force Base Brown Tree Snake Control Plan. We recommend that this document be an Appendix of the Final EIS/OEIS and incorporate DoD's Defense Transportation Regulation 505 and 506 protocols. The importance of adequate, consistent, and long-term office and kennel space for USDA - WS brown tree snake interdiction efforts on DoD facilities is essential. Efforts should be made to identify and secure long-term permanent space for this program.

We recommend that DoD provide sustained base funding for applied brown tree snake research efforts by USDA-WS National Wildlife Research Center (NWRRC). The applied research efforts

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funded by DoD should focus on: 1) development of aerial broadcast techniques for snake toxicants; 2) development of artificial lures and attractants for brown tree snakes; 3) development of more cost-effective strategies to control or eliminate brown tree snakes from quarantine and field situations; and 4) detection and capture of brown tree snakes at low densities. We suggest that the research scope and direction of NWRC efforts be determined by DoD, USDA-WS, NWRC, and our staff through identification of annual and multi-year, discrete, and finite goals. It should be emphasized that the development and implementation of these research goals will increase the effectiveness of the interdiction program, support large-scale control programs for listed species, and ultimately reduce the cost while increasing the geographic scale of brown tree snake control on Guam.

We recommend that DoD provide sustained supplemental funding for applied research efforts by the United States Geological Survey's Biological Resource Division Fort Collins Science Center (FORT) to support both research and operation efforts to detect and capture low snake populations. Development and refinement of this program is essential to addressing brown tree snake sightings off Guam.

Because of the high potential risk of brown tree snake introduction from Guam to the Northern Mariana Islands, we recommend that the Navy support, and or establish, enhanced brown tree snake quarantine and containment efforts in the CNMI in sites where Navy activities are anticipated. Such activities would include: 1) construction of quarantine facilities for all goods and vehicles imported from Guam; 2) appropriate staffing of such facilities; 3) enhancement of regional capacity to respond to and capture brown tree snakes reported off the island of Guam; and 4) long-term support for the development of techniques to detect and eradicate incipient populations of snakes.

We recommend that DoD and the Navy refer to the independent Review of the Brown Treesnake Problems and Control Programs, dated March 2005, as this issue is addressed. This report can be found on the web at [http://biology.usgs.gov/pierc/Invasive Species/Review of Brown Treesnake problems and control review.pdf](http://biology.usgs.gov/pierc/Invasive%20Species/Review%20of%20Brown%20Treesnake%20problems%20and%20control%20review.pdf). We also recommend you refer to Executive Order 13112 section 2 (3), which instructs Federal agencies to take all feasible and prudent measures to minimize risk of harm from invasive species.

Other Concerns

Some of the Mariana Islands are relatively unaffected by invasive species and human-caused habitat destruction. The biological integrity of Aguiguan (Goat Island) and the northern islands of the CNMI (Farallon de Medinilla north to Farallon de Uracas) are particularly important. These islands constitute a string of nearly uninhabited high islands that, owing to their extreme isolation, provide refugia for native biota and ecosystems of the Mariana Islands. The importance of connectivity among islands in maintaining archipelago-wide populations has been long recognized as a fundamental principle of metapopulation dynamics and island

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biogeography. Many Federal trust species may require populations on multiple islands in order to persist or recover. These remote Mariana Islands offer an irreplaceable opportunity to recover endangered species, restore and protect the natural communities of the archipelago, and conserve important breeding populations of widespread taxa.

Since 1998, DoD has supported the eradication of ungulates from the island of Sarigan as part of a mitigation project for take of Micronesian megapodes (*Megapodius laperouse*) on Farallon de Medinilla. The efforts of DoD, in partnership with the CNMI government and our office, has lead to the eradication of ungulates from the island, resulting in a positive effect on the megapode and other Federal trust species. Sarigan is now believed to have the largest population of Micronesian megapodes in the Mariana Islands, and the humped snail (*Partula gibba*) and Slevin's skink (*Emola slevini*) may have also benefited from the increase in native vegetation that has occurred as a result of ungulate removal.

The specific locations for the proposed training actions are not well defined at this early stage of the planning process and assessing the potential impacts of the proposed action is difficult. Areas harboring Federal trust species and important habitats occur on all islands in the Mariana archipelago and all proposed actions will be reviewed by us on a case by case basis as specific details are made available. We recommend that DoD coordinate with us at the earliest possible time in the planning process so we can provide timely recommendations to reduce the potential impacts resulting from the proposed actions on Federal trust species and assist with development of appropriate compensatory mitigation.

Cumulative Impacts

In addition to the proposed relocation of U.S. Marine Corps forces to Guam, other planned military projects (e.g., Northwest Field Beddown and Global Strike Task Force expansions of Anderson Air Force Base) and private developments (e.g., casino and homestead development on Tinian and inter-island ferry service) should be included in the cumulative impacts analysis for the proposed project. Specific issues may include increased traffic among islands, increasing the probability of transporting invasive species to new locations, and continued habitat destruction due to concurrent development projects. We recommend that all possible cumulative effects associated with the proposed project be considered within the EIS/OEIS.

Assistance from the Service

Any action requiring the discharge of dredge and fill material into the water will require a CWA section 404 permit from the U.S. Army Corps of Engineers. This permit will require coordination with us under the ESA and the FWCA. Previous Navy coordination with the Service on water resource development projects aimed at infrastructure improvement in the Mariana Islands have begun late in the project planning and EIS development process, and has

MIRC TAP EIS

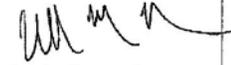
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resulted in delays. Therefore, we recommend that coordination with the Service be initiated early in the planning process to ensure that our resource concerns are adequately addressed.

We also recommend early coordination with us and other resource agencies to help develop survey needs and methodologies to adequately assess potential affects of the proposed action. We offer our expertise and assistance in developing resource surveys that may be necessary for a comprehensive analysis of the potential impacts to flora and fauna resulting from the proposed action. We look forward to working closely with Navy environmental staff in Hawaii and Guam on this and future proposed Navy actions.

We appreciate the opportunity to comment on the published NOI for this EIS/OEIS. If you have questions regarding these comments please contact Fish and Wildlife Biologist Dwayne Minton at 808-792-9445.

Sincerely,


Patrick Leonard
Field Supervisor

Enclosures:

1. Status of Federally Listed and Candidate Species
2. Terrestrial Species of Concern

cc:

Mr. Vajai N. Rai, OEPC, Washington D.C.
Ms. Patricia Port, OEPC, Oakland
Mr. Don Steffeck, USFWS, Region 1, Portland
EPA Region 9, Honolulu
NMFS - PIRO, Honolulu
DFW, CNMI
DEQ, CNMI
CRMO, CNMI
DAWR, Guam
GEPA, Guam
CZM, Guam

ENCLOSURE 1

The Status of Federally Listed and Candidate Species in Republic of the Marshall Islands, Territory of Guam, Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, and Republic of Palau. Resident Status: X = Present, U = Status Uncertain.

Species	Federal Listing Status	Territory of Guam	Commonwealth of the Northern Mariana Islands													
			Rota	Agiguan	Tinian	Saipan	Fajaro de Medinilla	Anatahan	Sarigan	Guguan	Alamagan	Pagan	Agrihan	Asuncion	Maug	Ureas
Marine Fruit Bat (<i>Pteropus mariannus</i>)	Threatened	X ¹	X	X	X	X		X	X	X	X	X	X	X	X	X
Little Mariana Fruit Bat (<i>Pteropus tokudae</i>)	Endangered	PE														
Nightingale Reed-warbler (<i>Aeropygia lusitana</i>)	Endangered			U	X					X	U					
Mariana Swiftlet (<i>Anous bartschi</i>)	Endangered	X		X	X											
Mariana Crow (<i>Corvus kubaryi</i>)	Endangered	X	X							X						
Mariana Common Moorhen (<i>Gallinula chloropus guami</i>)	Endangered	X	X		X	X					U					
Guam Micronesian Kingfisher (<i>Halcyon cinnamomea cinnamomea</i>)	Endangered	C														
Micronesian Megapode (<i>Megapodius laperouse</i>)	Endangered		X	X	X	X	U	X	X	X	X	X	X	X	X	X
Guam Rail (<i>Callinanus ovestoni</i>)	Endangered	C	XP													
Guam Bridled White-eye (<i>Zosterops conspicillatus conspicillatus</i>)	Endangered	PE														
Rota Bridled White-eye (<i>Zosterops rotensis</i>)	Endangered		X													

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T-278 P. 011/018 F-808

Species	Federal Listing Status	Territory of Guam	Commonwealth of the Northern Mariana Islands												
			Rota	Aguiguan	Tinian	Saipan Pagan Medina	Anatahan	Sarigan	Guguan	Alamagan	Pagan	Agrihan	Asuncion	Maug	Uracas
Green Sea Turtle (<i>Chelonia mydas</i>)	Threatened	X	X	X	X						X				
Hawksbill Turtle (<i>Eretmochelys imbricata</i>)	Endangered	X	X	X	X						X				
<i>Nesogenes rosenii</i> (No Common Name)	Endangered		X												
<i>Oncorhynchus marmoratus</i> (No Common Name)	Endangered		X												
<i>Seriolides nelsonii</i> (Hiyun Lago (Guam), Tronkon guafi (Rota))	Endangered	X	X												

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T-376 P.012/016 F-888

ENCLOSURE 2

Distribution of Resident Non-Federally Listed Species Protected Under the Migratory Bird Treaty Act and Territory of Guam (Guam) and Commonwealth of the Northern Mariana Islands (CNMI) Legislation and Candidates for Federal Listing. Resident Status: X = Present, U = Status Uncertain.

Species	Protection Status	Territory of Guam	Commonwealth of the Northern Mariana Islands														
			Rota	Agaña	Tinian	Saipan	Yap	Medina	Asuncion	Sarrigan	Guguan	Alamagan	Pagan	Agrihan	Asuncion	Maug	Uracas
Sheath-tailed Bat (<i>Eubalanus semicaudata</i>)	Guam and CNMI Listed, Candidate for Federal Listing			X													
Wedge-tailed Shearwater (<i>Puffinus pacificus</i>)	Migratory Bird Treaty Act					X											
White-tailed Tropicbird (<i>Phaethon lepturus</i>)	Migratory Bird Treaty Act		X	X	X	X	X	U	X	X	X	X	X	X	X	X	X
Red-tailed Tropicbird (<i>Phaethon rubricauda</i>)	Migratory Bird Treaty Act		X	X	X	X	X		X	X		X	X	X	X	X	X
Masked Booby (<i>Sula dactylatra</i>)	Migratory Bird Treaty Act					X	X	U		X						X	X
Brown Booby (<i>Sula leucogaster</i>)	Migratory Bird Treaty Act		X	X	X	X	X	U	X	X	X	X	X	X	X	X	X
Red-footed Booby (<i>Sula sula</i>)	Migratory Bird Treaty Act		X				X			X		X		X	X		
Great Frigatebird (<i>Fregata minor</i>)	Migratory Bird Treaty Act						X										
Little Tern (<i>Sterna albifrons</i>)	Migratory Bird Treaty Act					X											
Spaced Tern (<i>Sterna harrisi</i>)	Migratory Bird Treaty Act					U		U	X	X							X
Bridled Tern	Migratory Bird					X											

JUL-10-17 04:18pm From-

888 7820581

T-376 P.018/018 P-898

Species	Protection Status	Territory of Guam	Commonwealth of the Northern Mariana Islands													
			Rota	Agaña	Tinian	Saipan	Fareton de Medinilla	Anataban	Sarigan	Guguan	Alamagan	Pagan	Agrihan	Asuncion	Maug	Uracas
<i>(Sterna anaethetus)</i>	Treaty Act															
Sooty Tern <i>(Sterna fuscata)</i>	Migratory Bird Treaty Act				X				X				X		X	
Brown Noddy <i>(Anous stolidus)</i>	Migratory Bird Treaty Act	X	X	X	X	X	X	U	X	X	X	X	X	X	X	X
Black Noddy <i>(Anous nimus)</i>	Migratory Bird Treaty Act			X	X		X		X		X	X		X		
White Tern <i>(Gygis alba)</i>	Migratory Bird Treaty Act	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Yellow Bittern <i>(Ixobrychus exilis)</i>	Migratory Bird Treaty Act	X	X	X	X	X										
Pacific Reef Heron <i>(Ardea sacra)</i>	Migratory Bird Treaty Act	X	X	U	X	X	U	U	U	U	X	U	U	U		
Mariana Fruit Dove <i>(Ptilinopus roseicapilla)</i>	Bird of Conservation Concern (BCC)		X	X	X	X										
White-breasted Ground Dove <i>(Gallicolumba xanthonera)</i>	Guam Listed, BCC		X	X	X	X		U	X	X	X	X	X	X		
Guam Micronesian Starling <i>(Aplosis cyano cyami)</i>	Guam Listed	X														
Tinian Monarch <i>(Monarcha takahadase)</i>	CNMI Listed, BCC				X											
Rufous Fantail <i>(Rhipidura rufifrons)</i>	Guam Listed, BCC		X	X	X	X										
Micronesian Honeyeater <i>(Myzomela rubra)</i>	Guam Listed, BCC		X	X	X	X		U	X	X	X	X	X	X	X	
Golden White-eye <i>(Tachyphonus coronatus)</i>	BCC			X	X	X										
Bridled White-eye <i>(Zosterops complexillanus)</i>	BCC			X	X	X										

11-10-17 04:18pm From-

808 728381

T-275 P. 014/016 P-508

Species	Protection Status	Territory of Guam	Commonwealth of the Northern Mariana Islands													
			Rota	Aguiñan	Tinian	Saipan	Agaña	Aradahan	Sarigan	Guguan	Alamagan	Pagan	Agrihan	Aññon	Maug	Urucas
Oceanic Gecko (<i>Gehyra oceanica</i>)	Guam Listed	X	X	X	X	X				X	X			X		
Micronesian Gecko (<i>Perodipus ateleus</i>)	CNMI and Guam Listed	X	X		X	X										
Pacific Slender-toed Gecko (<i>Nactus pelagicus</i>)	Guam Listed	X	X					U	X		X					
Snake-eyed Skink (<i>Cryptoblepharus nasolepiscus</i>)	Guam Listed	X	X	X	X	X		U	X	X	X		X	X	X	
Tide-pool Skink (<i>Eosia nitrocostata</i>)	Guam Listed	X	X	X		X				X	X					
Azore-tailed Skink (<i>Eosia cyanura</i>)	Guam Listed	X														
Slevin's Skink (<i>Eosia slevini</i>)	Guam Listed	U	U		U				X	X	X	X	U	X	X	
Moth Skink (<i>Lipinia noctua</i>)	Guam Listed	X														
Mariana Wandering Butterfly (<i>Vagrans egestina</i>)	Candidate for Federal Listing	U	X													
Mariana Eight Spot Butterfly (<i>Hypolimnas aticula</i>)	Candidate for Federal Listing	X				U										
Humped Tree Snail (<i>Partula gibba</i>)	Candidate for Federal Listing	X	X	X	U	X		U	X		X	X				
Langford's Tree Snail (<i>Partula langfordi</i>)	Candidate for Federal Listing			U												
Guam Tree Snail (<i>Partula radiolata</i>)	Candidate for Federal Listing	X														
Mariana Islands Fragile Tree Snail (<i>Samoana fragilis</i>)	Candidate for Federal Listing	X	X													
<i>Heritiera longipetiolata</i> (<i>Uta-tilonotano</i>)	Guam Listed	X	X		X	X										

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T-318 P.11/5/06 P-488

Species	Protection Status	Territory of Guam	Commonwealth of the Northern Mariana Islands														
			Rota	Agaña	Tinian	Saipan	Faroleros	Masella	Anatuban	Sarigan	Guguan	Alamagan	Pagan	Agrihan	Asuncion	Maug	Urucas
<i>Cyathea lunulata</i> (Tsaitsa)	Guam Listed	X															
<i>Lycopodium phillymeria</i> var. <i>legifolium</i> (Disciplina Fern)	CNMI Listed	X	X														

JUL-20-17 04:45pm From

818 7221551

T-212 P-018/215 F-418

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To: Whom it may concern

From: Donovan Borja student at GWHS

Subject: The U.S. military Buildup in Guam

G-368-001

Guahan The land of the Chamorro is what we Chamorros refer to our home in Guahan, But it seems like you refer it to as a storage place your big locker for your supplies and nuclear weapons. Our culture is very special to us so for people to come and take away our land and rights its just not cool. You expect us to just suck up and let you take this away while you don't even give us natives any respect to atleast give us a chance to express ourselves. Fight Back This Build up really will beat up our land our cultural sites

G-368-001

Thank you for your comment. DoD recognizes the importance of avoiding, minimizing, and/or mitigating adverse effects on the people of Guam, its cultural 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.

G-369-001

Thank you for your comment.



COMMENT SHEET

Draft Environmental Impact Statement/Overseas
Environmental Impact Statement
Guam and CNMI Military Relocation

Reading Room

The Department of the Navy (DoN) and the Joint Guam Program Office (JGPO) invites your comments on the Draft EIS/OEIS for the Guam and CNMI Military Relocation. Please provide your comments below. Comment forms, or your own letter, will be accepted at the public hearings, or may be mailed to: JGPO, c/o NAVFAC Pacific, 258 Makalapa Drive Suite 100, Pearl Harbor, HI 96860-3134, Attention: GMPO. You can also visit www.guambuildups.us to comment. Comments must be postmarked by February 17, 2010. Copies of the Draft EIS/OEIS are available for review at Nieves M. Flores Memorial Public Library, University of Guam Robert F. Kennedy Memorial Library, Joeten-Kiyu Public Library, Northern Marianas College Olympio T. Borja Memorial Library, and the Tinian Public Library. A DoN sponsored reading room has also been set up at Agana Shopping Center for Draft EIS/OEIS review.

Please provide your comments below:

G-369-001

I have no idea why you chose Guam! Of all the places in the world that you people "own", why choose Guam? Dang! Everywhere else, is a lot bigger than this island! Yet, you want to place 8000 marines plus their families on an island that very well, may sink! Look at this beautiful place! You want to destroy it! Build and cement it! I used to admire the military! I wanted to be in one of the branches. Because I wanted to defend my people. But then I realized that I would not be doing that, I would be hurting them even more. Because if you look at the faces so clearly placed on this land, you would see that the military has taken so much from us. They even claim to have every right to take it because we owe them. For what?! For fighting with the Japanese? For get that! We've paid you people back enough, what more do you want? What to put our women through the same things they went through? Yeah, you say jobs will be given. But Guess what? Money can't buy my island, my home! You can't just buy us Chamorro's out!

*** Please Print Clearly***

Comments must be postmarked by February 17, 2010

Gerardo Santos

176 D Duenyas Street

Moumoune, GU 96910

February 09, 2016

*Draft Environmental Impact Statement / Overseas
Guam Military Relocation Comment*

G-370-001

Hafa Adai, I'd like to submit a comment regarding the acquisition and use of lands by the military population during the military buildup. From my read of the DEIS, I understand that lands are going to be leased by the Chamorro Land Trust Agency for military use. From my understanding, there are local laws governing those lands. "CLTC is responsible for the disposition of Chamorro Homelands (public lands) pursuant to mandates mandates to advance the social, cultural and economic development and well-being of the Chamorro people by way of residential, agricultural and commercial land distribution and economic assistance programs (21 GCA, Ch. 75; P.L. 22-18, and P.L. 23-38 as amended.)" My concern is how is the military's use of those lands going to abide by our local laws governing the use of these "Chamorro Homelands". Will the military build a public multi-cultural youth center, an additional hospital, additional schools, or perhaps even promote agriculture on these lands?

If the intended use of these lands did not include the formation of structures or avenues to advance the social, cultural, economic development, or well-being of the Chamorro people, I vitally suggest serious consideration so as not to further abuse cultural perpetuation efforts. As a youth and cultural perpetuator of Guam, it is in my best interest to see to it that despite the severe disruption cultural maintenance efforts may experience, the military at least provide their best efforts to respect the people of Guam.

G-370-001

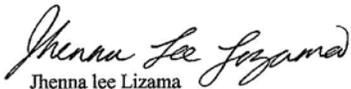
Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive issue, particularly related to prior acquisition of land in Guam by the federal government. Prior land acquisition policies and procedures are not reflective of current land acquisition laws and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

The land proposed for acquisition would not be developed with the community facilities you recommend in your comment. The land would be used for military use. 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.

Subject: The Military Build-Up
Date: January 22, 2010
From: Jhenna lee Lizama, G.W.H.S. student

To Whom It May Concern:

I am writing this letter in regards to the Military build-up that is happening to my island of Guam. And as a proud Chamorro I would like to express my feelings and let you know, how I feel about it. Because it is not only affecting me it is affecting everyone on our island of Guam. I am worried about our people of Guam; there will be a higher crime rate. There will be a major traffic problem, and it's bad enough they're using back road as there transportation of bombs. We are a family-oriented island we are known for our good hospitality but knowing that about 8,000 some people of different race will be here. There will be racial conflicts with in the people that are coming. The military build-up will affect our island population wise and environmentally because with all of these bombs that are coming and other stuff that they use for war. It will be here on our land, our island, our ancestors fought for this land. And the military is basically just going to take over. The only thing, I would be ok about is that our island will improve economically, but that's all. But overall I would just hate it if they all came, and it sucks that we can't do anything about it. We should have a say, in who should be able to come to our island. Because it is our island, no one else's we take care of it, because it is ours and if they come, they will take over. This is so...not cool, because we don't send any of our people to anywhere to take over. Anyway, I would like to take this opportunity and thank you for reading what I have to say.


Jhenna lee Lizama

G-371-001

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.

G-371-002

Thank you for your comment. Overall traffic congestion and resulting travel times will increase as organic (non-military) population increases on Guam. The increase in population associated with the military build-up will also add traffic and increase congestion. The Draft EIS identifies a number of roadway improvement projects for the 2030 planning horizon, that if implemented, will offset the increased congestion attributable to the military at many locations.

G-371-003

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.

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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.

G-371-004

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.

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.



COMMENT SHEET

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Environmental Impact Statement
Guam and CNMI Military Relocation

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Please provide your comments below:

G-372-001

My name is J.M. Sharqualaf san Nicolas, I'm 18, from the village of Inarajan. The buildup decision is important to me because I'm a Chamoru and this is my island and my people. The land and culture is what us Chamorus have to lose, and that's why I oppose it.

G-372-002

I think there'll be a lot of crimes when those military people come here. I think there will be a lot of violence between the male locals & the military. I've seen many before at the clubs and other places, and I know it will happen when they come. I also think that the local women will be violated, somehow. It happened in Japan, so what will make them change their minds when they come here? Nothing. I think bringing them here will have more of a negative impact.

G-372-003

Our lands will suffer with more pollution, also. We have a little bit of a problem already, and bringing thousands of people here will make it worse.

G-372-004

Again, the buildup will bring more of a negative impact, especially on the land and our people, the Chamorus. This is our homeland, so, I think we have the right to choose our own fate. Don't bring them here.

*** Please Print Clearly***

Comments must be postmarked by February 17, 2010

G-372-001

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.

G-372-002

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.

G-372-003

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 has prepared a LID study identifying 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 are 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 has developed 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.

G-372-004

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.

COMMENT SHEET

Draft Environmental Impact Statement/Overseas
Environmental Impact Statement
Guam and CNMI Military Relocation



Reading Room

The Department of the Navy (DoN) and the Joint Guam Program Office (JGPO) invites your comments on the Draft EIS/OEIS for the Guam and CNMI Military Relocation. Please provide your comments below. Comment forms, or your own letter, will be accepted at the public hearings, or may be mailed to: JGPO, c/o NAVFAC Pacific, 258 Makalapa Drive Suite 100, Pearl Harbor, HI 96860-3134, Attention: GMPO. You can also visit www.guambuildups.us to comment. Comments must be postmarked by February 17, 2010. Copies of the Draft EIS/OEIS are available for review at Nieves M. Flores Memorial Public Library, University of Guam Robert F. Kennedy Memorial Library, Joeten-Kiyu Public Library, Northern Marianas College Olympio T. Borja Memorial Library, and the Tinian Public Library. A DoN sponsored reading room has also been set up at Agana Shopping Center for Draft EIS/OEIS review.

Please provide your comments below:

G-373-001

My name is Shawn Figueroa, I'm 16, and I'm from the village of INAVAHAN. This issue is important because I'm a Chuam and we don't need people destroying our island. I know that if I keep waiting they will make their way down to INAVAHAN and try and take our land like what they're taking in the north. I don't want people to take our island or make it a target and we have enough people anyway.

G-373-002

I oppose because there is no reason for these good Marines to come they're just going to come bring crime and take land that don't belong to them. In Okinawa, Japan there was many crimes dealing with rape, and now they're trying to take power and make it a shooting range. They're not going to do anything to the Marines for the crimes they do. Instead of bringing the Marines to Guam they should put them in a country that's big with a small population.

G-373-003

I oppose to the military build-up. I oppose because there are too many crimes caused by the Marines in Okinawa, Japan. I just want to say that imagine if you a lot of people coming somewhere that doesn't need a whole new population made up of people who commit a lot of stupid crimes.

*** Please Print Clearly***

Comments must be postmarked by February 17, 2010

G-373-001

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.

DoD has been a longstanding member of the community. 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.

G-373-002

Thank you for your comment. The selection of Guam for the military relocation was discussed in detail in Volume 1 of the DEIS. Various locations were considered throughout the Western Pacific 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. Guam was the only location for the relocation that met all the criteria.

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.

G-373-003

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.

Tinian Chamber of Commerce Comments for the
Draft Environmental Impact Statement for the Guam and CNMI Military Relocation

TINIAN CHAMBER OF COMMERCE

PO Box 800
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Position Paper and Official Comments for the
**DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE
GUAM AND CNMI MILITARY RELOCATION**

Written and Researched by
Phillip Mendiola-Long
President & Chairman, Tinian Chamber of Commerce

Approved and Ratified by the Tinian Chamber of Commerce Board of
Directors
February 12, 2010

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BACKGROUND

The Tinian Chamber of Commerce has been operating on the island of Tinian for over 25 years and currently consists of over 50 active members ranging from a large Casino/Hotel operation (*employs over 600 people*) to the small Donni Sali (hot pepper) single person harvesters. Although small in size, the Tinian Chamber of Commerce has very close relationships with the Guam Chamber of Commerce and the Saipan Chamber of Commerce and was a key developer of the Micronesian Council of Chambers of Commerce which will be established later this year. The Tinian Chamber of Commerce has also been very active with the US Military Build Up in the region. Involvements range from offering official comments when asked and working with the Joint Guam Program Office on expectations of future military developments on the island of Tinian. The Tinian Chamber of Commerce was also very involved in the Socio-Economic Impact Study conducted on Tinian and provided much of the research and historical data for the study.

G-374-001

STATEMENT OF SUPPORT

The Tinian Chamber of Commerce wishes to make it clear that our membership fully supports military investment on Tinian. Our comments offered below are meant to constructively point out unintentional consequences caused by the military's proposed action in this draft environmental impact statement and to offer solutions which will meet the expectations of businesses and residents on Tinian. The island of Tinian has endured over 30 years of pent up expectations for the military's use and development of the 18,000 acres of leased land on Tinian. Therefore we look forward as equal stakeholders, to ensure that both parties, the people of Tinian and the military, ensure that our future cohabitation and stewardship of Tinian is successful and enduring. Our submitted comments below are that first step toward that goal.

G-374-002

COMMENTS

G-374-003

I. DEIS Statement:

Transportation: 2.3.3.2 (pg 2-14)

"No new transportation infrastructure would be required for implementation of the proposed action at Tinian except bio-security quarantine and inspection areas would be constructed at arrival locations on Tinian"

Roadways and Marine Transportation 14.2.2 (pg 14-4)

"No new transportation infrastructure would be required for implementation of Alternative 1,(2 or 3) at Tinian"

"The additional traffic proposed by transporting equipment and ammunition from the airport to the ranges would not exceed the existing capacity of the roadways; impacts to roadways would be less than significant."

Tinian Chamber of Commerce CONCERN:

The Tinian Chamber of Commerce disagrees with the determination of "less than significant" for impacts to the roads and harbor as a result of the proposed action. Statements are assumed by the DEIS that current "capacity" of the harbor and road

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G-374-001

Thank you for your comment.

G-374-002

Thank you for your comment.

G-374-003

Thank you for your comment. The proposed action is to move equipment and troops from the Airport Road to the MLA using Broadway. Military personnel would travel by foot or bus. The impact would be minimal to the existing roadways.

G-374-004

infrastructure are adequate, however no studies or compaction (bore) tests are offered to determine if in fact the roads constructed in 1944 can withstand the additional and heavier loads required for equipment used in the range. Also, when addressing road utilization, the DEIS fails to identify which specific Tinian roads would be accessed or utilized when moving personnel and equipment from the airport or the harbor. If equipment is moved from the harbor to the RTA, then that equipment must move across city roads, the use of which was not addressed in the DEIS. To illustrate further, the DEIS fails to address the significant impact of diverting traffic from Broadway to 8th Avenue (during active range use). 8th Avenue lacks pavement to the East of the Tinian Airport runways, a significant oversight of the DEIS. Traffic would significantly be impacted as it would be diverted from a paved road (Broadway) to a non-paved road (8th Avenue) as a result of the action. This would mean tourist buses and traffic to IBB which currently travel on fully paved roads would be diverted to a road which lacks pavement. The action therefore is significant in nature. Lastly, the DEIS fails to identify the state of disrepair of the Tinian Harbor and uses 11 year old data to describe the harbor and its capacities. The state of the Tinian harbor described in the DEIS does not accurately reflect the current conditions or operations of the harbor and is therefore erroneous in its determination of no significant impact. A state of emergency was declared in October of 2009 by the Municipality of Tinian as well as the State Government in order to immediately repair the areas which pose a potential loss of life. This specific area is adjacent to the main quay and therefore would substantially impact future barge traffic. Initial studies have been done by a private contractor which have determined that the connecting dock is also unstable and could result in future collapse if not repaired. This would result in a main quay that is unprotected. In addition, similar to the "capacity" assumptions made for existing 1944 roadways, the DEIS assumes the same capacity capability for the harbor without structural testing or bore tests.

Tinian Chamber of Commerce SOLUTION:

1. The DEIS must identify the Tinian public access roads that military personnel and equipment related to range activity would travel on. This will provide a better understanding of traffic patterns and loads necessary on those identified roads which will be used for military access.
2. The DEIS must identify the types and weights of equipment, vehicles, trucks and munitions which will travel on the Tinian public access roads.
3. The DEIS should be amended to include supporting studies and tests which support the assumption of capacity measures for 66 year old infrastructure. Compaction and bore tests should be carried out on the roads identified for military access to the RTA as well as at the Harbor to ensure that loads do not collapse an already unstable infrastructure.
4. The DEIS should properly identify the differences between 8th Avenue and Broadway and offer acceptable mitigation efforts to lessen the significant impact of diverting traffic to a smaller, more damaged and unpaved road. (Broadway is 20' wide vs. 8th Avenue being 9' to 18' wide / Broadway is fully paved vs. 8th Avenue partially paved / Broadway road condition suitable vs. 8th Avenue unsuitable) Significant impact is noted as 8th Avenue is partially unpaved (West of Tinian Airport) and significantly less wide (only 9' wide lanes in areas South of the Airport and 18' wide north of the

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G-374-004

Thank you for your comment. The proposed action is to move equipment and troops from the Airport Road to the MLA using Broadway. Military personnel would travel by foot or bus. The impact would be minimal to the existing roadways.

G-374-005

airport), which will cause direct impact to tourist bus traffic traveling North or South. Two way traffic, although tight can be accommodated with Broadway's 20' width, however two way traffic would not be possible on 8th Avenue's 9' width, especially when considering large 50 passenger buses which would be diverted to 8th Avenue due to the military's proposed action. The only solution is for the action to require mitigation in widening and improving 8th Avenue to accommodate the diverted traffic caused by the military's action.

G-374-006

II. DEIS Statement:

Noise 6.2.2 (pg 6-11)

"The noise contours would be entirely within the DOD-controlled land except for a small portion extending on the northern edge of the Tinian Airport property. In this case, no noise-sensitive receptors would be impacted, resulting in no noise impacts associated with this alternative (1)" "Since neither live-fire noise nor the other activities associated with Tinian would reach sensitive receptors, operational impacts due to airfield operations and live-fire training would result in no noise impacts.

Tinian Chamber of Commerce CONCERN:

The Tinian Chamber of Commerce disagrees with the DEIS' determination that there will be no noise impacts associated with the proposed action and challenges the determination based on noise modeling rather than actual live fire tests. The Tinian Chamber of Commerce has two major concerns with the finding of no noise impact by the DEIS. First, no real live fire tests are offered to confirm "modeled" expectations. The location of the ranges sits in a valley between Mt. Lasso and Pinã Plateau, residents and businesses are worried that the contour of the land surrounding the ranges will amplify the sound and/or direct the sound toward parts of Marpo Heights where Tinian residents live. The action does not discuss how the contours of the land or the funneling of sound due to the valley would affect how sound is carried throughout the island. Second, the DEIS fails to address the significant sound impact to parts of 8th Avenue. Since the DEIS mitigates denial of access on Broadway Avenue by diverting traffic to 8th Avenue, that stretch of road will now be within the 87 and 104dB PK threshold for all three alternatives. Therefore, the action would have significant impact on tourist buses which will be diverted to 8th Avenue due to actions required of the DEIS. The resulting action and noise impact would clearly be inconsistent with the Tourism theme, as tourists would essentially be driving adjacent to and within a very loud and active "war zone". Tourists would be left with memories not of the lush beauty and history of Tinian's northern part of the island but rather the shocking drive through a war zone, which would almost certainly provoke fear and frightening jolts as they drive north and south along 8th Avenue while the range is active. In addition, one of the tourist stops while traveling up 8th Avenue is Mt Lasso's vista point. Tourist would stop here as a part of their tour in order to partake in breathtaking views of Tinian's North Field and Saipan. This area is located within the noise impact zone for Alternative 1 and therefore mitigation efforts need to address the sound impact to this tourist site.

Tinian Chamber of Commerce SOLUTION:

1. The DEIS needs to verify noise modeling with actual real life test studies on Tinian. The action of conducting real life tests will either discredit the hypothesized noise

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G-374-005

Thank you for your comment. The proposed action is to move equipment and troops from the Airport Road to the MLA using Broadway. Military personnel would travel by foot or bus. The impact would be minimal to the existing roadways.

G-374-006

Thank you for your comment. The U.S. Army Center for Health Protection and Preventative Medicine (USACHPPM) provided the calculations for this EIS and uses SARNAM for the range modeling.

SARNAM is software that can calculate and display noise level contours for firing operations at small arms ranges. Source model parameter values are based on empirical data from actual live-fire testing. Live-fire testing on Tinian would likely result in lower noise levels because the noise contours are modeled to depict noise levels from individual weapons using weather conditions or wind direction that favors sound propagation.

G-374-007

model or confirm its findings, results of which would be important for the military and civilians on Tinian. Costs associated with these live fire noise modeling tests would be rather inexpensive and quickly produce a reliable study which both the military and civilians could accept as factual and real.

2. The DEIS must offer mitigation efforts for the noise impacts overlooked by the noise study and identified by the Tinian Chamber of Commerce. Tourism is a large part of Tinian's economy and access to the historical and recreational sites are mandatory. However, access to the northern part of Tinian is being diverted by the action requirement of the DEIS to 8th Avenue, which lies within the noise impact areas. Mitigations for this impact is to coordinate the improvement of 8th Avenue (as offered above in the transportation mitigation solution) by moving 8th Avenue to the West outside of the noise impact area or possibly improving Riverside Drive on the Western Shore of Tinian to accommodate tourist and IBB traffic. Improving Riverside Drive could solve two concerns by the Tinian Chamber of Commerce: Inadequate capacity and Poor condition of 8th Avenue and the location of 8th Avenue within and adjacent to the SDZ and Noise Impact Area. Perhaps, the DEIS should include a study which would include the improvement of Riverside Drive.
3. The DEIS must offer mitigation efforts for the noise impact to the Mt. Lasso Vista point which will be used by tourists traveling up 8th Avenue. The Tinian Chamber of Commerce recommends that the mitigation for the noise impacts to the Mt. Lasso Vista point would be to relocate the Vista point north and outside the noise impact area. The funding necessary for this mitigation can also be coupled with a visitor's center that would interpret the historical sites located within the RTA which would have extremely limited or no access. Costs related to this mitigation should be the responsibility of the military.

III. DEIS Statement:

Recreational Resources 9.2.2 (pg 9-4, 9-5)

"Recreational resources on Tinian are situated primarily along the North Field, northwest shoreline, and southwest in the vicinity of San Jose village. The proposed structures associated with Alternative 1 implementation are not situated in the proximity of the existing recreational resources; as such, impediments to access are not expected."

"The proposed actions are situated outside South Tinian. No disturbance to access to the existing recreational resources is anticipated."

Tinian Chamber of Commerce CONCERN:

The DEIS omits significant recreational resources, Unai Dankulu/Long Beach which consists of over 10 beaches spread over a distance of 1.5 kilometers), and Unai Masalak (which consists of 3 beaches spread over a distance of .5 kilometer) (Unai Dankulu and Unai Masalak comprise a total of one third of the beach areas on Tinian.) Access would be impeded, recreational opportunities would be reduced, conflicts would be created and physical deterioration would occur. Unai Dankulu is the longest beach on Tinian and is a major tourist and resident recreational spot. In fact, on weekends both beaches are used by local families as a camp ground where their stay would be from 2-4 nights on average. The beaches are also one of the premier beaches for all types of fishing ranging from

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G-374-008

G-374-007

Thank you for your comment. The U.S. Army Center for Health Protection and Preventative Medicine (USACHPPM) uses SARNAM for the range modeling and uses empirical data from actual live-firing as the parameters for calculations. Eighth Avenue lies adjacent to the 104 dB contour. Noise heard by tourists on the buses would be elevated and not ideal for tourism, but because the bus is temporarily in the location and the duration of each shot only lasts for about three thousandths of a second, no hearing affects would occur.

Thank you for your suggestion to add more mitigation measures.

Mitigation for impacts to agricultural use and tourism continues to be discussed among local government leaders, DoD, tour companies, farmers and ranchers. As of the writing of this response, no decisions have been made on additional mitigation. Specific recommendations for mitigation are welcome.

G-374-008

Thank you for your comment. Volume 3, Section 9.1.2 has been revised to expand the current description of Unai Dankulu, comprising of at least 10 beaches over a distance of 1.5 km, and the inclusion of Unai Masalak, which consists of three beaches over a distance of 0.5 km. Figure 9.1-1 will be revised to reflect these descriptions. As presented in the draft EIS, only under Alternative 2 would access to some of the beaches in Unai Dankulu and Unai Masalak be impeded during training period; the expected period of inconvenience would be one week per month. Persons accessing these resources via 8th Avenue may encounter added traffic during training periods due to the fact that Broadway will be closed to the public. Under other alternatives presented, including the Preferred Alternative, the recreational resources in these areas would not be adversely affected.

G-374-009

spear fishing, net casting to rod and reel fishing. Additionally, located just 100 yards west of Unai Dankulu and Unai Masalok beaches are ancient (prehistoric) indigenous latte villages, which incorporate an interpretive trail with brass plaques describing what the hiker is seeing. Current access to these beaches and the ancient historical sites would be impeded by the installation of a fence and denial of access via the only paved road to the site, Broadway. The DEIS does not address how continued access would be granted to tourists and residents; nor does the DEIS address the impact the SDZ would have on that access. Alternatives 1, 2 and 3 (Fig. 2.5-1, 2, 3) illustrate how the SDZ area would actually impede access to the beaches via Broadway Avenue and the dirt access road which comes off of Broadway to the beaches, however no discussion is offered as to how traffic would be redirected in order to avoid the SDZ and not impede access to the beach. If the DEIS does not address these concerns, tourists and residents could have reduced access to the sites. It should also be noted that the location of the noise impact area includes direct noise impact to the current access road to Unai Dankulu and Unai Masalok. Therefore, the impact of live fire noise will have a significant impact to the site as well be in conflict with the purpose of the beach, which is to rest and relax.

G-374-010

Tinian Chamber of Commerce SOLUTION:

1. The DEIS should incorporate the significant impact to Unai Dankulu and Unai Masalok due to noise impact and lack of access. If Alternatives are left as is, then mitigation should be offered so that continued access to Unai Dankulu and Unai Masalok is not impeded. Mitigation suggested by the Tinian Chamber of Commerce would be to divert tourist and resident traffic to the Pinã dirt road which runs parallel to the Eastern Shore south of Unai Dankulu and Unai Masalok. The road must be paved and improved by the military as current access to Unai Dankulu from San Jose Village is 90% paved, with only the beach access road to the east of Broadway being unpaved. Since Broadway will no longer provide access to Unai Dankulu and Unai Masalok due to the SDZ, then the only mitigation acceptable is to divert access to a road which would be equal to or better than current paved access.

G-374-011

IV. DEIS Statement:

Contaminated Sites 17.1.1.4 (pg. 17.3

"Table 17.1-1 lists the active DOD hazardous waste site in Tinian (Tinian Mortar Range used from 1945-1994) that could be impacted by expanded training operations. Formal clearance of the munitions and explosives of concern (MEC) at the site has not been conducted. Site access and visitation is limited, however due to the presence of Unexploded Ordnance (UXO), the former Range is considered a Category 6 (High priority) site and as such determined to require remedial action."

Tinian Chamber of Commerce CONCERN:

Since the DEIS identifies additional significant impact on Tinian due to the introduction of Hazardous Materials and Waste, it would seem appropriate that the DEIS offer as a mitigation measure, the HAZMAT clean up of the Tinian Mortar Range. The public and the business community are concerned that although the DEIS offers mitigation measures to protect Tinian's environment from the introduction of Hazardous materials and waste, the document fails to offer the immediate clean up of the Tinian Mortar Range as a mitigation effort. It is difficult to accept the DEIS' statement for its "promised"

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G-374-009

Thank you for your comment. Chapters 8 (Land Use), 9 (Recreational Resources), and 16 (Socioeconomics) addressed these issues. Additional updates have been made to the Final EIS to provide more details in the analysis.

G-374-010

Thank you for your comment. No airport, harbor, or roadway improvements are required for the scale of operations in the proposed action.

G-374-011

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). If a leak, release, or spill is suspected or confirmed, aggressive mitigation

G-374-011

establishment of BMP's and SOP's for the care of hazardous materials when there is already a glaring failure of environmental stewardship by the US Government via the Hazardous Waste site called the Tinian Mortar Range. The former utilized range, is simply fenced off and the hazardous materials are left on the Tinian land to contaminate the surrounding areas.

Tinian Chamber of Commerce SOLUTION:

1. The DEIS should offer as mitigation for its proposed action, the clean up of the Tinian Mortar Range. This will assure residents and businesses that the military is sincere about its stewardship of our island's environment.

G-374-012

V. DEIS Statement:

Typical Operating Scenario for Proposed Range Training Evolution on Tinian 2.3.3.3 (pg. 2-14)

"Training activity would be scheduled and notice provided in newspapers and via public service announcements on radio and TV at least 1 week prior to training event."

Tinian Chamber of Commerce CONCERN:

A one week notice window is not enough time for tourists and residents to address their scheduling of activities for use of North Field areas. Tour operators and hotels are concerned that land tours which include access to areas within the SDZ would not be given enough time to notify their customers of a change of itinerary. Bookings for air charter flights from China for instance are done in some cases one month in advance which includes land tour packages. The land tour packages would include or not include certain tourist sites within the SDZ (Japanese Communications Building, Mt. Lasso Shrine, Long Beach, etc) based on the training schedule for the military. If only one week advance notice is provided, then it would be impossible to sell land tours in advance, thereby removing valuable historical tourist sites from the itinerary all together.

Tinian Chamber of Commerce SOLUTION:

1. The DEIS should extend notice of the use of the range to two weeks. The two week notice should be prior to the advance team landing to prepare the use of the range.

G-374-013

VI. DEIS Statement:

Civilian Range Access, Security and Safety 2.3.4.4 (pg. 2-18)

"It is anticipated that during periods of non-military use, the RTA could be available for other civilian purposes consistent with RTA policies, subject to management restrictions to protect public safety, property and the environment. These uses include the proposed landfill, the proposed wastewater treatment plant, and agency personnel access for natural and cultural resource surveys on Tinian. Periods of potential civilian use would need to be defined and regulated within RTA management procedures."

Tinian Chamber of Commerce CONCERN:

The DEIS fails to identify what RTA policies are envisioned for potential civilian access and use of the historical and recreational areas located in the RTA. This seems to be a violation of the NEPA process as continued access based on the RTA Management Procedure could directly create significant impacts to the use of the environment.

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. With regard to proposed firing ranges for MEC, 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 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 may include controlling soil pH to

G-374-014

Tinian Chamber of Commerce SOLUTION:

1. The Tinian Chamber of Commerce recommends that the RTA Management Procedures be incorporated in the DEIS document so that impacts of the management procedures can be measured as an environmental impact.

G-374-015

VII. DEIS Statement:

Economic Impacts 16.2.2.1 (pg.16-18 & 16-19)

“Local stores and restaurants in San Jose would also benefit from the proposed action if the Marines in training are granted liberty, as has been the case in the past. However such liberty is not currently guaranteed for regular training exercises under the current description of proposed action. Liberty may be available to the advanced teams before and after training exercises, though these advanced teams would be much smaller and thus have a lesser economic impact.”

“Because of minimal opportunities for liberty, there would be few opportunities for direct military-civilian interaction.”

“To enhance 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.”

Tinian Chamber of Commerce CONCERN:

Since the DEIS clearly identifies the lack of positive economic impact and accurately notates the possible negative economic impacts due to lack of access to hunting, fishing and tourist sites, the Tinian Chamber of Commerce believes that the impact requires a guaranteed mitigation effort. Simply offering the “potential” for liberty is not enough and the requirement of liberty can and should be built into the training schedules.

Tinian Chamber of Commerce SOLUTION:

1. The Tinian Chamber of Commerce recommends that DEIS implement liberty time within the proposed training schedule and measure the economic impact of allowing 200-400 military personnel to have liberty in downtown Tinian. The Tinian Chamber of Commerce believes that if this liberty is measured in economic impact terms, that businesses and the community as a whole would benefit which in turn would translate into more support for the proposed action.

VIII. DEIS Statement:

Summary of Impacts Table 16.2-1 (pg 16-21)

“Significant adverse impacts to Tinian economy due to periodic access limitations to tourism-related sites, cattle grazing land and wild chili plants – economic costs may outweigh benefits”

Summary of Potential Mitigation Measures Table 16.2-2 (pg.16-22)

“CNMI could seek federal financial assistance for development of a small museum dedicated to Tinian’s history; to support Tinian’s tourism industry would further minimize economic impacts on the Tinian tourism industry.”

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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. 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.

G-374-012

Thank you for your comment. The lease requires that notification occurs at one week prior to a training event. Road closures and restrictions to civilian access will be addressed in detail in the Local Range Management Plan that will be developed following the Final EIS to support the operations of any ranges constructed on Tinian.

G-374-013

Thank you for your comment. Civilian access is described in Section 2.3.4.4 and is analyzed in various resource areas throughout Volume 3. Section 2.3.4.4 has been updated in the Final EIS.

G-374-016

Tinian Chamber of Commerce CONCERN:

It is clear that tourism will be impacted by the military's proposed action. Tinian tourism will be directly impacted due to constrained and in some instances zero access to tourist sites. Tinian tourism will also be significantly impacted by the range sound impacts to the pristine and tranquil environment which in some cases overlaps tourist roads, beaches and historical sites. And lastly, Tinian tourism access to historical and recreational areas in the Northern part of Tinian will be diverted to non-paved roads, which would impede access by large tour buses. Since the DEIS clearly identifies the lack of positive economic impact and accurately notates the possible negative economic impacts, it seems misplaced as a mitigation measure to recommend the CNMI government mitigate negative actions caused by the military's action.

Tinian Chamber of Commerce SOLUTION:

1. The Tinian Chamber of Commerce recommends that the DEIS recognize and recommend that the mitigation for the loss of Tinian economic tourism activity be that the MILITARY pay for the development of a small museum dedicated to Tinian History. Since it is the military impeding access and since it is the military diverting tourist traffic, then it should be the responsibility of the military to offer mitigation through the military funding of the development of Tinian's first museum.

IX. DEIS Statement:

Economic Impacts 16.2.2.1 (pg.16-18)

"The military would terminate the grazing rights to build the proposed ranges, causing significant adverse economic impact. Tinian ranchers would have to utilize a diminished amount of available grazing land in the southern third of the island"

"Finally, loss of access to training areas would mean loss of local gathering access to the wild chili peppers locally know as donnisali, a Tinian Export. However, any chili plants in the southeast quadrant of the military lease area would be either up-rooted during grading or be located in the Surface Danger Zone (SDZ), where access would be restricted during proposed training activities."

Summary of Impacts Table 16.2-1 (pg 16-21)

"Significant adverse impacts to military-civilian relations because, during training exercises, local residents would lose access to popular beaches, fishing spots, and the memorial crosses at the north tip of the island on religious holidays; less than significant social impacts in all social aspects during construction."

Tinian Chamber of Commerce CONCERN:

Negative Economic impacts are of major concern for the Tinian Chamber of Commerce. Specifically, the negative impacts to gazing and donni sali harvesting, the Tinian Chamber of Commerce objects to the glaring lack of mitigation efforts offered for the adverse impact to these industries.

Revocation of Tinian grazing permits: The DEIS clearly identifies significant impact to 35 grazing permits, which will be cancelled as a result of the proposed action by the military. Significant investments of time, labor and financial resources were expended by these 35 livestock ranchers and a unilateral cancelling of leases held does

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G-374-017

G-374-014

Thank you for your comment. The range management plan is not available for inclusion in the Final EIS. It will be prepared after the Record of Decision is published. The EIS section you refer to contains the best available information.

G-374-015

Thank you for your comments and recommendations. 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 Final EIS cannot confirm that liberty would be provided to the Marines training on Tinian. Liberty is granted by the commanders and may or may not be granted depending on the training schedule, number of personnel, and other considerations. To accommodate the many mitigation measures recommended during the DEIS comment period, the Final EIS has provided an expanded discussion on mitigation measures.

G-374-016

Thank you for your comments and recommendations. 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.

The "doni sali" referred to is the Tinian hot peppers that grow on the DoD leased lands; these are harvested on DoD property. As such, this resource is not being cultivated and is being harvested without DoD permission.

G-374-018

not seem fair or acceptable to the Tinian Chamber of Commerce. Additionally, the DEIS fails to identify current infrastructure such as paved roads which provide access to the grazing lease areas which would be relocated as a result of the military's proposed action. The DEIS offers no mitigation efforts for the loss of investment or the road improvements for future identified relocation sites for the 35 grazing pastures. The Tinian Chamber of Commerce believes that any relocation effort should include the military's involvement through mitigation efforts offered below.

G-374-019

Loss of access to donni sali harvesting areas: The DEIS clearly identifies significant impact to the donni sali export industry. Tinian is well known throughout the region as a top hot pepper producer and its namesake separates Tinian Hot Pepper from other peppers produced on other islands due to the spiciness of the pepper grown exclusively on Tinian. In fact the Marianas Visitor's Authority holds an annual government sponsored event which promotes the Tinian Hot Pepper industry called "The Tinian Hot Pepper Festival". For decades, significant time, labor and financial resources both publicly and privately funded have been developing this emerging export industry for Tinian, however the DEIS fails to identify the significance of this industry and fails to offer an equitable mitigation for "uprooting" or "denying access" to 2/3rds of the donni sali crops which are located within the proposed RTA and SDZ. The Tinian Chamber of Commerce believes that a significant mitigation effort should be offered by the DEIS to account for the potential collapse of a viable export industry on Tinian due to the impact of the proposed action of the military..

G-374-020

Tinian Chamber of Commerce SOLUTION:

1. The Tinian Chamber of Commerce recommends that the DEIS offer the military's assistance in relocation efforts for the terminated lease holders through the coordination of military training exercises which would involve surveying and parceling new public land in the Southern portion of Tinian. (With the cooperation of the CNMI Department of Public Lands) Additionally, the military could offer the manpower and equipment necessary (via sanctioned training exercises) to relocate the grazing fences and infrastructure invested by the lease holders, which would be required to be removed as a result of the military's proposed action. This proposed mitigation action, although not legally required by the existing grazing lease agreements, would nonetheless ease the social impacts of a military forcing ranchers off their lands and instead exemplify the military's willingness to work with the community and its residents.
2. The Tinian Chamber of Commerce recommends that the DEIS offer paved road access mitigation to offset the potential impact of relocating livestock ranchers to areas on Tinian where no paved road access exists. Currently, both 8th Avenue and Broadway Avenue provide ample paved road access to the leased grazing areas, the proposed cancellation of the grazing leases would force the CNMI Department of Public Lands to relocate the grazing permit holders to areas where no paved roads exist. The military could mitigate the negative impact of such a relocation by offering, in conjunction with item 1 above, to pay for the development and construction of a new road to the site selected by the CNMI Department of Public Lands to relocate the ranchers.

The Navy has re-evaluated the need to no renew all subleases in the leaseback area and will only propose to not renew subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone of the proposed firing ranges.

As to possible sites for the relocation of any leases, such actions would be under the control of CNMI officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for ESA listed species are taken into account in any relocation effort.

To accommodate the many recommendations relating to mitigation measures, the FEIS has included an expanded discussion of mitigation measures.

G-374-017

Thank you for your comment. The background information provided supports your proposed mitigation measures described later in your comment.

G-374-018

Thank you for your comment. No airport, harbor, or roadway improvements are required for the scale of operations in the proposed action.

G-374-019

Thank you for your comment. The Navy has re-evaluated the need to terminate all subleases in the leaseback area and will only propose to terminate subleases in the leaseback area that are within the range

G-374-021

3. The Tinian Chamber of Commerce recommends that the DEIS offer to fund a donni sali cultivation project and study, which could transplant existing mature donni sali plants located within the RTA and the SDZ to the southern portion of Tinian and develop the planting and development of a new harvesting area in the southern part of Tinian. The military funds similar mitigation efforts which involve the displacement or demolition of endangered plants and animals, therefore, since the DEIS has identified a significant impact to this export industry on Tinian, the Tinian Chamber of Commerce recommends that the military fund an equitable program which compensates Tinian for the loss of an emerging export industry.

G-374-022

X. DEIS Statement:

Economic Impacts 16.2.2.1 (pg 16-18)

"There is a "possibility" that 12 to 15 Tinian residents could be employed as security guards, grounds-keeping crew, and sanitation workers to support the proposed action on Tinian. Those direct jobs would constitute a less than significant impact, falling short of the calculated 31.5-job mark."

Tinian Chamber of Commerce CONCERN:

The Tinian Chamber of Commerce is concerned that the military's proposed action lacks community driven focus. It would seem that if the military's plan is to build a live fire range on a peaceful and beautiful tourist concentrated island, that the military would investigate and implement policies which bring it closer to the Tinian community and its people. One must admit, that the proposed military action and the possible environmental consequences is already a "hard sell" to the people of Tinian, yet not enough thought or concern was given to the people of Tinian in this DEIS. Glaringly evident is the statement that "possibly" 12 to 15 jobs would be created in return for the series of negative significant impacts of the proposed action of a live fire range on Tinian. To illustrate further, the DEIS does not identify high paying jobs such as range management positions, electrical repair technicians, software programmers or heavy equipment operators, all of which are a regular position involved in live fire ranges. Instead, the DEIS offers minimum wage level jobs such as security guards, grounds-keeping crew and sanitation workers. There is also a significant difference in expectations from the community regarding jobs created by the proposed military action. The Tinian Chamber of Commerce estimates that expectations in the community are between 100-200 jobs, however realistic expectations that that Tinian Chamber of Commerce supports are 50-75 jobs, which would include all levels of employment not just the minimum wage jobs.

G-374-023

Tinian Chamber of Commerce SOLUTION:

1. The Tinian Chamber of Commerce recommends that the DEIS reevaluate job expectations for the proposed action and look at possible private range operating (range control) contracts which would localize and expand job opportunities for the people of Tinian. Currently, the DEIS calls for advance teams, presumably military personnel, who would prepare the live fire range for a scheduled exercise. Since this (Guam/CNMI Military Relocation) proposed action anticipates 16 weeks of training and the MIRC anticipates an additional 10-12 weeks of training on Tinian, it would seem more economical for the military to privatize the management of the range

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footprint and associated Surface Danger Zone of the proposed firing ranges.

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 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.

The "doni sali" (Tinian hot peppers) grow on the DoD leased lands; these are harvested by individuals on DoD property. As such, this resource is being harvested without cultivation; it would be appropriate to plant the Tinian hot peppers on private property since economic benefits are being derived through their sale.

As to possible sites for the relocation of any leases, such actions would be under the control of Commonwealth of the Northern Mariana Islands (CNMI) officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for Endangered Species Act (ESA) listed species are taken into account in any relocation effort.

G-374-020

Thank you for your comment. The Navy has re-evaluated the need to terminate all subleases in the leaseback area and will only propose to terminate subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone of the proposed firing

G-374-024

operations. This way the range activity could be managed by a private firm and more job opportunities could be offered to locals on Tinian. The Tinian Chamber of Commerce considers this the best mitigation effort the military's action can offer as it will have direct positive impact to job opportunities on the island of Tinian.

ranges.

As to possible sites for the relocation of any leases, such actions would be under the control of CNMI officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for ESA listed species are taken into account in any relocation effort.

Your remaining mitigation measures have been taken under consideration. Expanded mitigation discussion is available in the FEIS.

G-374-021

Thank you for your mitigation suggestion. The summary lists of BMPs and mitigation measures in Volume 7 were updated based on comments received during the public comment period. Potential mitigation will continue to be updated after the Final EIS is published, during agency consultation and construction permit application processes. Mitigation measures selected for implementation in the Record of Decision and attached as conditions to a permit will be implemented.

G-374-022

Comment noted. See responses to specific comments that follow.

G-374-023

Thank you for your comments and recommendations. The DEIS only provides estimates of number of jobs, the DEIS does not guarantee that this will be the number of jobs, the real number may be more or less depending on a number of factors including qualifications and training. If Tinian workers are qualified for certain positions or contracts, and if they apply, they would be considered by the contractor who was awarded the contract. That said, it is expected that jobs that are related to the military operations would be filled by military personnel for training purposes, because of safety issues, and have

responsibilities to implement procedures where the military must assume direct responsibilities. It is unlikely that these specific job duties would be provided to private contractors.

In regards to loss of visitors to Tinian because of the loss or limited access to cultural and historical sites in the north, DoD concurs that maintaining access to important cultural and recreational sites is important when the firing ranges are in use. So the current plan is to access the important cultural and recreational sites in the northern portion of Tinian through 8th Avenue. Although specific plans concerning access to sites through 8th Avenue have not been specifically developed, 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.

G-374-024

Thank you for your comments and recommendations. The anticipated jobs on Tinian would be primarily for services that are typically provided by private contractors. Jobs that are related to the military operations would be filled by military personnel for training purposes; because of safety issues, and have responsibilities to implement procedures where the military must assume direct responsibilities. It is unlikely that these specific job duties would be provided to private contractors.



GUAM CHAMBER OF COMMERCE
PARTNERS IN PROGRESS

February 17, 2010

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Hafa Adai!

On behalf of the Board of Directors and membership of the Guam Chamber of Commerce, we thank you for the opportunity to provide comments on the Draft "Environmental Impact Statement/Overseas Environmental Impact Statement for Marine Relocation, Transient Nuclear Aircraft Carrier (CVN) Berthing, and Army Ballistic Missile Defense (BMD) Task Force" (DEIS).

G-375-001

Attached is an Executive Summary and the Chamber's assessment of the Draft EIS as well as recommendations for your consideration. We believe that it is in our interests, the interests of the larger community that we serve and, in many respects, the interests of the government of the United States and its Department of Defense (DOD) to adjust the proposed actions in such a way as to enhance the benefits and reduce the potential negative impacts of said actions for Guam's civilian community. A cooperative and, wherever possible, collaborative effort can ensure a favorable long-term relationship between the civilian community of Guam and the DOD, and by extension the government of the United States. It is with this intent that we provide our input to the process.

We thank you for the opportunity to express our views.

Sincerely,

DAVID P. LEDDY
President

G-375-001

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 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.



EXECUTIVE SUMMARY

G-375-002

There are numerous issues related to the anticipated relocation of Marines to Guam from Okinawa, a visiting aircraft carrier berthing in Apra Harbor and the establishment of an Army air and missile defense task force in Guam, as these proposed actions are outlined in the U.S. Department of the Navy's November 2009 release of its Draft Environmental Impact Statement/Overseas Environmental Impact Statement (collectively, the "DEIS"). Many of these issues hold the potential to have economic impacts in Guam that will affect the short-, intermediate- and long-term well being of its civilian residents and the operations of their government. This document is intended to i) provide a recitation of many of the more prominent of those impacts, and ii) to recommend general and specific actions that can help to mitigate several of the potential negative effects of the proposed actions, and to offset several of those negative consequences that cannot be directly remedied.

It should be clear from the outset that the Guam Chamber of Commerce supports the military buildup. However, we believe that it is in our interests, the interests of the larger community that we serve and, in many respects, the interests of the government of the United States and its Department of Defense (DOD) to adjust the proposed actions in such a way as to enhance the benefits and reduce the potential negative impacts of said actions for Guam's civilian community. A cooperative and, wherever possible, collaborative effort can ensure a favorable long-term relationship between the civilian community of Guam and the DOD, and by extension the government of the United States. It is with this intent that we provide our input to the process.

G-375-003

While the DEIS views the proposed actions as being narrowly focused on a military mission, the majority in Guam's civilian community view the proposed actions as being an initiative of the U.S. government, and not just of the DOD. The fundamental purpose of the proposed actions is to provide for the military defense of the entire nation, not just (or even necessarily) for the people of Guam. Although the U.S. government and the government of Japan are prepared to bear the financial burdens of building facilities, equipping those facilities and relocating thousands of Marines, their dependents and civilian employees from Okinawa to Guam, it is implicitly expected that Guam's civilian community will bear a substantial share of the burden as well, whether financially or through other impacts on the community.

Therefore, it is strongly recommended that the U.S. government, to the greatest extent possible and mindful of the true purpose of the proposed actions, substantially minimize or entirely eliminate the fiscal and other costs that would otherwise be borne by a community that is hardly prepared to absorb shocks of the magnitude portrayed in the DEIS and other analysis of the actions.

The format of this document will begin with a broad listing of the areas of impacts to be discussed, followed by discussion of those impacts as grouped into major categories, with recommendations directly associated with each issue. Where multiple issues are closely related, each will be specified and a unified set of recommendations will be provided; individual issues that are not closely attached to others within their categories will be presented accordingly.

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G-375-002

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 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.

G-375-003

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 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.

List of Areas of Impacts:

Land

Infrastructure

Utilities

Roadways

Ports

Local Government

Timing of Revenues v. Expenditures

Education

Taxation

Health Care and Social Services

Other Services

Political Considerations

Environment

Tourism

Labor

Inflation

Commercial Competition: On- v. Off-Base Retail Sales

Housing and Commercial Development

Local Preferences

Sociocultural

Historic Preservation

Cultural Preservation

Relations Between Civilians and Military Personnel

Land:

G-375-004 Land use and land ownership take on an extremely high level of importance to the people of Guam; this is particularly true among indigenous Chamorros but, given the limited land area of the island, land is given a heightened level of importance to all long-term residents. Historically, Guam was a matrilineal society and land represented the accumulated wealth of extended families.

G-375-005 Although the population was much smaller at the time, the taking of “Spanish Crown” lands early in Guam’s colonial existence was initially resisted, then generally resented by the people of the island. When even larger tracts of land were taken by the U.S. government in the aftermath of World War II, most Chamorros were happy to contribute to what they believed to be the war effort, only to later be disillusioned when they learned that these takings had, in many cases, been achieved under false pretenses, often deceptively and underhandedly at artificially depressed prices. To see vast acreages held by the DOD then left idle only made matters worse, and induced widespread ill feelings toward the U.S. government. These feelings have been manifested innumerable times over the past six decades, through lawsuits, efforts to modify Guam’s relationship with the United States and many other actions.

Under the proposed actions depicted in the DEIS, the intention to acquire additional land in Guam for military use is articulated. This has been one of the key points attacked by those in Guam who have expressed their opposition to the proposed actions in general. Most particularly, the prospect of the exercise of the federal government’s right of eminent domain over land in Pagat Mangilao for a live-firing range grates on many in the community who feel that too much of the island’s limited land area is already devoted to military use. If the right of eminent domain is exercised, it may lead to increased animosity on the part of Guam’s civilian residents toward the U.S. in general and the DOD in particular; this animosity may persist across future generations.

It is strongly recommended that the DOD carefully and seriously reassess its need to acquire the use of additional property in Guam, especially in light of the fact that so much of its current holdings remain idle. If it is determined that the acquisition of additional land is absolutely necessary, it is recommended that the land either be leased or purchased at a negotiated price, with an appropriate mechanism for periodic price adjustments included in any lease or rental agreement.

Infrastructure:

G-375-006 *1. Utilities:*

- a. Water: The theoretical capacity of Guam’s primary source of potable water, the northern water lens, is 80 million gallons per day (MGD). The current usage from that source is approximately 50 MGD. The DEIS anticipates increased demand to 63 MGD during the construction phase of the proposed actions, retreating to a 58 MGD steady state demand once the buildup is completed. That would leave 22 MGD in unused capacity available for future growth and development. The DOD proposes to install 22 new wells and the Guam Waterworks Authority (GWA) proposes to install 16 additional wells to meet the anticipated increase in demand.

G-375-004

Thank you for your comment.

G-375-005

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.

G-375-006

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

While there is clearly excess theoretical capacity in the northern water lens, there is also a risk that extracting too much water from the lens could result in the infiltration of salt water into the fresh water, at least temporarily eliminating or substantially reducing the capacity of the lens as a source of potable water. It is variously estimated that the GWA loses between 50% and 55% of the water introduced into its transmission and distribution systems; similar figures for the Air Force and Navy transmission and distribution systems are not readily available. However, reducing system losses would dramatically reduce the need to extract water from the lens, reducing the risk of saltwater infiltration.

While the GWA has plans to improve and upgrade its systems, along with leakage detection and repair, this process is expected to extend decades into the future, primarily because of financial constraints.

It is therefore recommended that the DOD, in coordination with other U.S. government agencies and the GWA, arrange for financial assistance, in the form of grants, loans, loan guarantees and system development charges, and technical assistance to reduce the leakage from GWA's transmission and distribution systems to more closely comply with the 15% industry standard loss ratio. It is further recommended that both the Air Force and the Navy undertake whatever measures are necessary to reduce their water loss ratios as well. As an additional measure to reduce potential pressures on the northern water lens, it is recommended that the Navy increase the capacity of the Fena Reservoir, both by dredging and by raising the height of the dam; once this is completed, the expansion of the Navy's Fena water treatment plant would help to augment its capacity to generate potable water, further alleviating demands on the water lens.

- b. Wastewater: In addition to the Apra Harbor Waste Water Treatment Plant (WWTP) operated by the Navy, the GWA operates a series of WWTPs throughout the island. Among these, two are considered important in the DEIS: the Northern District WWTP (NDWWTP) and the Hagåtña WWTP.¹ Each of these plants has the capacity to process 12 million GPD, and neither processes more than half of its capacity, on average (5.7 million GPD average for the NDWWTP and 4.4 million GPD for the Hagåtña WWTP). If the relocated Marines are stationed entirely in Finegayan, only the NDWWTP will be affected; if, on the other hand, a portion of the Marines or Army are housed in Barrigada, the Hagåtña WWTP could be affected. At the present time, both WWTPs are deemed to have sufficient excess capacity to process the increased loads. However, the existing collection and transportation systems are not adequate and will have to be upgraded.

In addition, the U.S. Environmental Protection Agency (USEPA) has declined to reissue variances from the requirement to provide secondary treatment by the

¹ The Apra Harbor WWTP, currently processing 2.9 million GPD of its 4.3 million GPD capacity, is separate and apart from these recommendations as it does not directly impact Guam's civilian community. A military construction project to rehabilitate/upgrade the existing Apra Harbor WWTP is currently under way.

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 been substandard 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.

The DEIS does retain the potential long-term alternative of dredging Fena Reservoir, and will most likely face the necessity of this action sooner or later due to soil deposits. Raising the dam was considered but discarded as untenable at this time and in the timeframe needed. The suggestion to control water loss is agreed with and DoD has ongoing

Northern District and Hagåtña WWTPs, requiring that the upgrades necessary to provide such secondary treatment be implemented to return the WWTPs to compliance with the Clean Water Act §301(h). Despite GWA's upgrades to both plants that returned them to full design capacity, additional demands on their capacity associated with the proposed actions will merely make the installation of secondary treatment capacity more urgent.

At the very minimum, it is recommended that the DOD install the necessary collection and transportation capacity necessary to accommodate its increased needs. In addition, it is recommended that the DOD arrange funding for the addition of secondary treatment capabilities to the NDWWTP by 2016 (in lieu of building its own WWTP) and the expansion of primary and secondary processing capacity there to 18 million GPD by 2021; if a portion of the Marines' housing is to be located in Barrigada and the effluent to be transferred to the Hagåtña WWTP, the DOD should arrange funding for its *pro rata* share of the upgrades necessary to comply with the Clean Water Act at that site.

- c. Power: The Guam Power Authority (GPA) currently has 552 megawatts (MW) of generating capacity, and has experienced a peak load demand of just 272 MW (49.3% of installed capacity). It is anticipated in the DEIS that there will be an addition in power demand of as much as 99 MW, with a continuing load of an additional 60 MW as a steady state after the construction phase of the proposed actions is completed (these figures have since been reduced to 40 MW and 25 MW, respectively); all of these estimates are well within GPA's existing generating capacity.

The issue, then, is not generating capacity, but transmission and distribution capacity. This is where deficiencies would exacerbate current problems with reliability (generation/transmission failures) and stability (voltage fluctuations). It is anticipated that additional transmission capacity will be required from the GPA's main concentration of generating plants at Cabras Island in Piti to Finegayan in the north and to Orote Peninsula (Naval Base Guam) to the south. In addition, it is expected that some of GPA's combustion turbine generators (CTs) will have to be refurbished to meet transitory demands during the construction phase of the proposed actions and that an additional 80 MW base load generating capacity will have to be added after the construction phase is completed.

Because a portion of the increased demand in the northern region of Guam will be based upon natural growth in the population, almost all of the near- to intermediate-term increase will be caused by the direct and indirect effects of the proposed actions. Thus, it is strongly recommended that the DOD finance the costs of, i) refurbishing the CTs required immediately in the north for the construction phase, and ii) arrange for financing of the increased transmission and distribution capacity, including substations, transformers and capacitor banks, necessitated by the proposed actions, at no cost to the GPA. It is further recommended that the DOD pay for its *pro rata* share of the costs of installing the

programs to replace leaking water lines. DoD does have legal limits on where they can spend their budget, and that limitation is for needs specific to the DoD personnel and facilities. DoD cannot spend their budget to fix civilian facilities.

G-375-007

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 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

new 80 MW base load generator. In addition, the entire cost of upgrading the transmission capacity from Cabras Island to the Orote substation, along with the upgrades required there, should be borne by the DOD.

- d. Telecommunications: Guam's telecommunications capacity is deemed to be adequate, so no associated actions are required at this time.

2. *Roadways*:

The DEIS anticipates that there are two principal attributes of Guam's roadways that will need improvement in connection with the proposed actions and the resultant increase in population: first, the capacity of the roadways to handle an increase in traffic will be required, whether by widening existing thoroughfares, adding or developing alternative routes, or establishing an effective mass transit system; second, those roadways that will be used to transport construction supplies, materials and equipment (and later weaponry) will have to be reinforced/strengthened/hardened to accommodate the additional weight that they will be required to bear, and Route 15 may require straightening. Both of these improvement categories will also entail ancillary projects, including bridge replacement and intersection (esp. traffic signal) improvement. The DEIS proposes that these improvements be funded by the Federal Highway Administration (FHWA).

The proposed roadway improvements and modifications are quite extensive, and will likely disrupt existing traffic flows throughout the central and northern parts of the island over the course of several years (2011 through 2016). While it is understood and appreciated that the costs of these projects are expected to be covered by the FHWA, there is nonetheless an apprehension that a significant portion of the cost burden will be borne by the government and the taxpayers of Guam. Because of the financial condition of the government of Guam and its nearly-exhausted debt limit, combined with the innumerable other expenses that will have to be paid from its already strained budget for items related to the proposed action, it is unlikely that any significant portion of the costs of the proposed roadway improvements can be covered locally.

Therefore, it is not merely recommended, it is imperative that the costs of the proposed roadway projects be covered by the federal government, whether through the FHWA, the DOD or a combination of sources; Guam can contribute to the future costs of maintenance of the new transportation capacity, but a portion of those costs should also be covered by the DOD in as much as they support the continued military defense readiness of the United States. In addition, it is strongly recommended that the proposed roadway projects be planned in such a way as to cause the least possible disruption to traffic flows so that the ongoing economic activities of Guam, and thus its tax base, are maintained at their maximum potential. There is one remaining issue related to the proposed roadway projects: the straightening of Route 15, which is proposed to pass through military land, is intended to accommodate the live firing range that the DEIS

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 been substandard 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.

The DEIS does retain the potential long-term alternative of dredging Fena Reservoir, and will most likely face the necessity of this action sooner or later due to soil deposits. Raising the dam was considered but discarded as untenable at this time and in the timeframe needed. The suggestion to control water loss is agreed with and DoD has ongoing programs to replace leaking water lines. DoD does have legal limits on where they can spend their budget, and that limitation is for needs specific to the DoD personnel and facilities. DoD cannot spend their budget to fix civilian facilities.

G-375-008

Thank you for your comment. Recent work by GWA have not restored the North District Wastewater Treatment Plant to its original design capacity. 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.

G-375-011

expects will be emplaced on the so-called "Route 15 Lands." Referring back to the Land issues discussed above, this should only be necessary if said live firing range is actually established at that site, and such establishment should only take place under the conditions specified in that earlier section of this set of recommendations.

3. *Ports:*

G-375-012

- a. Seaport: Guam's seaport is the island's lifeline to the rest of the world. Given the size of Guam's population, the island's limited natural resources and an inability to take advantage of extensive economies of scale, most of the physical items used, whether for consumption or in production, must be imported. The vast majority of these items (more than 90%) pass through Guam's Jose D. Leon Guerrero Commercial Port (the Port) under the administration of the Port Authority of Guam.

The Port is currently undergoing an extensive and expensive upgrade and expansion process in order to, i) update, repair and replace existing facilities and capacity, ii) to anticipate future growth I the continuing demands of the community, and iii) to accommodate the substantial near-term increase in cargo handling demand generated by the shipment of large volumes of construction supplies, material and equipment, military-related goods, furniture and equipment, and products needed to support both the temporary and long-term increase in Guam's population. While many of the costs of this upgrade and expansion should be covered by adjustments in the Port's fee structure, the necessary revenues can only be realized if sufficient volumes of cargo pass through the Port's facilities.

Although it is clearly stated in the DEIS that, "DoD is not funding Port improvements, nor is it directing or requesting Port improvements" (Volume 6, Chapter 1, §1.2.1), it is equally clear that substantial attention is being paid by the Port Authority to the increased capacity needs associated with the proposed actions, above and beyond the capacity level needed to directly address the ongoing needs of the community as they would exist in the absence of the proposed actions. It is similarly clear that the DOD will directly and significantly benefit from the Port expansion projects. It is curious that the DOD would expect the civilian community to bear even a portion of the costs of that portion of the capacity expansion that is specifically intended to meet the needs of the proposed DOD actions.

There is also a concern raised by a statement in the Socioeconomic Impact Assessment Study (SAIS, Chapter 9, Appendix F, §2.2.3) that, "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" [emphasis added]. This is in direct conflict with the Port Authority's expectations, and would, i) cause unnecessary

DoD would install a relief sewer from the main base in Finegayan to the NDWWTP and thus not add base demands to existing GWA sewers. DoD is going to study the capacity of the sewer along route 3 for potential use during construction, of course with GWA permission.

G-375-009

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.

Also subsequent to the DEIS, DoD has reevaluated its estimated future load requirements. Those requirements are now lower. Also for transient ships, GPA would be offered first right of refusal to provide power for them while in port. If GPA declines or can only offer part of the power needs, DoD may opt to utilize Orote power plant or keep the ships' generators running.

DoD would pay for the transmission upgrades from Orote substation to Cabras Island as they would be entirely for DoD use.

G-375-010

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

costs in the ongoing Port expansion project, and ii) deprive the Port of much-needed revenues to pay for its expansion.

It is strongly recommended that all of the goods needed to construct or operate military bases in Guam be shipped through Guam's Commercial Port in order to cover the DOD's fair share of the Port's expansion and operations through appropriate fees and charges; this is a requirement of Guam law. It also recommended that the DOD arrange for financing of (at least) that portion of the costs of the Port's expansion that can be assigned to the anticipated increase in cargo processed for use in the construction or operations of military bases in Guam.

- b. Airport: There are no current issues related to the A.B. Won Pat International Airport that are addressed in the DEIS, so no comments will be provided here.

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.

G-375-011

Thank you for your comment. Majority of the land required for the realignment of Route 15 will occur on DOD Property. For the portion of the realignment that requires acquisition of non-DOD land, 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.

The Department of Defense (DoD) and the Federal Highway

Local Government:

G-375-014

1. *Timing of Revenues v. Expenditures:* Perhaps the most fundamental dilemma facing the government of Guam in relation to the proposed actions is the need for substantial expenditures for associated projects well in advance of any prospective revenue streams to support that spending. Although many of these expenditures can be (and are expected to be) financed directly by the DOD and other federal agencies, many others are left to the local government to cover. However, Guam's government current finances are already in dire straits, with little near-term hope of relief. In addition, Guam's ability to attract debt financing is severely constrained, both by its debt limit imposed under the Organic Act of Guam and by the marginal confidence expressed in the government's repayment capacity by the major credit rating agencies.

Making matters worse, there remains so much uncertainty surrounding the final nature, timing and magnitude of the proposed actions that forecasting future revenue streams is essentially impossible. As a consequence, the government of Guam cannot engage in reliable budgetary planning. Nonetheless, in addition to required expenses to which the government can relatively quickly adapt (such as the increased need for personnel and supplies), there are other needs that require advance planning, preparation and funding (such as schools, recreational facilities, hospital capacity and emergency vehicle fleets). Not only is it extremely difficult for the local government to find funding for these expenditures; it would be imprudent to engage in the expenditures with virtually no assurance that it would recoup its expenses or that the expenditures will ever actually be necessary.

The recommendations in this category are twofold: first, it is incumbent on the DOD to more clearly and summarily express the anticipated needs for additional local government services, both directly and indirectly associated with the proposed actions; second, the DOD should arrange for grants and/or loan guarantees to fund the local government's expenditures related to the proposed actions and their effects on the civilian community.

2. *Education:* The DEIS anticipates that proposed actions will add many school age dependents to the population of Guam. Those who are dependents of active duty military personnel and civilian military personnel recruited from outside of Guam will be educated in the Department of Defense Education Activity (DoDEA) Domestic Dependent Elementary and Secondary Schools (DDESS). Consequently, no direct burden on Guam's public school system is expected from the increase in the military population, other than from those who choose to attend the Guam Community College and the University of Guam.

Guam's population increase will not be limited to military personnel and their dependents, though. While it is anticipated that the H-2B construction workers will be unaccompanied, without school age dependents, it is possible that others coming to Guam from Hawaii and the U.S. mainland, whether for temporary or permanent employment, will have school age dependents. It is also possible that supervisory personnel and some

Administration (FHWA) acknowledges that the issue of land acquisition is a complex and sensitive one.

G-375-012

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.

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). While DoD is not directing the Port improvements, a amendment to the 2010 Defense Appropriations Bill is proposed in Congress which calls for the transfer of \$50M of DoD FY10 funds to the Department of Transportation to fund Phase I of the port improvements.

G-375-013

Thank you for your comment. 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). While DoD is not directing the Port improvements, a amendment to the 2010 Defense Appropriations Bill is proposed in Congress which calls for the transfer of \$50M of DoD FY10 funds to the Department of Transportation to fund Phase I of the port improvements.

construction workers from Japan will bring school age dependents, but it is unlikely that these would be enrolled in Guam's public schools. In addition, it is likely that workers arriving from the Freely Associated States will be bringing school age dependents with them.

The DEIS estimates an increase in the Guam DOE student population ranging from 3,796 (constrained) to 7,937 (unconstrained) during the peak year of 2014, falling back to an increase of from 1,512 to 1,841 during the steady state after the buildup; similarly, GCC may see an increase of between 306 and 565 during the peak and 151 to 170 thereafter, and UOG may see an increase of from 520 to 989 at the peak and from 234 to 268 thereafter. The increased student populations will require an increase in teachers and non-adjunct faculty members of between 303 and 619 during the buildup and between 123 and 148 thereafter.

While the facilities at UOG are deemed adequate to accommodate the prospective increase in its student population, it is likely that GCC will have to expand its capacity and that DOE will have to add as many as four new schools to meet increased demands during the peak year.

Although the DEIS gives no estimate of the increase in enrollment in the DDESSs, it is a near certainty that those schools will require additional teachers, too. In contrast to other DODEA schools, those in Guam have recruited teachers locally since their establishment in 1997, rather than recruiting solely from the U.S. mainland. As a result, many of Guam's more highly qualified public school teachers left GDOE for DODEA, leaving a gap in the public school system's teaching staff that had to be hurriedly filled (often with less qualified, "emergency certified" teachers). It is likely that this will be repeated with an increase in the military dependent population.

There appears to be no potential relief from the coming increase in school population, other than a small reduction in new student numbers if the dependents of H-2B visa holders are denied H-4 ("Accompanying Family Member") visas; even extending the timeline of the proposed projects would have little effect, other than to provide more time to build new facilities and recruit new teachers. Yet this burden added to Guam's already stressed public school system is entirely related to the proposed actions (unrelated changes are not addressed in the DEIS), and aside from the revenue/expenditure timing difference entailed in adding new teachers and faculty members (not to mention new administrators and support staff), the government of Guam does not have the financial wherewithal to make the capital expenditures necessary to construct new educational facilities and schools.

Thus, it is strongly recommended that the Department of Defense arrange for federal grants and loan guarantees for new facilities and schools, whether directly from the Congress or through the U.S. Department of Education and/or other federal agencies. For any current Guam public school teachers and faculty recruited into DoDEA, it is strongly recommended that an amount equal to the salaries and benefits of those educators be granted to the respective public education institutions in Guam so that they are able to make the necessary transition to the necessary teacher realignment. It is further

G-375-014

Thank you for your comments. The Final EIS has been updated (Volume 2) to better address impacts on social services.

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 (including the public and higher educational systems). 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.

As discussed 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.

G-375-015

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

recommended that the DOD provide a direct subsidy for five years of 75% of the salaries and benefits for new teachers and faculty members required by the by the increase in student populations caused by the proposed actions.

3. *Taxation:*

- a. Corporate Income Taxes: There is a widespread concern in Guam that, because most of the construction, materials, supplies and related contracts associated with the proposed actions will be awarded to firms outside of Guam, the profits generated by those contracts will escape taxation by the government of Guam (as has happened so many times in the past), thus representing costs to Guam without compensating with the corresponding revenues. As is required by both local and federal laws, the taxes on profits derived from substantive economic activity here must be paid into the Treasury of Guam.

In addition to the outright transfer of tax revenues to the federal government that are legitimately owed to the government of Guam, there have also been several mechanisms employed in the past to transfer Guam-source profits back to the company's headquarters for tax purposes. Among these are royalties for the use of the company's name or logo, excessive charges for the use of the company's equipment, and so-called "management fees" and other transfer prices that are extremely high in relation to the services actually performed by the company's headquarters.

In this case, it is not only recommended, it is *required* that these contractors pay income taxes their corporate income taxes directly to the government of Guam for income earned in Guam or directly on account of their activities here. It is also strongly recommended that the DOD and other federal agencies provide payment records on these contracts (as well as on contracts awarded to Guam firms) to the Guam Department of Revenue and Taxation (R&T). It is further strongly recommended that the DOD arrange for the U.S. Department of the Treasury's Internal Revenue Service to provide direct assistance to R&T in determining which taxes are due here and which can legally and legitimately be paid into the U.S. Treasury.

b. Personal Income Taxes:

- i. Contractors' Personnel: Wages and salaries paid to contractors' employees for work performed in Guam must be reported to the government of Guam, and withholding and other taxes due thereon (other than FICA taxes) must be paid into the Treasury of Guam, regardless of the term of employment in Guam, as those payments constitute Guam-source income. This same requirement applies to the wages and salaries paid to the employees of subcontractors, the employees of sub-subcontractors, and on down the compensation chain.

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.

G-375-016

Thank you for your comments and recommendations. Analysis of tax revenues to GovGuam assumes that all revenues will be collected by GovGuam. It is uncertain how DoD could assure and/or cooperate with the government of Guam to collect the taxes it is owed.

During the DEIS public comment period, a number of recommendations for mitigation measures were provided; an expanded mitigation discussion has been included in the FEIS.

Therefore, it is strongly recommended that the DOD and other federal agencies include these reporting, withholding and taxation requirements in the contracts that are awarded, and that those contracts include a clause requiring that the contractor incorporate said requirements in any subcontract, on down the compensation chain. It is also recommended that the contractors be compelled to inform their personnel of the taxation and filing requirements under federal and Guam law.

- ii. *Military Personnel:* Under §30 of the Organic Act of Guam (USC Title 48, Chapter 8A, Subchapter I, §1421h), “All . . . Federal income taxes derived from Guam . . . and the proceeds of any other taxes which may be levied by the Congress on the inhabitants of Guam. . . including . . . compensation paid to members of the Armed Forces and pensions paid to retired civilians and military employees of the United States, or their survivors, who are residents of, or who are domiciled in, Guam . . . shall be covered into the treasury of Guam and held in account for the government of Guam, and shall be expended for the benefit and government of Guam in accordance with the annual budgets.”

It has not escaped the attention of the government and the people of Guam that, in recent years, the DOD has temporarily stationed numerous active duty and civilian personnel (and their dependents) in Guam for periods just under the six months required to be considered to be domiciled in Guam for income tax purposes. This practice has caused costs to be incurred by Guam while simultaneously depriving Guam of the tax revenues necessary to offset those costs. There is also extensive anecdotal evidence that residents of Guam who join the Armed Forces are required to record their residences as being in places other than Guam, including in states where they have never even had a physical presence, again depriving Guam of tax revenues that are legitimately due to it.

It is anticipated that, unless these practices are resolved, the proposed actions will only exacerbate the problems and the circumvention of law and Congressional intent.

These practices must end.

It is therefore strongly recommended that the DOD report any wages earned by its personnel and their dependents while they are physically present in Guam to the government of Guam, and that those personnel be advised that the income taxes on that portion of their income will be covered over into the Treasury of Guam rather than being retained in the U.S. Treasury. It is further recommended that these earnings be reported directly to the U.S. Department of the Interior so that it can properly request the full annual appropriation of §30 monies to Guam.

G-375-017

Thank you for your comment. Analysis of tax revenues to the government of Guam assumes that all revenues will be collected by the government (including getting Section 30 money). Permanent military personnel are expected to stay on Guam for periods longer than six months, but transient military personnel would be in Guam and may or may not meet the personal income tax requirements. Income taxes collected by the U.S. from military and federal civilian employees are transferred to Guam in compliance with the Organic Act (subsection 30).

It is also strongly recommended that the DOD advise its officers and personnel, particularly those processing new recruits, that military personnel should be free to select their home jurisdictions as their place of residence.

- c. Gross Receipts Taxes: In lieu of a sales tax, the government of Guam imposes a Gross Receipts Tax on all business receipts in Guam (with few exceptions, such as wholesale sales). The construction and other services contracted for the proposed actions in Guam are subject to this tax. However, there is a concern that the payments made to the prime contractors (and perhaps numerous subcontractors) will be made in physical locations outside of Guam, escaping Guam's Gross Receipts Tax.

It is strongly recommended that the DOD and other federal agencies either present payment for contracts awarded in support of the proposed actions to representatives of the contractors physically located in Guam or that the DOD and other agencies otherwise require that these payments be reported to the government of Guam and that the taxes are paid. It is also recommended that the DOD and other federal agencies report these payments to R&T so that the taxes can be properly assessed.

- d. Other Taxation Issues: There are several other taxation issues that will be escalated by the proposed actions and the subsequent steady state. These issues primarily relate to Corporate Income Taxes, Gross Receipts Taxes and some local Excise Taxes avoided (evaded?) by non-profit and for-profit firms operating on Guam's several military bases. These foregone taxes may be insignificant in larger jurisdictions in the States or in foreign locations, but they are crucial to Guam in light of the proportionally large presence that the U.S. military in Guam's economy and on the island's limited land area.

These and other issues will be discussed in detail under "Commercial Competition: On- v. Off-Base Retail Sales," below.

4. *Health Care and Social Services:*

- a. Hospitals and Related Treatment Facilities: The Guam Memorial Hospital (GMH) was built in the mid-1970s to accommodate a much smaller population than resides in Guam today, but it is the only civilian hospital available to the majority of the people of Guam. The only other hospital here is the U.S. Naval Hospital, but access to its services is restricted to active duty personnel and their dependents (except in the case of extreme emergency); a facility there to accommodate some of Guam's many veterans is planned, but not yet completed. Most of the medical needs of Guam's veterans are left to the civilian community to resolve, unless they justify off-island treatment at a veterans' hospital elsewhere.

G-375-018

Thank you for your comments. Please see Section 4.3.3 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for information on Estimated Local Government Revenues. The analysis in this section assumes that government of Guam will collect all taxes it is owed. The ability of GovGuam (or any government) to collect all of the taxes it is owed may be a problem and further discussion with DoD on issues should be discussed with the appropriate office.

Your recommended mitigation measures that DoD provide some support to tax GovGuam collection has been taken under consideration. Based on the many mitigation measures recommended during the DEIS public comment period, an expanded discussion on mitigation measures has been included in the FEIS.

G-375-019

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.

G-375-020

There are also several small public clinics located around the island, intended primarily to reduce the load on the GMH emergency room that is generated by the uninsured for minor-to-moderate medical needs that they are unable to have treated elsewhere.

In addition, there are several private clinics of varying capacity, including out-patient surgical facilities, but most will not accept patients whose sole source of payment is either Medicaid or the local Medically Indigent Program.

Although it is anticipated that the employers of construction workers will be responsible for their employees' medical care, it is expected that the services which they provide will be limited to routine, day-to-day medical needs. Severe injuries or diseases will require the services of a hospital.

A substantial increase in the civilian population, most particularly during the construction phase, will add demands to Guam's medical systems that risk causing a systemic breakdown.

It is difficult to formulate a solution to this problem. While it would be justifiable to recommend that the federal government provide for all additional medical needs, including hospitalization, associated with the increase in the civilian population directly related to the proposed actions, the underlying problems are more deeply seated. A broad range of political, economic, sociological and cultural considerations are involved, and must be addressed locally.

As an interim measure, it is recommended that the federal government arrange to accommodate all of the medical needs, especially the hospitalization needs, of those persons involved with the direct impacts of the proposed actions. This will primarily include construction workers and supervisors, but will also include engineers, consultants and others.

The medical needs of the indirect civilian component of the increase in population, both during the construction phase and thereafter, are rightly the responsibility of the civilian community, primarily through the avenues of its government. However, as discussed repeatedly above, the government of Guam does not have the current account capacity to address these needs, nor does it have the credit capacity for an investment of this magnitude. Therefore, because the increase in population is principally the result of the proposed actions, it is recommended that the federal government provide a grant (or grants) to cover as much as 70% of the cost of a new hospital and attendant medical equipment and facilities, and that it provide a loan guarantee or other credit enhancements so that the other 30% of costs can be covered locally over an extended period of time.

G-375-021

- b. Communicable Diseases and Other Public Health Issues: There is little concern about health threats introduced to Guam by the H-2B workers, since they are subjected to thorough health screenings before being issued a visa. Similarly, there is little concern about military personnel and their dependents introducing

G-375-020

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.

G-375-021

Thank you for your comments related to communicable diseases and other public health issues. As pointed out in your comments, the two populations you have identified (migrants from FAS and the transient population from the U.S.) are likely to be more at risk for communicable diseases. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

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.

serious diseases into Guam because of the availability of high quality health care to them. Further, there is little concern about the spread of sexually transmitted diseases (STDs) due to an increase in prostitution because Guam's past experience indicates that this issue, as expressed in the DEIS, is likely overstated, and Guam's public health requirements are designed to minimize this risk in any event.

Concerns regarding communicable diseases and other public health issues stem almost entirely from the influx of transient workers into Guam from the U.S. mainland and Hawaii, as well as from migrants into Guam from the Freely Associated States. These two populations, though, present substantially different issues.

Transient workers from the U.S. probably present the greatest risk factors. First, they will likely be young and mobile, accustomed to taking risks and without strong ties to family or to their home communities. For lack of a better term, they can be expected to be "fast and loose," the very foundation upon which the DEIS characterization of the "boomtown effect" is based. They are more likely to carry STDs and other communicable diseases because they have neglected personal health care opportunities (feeling "invincible"), and they are more likely to spread these diseases because of their social tendencies. They are also more likely to suffer from other untreated medical conditions for many of the same reasons.

Migrants from the Freely Associated States can be expected to bring with them a different, although arguably more dangerous, set of diseases and other health problems. Of primary concern is Multi-Drug-Resistant Tuberculosis (MDR-TB), a disease that has become more common in recent years in the FAS. In addition, there are the standard STDs circulating in the FAS, often unrecognized and thus untreated. While migrants from the FAS are not expected to be as socially active as transient workers from the U.S., they can be expected to spread disease through close contact with their extended family units.

The health section failed to mention that since healthcare is generally inadequate in the Freely Associated States, other serious diseases are common amongst the population, especially diabetes.

Adding to the communicable disease concerns about these two groups, they or their dependents are far more likely to suffer from disabilities than the other participants in Guam's population growth. They are members of the two groups that are likely to increase demands on Guam's disability programs (the Department of Integrated Services for Individuals with Disabilities, "DISID," Aid to the Permanently and Totally Disabled, "APTD" and Aid to the Blind, "AB"). (Dependents from the FAS may also include those eligible for Old Age Assistance (OAA).)

Transient workers coming to Guam from other areas in the U.S. are accorded unrestricted access to the island unless they are fugitives; migrants coming to

G-375-022

Thank you for your comments related to communicable diseases and other public health issues. As pointed out in your comments, the two populations you have identified (migrants from FAS and the transient population from the U.S.) are likely to be more at risk for communicable diseases. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

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.

Guam from the FAS may not have their entry inhibited by immigration authorities unless they have previously been excluded from entry (for criminal convictions, etc.). These provisions make it difficult to keep communicable diseases from entering Guam from these two sources.

It is recommended that the federal government support and fund a program for health screening for all entrants from the FAS and for all entrants from the U.S. who designate that they are intended residents of Guam. Although such a program would be entirely voluntary, the medical “checkup” could be made sufficiently attractive as to attract almost-universal participation, and free treatment could be offered to those found to have curable medical problems; for those who choose not to participate, follow-up tracking could be arranged through the local health authorities so that their opportunities to spread disease could be limited. It is also recommended that the federal government provide for increases in funding requirements for the communicable disease programs that are administered by the Guam Department of Public Health and Social Services.

For those entrants having disabilities, the solutions are moderately different. It is recommended that federal funding for the DISID programs be augmented to cover all of the costs of accommodating new entrants during the construction phase of the proposed actions, regardless of whether their entry is associated with the direct impacts of the buildup. Further, it is strongly recommended that the early 1970s Supplemental Security Income (SSI) program be extended to Guam (as it has been to the Commonwealth of the Northern Mariana Islands) to replace the antiquated OAA, APTD and AB programs. The older programs are based upon a “matching fund” reimbursement, but total expenditure caps have been placed on them for decades that reduce the federal government’s share to far below the promised “match”; SSI, on the other hand, is fully federally funded and would relieve Guam’s government from the relatively high level of expenditures that the older programs mandate, including those for habitual residents from the FAS whose benefits are effectively paid entirely by the local government.

- c. Medicaid: Although this federal program has provided enormous benefits to the lower income people of Guam, the expenditure caps that have been placed on its “matching funds” have limited its effectiveness in providing medical assistance to the less economically fortunate members of Guam’s community because those caps have limited federal funding to far below the matching fund level promised. This limitation compelled Guam to institute its own “Medically Indigent Program” to fill in the gap in health care costs for lower-income residents at a cost approaching \$16 million annually.

While the limits on Medicaid funding are not expected to add an additional burden on the budget of the government of Guam during the construction phase of the proposed actions, it is likely that they will add substantial costs during the period after the construction phase, when many transient workers and migrants remain in Guam and are unemployed so that they are unable to bear the expenses associated with their medical needs.

G-375-023

Thank you for your comments. It would be difficult to do a health screening on those individuals who can come to Guam without restrictions. Their privacy and right to privacy would be violated without just cause.

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It is recommended that the caps on Medicaid funding for Guam be eliminated and that the Medicaid appropriation to Guam be augmented beyond the administered matching fund level for a period of five years after the construction phase of the proposed actions is completed to cover the costs added by the transient U.S. and habitual FAS citizens who stay behind.

- d. Other Social Welfare Issues: There are few other social welfare issues associated with the proposed actions. Those that remain appear to be insignificant in comparison to the preceding issues discussed.

5. *Other Services*:

a. Public Safety:

- i. Guam Police Department: The increase in population associated with the proposed actions will undoubtedly place additional demands on the Guam Police Department (GPD). Recruitment of sufficient officers does not seem to impose a constraint on meeting these demands at this time, although additional training for recruits and seasoned officers would certainly help to prepare them for the tasks that they will face. Additional equipment, including vehicles, will be necessary to properly oversee traffic issues and the additional crime anticipated by the DEIS, but the promised close coordination with the military security services will help to alleviate a portion of the increased enforcement load.

One of the concerns of the local community is that there will be a high level of attrition in the GPD as higher-paying jobs become available in the military security services (including privately contracted security services). This attrition was experienced in the past when high-paying private security jobs became available in Bosnia and Herzegovina after the international police action there in the mid-1990s, and many GPD officers took available positions. It is quite possible that this will occur again in conjunction with the proposed actions.

It is recommended that local funding for GPD operations and equipment be augmented by grants from the Bureau of Justice Assistance in order to cover most of the increased costs associated with the proposed actions. In addition, technical assistance in training current officers and recruits by the Federal Bureau of Investigation, the National Security Agency and even the Central Intelligence Agency would help the GPD to operate with the higher standards of detection, investigation, enforcement and apprehension that will be required during and after the construction phase of the proposed actions.

- ii. Guam Fire Department: The increase in population associated with the proposed actions will proportionally increase the demands placed upon the services provided by the Guam Fire Department (GFD). However, these

G-375-024

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.

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G-375-025

demands will be accelerated and heightened during the construction phase of the buildup because of the nature of construction activity; additional demands for services after the construction phase is completed and the population stabilizes will be limited to the proportional increase in the civilian population, and perhaps increased wildland fire activity due to the nature of the military training that is expected to occur.

The resources of the GFD are already stretched to the breaking point. Although the availability of new recruits does not seem to be an obstacle, the funds to train and hire those recruits are lacking. Much of the existing equipment, including those devoted to emergency medical services, is aging, inefficient and (in all too many cases) ineffective. Fire stations are almost uniformly old and physically depreciated, and are inadequate in number and geographic location to effectively address the safety needs of Guam's community. The additional demands of an increased population, especially during the construction phase, may prove to be more than the GFD can adequately handle.

The funding needs of the GFD are substantial, yet not all of those needs are associated with the proposed actions. Therefore, it is recommended that a substantial portion of the GFD's modernization and expansion costs be only partially funded by the federal government.

Although it is recommended that 100% of the costs of protecting the increased non-military population directly and indirectly generated by the proposed actions be covered by the federal government, it is recommended that only 30% of the other modernization and expansion needs of the GFD be directly funded. The remaining 70% is recommended to be supported by loan guarantees and other credit enhancements by the federal government in recognition of the government of Guam's financial constraints (as described elsewhere).

In addition, Guam is regularly beset by wildland fires that, although rarely destructive of human assets such as structures and productive crops, nonetheless generate substantial smoke and particulate emissions that can be categorized as harmful. Burned off acreage is also susceptible to erosion of the type that adversely affects Guam's reefs and other aquatic resources. It is recommended that the DOD be equipped and directed to assist with the control and extinguishment of these fires, whether they occur on military or civilian properties.

G-375-026

- iii. *Guam Department of Corrections:* The DEIS anticipates that there will be an increased need for retention facilities during and in the wake of the proposed actions. While it is a common opinion in the local community that these needs may be exaggerated, it is nonetheless clear that the Adult Correctional Facility at the Department of Corrections (DoC) is currently at or beyond its design capacity and requires expansion.

G-375-025

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.

G-375-026

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.

During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

There are three primary options available to address the DoC's crowding problems: i) constructing additional containment structures on the existing property, increasing the horizontal density of the inmate population; ii) building multi-story facilities on the existing property to accommodate an increased prison population; or, iii) relocating all or a portion of the existing correctional facility to a less populated area in Guam (such as Dandan or other points south). The first alternative seems unacceptable, for both security and humanitarian reasons. The second alternative would certainly meet security and humanitarian requirements, but would not relieve the concentration of prison inmates in a relatively populous area of Guam. The third alternative, while probably the most costly, would meet the security and inmate density requirements that are not adequately addressed by the other two options.

While Guam's population will temporarily increase much of that increase will be employment related, so the distribution of criminal activity will likely slant toward so-called "organized crimes" such as prostitution, drugs and gambling. It is during the years after 2014, when the economy is declining from its peak, that an increase in violent and property crimes can be expected. This provides some time for the DoC to expand its capacity.

A portion of the required expansion is due to normal growth in Guam's population, but most of the surge in demand will be either directly or indirectly caused by the proposed actions. With that in mind, it is recommended that the DOD arrange to have 80% of the cost of DoC's needed expansion paid by the federal government, whether directly by Congressional appropriation or perhaps through the Bureau of Prisons, while securing a loan guarantee for the remaining 20%. Failing this, it is recommended that the DOD assist Guam in finding a U.S. firm willing and able to build and operate a privately managed prison for Guam.

- iv. *Guam Department of Youth Affairs:* The Guam Department of Youth Affairs (GDYA) presently believes that it has adequate physical capacity to accommodate any increase in client load associated with the proposed actions, although resources (primarily personnel) will be strained during the 2009 through 2012 time frame. The GDYA's needs during this period are expected to be modest. However, just as with the DoC, the client load can be expected to increase after the construction phase, and the stresses associated with frenetic economic activity turn to the stresses associated with job loss, falling income and rising unemployment. It is likely that the GDYA will need a substantial increase in both physical capacity and staffing as Guam's economy recedes during the post-construction phase.

It is recommended that the DOD assist the GDYA (perhaps through either the U.S. Department of Labor or the U.S. Department of Health and Human Services) in locating and recruiting qualified personnel during the

G-375-027

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During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

construction phase of the proposed actions and again during the post-construction phase. Although there is expected to be a surplus of housing and commercial space in Guam once the construction phase winds down, the GDYA will need assistance in financing the lease or purchase of the physical facilities needed to accommodate its increased client load.

b. Health Care and Social Services:

- i. Department of Public Health and Social Services: The Guam Department of Public Health and Social Services (DPH&SS) is likely to experience two very different surges in activity because of the proposed actions. First, during the construction phase, there will be an increased need for on-site health inspections to be conducted by the Division of Environmental Health (DEH), as well as an increase in applications for and issuance of health certificates, also through DEH. Second, after the construction phase and when the economy declines, there will be an increased need for community health and social welfare services.

It is recommended that the DOD secure additional funding to cover the increase in DPH&SS staffing during the construction phase of the proposed action, as well as assistance in recruiting qualified personnel to fill these positions (contract employees would be the preferred alternative, since the workload will decrease substantially when the construction phase is completed). It is also recommended that the DOD arrange for financial assistance to the DPH&SS to cover the lease or purchase of additional space and equipment for the Community Health Centers, especially in the Northern Region, as the construction phase winds down.

Recommendations concerning social welfare services were provided above, under Communicable Diseases and Other Public Health Issues, so will not be revisited here.

- ii. Department of Mental Health and Substance Abuse: The DEIS estimates that the Department of Mental Health and Substance Abuse (DMH&SA) will need 56 additional staff at the peak of the buildup, subsiding to 22 additional staff during the subsequent steady state. However, these figures are based on current service population ratios which disregard the demographic differences between Guam's population today and the new entrants to Guam under the proposed actions (essentially discounting the "boomtown effect"). While the mental health issues may follow the current ratios, it is quite likely that the substance abuse issues will rise at a faster pace than the population, and that heightened substance abuse problems will persist in the civilian community after the construction phase is completed. Also, the DEIS acknowledges that the net increase in Guam's military population will add to the DMH&SA client load because military personnel with substance abuse problems are likely to seek the

G-375-028

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

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G-375-029

relative anonymity of civilian services rather than risk revealing their problems in a military clinical facility.

Thus, it is likely that the demand for DMH&SA services will be significantly higher than those calculated using current service population ratios, both during and after the construction phase. This will necessitate additional staffing, both during and after the construction phase, and will likely require additional space and equipment for the facilities necessary to accommodate the greater client load.

It is noted that effectively all of the increase in the demand for DMH&SA services will be generated by the proposed actions. Therefore, it is recommended that the DOD arrange an increase in funding for the DMH&SA to cover the entire cost of providing for an expanded client load, both during the construction phase and for a period of five years thereafter.

- c. **Additional Government Services:** There are numerous other services provided by the government of Guam that may be impacted to a greater or lesser extent by the proposed actions. At this point, however, it is difficult to assess the nature and the magnitude of those impacts, so specific recommendations cannot be made.

Nevertheless, it is possible to provide a more general recommendation: While the DEIS views the proposed actions as being narrowly focused on a military mission, the majority in Guam's civilian community view the proposed actions as being an initiative of the U.S. government, and not just of the DOD. The fundamental purpose of the proposed actions is to provide for the military defense of the entire nation, not just (or even necessarily) for the people of Guam. Although the U.S. government and the government of Japan are prepared to bear the financial burdens of building facilities, equipping those facilities and relocating thousands of Marines, their dependents and civilian employees from Okinawa to Guam, it is implicitly expected that Guam's civilian community will bear a substantial share of the burden as well, whether financially or through other impacts on the community.

Therefore, it is strongly recommended that the U.S. government, to the greatest extent possible and mindful of the true purpose of the proposed actions, substantially minimize or entirely eliminate the fiscal and other costs that would otherwise be borne by a community that is hardly prepared to absorb shocks of the magnitude portrayed in the DEIS and other analysis of the actions.

6. *Political Considerations:*

G-375-030

- a. **Dilution of the Polity:** The dilution of the polity described in the DEIS has generated a lot of concern among several groups in Guam, and should be addressed. The idea is that there will be thousands of additional people in Guam as a result of the proposed actions, and many of those people, as U.S. citizens,

G-375-029

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G-375-030

Thank you for your analyses. We concur that the probable impacts on local elections would likely be insignificant; however, the discussion was provided to identify the possibility that the new population (who are qualified to vote) could affect the selection of locally elected officials.

G-375-031

will have a right to register and vote in Guam's elections. The results projected from these rights, as expressed in the DEIS, is that Guam might have fewer Chamorro elected officials and government employees, that fewer resources might be devoted to cultural preservation and Chamorro language programs, and that any future vote regarding Guam's political status in relation to the United States may have an outcome contrary to that desired by the indigenous population.

On their face, these results seem feasible and the local concerns legitimate. However, more careful analysis indicates that the impacts are likely to be small. First, active duty military personnel and their dependents are unlikely to surrender their right to vote in their home jurisdictions, and even less likely to give up their opportunity to vote in national elections. Second, citizens of the FAS who migrate to Guam will not have voting rights here. Third, U.S. citizens who are attracted to Guam by the proposed actions and choose to remain here are likely to come to consider Guam to be their home, and are therefore likely to predominantly align their votes with those of Guam's long-term population.

Therefore, there are no recommendations to address this issue at this time. Should the potential political influence projected by the DEIS ever come to bear, modifications in local could resolve the matter.

G-375-032

- b. Effective Representation and Advocacy: Although U.S. citizens residing on sovereign U.S. soil, the people of Guam are not allowed to cast their votes in any Presidential election, nor are they accorded more than a single delegate to the U.S. House of Representatives who is limited to voting only in committee and not on the floor of the House; under the Territorial Clause of the U.S. Constitution, Guam is a instrumentality of the Congress, yet is not even allowed full representation by even one person in that body. As a consequence, the influence of the people of Guam in our nation's Capital lies somewhere between limited and nonexistent.

Granted that many provisions of the Constitution and federal laws have generously been extended to Guam, including the requirement under the National Environmental Protection Act to compile an Environmental Impact Statement for the proposed actions to be taken in Guam. However, even in the EIS process, while our concerns and recommendations must be considered, they need not be remedied or accepted. In Guam's broader relationship with the U.S., this same potential for benign neglect (and even exploitation) is always present. Without significant political influence in Washington, Guam's desires are often ignored.

Thus, given that Guam is once again taking on a greater role in our nation's defense, it is an opportune time to accord the people of Guam a stronger voice in those decisions at the national level that affect the Territory. It is strongly recommended that Guam be granted a voting congressional seat in the House of Representatives and a seat in the Senate. Additionally, Guam status as an unincorporated territory should be changed to incorporated territory.

G-375-031

Thank you for your comments and views relating to voting concerns of the new population. This topic was discussed in the DEIS to identify a potential for impact. We concur that the reasons you cited would not likely result in large number of new voters in Guam.

G-375-032

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.

Environment:

G-375-033 Guam is a small, remote island that is highly dependent on the integrity of its natural environment, both in support of traditional cultural pursuits such as farming and fishing, and in support of its primary private sector activity, tourism. Several times in the past, surges in development here have led to moderate-to-severe environmental impacts, and the prospect of another economic boom has raised concerns that some of the negative experiences of the past will be repeated. This section will attempt to consolidate these concerns, and will address issues related to land, both surface (solid waste and hazardous waste) and submerged (reefs and the special case at Apra Harbor), water, noise and, because there does not appear to be any other category in which to address this, munitions.

1. Land:

G-375-034 a. Solid Waste: In the aftermath of WWII, the Navy established several solid waste disposal facilities in Guam, at the time commonly and collectively known as “dumps.” One of these was open to civilian use, located in the central part of the island at Ordot. More than 60 years later, this is still the island’s primary solid waste disposal facility, but it is beyond capacity and leeching numerous contaminants into the ground and surface waters there. Under a U.S. District Court mandate, a new, modern, sanitary landfill is being developed and is expected to accommodate all of the solid waste disposal needs of Guam, civilian and military alike, for many years to come.

This new facility, located further south in Dandan, is costly, with an estimated up-front cost of some \$120 million for the construction of its first few cells; this cost, along with future expansion costs, are to be recovered by way of usage (“tipping”) fees. This initial capital investment is being made with the proceeds of a bond issued by the government of Guam, falling within the government’s existing debt ceiling and utilizing a substantial portion of that ceiling that could otherwise be devoted to other purposes.

It is recommended that the DOD, particularly in light of its anticipated increased use of the new landfill facility, pay its *pro rata* share of the initial investment, to be recovered as a part of the same usage fees received by landfill management over time. This would help to alleviate some of the financial demands currently faced by the government of Guam, and allow the government to reallocate funds to meet other capital improvement expenses.

G-375-035 b. Hazardous Waste: It has been Guam’s experience in the past that the DOD has a less than perfect record in its disposal of hazardous waste. Witness the release of bromine gas into the atmosphere at Orote Point (Naval Station) in the mid-1980s; numerous dioxin spills from electrical transformers at several sites; the extensive cleanups needed at the former Nava Air Station – Agana after it was returned to civilian control; the Andersen Air Force Base Superfund site. Although the DOD has substantially improved its performance over the past three decades, there

G-375-033

Thank you for your comment.

G-375-034

Thank you for your comment. DoD has restrictions on how it can spend its budget which make this suggestion not possible. DoD does plan to become a customer of the new landfill and will then contribute to its capital cost, operation, maintenance, and future replacement through user fees in proportion to its use.

G-375-035

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). 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

G-375-036

remains a concern that an accident or an inadvertent error will once again introduce hazardous materials into Guam's environment.

It is therefore strongly recommended that the DOD redouble its efforts to control and account for hazardous materials introduced into or created in Guam, and that these efforts are monitored by U.S. and Guam EPA personnel. It is further recommended that corresponding reports be provided jointly, periodically as well as on an *ad hoc* basis, to the Congress (including to Guam's Delegate to the House of Representatives) by the DOD and the U.S. EPA.

G-375-037

- c. Reefs – General: During past large-scale construction projects in Guam, whether civilian or military, there has been a great deal of soil erosion, with the resulting runoff leading to silting that damaged and/or destroyed extensive portions of Guam's coral reefs. The survival of these reefs is crucial: they serve as a habitat for fish and other aquatic wildlife; they provide an attraction for tourists visiting Guam; they reduce the potential impact of tsunamis on Guam's coastal regions; they protect the island from the worst ravages of storm surges during tropical storms and typhoons. Damaging or destroying the reefs severely reduces their benefits to the island, and their recovery can take tens, hundreds, even thousands of years.

With that in mind, it is strongly recommended that the DOD contractually require and place primary responsibility and liability on its contractors to totally eliminate runoff and silting on Guam's reefs, whether those reefs are under military or civilian control. There are several ways in which this can be accomplished, including the installation of silting basins and other catchments downstream from the construction sites; it can be left to the engineers to determine the most effective and efficient to proceed, but the results are not mutable. Further, it is recommended that fresh ground cover be put in place as soon as possible after grading during the construction phase, and that more permanent erosion mitigation efforts, such as the planting of indigenous trees and shrubs, be made as early as is practicable.

G-375-038

- d. Reefs – The Special Case of the Dredging in Apra Harbor: While the Guam Chamber of Commerce clearly recognizes the national security imperatives for providing for berthing aircraft carriers in Apra Harbor, and we anxiously anticipate the periodic economic boost that visiting carriers bestow upon our community. However, we are also cognizant of the serious concerns registered by those in our community who are better able to assess the environmental and tourism-related impacts of the required dredging and reef destruction that a berthing facility would entail.

We consider this to be a serious and complicated issue that deserves thoughtful and comprehensive analysis and discussion. We concede, though, that the depth and breadth of the issues involved are beyond our expertise, and we defer to the views of others who are better able to address these matters.

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.

G-375-036

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

2. *Water:*

- a. Surface Water: With the exception of the Fena River and Reservoir, the DOD has very little impact on the surface water of Guam. Essentially all of Guam's streams and rivers are in the southern half of the island, while the concentration of military activity is in the north. Naval Base Guam serves as a destination rather than a source of surface water flows into Apra Harbor.

The only concern related to surface water is with the Fena River Basin. This area, located slightly south and inland from Naval Base Guam, is also the location of the Naval Munitions Site (formerly, and still commonly referred to as, Naval Magazine). It provides much of the potable and other water consumed on the Naval Base and throughout the Navy's independent water system, as well as replenishing supplies for naval vessels visiting the island; it also provides up to 4 million GPD of potable water to the Guam Waterworks Authority and its civilian customers.

The DEIS is tentatively designating a portion of the upper Fena Basin as a non-firing training site, primarily devoted to aviation training. While this use would normally be deemed innocuous, it is important that fuels and other aviation-related chemicals be kept out of the water system. Although this is most important for the DOD and its personnel, it is also important to the civilian community insofar as water from that source supplements other water in the civilian system.

While it is probably unnecessary, given that the primary user of water from the Fena Basin is the DOD, it is nonetheless recommended that prudent measures be enforced to keep aviation fuels and other chemicals out of and away from the Fena Reservoir.

- b. Sub-Surface Water: Despite the fact that almost all of Guam's rivers and streams are located in the southern half of the island, Guam's primary source of fresh water is in its northern aquifer, usually referred to as the "water lens" because of its subterranean topography. Rather than flowing off in rivers and streams, rainfall in northern Guam percolates down through a limestone uplift and settles into a "lens" atop saltwater that has infiltrated from the ocean through the sides. Being less dense, this fresh water "floats" atop the saltwater, and can be extracted through wells (and some caves) for personal and commercial use.

Unfortunately, this fresh water source faces several threats, each of which must be carefully controlled in order to ensure the sustained availability of this invaluable resource. One of the risks involves the seepage of sewage into the water lens; although this is known to occur through several mechanisms, it is controlled by effective treatment and chlorination of the water before it is introduced into the potable water transmission system.

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). 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.

G-375-037

Thank you for your comment. The Navy has considered sediment runoff and resuspension as potential impacts to water quality, coral reef, and

G-375-040

Another risk involves the seepage of fertilizers, herbicides and pesticides from agricultural activities over the lens; these have been mitigated through a series of public education programs and permitting requirements, but the threat has only been reduced, not eliminated. Again, water treatment effectively reduces the levels of these pollutants to below allowable standards, so the threat to human health is insignificant.

A third risk is from injection wells that were installed by the Air Force to literally pump airfield runoff into the ground. Not only did this practice introduce spilled fuels and other related toxic chemicals into the aquifer; it also introduced a known carcinogen, trichloroethylene (a solvent used to clean aircraft wings and fuselage) into Guam's water supply. This practice has been stopped, but it is imperative that the injection wells be closed and sealed so that this poisoning of Guam's water supply never recurs, even in response to the exigencies of warfare.

G-375-041

A fourth, and perhaps the greatest risk, relates directly to the physics of the water lens and how the fresh water "floats" atop the saltwater beneath. If too much fresh water is extracted, if wells are dug too deep or if there is insufficient replenishment of the lens by rainfall, saltwater can infiltrate the freshwater layer. Although this may be perceived as a temporary problem that is easily remedied, the experience of Saipan, to the north of Guam should be instructive: once its water lens was infiltrated by saltwater several decades ago, it was never again a reliable source of fresh water for the island.

G-375-042

Therefore, it is recommended that the DOD ensure the integrity of its sanitary sewer systems so that there is no seepage of raw sewage into the water lens. It is also recommended that the use of fertilizers, pesticides and herbicides be strictly limited, and that any permitted usage be tightly controlled. It is strongly recommended that any remaining injection wells on DOD property be closed and sealed, and that mandates are put in place to prohibit any new injection wells from being opened in the future. It is most strongly recommended that the DOD collaborate with the Guam Waterworks Authority and multiple hydrology engineers to ensure that, together, the DOD and the GWA do not extract too much water from the northern water lens, that neither digs wells that are too deep, and that extraction is reduced and limited during periods in which the island's rainfall is insufficient to fully restore the fresh water lens.

G-375-043

3. *Noise Pollution:* It is noted in the DEIS that there will be four aviation training sites in Guam after the proposed actions are completed. These are, i) at Andersen AFB Airfield Operations, ii) at Andersen AFB's Northwest Field, iii) at Andersen South, and iv) at the Naval Munitions Site. Depending on the type and extent of the training performed at these sites, their generation of noise pollution could become a concern to the civilian community.

While localized training activity at Andersen AFB Airfield Operations and at Andersen AFB's Northwest Field would be deep within DOD property, and not cause significant impact on the civilian community, any flights over civilian land could become a problem

marine ecosystem. Land-based construction activities require permits, which include best management practices (BMPs) that help contain and reduce sediment and pollutant discharges into nearby waters. The Navy, along with local agencies, have a role ensuring proper management of these permits and BMP methodologies. Additionally, the Navy will implement low impact development (LID) or stormwater management strategies during construction activities. The goal is to maintain or restore the natural hydrologic functions of a site to achieve natural resource protection objectives and fulfill environmental regulatory requirements.

Additionally, as part of the military "build-up" of Guam, the DoD will be participating in the upgrade of Guam's Northern District Waste Water Treatment Plant (NDWWTP). Guam's water quality standards (GWQS) for coastal waters have not been met for 30+ years, this NDWWTP upgrade will alone assist the GWA in meeting these GWQS for the benefit of sea life and people of Guam.

G-375-038

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.

As identified in the EIS, the proposed dredge area within the active commercial harbor was previously dredged over 60-years ago and

G-375-044

(witness the disruption caused by the seemingly incessant nighttime B-52 flights in and out of Guam during the Vietnam War). Training at the Naval Munitions Site is more of a concern, since it abuts civilian property, but the low density of population there might allow for remediation by soundproofing adjacent structures. Of greatest concern is the proposed training proposed to take place at Andersen South, where the surrounding civilian population density is high enough that the training activities could cause problems, including increased levels of stress and the loss of property values.

Although much depends upon the type and extent of the training that is intended, it is recommended that any flights outside of the boundaries of military reservations take place over water (or, in the case of the Naval Munitions Site, over undeveloped, unpopulated land and water) whenever possible, as consistent with the training missions.

G-375-045

4. *Munitions Storage, Handling and Transportation:* Although the issues surrounding munitions storage, handling and transportation do not fit neatly into environmental issues, they do not fit neatly in any other category of concerns, either. It should be clear that there is an enormous amount of classified, secret and top secret information available to Guam's civilian community on this subject, but there is no reason to divulge such information in this document. There are only a few recommendations to be made here, primarily to restate and reinforce existing DOD protocols governing munitions. They are as follows:

First, munitions should only be stored in their non-volatile configurations so that the risk of detonation or other activation is eliminated or dramatically reduced. Whenever this is not technically possible, or when a mission requires that "live" munitions be used, this should only be allowed when the potential blast radius does not include civilian property. In addition, a comprehensive inventory of all store munitions should be maintained on a current basis at all times, certified by no less than two officers.

Second, whenever munitions are handled, they should only be handled by trained, experienced and qualified personnel; all risks of accidental damage or discharge should be eliminated. Further, a detailed account of all munitions movement should be maintained at all times, and verified on a daily basis by comparison to the certified munitions inventory.

Third, whenever munitions must be transported, this should take place, whenever possible, away from civilian property (preferably over open water). It is understood that there will be times when it is necessary to transport munitions through civilian property, whether because of weight considerations or for the purposes of expediency. However, it is only in these extreme and rare circumstances that this should occur, and even then, it should only take place during periods of minimal civilian roadway usage, such as at night. These munitions should only be transported in non-volatile configurations.

maintenance dredging continues. 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) would not be impacted by direct dredging activities. Based on computer modeling, taking into account tides and currents, there are no indirect (sedimentation) impacts anticipated. The Navy, as part of the "build-up" on Guam has proposed to upgrade the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone would assist Guam Water Authority in meeting its coastal water quality standards, which would benefit the coral reefs, sea life and people of Guam. 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.

G-375-039

Thank you for your comment. As described in the Final EIS, the Proposed Action would include site-specific BMPs and LID measures that would minimize potential impacts to surface and ground water resources.

G-375-040

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

G-375-046 Tourism:

Through the early 1960s, Guam's economy was based almost entirely on military activity. There was a small number of local businesses (taxi services, barber shops, restaurants, hardware stores), but almost all activity revolved around the military, the jobs the military provided and, of course, the constraints placed upon the civilian community in the interests of "national security." Then, it suddenly all came crashing down. The military construction projects were completed; jobs were lost, incomes disappeared, Typhoon Karen wiped out most of the accumulated private wealth, and the civilian community (still governed by a Presidential appointee) was essentially and suddenly left to fend for itself.

In the mid-'60s, the Guam Economic Development Authority was formed, and among its first acts was to hire the Bechtel Corporation to conduct a study of Guam's economic prospects.

Despite Guam's aspirations to develop a small-scale manufacturing industry in order to take advantage of the duty-free status accorded goods produced here for entry in to the U.S. market, Bechtel instead recommended that Guam develop tourism as an "environmentally sound, low impact, high value industry." The rest, as they say, is history. Tourism development led to phenomenal growth in the early 1970s and again from the mid-1980s through the early 1990s. Tourism came to account for more than 40% of Guam's economy (in spite of the military's presence), supported the expansion of Guam's government services and public infrastructure, and was primarily responsible for the formation of the island's strong middle class. In short, tourism (as per Bechtel's recommendation) has been very, very good to Guam.

Unfortunately, Guam's economy has long been based upon two inherently unstable industries: Tourism is a "luxury good," with revenues rising and falling at a more pronounced rate than incomes in its target market; it is volatile. Military activity is driven by administered budgets, independent of market activity, over which Guam has little or no influence. Guam's economy condition, then, is subject to the ebb and flow of Asia's economies (especially those of Japan, South Korea and Taiwan) and the initiatives and imperatives of the federal government in assessing the military threats presented by various forces in the western Pacific region.

Making matters even more precarious, tourism and military defense, Guam's two "export" industries, are essentially incompatible industries: Guam's Asian visitors tend to be intimidated by military personnel roaming through the island's tourism district in Tumon, especially by sailors on shore leave, with their often brash behavior. The military, on the other hand, is understandably uncomfortable with the high concentration of foreigners in close proximity to high-security military installations. The people of Guam are caught in the middle.

Despite the assurance in the DEIS that the military buildup will be good for Guam's visitor industry, it is highly unlikely that visiting friends and family members will offset the loss of arrivals from Guam's principal tourism markets. Even without the proposed actions, Guam's markets are in decline, partially because of current economic conditions but more fundamentally because of their aging populations.

This presents a series of problems for Guam. The emerging Chinese market obviously presents enormous opportunities for tourism growth. Guam and the 50 States desperately want to

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).

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 (such as injection wells).

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.

G-375-041

Thank you for your comment. Up to 22 new water supply wells are

G-375-047 establish a visa waiver program for visitors from China, but the DOD just as desperately wants to exclude Chinese visitors, and through its affiliation with the Department of State is likely to achieve this end.

The only reasonable solution, amenable to both Guam and the DOD, is to segregate Asian visitors from military facilities and personnel. This may be difficult, but it is not impossible.

Separating tourists from military facilities is not difficult: there are controlled access points at the gates for that, and perimeter security can reduce or eliminate other access opportunities. Establishing controlled civilian flight paths and broadcast data encryption should accomplish the rest.

G-375-048 While military personnel and their dependants stationed in Guam may be interested in exploring the international amenities that Guam's tourism district in Tumon has to offer, the district would be considered to be exotic, rare and "an adventure;" a place to visit once or twice, but not particularly interesting beyond that. Sailors on shore leave, too, might want to experience the adventure, but Tumon does not really provide what they truly desire: a taste of "home."

Instead of sushi bars, karaoke lounges and up-scale shopping, what American military personnel really want is sports bars, bowling alleys, baseball diamonds and Chuck E. Cheese. With that in mind, there is both the opportunity to accommodate Guam's interest in expanding its overseas tourism market (to include China) and the military's interest in providing a satisfying recreational release for its personnel.

All that is left is to find or establish an American home-away-from-home in the civilian community of Guam. Unfortunately, because the military presence here has waxed and waned over the past several decades, no district parallel to the tourism district in Tumon has emerged.

It is recommended that the DOD first express an interest in and support for an extensive complex to accommodate the needs and desires of military personnel residing in or visiting Guam. Such a complex could certainly be justified in that it would clearly and visibly support the morale, welfare and recreation of military personnel.

Second, it is recommended that the DOD enlist the interest and support of civilian investors to develop such a complex, offering financial assistance from MWR funds and other sources as necessary to reduce the private investors' risks.

Third, once the complex is at least partially developed, it is recommended that the DOD promote its existence through the Stars and Stripes and other outlets, making the "Taste of Home in Guam" a desired destination for military personnel.

G-375-049 Finally, once this segregation of military personnel from foreign visitors is accomplished, it is recommended that the DOD rescind its objections and support a Chinese visa waiver program for Guam in order to express its ongoing concern and support for the civilian economy here.

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.

G-375-042

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

Labor:

The labor issues associated with the proposed actions fall into several categories. There are the H-2B issues, which seem to be essentially resolved, except for the burdens that will be placed upon the Alien Labor Processing and Certification Division of the Guam Department of Labor. Housing, medical care, transportation and other H-2B issues are addressed elsewhere.

Visiting workers from Japan, also primarily H-2B workers, fall into a different, albeit related, category. Despite the same immigration category, their demographic characteristics are remarkably different from the other H-2B workers, who are expected to come almost entirely from the Philippines. They will have substantial differences in their income levels, and their expectations regarding the amenities that their employment will accord them here will be much different from the other transient groups of workers.

Migrants from the Freely Associated States of the Republic of Palau, the Federated States of Micronesia and (to a much more limited extent) from the Republic of the Marshall Islands (collectively, the FAS) will have a set of demographic characteristics that is much different from the other groups, and unique methods will be required to accommodate them.

U.S. workers coming to Guam, whether for construction jobs or for employment only indirectly related to the proposed actions, will have yet another set (or sets) of demographic characteristics, and will require much different treatment in comparison to other groups.

Finally, and most importantly, Guam residents present a special set of concerns. There is a completely justified interest in according them the best of the pending employment opportunities, yet there is also a concern that those in the construction industry will leave Guam once the construction phase is completed. Another concern relates to providing long-term residents with the most challenging and remunerative jobs in the post-construction steady state after the construction phase is completed.

With regard to the H-2B workers, it is understood (and assumed) that they will be appropriately screened for health issues and for their incentives to return to their home countries before their visas are issued; it is also assumed (and strongly recommended) that their return to their home countries will be enforced once their employment in Guam is completed so that they do not supplant the island's resident labor force. The fees associated with their processing through the local government's procedures should be sufficient to cover expenses, but the Alien Labor Processing and Certification Division will need many more personnel in order to handle the increased work load.

Migrants from the FAS hold the unique immigration status of "habitual residents," and are accorded privileges that are not granted to other non-citizen entrants into Guam. There will be a relatively small number of FAS citizens who come to Guam for construction jobs, and they are expected to perform exceptionally well in those jobs. There are other FAS citizens who will come to Guam for other, indirect employment opportunities, and they, too, will deliver exemplary performance in their jobs. However, there will also likely be a large number of FAS citizens who migrate to Guam, not for employment, but to accompany their relatives, and to draw upon those relatives' incomes and Guam's social welfare system for their sustenance. It is

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.

Your suggestions regarding protection measures for the infiltration of water into the aquifer are sound and will be considered for implementation. DoD would like to see an aquifer management team monitor surface actions both on and off base to help protect the aquifer, its recharge rate, and protection from contaminants.

DoD would also pursue "low impact development" for the Finegayan base to maintain clean and adequate groundwater recharge in this area. Such a study is currently in progress and we hope to have it finalized for the final EIS. We would encourage the civilian side of Guam to pursue similar type of principles in any new developments.

G-375-051

this latter group that presents concerns; the burden that they present to Guam's social service systems are documented elsewhere, but they also become a part of the unemployment issue after the construction phase is completed.

Workers from the U.S. also present a unique set of issues because of their (non-) immigrant status and their probable demographic characteristics. They will likely expect (and demand) higher wage scales than Guam's employers are prepared to offer; they will likely be more interested in forming or joining labor unions, driving Guam's wage scales upward and making post-construction-phase recovery more difficult; they will also likely exert upward pressure on Guam's prevailing wage rate, increasing the costs of construction (and other services) for the military and the civilian communities alike. Other characteristics of this group, such as drug abuse, communicable diseases and others, are discussed elsewhere in this document and will not be repeated here.

Finally, there is the matter of Guam's resident workers. Locally, there is the inclination to train them for the transitory, high-paying construction jobs, with no consideration for the community's loss of their skills and developed expertise once the construction jobs have ended and they relocate to jobs in the States. It would be ideal to train these residents for the permanent jobs that will become available once the proposed actions are completed, but it is difficult to determine what those jobs might be.

There are no recommendations regarding the H-2B workers at this time, whether they come from Japan or other locations; it appears that the issues related to them are already adequately addressed.

Entrants from the U.S. mainland will likely choose to repatriate once jobs in Guam begin to disappear because there is no unemployment compensation system here. However, it is recommended that the DOD arrange for a job placement service for these individuals, and that interim grants be provided to them to enable new employment so that they do not become a burden on the social welfare systems in Guam.

As for Guam's resident workers, it is strongly recommended that the DOD fund a study to determine what jobs are most likely to be available in Guam after the completion of the construction phase of the proposed actions. It is further strongly recommended that the DOD arrange for training programs designed to prepare Guam's residents for those jobs. The continuing and optimally remunerative employment of Guam's long-term residents will serve the interests of Guam's populace and the DOD alike in that the local population will have good jobs and the DOD will be given credit for its sensitivity to and accommodation of the needs of the local community.

Inflation:

It is anticipated that there will be high levels of inflation in Guam during the early stages of the proposed actions because capacity (in port facilities, warehousing, distribution and retailing) will lag demand. Once the proposed actions are fully underway, expanded capacity should help to alleviate these inflationary pressures, but they will not be entirely eliminated.

G-375-043

Thank you for your comment. This comment covers two pages, please see comment G-374-044 for the remainder of the comment. The response for both pages is duplicated for each page. Noise levels at Andersen South due to the proposed action would be as shown on Figures 6.2-4 and 6.2-5 and in some areas generate high noise complaints. Planned mitigation measures, such as foliage and barrier attenuation, would reduce that sound levels such that most areas would be below high annoyance levels. Helicopter flights expected from the proposed USMC Relocation would use flight paths from Andersen AFB to the training areas over water and would not use overland routes currently used by Andersen AFB aircraft.

G-375-044

Thank you for your comment. This comment covers two pages, please see comment G-374-043 for the remainder of the comment. The response for both pages is duplicated for each page. Noise levels at Andersen South due to the proposed action would be as shown on Figures 6.2-4 and 6.2-5 and in some areas generate high noise complaints. Planned mitigation measures, such as foliage and barrier attenuation, would reduce sound levels such that most areas would be below high annoyance levels. Helicopter flights expected from the proposed USMC Relocation would use flight paths from Andersen AFB to the training areas over water and would not use overland routes currently used by Andersen AFB aircraft.

G-375-045

Thank you for your comments. Munitions and explosives of concern (MEC) will be handled, transported, and used in accordance with established DoD procedures, protocol, best management practices (BMPs), and standard operating procedures (SOPs). Volume 7 presents BMPs and SOPs that require the types of measures suggested in your comments.

G-375-052

In order to provide relief to the people of Guam from an unjust and oppressive provision of U.S. law, as well as to relieve the DOD from unnecessary costs in their activities here, it is strongly recommended that the DOD arrange for the permanent termination of the application of the Jones Act (the Merchant Marine Act of 1920) to the shipment of baggage and cargo into Guam from other ports. While the impact of this change would be miniscule to the interests of U.S. shipyards and merchant marines, it would provide enormous cost savings to the people of Guam and help to alleviate the inflationary pressures associated with the timing sequences of the proposed actions.

G-375-046

Thank you for your comments. Please see the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F, Volume 9 of the DEIS for information on the economic impacts of the proposed action. Section 4.3.7 of the SIAS discusses impacts on Tourism. Tourism is also discussed in the appropriate socioeconomic chapters of the DEIS. In general, the economic impacts of the proposed action are expected to be positive in general and for the majority of Guam's population.

G-375-047

Thank you for your comments. During the DEIS review period, many mitigation measures were recommended; subsequently, the FEIS has included expanded discussions of mitigation measures. Several of your recommendations discuss changes to the visa waiver program; it should be noted that Homeland Security regulations and policies are not within the purview of DoD.

G-375-048

Thank you for your comments and suggestions for actions to be taken by DoD regarding off base recreation. While important issues, the suggestions are outside the scope of the current EIS.

G-375-049

Thank you for your comments. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures. It is noted that your recommendation on changing the visa waiver program are under the purview of the Homeland Security and are not within the purview of DoD.

G-375-050

Thank you for your comment. Please see Section 4.3.1.2 of the

G-375-053 **Commercial Competition: On- v. Off-Base Retail Sales:**

A long-standing concern in Guam's private sector, and a cause that has perennially been taken up by the Guam Chamber of Commerce, is the perceived unfair competition between on-base retail outlets and Guam's private establishments. The on-base Commissaries and Exchanges receive a substantial cost advantage in that their goods are usually shipped to Guam as "bottom freight," with low or no shipping charges applied. While the commissaries are for-profit businesses, they do not pay taxes into the local Treasury, and their profits are taken off-island; although the Exchanges are ostensibly non-profit organizations, their surplus earnings are contributed to the Morale, Welfare and Recreation (MWR) fund, which provides direct benefits to the Exchanges' patrons, giving the same incentive to military personnel, retirees and others to shop there as if they were stockholders; no local taxes are paid on either the sales or the distribution of the equivalent of dividends. In addition, despite efforts that have been made over the past quarter century, there is still a well-developed grey market in Guam for goods purchased on-base and passed through to those who would otherwise be ineligible for those price-subsidized purchases.

The subsidized sales through on-base establishments are an anachronism, a holdover from the days when military personnel were paid far less than their civilian contemporaries. Since the advent of the "all-volunteer" military, though, salaries within the armed services have been adjusted to a level that is *at least* competitive with the private sector, so subsidized retail prices are no longer justified. Nevertheless, the subsidies remain.

Making matters worse, this tax-free status has been extended to other on-base retailers, such as fast food vendors, service stations and others. The overtly for-profit establishments blatantly exploit their status as on-base businesses to avoid (again, evade?) taxes at the expense of the local government and to the benefit of military personnel, their dependants, retirees, part-time personnel (i.e., members of the Guard and Reserves) and the recipients of the price advantages accorded through the grey market.

The perceptions of unfair competition among those in Guam's private sector are fully justified, and the losses in potential revenue to the local government are real. Support for this unfair competition is no longer justified, and the underlying subsidies should end.

It is recommended that the shipping cost advantages of the on-base establishments be eliminated, whether through a requirement that they ship aboard commercial vessels at full cost or an adjustment to an "as if" cost structure, with the proceeds being diverted into a pool of funds that will later cause their pricing to be more competitive with their private sector counterparts. Similarly, these on-base commercial establishments (with the exception of the ostensibly non-profit Exchanges) should be subject to the same Gross Receipts Tax and corporate income taxes as their off-base counterparts. The Exchanges should have to pay their fair share in Gross Receipts Taxes, and they should be required to pay corporate income taxes on their surplus earnings, just as private firms are required to do. Further, the recipients of MWR services funded by the excess earnings of the Exchanges should be required to pay the corresponding income taxes on the equivalent of the dividends that they receive. Other on-base establishments (restaurants, gas stations, etc.) should be treated the same as their off-base counterparts for tax purposes; there is no sound justification for them to be treated differently.

Socioeconomic Impact Assessment Study (SIAS) which is Appendix F, Volume 9 of the DEIS) for discussion of probable labor supply sources for the proposed action.

As the construction portion of the proposed action winds down, it is expected that the number of total jobs on Guam will stabilize at a level above the current situation. The fluctuation in the number of jobs is expected to be greatest in the construction industry. Job training for work in the construction industry would be beneficial to Guam's workforce overall. There are a number of other industries which currently have labor shortages and are expected to have bigger shortages than at present; job seekers on Guam should diversify the industries for which they seek training and entry. For example, the Socioeconomic Impact Assessment Study (Appendix F of the DEIS), notes that the healthcare industry is currently short of workers, and that the need for workers after the proposed action is expected to be stronger than at present. This is also the case for other industries, such as the wholesale trade industry, where job opportunities in occupations such as sales, truck driving, computer/administrative services and clerking are expected to increase above the present level.

As indicated in your comments, it is likely that the FAS population would seek a higher proportion of services than other incoming populations. This migration has been and continues to be a trend and FAS populations are increasing in Guam as well as Hawaii to seek better socioeconomic conditions. When the stable, incoming population occurs (about 33,400), most of these individuals and families would be military and others would have civilian jobs with the military, these two populations account for more than 60% of the incoming population. All the incoming population would contribute to revenues to the government of Guam, yet it is likely that 60% of the incoming population would have significantly reduced needs for governmental services. This then offsets the financial impacts on Guam based on a higher proportion of FAS population. The precise amount has not been determined because there is limited accuracy in forecasting these figures.

G-375-054

Housing:

Housing, along with commercial space, presents a serious set of dilemmas under the proposed actions. First, Guam will be faced with a shortage of housing and commercial space, driving up prices during the construction phase that will then be undermined during the subsequent economic contraction. This could prove to be a dream for property developers, but a nightmare for unsophisticated buyers (it could also be a nightmare for unsophisticated developers).

It will likely be next to impossible for developers and buyers to secure financing through traditional channels. After all, it will be difficult to secure financing for real property development on a four year amortization schedule; any longer schedule risks default and a foreclosure sale at a small fraction of the loan amount.

The alternative is to build housing subsidized by the U.S. Department of Housing and Urban Development that can then be converted to low-to-moderate income housing after the construction phase is over. This would allow an upgrade to Guam's existing low-to-moderate income family housing stock, and the lower price/value housing stock left behind could be converted to facilities to support other programs offered by the local government (e.g., GDYA and DISID).

It is recommended that these opportunities be explored more thoroughly, and that the DOD coordinate the efforts of the several federal agencies involved so that a comprehensive solution can be implemented.

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.

G-375-051

Thank you for your comments. Please see Section 4.3.1.2 of the Socioeconomic Impact Assessment Study (SIAS, which is Appendix F of the DEIS) for discussion of probable labor supply sources for the proposed action. Portions of your comments have also been previously addressed.

G-375-052

Thank you for your comment. U.S. federal statutes are not part of the proposed action and purview of the DoD.

G-375-053

Thank you for your comments and recommendations. The benefits to the military, including having access to discount stores and to other stores and services on-based is a DoD policy. It is not part of the proposed action. It is noted that military personnel and their dependents will also spend money for goods and services off-base. These expenditures would be taxed and turned over to the government of Guam.

G-375-054

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public

Local Preferences:

Among the many concerns with the proposed actions, as presented in the DEIS, is the apparent lack of support for Guam's local business community. Even with the Historically Underutilized Business Zone (HUBZone) preferences accorded under the auspices of the U.S. Small Business Administration (SBA), few Guam businesses are able to qualify for even the smallest contracts offered under the proposed actions; the best they can do is to bid for smaller subcontracts which, although potentially lucrative, will still constitute only a slight fraction of the contracts being awarded. Nonetheless, although the benefits are limited, Guam's businesses are grateful for the preferences accorded to them.

A potentially larger issue is the post-construction allocation of business contracts and individual jobs offered during the operations phase of the proposed actions. There are indications in the DEIS that many of the contracts available will be of a size that precludes local firms from being anything but subcontractors. There is also an explicit assertion that most of the Marines' civilian jobs will be given first to personnel transferred from Okinawa, then to military dependants, with the remaining 25% being made available to long-term Guam residents.

With regard to the operational phase contracts, it is recommended that they be broken down into more narrowly defined tasks so that local firms have a better chance at participation. It is also recommended that local civilian personnel be recruited in Guam for the roles played by current DOD civilian personnel in Okinawa, and that those recruits be provide with on-the-job training in Okinawa prior to the Marines' relocation. After the relocation, the Okinawan civilian personnel can be transferred to other Marine jobs in other locations, while the jobs in Guam are granted to the newly-trained long-term Guam residents.

In addition, it is recommended that Guam workers and Guam businesses are granted sufficient preferences (whether or not under the auspices of the HUBZone structure) so that they are able to capture a high percentage of the contracts and the jobs offered by the DOD in Guam are allocated to long-term Guam residents and businesses. For businesses, a preference at a level of 10% above the HUBZone preference is recommended; for personnel, a 15% preference is recommended. Although these figures may appear to be high, it should be understood that a portion awarded will ease the DOD's political adjustment to the current political atmosphere.

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.

G-375-055

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>.

Sociocultural Impacts:

G-375-056

1. *Historic Preservation:* Guam has a rich physical history, with artifacts dating from the pre-contact period through the Spanish colonial period and modern times located throughout the island. Many of these artifacts carry special significance to the island and to many of the families who reside here.

All too often in the past, unbridled construction activity has relocated, removed or destroyed important parts of Guam's heritage. In addition, many ancient burial sites have been disturbed without proper archaeological assessment and study, and without the respect that Chamorros accord their ancestors, the *Taotao Mona*.

As time passes, more and more of Guam's physical history is lost, so efforts have been augmented in recent decades to preserve what remains. This is not merely a local initiative; around the globe, most nations have asserted a strong interest in preserving their heritage, from artworks to practical tools and artifacts, and have gone to the extent of trying to recover artifacts that were removed to other parts of the world long ago.

It is imperative that Guam's physical heritage be respected and, to the greatest extent possible during the proposed actions. Therefore, it is strongly recommended that the DOD include historic preservation requirements in all construction contracts awarded, and require that the awardees pass those requirements on in their contracts with subcontractors. It is also recommended that the DOD secure the full-time services of no fewer than one professional archaeologist for the duration of the construction phase of the proposed actions in order to assay each construction site and to regularly inspect the activities of contractors in meeting their historic preservation responsibilities.

2. *Cultural Preservation:* From the time when Guam was first claimed for the Spanish crown in 1565, and especially during the Spanish Chamorro War from 1671 through 1698 when the island's native population was decimated by combat and disease, the culture of the pre-contact Chamorro people has been steadily eroded over the centuries. Many of the culture's songs and dances, as well as entire sets of well-developed technologies, have been entirely lost. Although detailed research into early Spanish colonial era documents held in Spain has helped to recover a portion of what was once assumed to be entirely gone, there are still large gaps in modern Chamorros' understanding of their cultural heritage.

Under more than three centuries of Spanish rule, Guam's spoken language and oral history was heavily modified, and a succession of Naval governors of Guam imposed many rules in attempts to "Americanize" the Chamorro people (including a prohibition at one point against speaking the Chamorro language in public).

In recent decades, there has been a resurgence of interest in recalling and preserving the Chamorro culture, albeit with the recognition that much of what once was, is no more. Much of the archival record is held in Spain or in Hawaii, and Guam does not even have a museum at present in which to store and preserve its cultural records.

G-375-056

Thank you for your comment. The DoD conducted archaeological surveys of over 5,000 acres of land considered in the alternatives for this EIS. During a three-year planning process, the vast majority of historic properties were avoided by the proposed construction. Information from future excavations and extensive surveys will be shared with the public in educational displays, brochures, and public documents. The Programmatic Agreement, which stipulates mitigation measures to reduce impacts to historic properties, has provisions for monitoring during construction as well as conducting additional surveys, testing and data recovery from archaeological sites.

The DoD will store materials obtained from studies associated with the project at curation facilities on Guam, including the Guam Museum. Payment for the storage of materials will be provided to the facility.

G-375-057

Although not directly related to the proposed actions, cultural preservation is important to the people of Guam, and particularly to the Chamorro people. In order to overcome some of the political resistance to the actions, it would be a generous gesture for the federal government to at least build and furnish a museum in Guam, and it is recommended that this be done.

G-375-058

3. *Relations Between Civilians and Military Personnel:* It is unfortunate that the intent of the DOD under the proposed actions is to construct housing for the relocated Marines and their dependents on base, "behind the fences." Not only is this in contravention to expressed DOD policy,² it also preserves an "us versus them" attitude that perpetuates a division between the military and civilian communities in Guam. This division creates misperceptions on both sides of the fence, and often fuels resentment and animosities that otherwise might not exist. It also serves as an insult to the civilian community in that it conveys the impression that they are somehow not "good enough" to be in contact with the military.

This separation is merely reinforced when the only time civilians encounter armed services personnel when they are "out on the town" (so to speak). When the relationship is already strained, it does not help that civilians rarely encounter armed services personnel at their best.

G-375-059

The DEIS acknowledges that there will be a housing shortage during the construction phase of the proposed actions, turning into a housing glut immediately thereafter. It is recommended that the DOD scale back its intention to build all of the housing for the relocated Marines and their dependents on-base so that some of those relocated can help to absorb excess housing, stabilize Guam's real estate market and provide the interactions and mutual benefits that can be derived by mixing with civilians in the local community.

² See, [What does DOD's "community first" policy mean?](http://www.acq.osd.mil/housing/faqs.htm) etc. at <http://www.acq.osd.mil/housing/faqs.htm>

G-375-057

Thank you for your comments and recommendations. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

The DoD recognizes the sensitivity and importance of historic properties and cultural sites to the Chamorro people. Under the National Historic Preservation Act, a process is in place to identify these sites, preserve important sites and artifacts, and provide measures to conserve, protect, and maintain their integrity. This process includes consultations with the public, interested parties, and various other local and federal government agencies. Based on these consultations, a Programmatic Agreement will solidify the DoD's commitment to being good stewards of the resources. The Programmatic Agreement will identify the measures that will be taken to protect, preserve, and maintain historic properties within our jurisdiction. In addition, DoD will be providing access to areas of particular concern for cultural, educational, and recreational purposes. The specific details regarding public access still needs to be worked out with further discussions with stakeholders regarding public safety, security concerns, and other logistics. However, once these issues are resolved, the DoD will provide public access.

G-375-058

Thank you for your comment. 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. The cohesion of the military base, like any social group, is based on the similarity of their jobs and duties, objectives, age, situation, and other military affiliation. Subsequently, their similarities and benefits within the base are not the principal reasons for what appears to be "a separation from the local community."

Guam Chamber of Commerce
Draft EIS Review Committee
Socio-Economic Impact Report – Dr. Elizabeth Hawthorne

The military buildup appears to be inevitable and as described in the DRAFT EIS seems to be the plan with what will likely be with minor modifications to mollify the local population or where errors have been detected.

G-375-060

The purpose of this document is to specify the impact of the build-up on the social and cultural life of the island, specifically, on the Chamoru people whose land this is. The limited actual preparation for this major event(s) on Guam locally is of concern and will exacerbate the challenges presented to the social and cultural life. The inevitability of the plan and even the inevitability of the build up from its first announcement may have contributed to the lethargy of the local population to prepare for this externally imposed initiative. Would that additional resources had be marshaled to address tourism issues to build the tourist base and raise income for the island to begin to address the need for more (and better) schools, roads, waste management, and the like.

G-375-061

Construction. The failure of the military to house military personnel ‘outside’ the fence has economic problems cited elsewhere, but much of the impact of the buildup with respect to social and cultural impacts is on attitude and emotions. In this case, the local economy will not benefit from additional on-base housing as it would from off-base housing, but the isolation of the military personnel from the local residents appears to have no military/security benefits. The military will not interact with locals socially or culturally very much when behind the fence and will leave Guam not knowing the people, the place, the values, and the ambiance which is a major benefit for Americans who have the privilege to live overseas. What they report back to their family and friends on the Mainland will be a limited picture of the people and the place. Further, that they do their shopping and recreating on base without contributing to the local economy as they would if they did so on the economy limits the foundation for a healthy local economy given that so much of the land is taken by the military and not available for local expansion for industry or other economic development activities. Further, the local people could (and many do) take offense that this isolation is planned.

G-375-062

Disruption to traffic, noise, pollution, likely blocking of views will cause social distress that will take the form of alcohol and drug abuse, domestic violence, and increased crime. The crime factor can be mitigated if employment of local people rises, however.

G-375-063

Culturally, the heavy-handed approach to the buildup has and continues to antagonize vocal groups and intensify their negativity toward the military. The belief that the military is taking more land than it really needs and that it is truly disregarding the connection of the people to their land individually, familiarly and collectively will linger for years.

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.

G-375-059

Thank you for your comment. 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. 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. 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 (SIAS, Table ES-3, page v).

G-375-060

Thank you for your comment.

G-375-061

Thank you for your comment. 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. 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

G-375-064

The report is credited with recognizing that this demographic shift will negatively impact the indigenous population who will be a minority on their own island. While culture shifts and changes with time, it will be a challenge for the Chamoru to maintain their language and way of life and family values in the new Guam.

G-375-065

We regret that there are limited opportunities to make significant changes in the DEIS to mitigate these factors. In lieu of this situation, we recommend that the following be in the final version of the DEIS:

1. Increase off-base housing for military personnel and their families.
2. Provide funding to
 - a. build and staff the Guam Museum
 - b. create safe, clean, educational sites of archeological, historical, and cultural importance to the Chamoru
 - c. support the education of teachers and other personnel to promote Chamoru culture in the schools.
 - d. Support local social service agencies during the build up period so they can accommodate the increased need created by the buildup.
3. Institute taxation on base shopping to support the local economy for longer-term sustainability on Guam. A stronger economy support healthy and safe family and cultural life.
4. Provide technical assistance to GDOE to maximize their use of local resources and their strategic use of federal and other funds to improve the quality of education on Guam.

the construction labor force (not including the H2B workers who will live in dormitory type quarters) would leave Guam. Marine families are expected to leave the main cantonment area for some social and recreational activities.

Additionally, although the military and their dependents will have activities off the base, the significant "numbers" may not be highly visible. It is noted that 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. In many cases, there would be a tendency to remain within this military community.

Interestingly enough, there were many comments that felt that Guam would become "too overpopulated" by the increase of the military population; while your comment indicates that the populations should be more integrated. Elsewhere in the U.S. where there are U.S. military bases, military and their dependents are comfortable within the base environment. They find friendship and camaraderie in these similarities. It is necessary to understand this (both by the Guam resident population and the military population). This would create mutual respect and understanding when these populations interact.

G-375-062

Thank you for your comment.

The affect of stress on an individual or group is not typically included in the DEIS primarily because of the difficulty in measuring stress or its effects based on one action (for example, the military buildup). Additionally, individual perceptions of the proposed action can affect their

G-375-066

Volume	Page Number	Comment	Recommendation
LABOR			
Appendix F	4-11	Immediate and long-term impacts from "wage drive" competition in limited labor pool.	1. Allow tourism related jobs lost by the buildup to be filled by temporary non-resident aliens either using H-2 labor or working holiday visas from source and/or emerging markets for up to 1-year at a time during the peak build-up period. This will address the loss of language capabilities in current industry staffing levels. More than 90% of Guam's visitors come from Japan, Korea, Taiwan, and the emerging opportunities from China.
Appendix F	vi/4-37	-The expected rapid increase in economic activity and the limited on-island labor pool will likely result in competition for labor and thus upward pressure on wage rates and will bring many new jobs, including a large new population from off-island.	
Appendix F	4-11	-Most impact would be more acute during the construction phase, then return to less than significant levels thereafter	2. Invest in intensified language and customer service programs to off-set loss of institutional core competencies and degradation of service levels in the visitor industry – Guam must compete with other Asian destinations with established service cultures and plentiful supply of low cost labor.
Appendix F	4-37	Hollowing out unskilled and semi-skilled workers in the hospitality services sector worsens an already under performing "service culture," drives up wages and exacerbates the downward spiral of fewer employees assigned to provide good customer service.	
Appendix F	4-11	-The build-up will bring more trained, skilled jobs	
		Eroding the island's tourism work force too deeply is a detriment to an industry competing in a low wage East Asian business environment where labor is plentiful and customer service focused.	
Appendix F	4-11	-Only 25% of civilian military jobs are expected to be filled by current Guam residents	

1

level of stress and anxieties. However, given the potential that individuals and groups would anticipate upcoming levels of stress and anxieties caused by the proposed action, the FEIS will include a discussion on this issue.

Jobs analysis was based upon 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. At 2020, the difference declines to 12%. Analysis took into account historical information of people arriving on Guam from other areas (such as the Phillippines and FAS) in search of jobs, in order 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.

G-375-063

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.

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

G-375-067

7	2-29	-DoD can: :Seek federal funding, and technical assistance in development and implementation of data collection systems focused on FAS citizens;	
7	2-29	:Access to Compact Impact and other related funding relative to medical care, housing, job training, etc., to target the ESL service population	

G-375-068

ENVIRONMENTAL DEGRADATION			
7	2-23	Siltation from the removal of vegetation and soil erosion can affect Guam's marine environment and is a threat to coral reefs and riparian life.	1. Fund a horizontal drilling project to dispose of storm water in Tumon Bay. The buildup will increase storm water runoff during major storm surges, thereby aggravating this problem. This measure will solve the development driven and growing flood problem at the heart of Guam's tourist district, and prevent sediment buildup and metallic contamination of Tumon Bay. Horizontal drilling will also leave the bay's rich marine park attraction undisturbed because its path to deep water will be below the shallow reef bed.
7	2-3	Storm surges may result in inadvertent spillovers unto paved roadways and/or as yet undiscovered underground caves/sink holes often found in Guam's northern limestone plateau. Storm water volume will increase. Build-up will increase impervious surfaces in northern Guam resulting in overflow to roadways. This will aggravate overflow into Tumon Bay, heart of Guam's \$1.2B tourism industry.	
7	2-21	-Most areas affected involve flat lands. During harbor dredging, silt curtains or bubble curtains to contain dredge material within seasonal windows to minimize impact, including no barge overflow during dredging operations.	

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.

G-375-064

Thank you for your comments. It should be noted that the DEIS identifies the baseline population. 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 DEIS, specifically, chapters 19 in volumes 2, 3, 4, 5, and chapter 20 in volume 6, and under cumulative impacts (chapter 4) of Volume 7. 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 military civilian relationships that include the sharing and understanding of culture.

G-375-069	7	3-15	Air and noise pollution, and visual blight associated with construction activity, are detractors from Guam's otherwise scenic and pristine environment.	2. Fund and implement air and noise (sound) abatement programs for affected hotels and businesses.
G-375-070				
G-375-071	2	13-183	-Current aircraft flight patterns to be used. Use of native flora to create a natural appearing "screen" around cleared areas	3. Provide direct and/or supplemental funding to the UOG Marine Lab for coral research and restocking in areas that have been inadvertently damaged during construction.
G-375-072	7	3-44	Guam is marketed as an environmentally clean and scenic beach resort leisure destination. This image is negatively impacted by uncontrolled pollution and visual blight associated with construction activity and scarified landscapes.	
G-375-073	7	3-23	-Best Management Practices + The construction and implementation of a wide range of Quality of Life (QOL) on bases to reduce Use and impact of off-base recreational zones	4. Implement better turbidity screening to maintain underwater visibility in the harbor, especially popular tourist sites like Gab Gab II.
G-375-074			Heavy equipment and "construction surge" traffic on Guam roads and highways are safety and congested driving issues for both local residents and visitors alike. -Impact will be temporary and short-term and less than significant	
G-375-075	6	13-24	Storm water runoff is a concern, especially with respect to organic and metallic contaminants to the island's aquifer and protected reefs.	
	7	3-6	-Based on available data, there will be no significant impact to essential fish habitat with The implementation and Management of BMPs.	

G-375-065

Thank you for your comment. DoD would work closely with the citizens of Guam, stakeholders and the Government of Guam to minimize impacts associated with the proposed military relocation.

G-375-066

Thank you for your comments and recommended mitigation measures. During the DEIS review period, many mitigation measures were recommended; subsequently, the FEIS has included expanded discussions of mitigation measures.

G-375-067

Thank you for your comments and recommendations. During the DEIS review period, many mitigation measures were recommended; subsequently, the FEIS has included expanded discussions of mitigation measures.

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.

Given the number of actions being requested by the government of Guam, it would be necessary to determine if these are mitigation actions that would offset adverse significant impacts, identify costs and what agencies (local or federal) could appropriately fund these mitigations, and what agencies can implement these mitigation measures. 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

G-375-076	Appendix F	4-37	Dredging of inner Apra Harbor compromises pristine, accessible and popular dive sites such as Western Shoals. Healthy reef systems will be affected	
		3-6	-No significant/adverse effect in Apra harbor with implementation and Management of BMPs.	
ACCESSIBILITY TO ATTRACTIONS				
G-375-077	Appendix F	4-39	Guam's destination appeal is differentiated by the cultural, historic, and natural features that unify into a brand identity. This brand image is increasingly dependent upon "living" the Guam brand, displaying or showcasing island cultural, and scenic assets, and ready access to them and to the natural trails, rivers, geology, and scenic vistas that enhance Guam's destination attraction.	<p>1. Seed funding for the development of Guam's Chamorro infrastructure and fulfilling a vision of living the island's heritage and culture in an increasingly diverse ethnic population. A three pronged strategy is recommended:</p> <p>A. Inventory and authenticate all that is Chamorro:</p> <p>Physical and non-physical assets. Cultural, historical, natural sites and attractions, artifacts, paintings, carvings, etc.</p> <p>Custom, tradition, superstitions, mythology and legends. Group into commercial and non-commercial applications. Preserve for posterity, research, etc.</p> <p>Expand and deepen appreciation of the Chamorro heritage, history, and culture.</p>

and is influenced by the current economic crises.

G-375-068

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

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G-375-078	7	3-23	-Wide range of Quality of Life programs to be implemented on base to minimize impact of use by military personnel and dependents	<p>B. Enlarge talent pool of performing arts Song, dance, and written works Chamorro carving, painting, fishing, farming, construction, and other traditional skills, Oral history, Suruhanu and healing arts</p> <p>C. Establish policy framework that will sustain the vision. Regulatory environment to nurture, promote, fund, and conserve the island's cultural heritage. Academic and applied research to encourage commercial and non-commercial use of cultural, historical and natural assets Defining the Chamorro people in today's modern context, recording and authenticating the spoken and written word, and maintaining an appropriate ethnic registry</p> <p>2. Fund a cultural event center to display, bring to life, and perpetuate the island's unique history and cultural heritage. The event center should be large enough to facilitate proper documentation, preservation, and display of historical and cultural artifacts. It should also serve as a venue for live and recorded performances of oral presentations, storytelling, performing arts of music, dance and plays depicting the cultural heritage of Guam, both pre-Western and post Western contact, and should be aligned with the University of Guam Micronesia Area Research Center.</p>
G-375-079				
G-375-080	2	12-65	-Cultural sites in affected areas to be relocated and curated (12-65)	
G-375-081	2	13-70	-Sites views to be improved from vegetated to landscaped, developed areas	
G-375-082	7	3-41	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.	

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infiltration from base operations. This is being done on a regional DoD Guam-wide scale, and has the involvement of Guam EPA.

G-375-069

Thank you for your comment.

Air quality and noise emissions will comply with federal and local regulations to maintain the Guam's current standards. Temporary construction emissions would not exceed the emissions significant thresholds during any phase of construction, as detailed in the DEIS. The construction noise at specific project site would also be temporary and would not differ from those on-going construction activities Guam is currently experiencing.

Because of its nature of generating short-term impact at a specific site/area, the environmental visual impact would be short in duration and considered not significant.

G-375-070

Thank you for your comment. At this time, mitigation measures for noise impacts to hotels and businesses are not proposed.

G-375-071

Thank you for your mitigation suggestion. The summary lists of BMPs (Best Management Practices) and mitigation measures in Volume 7 were updated based on comments received during the public comment period and will continue to be updated after the Final EIS is published, during agency consultation and construction permit application processes. BMPs and mitigation measures listed in the Record of Decision and attached as conditions to a permit will be implemented.

G-375-083			3. Install additional fish aggregating devices (FADs) that will provide added safety and allow improved productivity for deep-sea fishing, a major tourist attraction.
G-375-084		Marine Sports, Diving, and Sub-surface tours are currently taken by an estimated 480,000 visitors (40% of total visitors). At a conservative \$45 per head, this can result in a \$21.6M contribution to the island economy. A 10% reduction in this activity due to closure or restricted use of popular sites translates into a \$4.8M loss to the island (\$2.2M x 1.75 multiplier).	4. Install 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 Orote Peninsula.
G-375-085			5. 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.
			6. Provide funding for electronic/satellite tracking of the Green Sea Turtles and Hawksbill Turtles who nest on Guam's beaches. Funding for the monitoring and protection of endangered/protected mammal and marine species.

G-375-072

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.

G-375-073

Thank you for your comment.

G-375-074

Thank you for your comment. Overall traffic congestion and resulting travel times will increase as organic (non-military) population increases on Guam. The increase in population associated with the military build-up will also add traffic and increase congestion. The Draft EIS identifies a number of roadway improvement projects for the 2030 planning horizon, that if implemented, will offset the increased congestion attributable to the military at many locations.

G-375-075

Thank you for your comment. The Navy has considered sediment runoff and resuspension as potential impacts to coral reef and ecosystem. Land-based activities would have permits requiring best management practices (BMPs) that contain and reduce sediment and pollutant discharges into nearby waters. Additionally, low impact development strategies would be implemented by the Navy during construction activities. The Navy would also implement mitigation measures and BMPs during in-water activities (dredging, wharf

EXERCISES			
G-375-086	2-14/15	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. -Advanced notice of operation schedules to allow safe use of harbor	1.Scheduling 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.
G-375-087		Safety regarding firearm practice on land and spatial competition for such marine activities as dolphin watching, wind surfing, diving, deep sea fishing, etc.	2. Off season peaks generally from April 1 - July 15 (except for end of May "Golden Week") and again from October 1 - December 20.
G-375-088	2 11-54	-Trained lookouts to ensure quick and effective communication to facilitate implementation of protective measures if marine species are spotted.	
G-375-089	11-54	-Post exercise survey for harmful objects and other debris that may pose a danger to people and wildlife	3. 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.
G-375-090		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. Off season peaks generally from April 1 - July 15 (except for end of May "Golden Week") and again from October 1 - December 20.	

construction) that include Army Corps permits requiring silt curtains, biological monitors, halting of dredging activities during potential coral spawning months, and compensatory mitigation projects to help improve nearshore water quality through upland watershed reforestation and/or artificial reef construction. The Navy, as part of the relocation to Guam, has also proposed to upgrade the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action would assist GWA in meeting its coast water quality standards and benefit the sea life and people of Guam.

G-375-076

Thank you for your comment. The location of the new Navy wharf was identified as the least environmentally damaging alternative in efforts to impact the least amount of live coral in the area. The proposed dredged area within the active commercial harbor was previously dredged over 60-years ago and maintenance dredging continues. The proposed dredged area consists mainly of a sand, rubble, and algae zone. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. Direct impacts of dredging to the shoal areas within Apra Harbor (Western Shoals, Middle Shoals, Jade Shoals, and Big Blue Reef) will be avoided. The indirect impacts (from sedimentation) to these areas from in-water activities will also be avoided based on computer tide/current modeling performed within the project area (see Figure 11.2-3). Adverse effects have been identified on EFH and ESA-listed species.

G-375-077

Thank you for your comments and recommendations. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

G-375-091	Military centered security concerns need to be balanced and not be an onerous impediment to the island's tourism industry.	4. 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.
NEW MARKET DEVELOPMENT AND RESTRICTIONS NEGATIVELY AFFECTING TOURISM		
	The need to diversify Guam's source markets is compelling, and China's emergence as the largest outbound travel market is an opportunity to which Guam must be afforded access	Relocating 8,000 Marines their families, and support personnel impact the island's tourism landscape and "Sense of Place", thereby diminishing its attractiveness to those seeking solitude from Japan's hectic lifestyle. This segment is estimated at 8-10% (80,000 + visitors).
	Guam's diminished image as an island of solitude will erode a market segment (10% or more) seeking this experience.	Facilitating easier access to Guam from Haneda expands the total number of potential consumers, thereby helping to offset "lost customers" who choose other less crowded destinations that offer more "solitude".
	Tourism is currently Guam's primary source of income, accounting for some 20,000 jobs and more than 30% of the island's gross island product (includes tourism driven financial services and real estate).	1. Expedited decision on a favorable ruling by DHS to allow easier entry of new visitor markets such as China. This will stimulate scheduled air service to key cities and open up a significant visitor source market that will replace attritions from the declining mature markets of Japan and Korea.
	More than 90% of Guam's 1.2 million visitors come from East Asia, principally Japan (80%), Korea (10%) and Taiwan (3%)	

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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.

Given the number of actions being requested by the government of Guam, it would be necessary to determine if these are mitigation actions that would offset adverse significant impacts, identify costs and what agencies (local or federal) could appropriately fund these mitigations, and what agencies can implement these mitigation measures. 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 influenced by the current economic crises.

The DoD recognizes the sensitivity and importance of historic properties and cultural sites to the Chamorro people. Under the National Historic Preservation Act, a process is in place to identify these sites, preserve important sites and artifacts, and provide measures to conserve, protect, and maintain their integrity. This process includes consultations with the public, interested parties, and various other local and federal government agencies. Based on these consultations, a Programmatic Agreement will solidify the DoD's commitment to being good stewards of the resources. The Programmatic Agreement will identify the measures that will be taken to protect, preserve, and maintain historic properties within our jurisdiction. In addition, DoD will be providing access to areas of particular concern for cultural, educational, and recreational purposes. The specific details regarding public access still needs to be worked out with further discussions with stakeholders regarding public safety,

G-375-091		2. If China and Russia are added to the Guam and CNMI Visa Waiver Program or if a favorable non-immigrant visa were to be decided, Guam can expect a conservative forecast of 80,000 visitors from China within 3 years. Applying 70% of documented overseas spending (Nielsen Research: \$1,350) due to anticipated shorter stay of Chinese visitors translates into \$132.3M in annual income for Guam (\$1,350 @ 70% = \$945 x 80,000 = \$75,600,000 x 1.75 multiplier).
Appendix F	4-38	<p>The island's economy is frequently "whip sawed" by the economic cycles of the Japanese and Korean economies. Guam can anticipate a negative strategic outlook from these two aging industrialized societies due to their low birth rates and increasing competition pulling the island's share of market.</p> <p>Without the inclusion of China and Russia in an expanded visa waiver program, the island's tourism revenues will shrink from \$1.2 billion to \$810 million annually (Gov. Camacho letter to DHS, Sept 29, 2008). Inclusion of these two countries, however, will not only replace this -32% loss from attritions in our traditional markets, but can result in a 25% net gain to \$1.5 billion within 10 years. Concern over the precipitous drop in tax receipts following the "construction bubble" can be significantly mitigated by new income that will be derived from the "Green Shoots" of these vibrant new growth markets. Island GRT, personal and corporate income taxes from this incremental gain alone exceeds \$100 million.</p>

security concerns, and other logistics. However, once these issues are resolved, the DoD will provide public access.

G-375-078

Thank you for your comment. In an effort to help meet the demands of the challenging lifestyle that Marines and their dependents would experience in Guam, the Marine Corps Community Service (MCCS) proposes to provide a wide range of quality of life (QOL) programs on Main Cantonment. One of the desired effects of situating the QOL facilities in the Main Cantonment is to unburden off-base recreational resources by providing comparable uses on-base.

G-375-079

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. Information from the future excavations and extensive surveys will be shared with the public in educational displays, brochures, and public documents. Access to the archaeological collections for educational and research purposes is a requirement of any curation facility chosen to store the materials.

G-375-080

Thank you for your comment. Information and data from the future excavations, extensive surveys and studies will be shared with the public in educational displays, brochures, and public documents. It is the DoD intent to continue discussions with the Guam State Historic Preservation Officer, Department of Chamorro Affairs, Guam Museum and other local agencies involved in the promotion and appreciation of the local culture.

G-375-081

Thank you for your mitigation suggestions. The summary lists of BMPs (best management practices) and mitigation measures in Volume 7 were

ADDITIONAL COMMENTS	
G-375-092	<p>1. The existence of tourism and military operations is not mutually exclusive. The military buildup should not disturb or alter current or future tourism operations.</p> <p>2. New military facilities should be built on existing military land.</p> <p>3. Closing of Apra Harbor and nearby recreational areas is unacceptable from a visitor industry perspective - both during and after the buildup.</p>
G-375-093	
G-375-094	

updated in the Final EIS based on comments received during the public comment period, and will continue to be updated after the Final EIS is published, during agency consultation and construction permit application processes. BMPs and mitigation measures listed in the Record of Decision and attached as conditions to a permit will be implemented.

G-375-082

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.

G-375-083

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.

Monday, February 01, 2010

Comments on EIS for Chamber committee. Team. Following are gut reactions, observations and comments from the perspective of one individual. The writer has not limited comments to any specific subject, but has commented on any issue that caught his eye. To facilitate review, the writer has endeavored to attach copies of references rather than the reader having to search the voluminous EIS to find the referenced. Having written many reports which were critiqued by others, this writer is well aware that it is infinitely easier to critique a report than to write the report. It is the writer's intent to offer constructive criticism, not destructive criticism.

The Chamber should strive to be objective. Objectivity requires looking at both sides of the coin. This writer has endeavored to be objective.

General topics discussed

1. Population increase and impact of the population increase.
2. Objective evaluation of the population increase.
3. Misconceptions on the part of the people of Guam due to lack of specificity and clarity in the EIS
4. Boom-bust scenario
5. Impact on infrastructure.
6. Land acquisition

Many of the perceived and real impacts of the military buildup are associated with an influx of bodies. The first step in solving a problem is to identify the specific problem (if you have a problem with leaking plumbing, the first step is to locate the leak and replace the leaking portion only, not to replace the entire plumbing system). Perhaps an objective evaluation of the population increase impacts requires a categorization and evaluation of the impacts of each category of bodies coming to Guam. In addition, impacts should be segregated into immediate or short term impact and long term impacts. Short term impacts are those associated with a period of frenetic construction activity (2012 to 2017). Long term impacts are those associated with the rest of our lives (and our children and grandchildren). Such a categorization should facilitate the formulation of viable mitigation measures.

Influx Categories

1. Residents of Guam (projected increase in population without the buildup)
2. Military personnel and dependents.
3. Temporary construction workers (H2B).
4. Personnel and workers recruited from the CONUS, HI and Japan.
5. Personnel and workers recruited from various areas who remain on Guam after the buildup.
6. Other Pacific Islanders moving to Guam for employment.
7. Civilian DoD workers
8. Dependents accompanying incoming population.

G-375-084

Thank you for your comments and recommended mitigation measures. Impacts to tourism are discussed in the DEIS. Please see the Socioeconomic Impact Assessment Study (SIAS, Appendix F, Volume 9 of the DEIS), subsection 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. However, the increase of new military population is expected to participate in activities such as those which are mentioned in your comment, bringing further activity to the local industry.

There were a number of recommended mitigation measures that were suggested during the DEIS review period; subsequently expanded discussions on mitigation measures were provided in the Final EIS.

G-375-085

Thank you for your comment. As part of the consultation process under Section 7 of the Endangered Species Act (ESA), the Navy prepared a Biological Assessment to address potential impacts to sea turtles from the proposed action and proposed a number of conservation measures including research on sea turtle natural history and public outreach. Details are provided below.

To develop a better understanding of baseline populations and long-term ecological processes of marine turtles in the waters of Guam, Saipan, Tinian and Rota, a joint Navy, NMFS, and USFWS investigation will focus on developing a better understanding of sea turtle population abundance estimates, demographic information, near shore habitat use, baseline populations, and long-term population parameters. The study

A Possible Approach to Providing Realistic Data.

Endeavor to realistically quantify and present in tabular format the probable positive and negative impacts of each category of population influx in terms of:

- Income to GovGuam (income tax, GRT etc.)
- Percentage of off island population increase who are school age dependants who may be attending GPSS vs DoD schools or private schools.
- Percentage of population increase from off island and who are disabled.
- Percentage of population increase who are eligible to vote on Guam and, more important, **who are registered to vote on Guam**. Example: What % of DoD personnel at AAFB vote on Guam?
- Location of the population increase with respect to the Island as a whole.
- Present number of motor vehicle on Guam and a projection of the number of vehicles introduced into Guam by each category of the incoming population and with what frequency these additional vehicles are likely to use Guam roads.
- In addition to the above, a projection of the usage of Guam roads and other public facilities by each category. For DoD personnel, perhaps data from AAFB could be used. For example:
 - What percentage of AAFB personnel and dependents own automobiles?
 - What percentage of AAFB personnel and dependents work outside AAFB and commute to work via private vehicles? Via carpool?
 - How often do AAFB personnel who work on base and own an automobile venture off base? Daily? Weekly? Typically when (i.e. weekends for recreational purposes)?
 - What percentage of AAFB personnel and dependents use Guam public health facilities? Guam public libraries? Guam public parks? Other Guam public facilities?
- Etc. etc.

Notes.

- The above data should be separated into short term impacts and long term impacts
- Much of the information necessary to accomplish the above is presented by the DEIS.

Using these data, develop practicable mitigation measures. Some possibilities.

- Smooth the spike by spreading construction over a longer period.
- One mitigation measure addressed in the EIS is to move the Marines sans dependents until after the boom has ended. Is it feasible/practicable to apply this same solution to all off island workers, i.e. dependents are not allowed to move to Guam until after the boom? Analyses of the DEIS population projections indicate 40% to 50% of the projected population surge are dependents, the group most likely to impact existing educational facilities. Whereas such a measure is not feasible nor necessary for the long term, it may be feasible to cut off the peak of the short term population influx. Workers, sans dependents, could then double up on use of living quarters, transportation and perhaps other assets.

will include a long-term foraging habitat and mark-recapture programs combined with laparoscope examinations to acquire necessary abundance estimates as well as growth, reproductive status, and sex ratio information essential for adequate population demographic modeling. A long-term in-water study will provide valuable information regarding near shore foraging habitat use, and combined with applied research techniques including sonic (or acoustic) tags, satellite telemetry and genetic analysis will provide greater insight into foraging ecology, migratory movements and connectivity of sea turtles within the greater Western Pacific Region.

In addition to the study of baseline sea turtle populations, the Navy, in cooperation with DAWR and NMFS, will undertake an educational program to inform military and civilian personnel about sea turtle nesting and the potential impacts to the species from nest disturbance, direct harassment of sea turtles (in the marine and terrestrial environment), beach disturbance, etc. In addition to signage near beaches describing the legal requirements regarding sea turtles, brochures and other educational materials will be prepared and distributed at MWR facilities, beach picnic areas, trail heads, dive shops, etc.

Based on the outcome of the ESA consultation process with the USFWS and NMFS, the Navy will incorporate the agreed sea turtle conservation measure in the FEIS.

G-375-086

Thank you for your comment. Proposed Marine Corps training activities would occur year-round. The DoD cannot commit to scheduling training limitations during certain seasons as this would jeopardize the ability of personnel and units to meet training requirements.

G-375-087

Live-fire weapons ranges are proposed for the eastern shore of Guam.

- If the DoD buildup directly results in a short term surge of students, let the DoD provide the additional education facilities. GovGuam will, of course, have to provide long term (steady state) needs. If such an approach were implemented, it is necessary to segregate short term impacts from long term impacts.
- If the DoD buildup directly results in a short term need for medical facilities, let the contractors (who will add the cost to their bids) and DoD provide these short term services.

What are the typical demographics of each category of the projected influx?

- Age?
- Number of dependents accompanying the workers?
- Physical condition?
- Mental health?
- Education?
- Work skills?
- Communicable diseases?
- Hereditary diseases requiring extensive treatment?
- Criminal records?

The above factors may dictate the impact of each group on Guam revenues, infrastructure and the social fabric. If so, then identifying these characteristics will facilitate the formulation of mitigating actions. As a note of interest, this writer read Volume 2 prior to Volume 9. Whereas Volume 2 does not touch on this subject, and apparently does not consider demographics in the discussion of impacts, Volume 9 does acknowledge that demographics should be acknowledged in the discussion of impacts.

Some observations on possible impacts of the above categories.

Objective evaluation of strain on public facilities

An objective evaluation of strain on public facilities should consider not just the projected number of individuals qualified to use public facilities, but also the projected frequency of the use of these facilities. Table 16.2-41 (page 16-74, attachment a1) provides a summary of the impact on Public Health and Human Services. This table lists "Peak Year Additional Service Population", a % increase in the eligible service population followed by a requirement for additional staffing apparently based on the increased eligible service population, but is this realistic? For example, the peak year increase for GDISID is 54,228 translating to a 32% increase. Of the various groups coming to Guam for employment purposes, what percentage is likely to be disabled? Does not the DoD take care of their own? Are not imported workers screened for diseases, physical health, mental health and ability to perform on site construction tasks prior to being issued a visa? Surely contractors are not going to knowingly import disabled or unhealthy H2B workers. Again, as a note of interest, Volume 2 does not touch on this subject but Volume 9 does, however this may not be crystal clear to the average reader.

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 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. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures.

G-375-088

Thank you for your comment and additional information. This mitigation measure has been identified and will be included in the respective Chapter and Volume 7.

G-375-089

Thank you for your comment. The Public Health and Safety sections of the Draft EIS provides background regarding the potential presence of UXO throughout Guam and CNMI and provides analysis and measures to be taken to prevent mishaps from encounters with UXO. The Draft 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. For safety reasons, the general public would be excluded from entering construction zones and training areas.

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

Military personnel and dependents.

Impact on economy.

- The Marines will constitute the majority (56%) of the **permanent** population influx.
- The average military pay for enlisted personnel is \$29,000/year (page 16-63, attachment a2). The average military pay for officers will be higher.
- The income taxes paid by military personnel (and civilian employees of military) stays on Guam.
- If the average income tax rate is 10% of gross, 8,552 Marines translates to \$25M/year in revenue to Gov-Guam (\$37M @ 15%), in addition to GRT and other revenue sources directly created by the Marines. In addition, interpolating the EIS, approximately 1,000 Marine dependents will also work on Guam, adding to the income tax realized by GovGuam. See Table 16.2-13, page 16-50, attachment a3. Note: This is a long term impact.

Impact on infrastructure.

- DoD maintains schools, medical facilities, fire fighting facilities, libraries and other public facilities for DoD personnel.
- The Marines will live, work and play on DoD facilities, therefore the additional Marines will impose negligible strain on Guam infrastructure with the possible exception of roadways and crime.
- Statistics on Okinawa indicate the Marines, on a unit population basis, commit fewer than half the crimes committed by the civilian community. In the case of crimes committed within the civilian community, Marines may be faced with a double jeopardy situation wherein they are first punished by the civilian police followed by further punishment by the DoD for the same crime.
- Very few of the Marines are anticipated to elect to vote on Guam.
- Traffic. The Marines will live, work and play in relative isolation, therefore their impact on traffic is likely to be less than the civilian population.

From a purely economic viewpoint the Marines may be the most desirable of all groups as they will pay taxes used to support Guam's public facilities but will impose negligible to limited demand on these facilities. Sounds like a pretty good deal to this writer.

Temporary construction workers (H2B).

Impact on economy.

- The average wages of off island workers is projected at \$27,999/year (Table 16.2-28, page 16-62, attachment a4), for non-supervisory workers and higher for supervisory workers.
- The income tax paid by this group stays on Guam. If the average income tax rate is 10% of gross, 9,600 H2B workers (peak, significantly less after buildup) translates to \$27M/year in revenue to Gov-Guam.
- Table 16.2-28, page 16-62 (attachment a4) predicts H2B workers will spend 20% of gross pay on Guam, supporting local commercial establishments and creating additional revenue for Gov-Guam in the form of GRT (slightly more than \$2M/year). The EIS also predicts highly skilled workers will spend 45% of gross wages on Guam, adding to the Gov-Guam coffers in the form of GRT. This is a short term impact, as is the workers tenure on Guam.

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.

G-375-090

Thank you for your comments and recommendations. During the DEIS review period, many mitigation measures were recommended; subsequently, the FEIS has included expanded discussions of mitigation measures.

G-375-091

Thank you for your comments and recommendations. During the DEIS review period, many mitigation measures were recommended; subsequently, the FEIS has included expanded discussions of mitigation measures. Your recommendations discuss changes in Homeland Security policies that are not within the purview of DoD's actions.

G-375-092

Thank you for your comment. It is not the intent of the DoD to adversely impact the visitor industry. 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.

G-375-093

Thank you for your comment. DoD was required to determine whether

Impact on infrastructure and social fabric.

- Housing. If H2B workers live in isolated labor camps they will have no impact on the housing market on Guam.
- Medical facilities. H2B workers are assumed to be relatively young and healthy (else they would not be recruited to work on Guam), therefore the impact on medical facilities will be less than the public at large. In addition the contractors are responsible for deferring H2B worker medical costs, and as such there should be no bad debts associated with the H2B workers, such as is experienced with the local population. In addition, contractors must maintain medical facilities on site.
- Traffic. Very few of the H2B workers own automobiles (check with GCA), therefore they will contribute little in the way of additional traffic.
- Educational facilities. Dependents do not accompany H2B workers, therefore the H2B worker impact on educational facilities is zero to negligible.
- Crime. Crimes by H2B workers on Guam are rare as H2B workers are subject to immediate deportation if they do not behave.
- H2B workers do not have voting privileges on Guam

See Figure 2.1-3, page 2-11, attachment a5. This figure illustrates the primary locations associated with construction workers and Marine Corp actions on Guam. These areas are relatively isolated, therefore the construction workers and Marine Corp activities on Guam will, for the most part, be relatively isolated. This isolation will tend to buffer the majority of the Island from the activities of these two groups. The activities of remaining groups discussed below may be more widespread (depending on where they are housed), with more interaction with the general population than the first two groups.

Personnel and workers recruited from the CONUS, HI and Japan.

Impact on economy.

- Income tax paid by this group stays on Guam.

Impact on infrastructure.

- Housing. This group may or may not compete with local residents in the housing market, depending on whether or not they are housed with other off island workers.
- Medical facilities. This group of workers is likely to be reasonably healthy (else they would not be recruited to work on Guam), and the DoD requires the contractors maintain some medical facilities, therefore the impact on Guam's medical facilities will be less than the public at large.
- Traffic. Impact assumed to be similar to other Guam residents.
- Educational facilities. Impact assumed to be less than typical Guam resident as the EIS (table 16.2-1, page 16-42, attachment a6) indicates this group typically has only one dependent, as compared with typical Guam families in Table 16.1-5, page 16-6, attachment a7.
- For those from CONUS and Hawaii, a logical conclusion is that the overall impact will be similar (or somewhat less) to that of residents of Guam. Those from Japan will require a work visa and possible deportation should be an effective deterrent to criminal activities, although a common conception on Guam is that some organized crime personnel make their way to Guam from Asia to Guam.

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.

G-375-094

Thank you for your comment. Please see response to G-375-082.

- Personnel from CONUS and Hawaii will presumably have voting privileges. The questions is how likely is this group to exercise those voting privileges. Those from Japan will not have voting privileges on Guam.

Personnel and workers recruited from various areas who will remain on Guam after the buildup. The impacts of this group may be similar to other Personnel and workers recruited from the CONUS and HI discussed above, except those eligible to do so may be more likely to vote on Guam. However a logical conclusion is that this group at best would constitute a very small percentage of total registered voters on Guam.

Civilian DoD workers. Impacts are likely to be the same as the groups discussed immediately above except that DoD contract workers may have access to DoD education facilities, and also may have access to other DoD facilities such as medical facilities. Access to DoD facilities could be a two edge sword. On one side is limiting impact on Guam's public facilities. On the other side is this group's access to military shopping facilities, depriving Guam merchants of this trade. Table 16.2-13, page 16-50, attachment a3, predicts a significant segment will be from Okinawa. If such is the case, they will not have voting rights.

Other Pacific Islanders moving to Guam for employment.

Of the incoming population, this group may impose the biggest adverse impact on Guam's infrastructure (on a unit population basis).

On the up side, there is a common perception on Guam that this group is willing to accept jobs on Guam that the general population does not want.

On the down side, there is a also common perception on Guam that this group utilizes a disproportionate share of public health facilities and also commits a disproportionate number of crimes on Guam.

Assuming the above is valid, possibly the only practicable mitigation is to document usage of public facilities and number of crimes committed by this group and (again) ask Uncle Sam for more compact funds.

If the EIS projections are valid, this group will constitute only 11% of the total worker population increase.

Determining what % of the total population increase this group will constitute requires determining the number of dependents accompanying the workers.

If directly recruited by the contractors, a possible mitigation measure (if blessed by the U.S. Government) is to disallow dependents moving to Guam until the boom is over (projected as 2017).

Misconceptions on the part of the people of Guam.

Misconceptions of the impact of the proposed buildup appear to abound on Guam, aided and abetted by the local doomsday predictors and to some degree by the language of the EIS. Some examples.

On page 16-91 (attachment a8), the EIS makes a blanket statement that most of the sustained increased in population would have political rights as U.S. Citizens, implying the majority of the projected 33,500 sustained population increase (Table 16.2-3, page 16-42, attachment a6 states 31,071 in lieu of 33,500) would be voting on Guam and as such could change the political and cultural picture. Looking at the picture objectively, which categories of peoples moving to Guam have voting rights, and equally importantly, **what percentage are likely to vote and how are they likely to vote?**

- **Military personnel and dependents** – 17,552 (56% of total permanent population increase). Granted DoD personnel have political rights as U.S. citizens, how many DoD personnel, other than residents of Guam (members of the National Guard who are Guam citizens e.g.), exercise their right to vote on Guam? If DoD personnel from the Mainland elect to register to vote on Guam, do they relinquish their right to vote on the Mainland?
- **Pacific Islanders**, other than those from Hawaii, do not have voting rights on Guam.
- **Non-citizen immigrants from Japan, Asia and other areas** do not have voting rights on Guam.
- Those coming from **CONUS and HI** do have voting rights, but what % of the U.S. non-military citizens moving to Guam from CONUS and HI for work purposes will be on a TDY basis, and what % on a permanent basis? Are those on TDY likely to vote on Guam rather than in their place of permanent residence?
- Per Table 16.1-3, page 16-4 of the EIS (attachment a9), the civilian population of Guam increased from 67,000 in 1960 to 155,000 in 2000, an increase of 88,000 people, translating to a 131% increase. The percentage Chamorro decreased from 52% in 1960 to 42% in 2000.
Summary:
 - o In 1960 there were 35,000 Chamorro on Guam, and 32,000 non-Chamorro.
 - o In 2000, there were 65,000 Chamorro and 90,000 non-Chamorro, an increase of 30,000 Chamorro and 58,000 non-Chamorro.
 - o The increase in Chamorro population was 86%
 - o The increase in non-Chamorro population was 181%
- **Questions.** Did this increase in total population and decrease in Chamorro percentage of total population materially affect the way of life on Guam (subjective in nature), or the political picture? With respect to the political picture:
 - o In the year 2000 (and today), what percentage of the Guam legislators were Chamorro and what percent represented other ethnic groups?
 - o Governor and Lt. Governor?
 - o Congressional Delegate?
 - o Village mayors?
 - o Public auditor?
 - o Attorney General?

In the year 2000 (or today), what percentage of the registered voters on Guam were represented by the Chamorro 42% of the Guam population and what percentage of the registered voters on Guam were represented by the non-Chamorro 58% of the Guam population?

Further statement on page 16-91 (attachment a8). The incoming population would **presumably** be disinclined to vote for further moves away from the U.S. Questions:

1. What is the rationale for **assuming** the incoming population would be disinclined to vote for commonwealth status?
2. What % of the incoming population is eligible to vote on Guam, what % is likely to vote, and what % of **total** voters on Guam would these newly registered voters represent?

In summary, even if this assumption were correct (and there appears to be no factual basis for the assumption), it appears highly unlikely that this disinclination would have any appreciable effect on a future plebiscites.

Bottom of page 16-45 (attachment a10). These generalized statements in lieu of statements accompanied by specific data can be construed by the people of Guam (especially the vocal minority) as an omen that Guam is faced with the invasion of a horde of Caucasians resulting in disenfranchisement of the Chamorro. The passage implies all of the Marines will be Caucasian whereas Table 16.1-7 (page 16-8, attachment a11) indicates that 44.6% of the Marines will be Caucasian, as compared with 42% of Guam's population being Chamorro. Coupling attachment a11 with the projected 17,552 Marines moving to Guam, fewer than 8,000 Caucasian Marines and dependents will be moved to Guam compared to an overall projected population of 230,000 in 2014 (attachment a14). Thus the Caucasian Marine and dependents will constitute less than 4% of the bodies on Guam, will be segregated from the Guam communities (per planning by the DoD), will live, work and play behind the fences, will attend DoD schools, will use DoD medical facilities, and are unlikely register to vote on Guam. So how big an impact will this influx of Caucasians likely have on the Island of Guam? Whereas the EIS does not attempt to quantify the impact of this influx of Caucasians, neither does it paint a complete picture. A more complete picture may be helpful to the people of Guam in objectively evaluating this Caucasian influx on Guam.

An influx of 80,000 additional bodies on Guam is often mentioned in the newspapers, which could be interpreted as an influx of 80,000 bodies that must be assimilated into Guam communities on a permanent basis. If this were true, this influx could be cause for concern, but how realistic is the number and what is a realistic evaluation of this number in terms of impact on Guam? To objectively evaluate the impact of population increase requires more specific numbers, background data and timetables.

- The additional construction workers associated with the military construction are separated as they will be temporary (approximately 4 years), will be living in an isolated compound close to the construction site, the majority will not be eligible to vote on Guam and dependents will not accompany the H2B workers. As such they will not be an integral part of the Guam community.

- The Marines are also separated as they will also be living, working and playing in a compound, will be attending DoD schools, will use DoD medical facilities and will therefore not be an integral part of the Guam community.
- Per EIS Table 16.2-3, page 16-42, attachment a6, the estimated sustained population increase associated with the proposed action is 31,070 bodies.
- The 31,071 population increase includes 17,552 Marines and dependents, leaving 13,519 people who must be assimilated by Guam communities. These 13,519 people represent a population increase of less than 7%.
- In summary, the EIS prediction of population increase that must be assimilated into the Guam communities varies from an additional 4% in 2010, reaching a peak of 20% in 2014, but declining to less than 7% in 2017. A logical conclusion is that the influx of additional bodies should be evaluated in this context rather than on an implied influx of 80,000 bodies on a permanent basis. The projected number of bodies that would have to be assimilated into the Guam community on a **permanent** basis is **13,519, not 80,000**. The temporary spike of 38,714 in 2014 will have an impact that must be considered and addressed.

What are the possible consequences of the above statements in the EIS? Read the attached copy of a letter to the editor by Ms. Fina Leon Guerrero of Ordot (attachment a12). Can one fault Ms. Leon Guerrero for her reaction in view of the EIS language on page 16-91 of the EIS? Ms. Leon Guerrero gives the impression of being a very reasonable person. Had the EIS been more specific in terms of numbers, perhaps Ms. Leon Guerrero's stance would not have "dramatically changed", as Ms. Leon Guerrero could have based her opinion on facts in lieu of the generalized statements and assumptions offered by the EIS.

This writer finds some of the EIS data and projections to be a bit deceptive in places. An isolated example is Table 16.2-45, page 16-78, attachment a13. Comments on GPD requirements.

- The Baseline Service Population used for the year 2014 projection is 160,797 whereas extrapolation of the population without the proposed action in Figure 16.2-1, attachment a14 is 190,000. Is this not a more appropriate baseline?
- The "Steady Requirements Percentage Increase" is 19% based on a "Baseline Service Population" of 160,797. If it were based on the Figure 16.2-1 of 190,000, the percentage would be 16% in lieu of 19%.
- However this is not the complete story. 56% of the 31,071 increase in the projected steady state population increase are Marines and dependents which, based on statistics from Okinawa, commit fewer than half the crimes committed by the civilian population. Throwing in this factor, the "Steady Requirements Percentage Increase" would decrease from 16% to 12%, less than 2/3 of the EIS projection.

Page 16-27, attachment a17 is interesting. AAFB maintains a small correctional facility of 4 cells. In 1980, a military corrections facility existed on the Naval Base, but was closed due to underuse. Question. Should this type of information be used in projecting future GPD staffing requirements resulting from the buildup? In projecting the impacts of the Marines being transferred to Guam?

As a point of curiosity, what does this information on the Navy brig tell us:

- Crimes by Naval personnel are few and far between?
- The Navy uses other methods of detention?
- Miscreants are shipped off island? (or shot?)
- The Navy uses the four cells at AAFB?
- The Navy uses GPD facilities?

The point of the above discussion is that more specificity in the EIS, in lieu of generalized statements, and more rational projections, would allow the people of Guam the opportunity to evaluate the military buildup from an objective viewpoint rather than on generalized statements that can mislead the public.

Personal Perspective of one individual who has resided on Guam for the last 42 years. Page 16-101 (attachment a15) and other areas of the EIS focus on the possible impacts of cultural differences between the Marines and the Chamorro.

Historically the United States has been one of the most cosmopolitan countries of the world, being settled by many different ethnic groups. On a population basis, Guam may be even more cosmopolitan than the Continental United States, being composed of Chamorro, other Pacific Islanders, Japanese, Koreans, Chinese, Filipinos, Indians, Malays and numerous other ethnic groups, most of whom have encountered no difficulties in being accepted by the Chamorros (and other ethnic groups).

Forty two years of experience on Guam has shown that the people of Guam readily accept other ethnic groups if the other ethnic groups will take the trouble to associate with the local peoples and respect local culture. Experience, and data (see table 16.1-7, page 16-8, attachment a11) has shown that the military is in itself composed of various ethnic groups. Experience has also shown that that military personnel tend to be very personable, easy to meet, easy to get along with and easy to converse with. Finally, the people of Guam have a long history (over a hundred years) of amicable relations with U.S. military personnel.

Visual Impacts

The proposed actions are localized (see Figure 2.1-3, page 2-11, attachment a5) and will be off limits to the public and screened by vegetation. Thus the visual impacts will basically be limited to DoD personnel and civilian personnel working on base. As such, it may be of minor interest to the public at large. Concern has been expressed with the Marines presence in the red light district. A bill recently introduced in the Guam Legislature to move the play for pay ladies away from the tourist district may be a desirable mitigation measure. From a realistic viewpoint, the play for pay ladies may be desirable as an alternative to the Marines courting the other young ladies on Guam.

The Specter of a “Boom-Bust”

The EIS addresses the possible effects of a “Boom-Bust” scenario, which, when reviewed introspectively, is frightening, and from an overall viewpoint could be the most egregious of all of the possible adverse impacts. This impact could be alleviated by the “Smoothing” of the construction schedule, espoused by the Chamber from the onset of discussions with DoD personnel and agents, and discussed in the EIS.

Figure 16.2-6, page 16-61, attachment a16 is foreboding. What is likely to be the effect of Gov-Guam revenues rising to a peak of seven hundred thirty million dollars in 2014, then declining to less five hundred million in 2017? Gov-Guam payrolls will become even more bloated in 2014 wreaking financial havoc when revenues decline in ensuing years, as experienced in the hotel boom. To quote Friedrich Hegel, ***What experience and history teach is this-that people and governments have never learned anything from history, or acted on principals deduced from it.*** History teaches us that each administration will use the extra revenue to buy votes, then leave it to ensuing administrations to solve the problems associated with declining revenues coupled with a bloated bureaucracy. Who is going to give the pink slip to the additional employees when they are longer needed? And if they are not dismissed, what is the source of revenue for their continued employment? Two possibilities for addressing this issue are:

1. Smooth out the build up (suggested by the Chamber years ago, and discussed in the EIS).
2. Look to the private sector. The welfare of the private sector employees is of much less concern to Guam politicians than is the welfare of public sector employees. Firing private sector employees is not considered sinful whereas firing public sector employees is considered the most egregious of all sins.

Page 16-53, attachment a18. The EIS predicts only 25% of the civilian military jobs on Guam will be filled by current Guam residents. (note. See pg 4-8 vol 9)

- Why? Does the EIS foresee the 25% encapsulating all civilians on Guam who wish to work, with the remaining 75% of job openings requiring off island recruitment?
- Will current Guam residents, assuming availability, be given an opportunity to vie for these jobs?
- If Guam residents are available, why the prediction that only 25% of the jobs will be filled by Guam residents? Inadequate qualifications? If so, how can this be remedied? Preferential treatment extended to other applicants? If so, how does Guam address this issue?
- Free market? If qualified for the positions, is it not more cost effective to use local hire than to incur the costs of relocation, housing and other expenses associated with hiring from the CONUS, Hawaii or other locales?
- Page 16-100, attachment a32. Question. Is a onetime bonus of 20% to lure employees from the private sector to the public sector really necessary? Is not the average GovGuam wage (and perks) significantly higher than the average private sector wage on Guam? Once the 20% bonus starts, **when is it going to stop? History teaches us it is unlikely to ever stop.**

Note: The above was this writer's reactions to the Volume 2 passage. Volume 9 clarifies the issue in that the 25% filled by Guam residents saturates the Guam market, and consequently businesses will have to look off island to fill the remaining job vacancies, Had this been clarified on page 16-53 of Volume 2, the above issues/questions would never have risen.

Volume 2 discusses the hotel boom on Guam. Questions:

Were the overall effects of the hotel construction boom on Guam beneficial or detrimental?

- Were more jobs provided (both directly and indirectly)?
- Was the general population of Guam adversely affected by the visual change in landscape of Tumon Bay?
- Was the social fabric of Guam materially affected by the influx of bodies associated with the hotel boom?
- Was the political picture on Guam materially affected by the influx of bodies associated with the hotel boom?
- Did Gov-Guam revenues increase as a result of the hotel boom?
- Were more Gov-Guam jobs created by the hotel boom?
- The EIS states the crime rate on Guam is less than in the Continental United States (**Good for us!**).
 - o Did the crime rate increase on a yearly basis prior to the hotel boom?
 - o Did the crime rate (on a unit population basis) increase as a result of the hotel boom?
 - o Has the crime rate increased or decreased following the hotel boom?
 - o Is it reasonable to extrapolate crime statistics and other impacts during the hotel boom (assuming they are available) to the military buildup?

16-2. Table 16.1-1 (page 16-2, attachment a19) is interesting. In 1987, the military population (including dependents) was 24,000 reduced to 12,000 in 2000. If 18,000 military personnel are moved to Guam, the population would be approximately 30,000 as compared with 24,000 in 1987 (and 12,000 in 2000).

Questions:

1. From a social impact viewpoint, how much difference did the extra 12,000 personnel in 1987 make as compared with 2000? Were there more prostitutes on Guam in 1987 than there were in 2000? A higher crime rate? Disenfranchisement of the Chamorro? More fights? Traffic gridlock? Environmental rape? Sexual assault of the young ladies of Guam?
2. What was the economic impact on Guam of the 12,000 body reduction of military personnel, dependents and activities? One impact was that hundreds fled Guam to look for work elsewhere. Did not the Governor institute a program to entice these workers back to Guam to exploit the military buildup?
3. If 18,000 DoD personnel are relocated to Guam, are we simply not replacing the 12,000 lost from 1987 to 2000, with an extra 6,000 thrown in?
4. Is it reasonable, feasible and/or valid to extrapolate the economic, social and cultural impact of the extra 12,000 military personnel in 1987 to an extra 18,000 military personnel in 2014?

Page 8-53, (attachment a23) bottom of page to top of page 8-54 (attachment a24) . Impacts of land acquisition will be addressed in the "Land Acquisition Impact Study" **that will be available as part of the Final EIS**. When? Public input before finalizing the EIS section on land acquisition? See also page 8-59 (attachment a25).

Bottom of page 2-13, attachment a20, a discussion of the "Haputo Ecological Reserve" is a bit confusing. The discussion implies the "Haputo Ecological Reserve" to be an impediment in that the Overlay Refuge boundaries encumber 87% of NCTS Finegayan and 98% of Andersen AFB NWF, and resulting in a requirement for more land acquisition than originally envisioned. However, a review of pages 2-32 (attachment a21) and 8-21 (attachment a22) reveals rather extensive use of both NCTS Finegayan and Andersen AFB NWF. So what land is left at Finegayan and Andersen AFB NWF in which these little critters can flit about? Is the DoD really willing to forego the use of Northwest Field for the sake of 4 bird species? Doesn't appear so. A suspicious soul could conclude this position as being an excuse for bringing more Guam land under DoD control.

Question. How does the Overlay Refuge boundaries affect the Harmon lands recently returned to heirs and how does it affect the Zoning Plan recently developed by the GLUC for this area?

Page 10-12 (attachment a26) discusses the "*Revised Recovery Plan*" for endangered species. The areas of land required for this program are a bit staggering, 7.2 hectares (18 acres) of land per Kingfisher and 22 hectares (54 acres) per pair of Mariana Crow e.g. Fig 10.1-4, page 10-13 (attachment a27) depicts "Essential Habit for Guam Micronesia Kingfisher, Mariana Crow and Mariana Fruit Bat. The majority of the land is already DoD land, but does include some non-DoD land. The proposed usages of NW Field and NCTS begs the questions of

- Why is page 10-10 (attachment a28) different from pages 10-13 (attachment a27), 10-39 (attachment a29) and 10-101(attachment a30)?
- How does DoD envision respecting this "Essential Habitat" vis-à-vis the proposed disturbances and construction.
- Are the ground rules with respect to the protection of the Essential Habitat different for DoD and the private sector?
- Who is administering this program? Under what authority? If the birds cannot survive in the presence of the BTS, what are the plans for exterminating this predator?
- Feral cats are another predator that must be considered.

Questions. What rules will be applied to the private sector in the Overlay Refuge? Although smaller in area than DoD lands, there is a significant area of Land Trust and private land in the recovery zones, and the heirs may wish to know how they will be affected by the designated (?) recovery areas.

Some misc notes on the Haputo Reserve (not necessarily related to the EIS).
50 CRF 71 states ***In order to be included in a critical habitat designation, the habitat must be "essential to the conservation of the species"***

From Fish and Wildlife Fact Sheet.

In the seven year period from 1981 to 1988, the kingfisher had unmolested access to the proposed 25,000 acre critical habitat area, which is described in 50 CFR as "mature limestone forest ...disturbed little by human activities". Yet during that seven year period, the brown tree snake eradicated the entire Guam population of 3,000 birds, plus all their offspring.

The other two species also had unmolested access to the same proposed 25,000 acre critical habitat area yet suffered similar fates. There are presently only 2 indigenous Marianas Crow on Guam (the other ten crows on Guam having been translocated from Rota or mainland zoos), and the Mariana fruit bat population has been reduced by approximately 90%.

The bird population's primary enemy on Guam is predators such as the browntree snake and feral cats, and with respect to the fruit bat, poachers, and the proposed critical habitat program addresses neither problem.

Quote from PDN article. ***Species-specific benefits can only be realized with the control of the brown treesnake. Without effective reduction and control of the brown treesnake on Guam, the Mariana crow, Guam Micronesian kingfisher, and Mariana fruit bat will not be able to survive and no species-specific benefit would occur from proposed critical habitat and the government is a long way from being able to control the snake over the proposed critical habitat. Whereas the technology is improving, it would take a tremendous amount of labor and funding to tend to 25,000 acres,***

In summary, designating a significant portion of the island as a critical habitat without solving brown treesnake predation and poachers is like treating a brain tumor by leg amputation:

- a) It creates a lot of pain and suffering.
- b) It results in significant and unnecessary expenses
- c) It provides absolutely no benefit to the patient.
- d) The patient dies in spite of the operation because the doctors refused to address the cause of the illness.

Discussing mitigation of potential impacts of cultural differences, the DoD gives the impression of being condescending in nature with mitigating measures oriented toward "keeping the natives from becoming restless" (writer's words, not the EIS). See page 16-101 (attachment a31) for example. The DoD proposal for "minimizing local community perceptions of separation of local resident and military communities" is not to let the Marines reside within the Guam community (as is done in the CONUS) but to **consider** a mayoral outreach task force aimed at developing military-civilian relationships (with the DoD personnel being forced to live on the DoD side of the fence with the natives will living on the other side).

The general mien of the EIS leaves one with the impression that DoD does not view the Marines as being a part of the Guam community, that the DoD views the Marine presence on Guam in the context of "peaceful coexistence" rather than a state of symbiosis, i.e. the Marines will live on one side of the fence and the natives will live on the other side. A logical conclusion is that after 9/11, and similar events, the DoD is concerned with security. However, this conclusion is belied by documents published well after the 9/11 event. These documents clearly define official DoD policy as being oriented toward DoD personnel being a part of the community rather than being sequestered behind barbed wire. See **Appendix A** for further discussion. The rationale for devoting so much space to this particular issue is.

1. It is deemed so singular in that it is diametrically opposed to the official written policy of the DoD.
2. A logical conclusion is that the DoD decision to force the Marines to live on base in lieu of letting the Marines live within the Guam community reflects the DoD overall attitude toward the people of Guam.
3. Quite possibly, the Marines living within the Guam community would result in significant business to the Guam private sector as well as significant additional revenues to Gov-Guam.

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Impacts

Table 16.2-41 provides an overview of the proposed action's impacts on GMHA, GDPHSS, GDMHSA and GDISID service populations for the action's peak year and steady-state. Year by year breakdowns of impacts are available in the Appendix F SIAS.

Table 16.2-41. Impact on Public Health and Human Services, Service Population Summary

Agency	Baseline Service Population	Peak Year	Peak Year Additional Service Population	Peak Year Percentage Increase	Steady Additional Service Population (going forward)	Steady Requirements Percentage Increase
GMHA	160,797	2014	41,062	26%	5,437	3%
GDPHSS	65,954	2014	23,543	36%	10,183	15%
GDMHSA	65,954	2014	23,543	36%	10,183	15%
GDISID	169,209	2014	54,228	32%	18,604	11%

Table 16.2-42 provides an overview of the proposed action's impacts on various public health and human services agency staffing requirements for the action's peak year and steady-state. Year by year breakdowns of impacts are available in the Appendix F SIAS.

Table 16.2-42. Public Health and Human Services Impact Summary

Agency and Staffing Type	Baseline Staffing Numbers	Peak Year	Peak Year Additional Staffing Requirements	Peak Year Percentage Increase	Steady State Additional Staffing Requirements (going forward)	Steady Staffing Requirements Percentage Increase
GMHA Physicians	57	2014	15	26%	2	4%
GMHA Nurses and Allied Health Professionals	355	2014	91	26%	12	3%
GDPHSS - Primary Care Medical Providers and Nursing Staff	44	2014	16	36%	7	16%
GDPHSS -- BCDC Communicable Disease Prevention Professionals	33	2014	12	36%	5	15%
GDPHSS - BFHNS Nurses	22	2014	8	36%	4	18%
GDMHSA - Mental Health Professionals	130	2014	46	35%	20	15%
GDISID Social Workers and Counselors	14	2014	4	29%	2	14%

In July of 2008, The U.S. Department of Health and Human Services provided a Guam Issues Inventory response to GovGuam prioritized health and human services issues related to the proposed action (USDHHS 2008). These priorities included acquisition of critical staffing, and capital improvement and funding for infrastructure and services.

Thus, other factors regarding the impact of the proposed action on Guam's public health system include (refer to Appendix F SIAS for more detailed discussion):

Table 16.2-30 provides assumptions made in conducting the GIP analysis for the operations phase.

Table 16.2-30. Operational Component Assumptions for GIP

<i>Assumption</i>	<i>Assumed Value</i>	<i>Source/Rationale</i>
Total expenditure, base operations – 2010	\$4.7 million	Estimate based on historical Guam military (USAspending.gov 2008) contracts data scaled over time according to estimated change in on-base population
Total expenditure, base operations – 2011	\$8.7 million	Estimate based on historical Guam military (USAspending.gov 2008) contracts data scaled over time according to estimated change in on-base population
Total expenditure, base operations – 2012	\$9.4 million	Estimate based on historical Guam military (USAspending.gov 2008) contracts data scaled over time according to estimated change in on-base population
Total expenditure, base operations – 2013	\$9.9 million	Estimate based on historical Guam military (USAspending.gov 2008) contracts data scaled over time according to estimated change in on-base population
Total expenditure, base operations – 2014	\$47.8 million	Estimate based on historical Guam military (USAspending.gov 2008) contracts data scaled over time according to estimated change in on-base population
Total expenditure, base operations – 2015-2020	\$52.4 million	Estimate based on historical Guam military (USAspending.gov 2008) contracts data scaled over time according to estimated change in on-base population
Percent of military operations contracts awarded to Guam firms	17%	Historical local contract award expert advice, provided by GCA
Average annual wages of enlisted personnel	\$28,895	Western Pacific Alignment Plan (WAP)
Average annual wages of military support personnel	\$41,435	Estimate based on Government Service (GS) pay scale (Office of Personnel Management 2008)
Percent wages spent on Guam economy, enlisted military	12%	State of HI I-O model, adjusted by John M. Knox & Associates
Percent wages spent on Guam economy, military support	47%	State of HI I-O model, adjusted by John M. Knox & Associates
Federal Military Output Multipliers	1.7	HI 2005 I-O Model
Personal Expenditures Output multiplier	1.89	Based on various multipliers from HI I-O Model weighted by expenditures category
Ratio of Output to GIP	0.75	Output is always larger than GIP as GIP represents only final purchases. Output adjusted downward to represent GIP. Based on ratio of total sales from 2002 economic census to Guam GIP from 2002 Bureau of Statistics and Plans.
Total relocation of all active-duty military personnel to Guam	Complete by 2014	DoD policy – necessary to meet agreement with Government of Japan

The Table 16.2-31 below shows key intermediate calculations feeding into subsequent estimates of the impact on GIP from operations.

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Table 16.2-12. Assumptions for Origins of Direct On-Site Labor Force Construction Supply

<i>Assumption</i>	<i>Assumed Value</i>	<i>Source/Rationale</i>
Quantitative Assumptions		
Construction employment	75 workers per \$10 million total construction cost	Guam Contractors Association interviews
Guam residents holding construction jobs	Up to 2,670 jobs at peak	GCA and Guam DOL employment by industry data
CONUS/HI/Japan % of workforce	4 supervisory workers from U.S. or Japan per \$10 million project cost.	Guam Contractors Association interviews
Supervisor/Labor split of CONUS/HI/Japan	4% / 96%	Guam Contractors Association interviews
Philippines/Other split of H-2B workforce	85% / 15%	Guam Contractors Association interviews
Other U.S. Pacific Island % of workforce	residuals of work force	Guam Contractors Association interviews
Qualitative Assumptions		
Fees for H-2B workers	They do not become an impediment to recruiting affordable labor	Entire project could founder if the economics are impractical
Competition for CONUS workers from federal stimulus spending	This would alone not be sufficient or widespread enough to deter at least some CONUS workers from Guam	This is a matter of great uncertainty, but there is a strong commitment by government to seek out U.S. workers

Notes: No assumption is made about the likely split of "Other Pacific Island" workforce among the CNMI, Federated States of Micronesia, Republic of the Marshall Islands, Palau, and American Samoa. This reflects conflicting evidence in the foregoing table and the general difficulty of predictions for specific small areas.

Possible sources for construction-related jobs other than direct on-site jobs (i.e., direct from purchases and indirect); direct federal civilian jobs associated with the military; and spin-off jobs include:

- Guam Residents
- Temporary Foreign Workers (H-2B visa workers)
- Other U.S. Pacific Island Workers
- Other Workers from CONUS, Hawaii, or Okinawa Transfers

Given the uncertainties involved for various potential off-island labor sources, this analysis is restricted to assumptions and estimates strictly about "on-island" and "off-island" labor force sources (Table 16.2-13). Refer to the Appendix F SIAS for additional descriptions of and historical information regarding these sources.

Table 16.2-13. Assumptions for Origins (On vs. Off-Island) of Labor Force Supply for Employment Other Than Direct On-Site Construction

<i>Assumption</i>	<i>Assumed Value</i>	<i>Source/Rationale</i>
Sources of direct federal civilian employment.	50% Okinawa transfers, 25% military spouses, 25% other off-island.	Planning assumption provided by NAVFAC Pacific
Absorption of Guam's pool of unemployed workers.	By 2014, Guam's unemployment rate would decline to 4.0%, then gradually rise somewhat thereafter.	For analysis/modeling purposes, currently unemployed Guam residents were assigned to Indirect employment

Civilian Labor Force Supply - Impacts

Table 16.2-14 shows the probable origins of the labor force supply for direct onsite military construction jobs.

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Table 16.2-28. Construction Component Assumptions for GIP

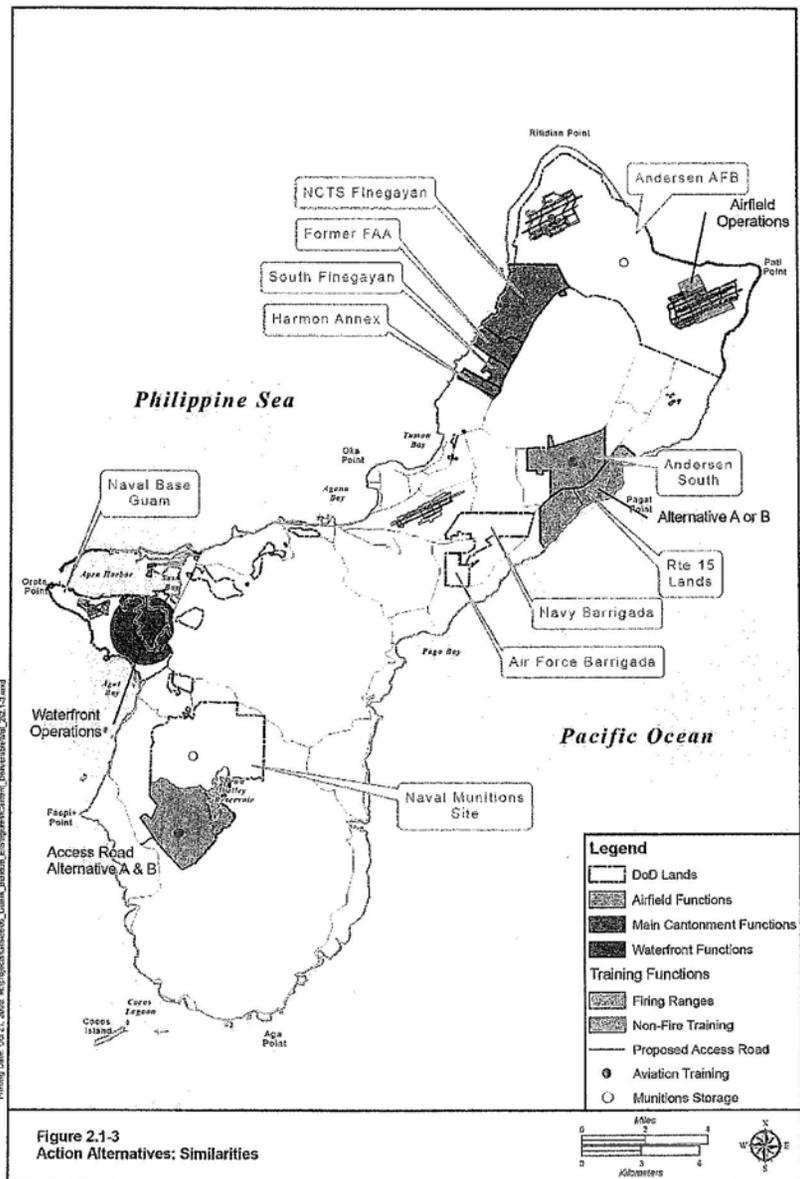
Assumption	Assumed Value	Source/Rationale
Gross value of military contracts – 2010	\$425 million	NAVFAC Pacific 2009
Gross value of military contracts – 2011	\$1,023 million	NAVFAC Pacific 2009
Gross value of military contracts – 2012	\$1,648 million	NAVFAC Pacific 2009
Gross value of military contracts – 2013	\$2,109 million	NAVFAC Pacific 2009
Gross value of military contracts – 2014	\$2,034 million	NAVFAC Pacific 2009
Gross value of military contracts – 2015	\$1,410 million	NAVFAC Pacific 2009
Gross value of military contracts – 2016	\$524 million	NAVFAC Pacific 2009
Percent of expenditures made on Guam – Equipment	6%	Interviews with GCA
Percent of expenditures made on Guam – Design	2%	Interviews with GCA
Percent of expenditures made on Guam – Materials	5%	Interviews with GCA
Percent of expenditures made on Guam – Supplies	6%	Interviews with GCA
Construction employment.	75 workers per \$10 million total construction cost	Interviews with GCA
Average construction wages – Supervisory	\$85,830/yr.	U.S. BLS Occupational Employment Statistics
Average construction wages – overall	\$27,999/yr.	GDoL
Percent of gross pay spent on Guam economy – Guam workers	47%	State of HI I-O PCE, adjusted by John M. Knox & Associates
Percent of gross pay spent on Guam economy – High-skilled construction and construction in-migrants from CONUS/FAS/HI	45%	State of HI I-O model PCE, adjusted by John M. Knox & Associates
Percent of gross pay spent on Guam economy – Construction H-2B workers	20%	State of HI I-O model PCE, adjusted by John M. Knox & Associates
Ratio of GIP to Output	0.75	Output is always larger than GIP as GIP represents only final purchases. Output adjusted downward to represent GIP. Based on ratio of total sales from 2002 economic census to Guam GIP from 2002 Bureau of Statistics and Plans

Table 16.2-29. Intermediate Construction-Related Calculations for GIP

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Direct Non-Labor Construction Spending on Guam Economy	\$74	\$179	\$288	\$369	\$356	\$246	\$92	N/A	N/A	N/A	N/A
Personal Spending of Direct, On-Site, Construction Workers on Guam	\$19	\$46	\$74	\$92	\$88	\$60	\$22	N/A	N/A	N/A	N/A

Notes: All figures are in millions of 2008 dollars.

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calculations below. If the stay-behind worker phenomenon leads to increased in-migration over time, then the population in the years 2017 forward would increase at a faster rate than illustrated. Since it is expected that a large percentage of immigrant workers will originate from the Philippines, population growth related to stay-behind workers would likely, disproportionately, originate from there.

Table 16.2-1 provides assumptions made in conducting analysis for the construction phase, as well as the source of or rationale for those assumptions.

Table 16.2-1. Construction Component Assumptions for Project Related Population Impacts

Assumption	Assumed Value	Source/Rationale
Average number of dependents for in-migrating direct, on-site, construction jobs	0.20 - 0.35	Contractor interviews
Average number of dependents for in-migrating direct from purchases jobs	0.95 - 1.0	U.S. Census data on persons per jobs (U.S. Census Bureau 2000d) and GDoL interviews
Average number of dependents for in-migrating indirect/induced jobs	0.95 - 1.0	U.S. Census data on persons per jobs (U.S. Census Bureau 2000d) and GDoL interviews

Table 16.2-2 provides assumptions made in conducting analysis for the operations phase, as well as the source of or rationale for those assumptions.

Table 16.2-2. Operational Component Assumptions for Project Related Population Impacts

Assumption	Assumed Value	Source/Rationale
Number of Marines by 2014	8,552	Description of Proposed Action and Alternatives (EIS/OEIS)
Number of Marine dependents by 2014	9,000	same as above
Number of rotational transient Marines by 2014	2,000	same as above
Average number of dependents for in-migrating civilian military personnel	0.95	U.S. Census data on persons per jobs (U.S. Census Bureau 2000d)
Average number of dependents for in-migrating direct from purchases jobs	0.95 - 1.0	U.S. Census data on persons per jobs (U.S. Census Bureau 2000d) and GDoL interviews
Average number of dependents for in-migrating indirect/induced jobs	0.95 - 1.0	U.S. Census data on persons per jobs (U.S. Census Bureau 2000d) and GDoL interviews

Impacts

The projected project related impact on population is shown in Table 16.2-3. As the table indicates, a 2014 peak-year total impact would result in population increase of 65,527, falling to a steady 31,071 as increases in base operational expenditures cease by 2019.

Table 16.2-3. Estimated Population Increase Associated with Proposed Marine Corps Action

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total Population ¹	9,239	22,667	33,916	41,464	65,527	54,799	38,612	30,894	30,894	31,071	31,071

¹ Marine population numbers include: uniformed Marines, associated civilian workers and their dependents from off-island.

Figure 16.2-1 compares total population on Guam with and without the proposed action. At the 2014 peak, population with the proposed action is 34% higher than it otherwise would have been, without the project. At 2020, the difference declines to 15%.

Figure 16.2-1 indicates significant project related impact. Population increases are considered to be inherently mixed (both beneficial and adverse), because population growth fuels economic expansion but sudden growth also strains government services and the social fabric.

(a7)

16.1.3.3 Household Characteristics

Table 16.1-5 provides demographic information for Guam and the island's individual villages for the year 2000.

Table 16.1-5. Household Characteristics 2000, Guam Total and Individual Villages

	Population in HHs	Number of HHs	Avg HH Size	% of HHs that are Family HHs	% of HHs that are Married	% of HHs that are Families	Median HH Income	Income per HH member	% HHs below poverty line
Guam Totals	150,928	38,769	3.89	83%	59%	36%	\$39,317	\$10,107	22%
North									
Dededo	42,635	10,016	4.26	89%	63%	39%	\$37,654	\$8,839	23%
Yigo	18,947	4,634	4.09	91%	70%	48%	\$37,415	\$9,148	19%
Central									
Tamuning	17,619	5,953	2.96	68%	48%	27%	\$35,347	\$11,942	24%
Barrigada	8,481	2,097	4.04	87%	61%	36%	\$49,974	\$12,370	16%
Mangilao	12,474	3,190	3.91	83%	55%	34%	\$39,754	\$10,167	26%
Mongmong- Toto-Maite	5,833	1,633	3.57	76%	47%	28%	\$31,134	\$8,721	31%
Hagåtña	822	268	3.07	69%	43%	22%	\$31,136	\$10,142	27%
Sinajana	2,850	742	3.84	82%	50%	25%	\$48,750	\$12,695	20%
Agaña	3,862	1,058	3.65	81%	51%	29%	\$47,396	\$12,985	14%
Chalan Pago- Ordot	5,846	1,573	3.72	79%	50%	30%	\$36,506	\$9,813	30%
Asan	2,089	552	3.78	84%	52%	30%	\$48,611	\$12,860	19%
Piti	1,613	474	3.4	77%	53%	31%	\$54,167	\$15,931	13%
Yona	6,434	1,486	4.33	89%	61%	38%	\$52,955	\$12,230	20%
Agat	5,633	1,298	4.34	86%	54%	32%	\$37,398	\$8,617	24%
Santa Rita	6,512	1,780	3.66	87%	73%	48%	\$41,928	\$11,456	9%
South									
Talofofo	3,192	738	4.33	88%	59%	37%	\$47,885	\$11,059	22%
Umatac	887	162	5.48	93%	54%	35%	\$34,286	\$6,257	33%
Inarajan	3,036	644	4.71	91%	60%	38%	\$42,361	\$8,994	24%
Merizo	2,163	471	4.59	89%	57%	34%	\$39,940	\$8,702	23%

Source: U.S. Census Bureau 2000a; HH refers to Households.

North

As of 2000, almost 41% of Guam's population living in households resided in the Northern region; Dededo was the single largest village on Guam in terms of population in households and number of households.

Both villages in the Northern region had larger average household sizes (Dededo, 4.26 people and Yigo, 4.09 people) than Guam's overall household counts (3.89 people).

Compared to Guam overall, Dededo and Yigo had a higher percentage of family households, married family households, and family households with children.

Household incomes in Dededo (\$37,654) and Yigo (\$37,415) were lower than Guam overall (\$39,317); also, each had lower incomes per household member. Dededo had a higher percentage of households below the poverty line than Guam overall but Yigo had a far lower percentage; the region, on average, had a similar percentage of households below the poverty line (21.5% vs. 22%).

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feelings of marginalization. However, the portion of these workers from the FAS or on H-2B visas would lack political rights, and most of these workers would leave Guam after 2016. Therefore, the construction component should not have significant ongoing impacts on Chamorro political control.

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.

Artifacts: There is a concern that military development could unearth Chamorro artifacts. Chamorro groups such as the Department of Chamorro Affairs (DCA), the Guam Council on the Arts & Humanities Agency, and the Guam Museum are requesting the military give the anticipated artifacts and provide funding to the Guam Museum. Refer to Volume 2, Chapter 12, Cultural Resources for impact analysis.

Impacts – Operations Phase

During the operational phase, the following impacts would be possible (more detailed discussion on each of these topics is available in the Appendix F SIAS):

Minoritization: Overall, the analysis indicates a sustained increase of approximately 33,500 people on Guam. Most of these people would have political rights as U.S. citizens. Therefore, their sustained presence could affect Chamorro culture in a number of ways, politically and culturally.

Firstly, a reduction in Chamorro voting power would impact certain political issues important to the Chamorro population.

The incoming population would presumably be disinclined to vote for further moves away from the U.S., and this may affect the success or failure of future plebiscites involving Guam's political status. Guam's status and its relationship to the U.S. are largely legal affairs, such as the previous Constitutional Conventions. However, the constitution produced by that 1978 Convention was rejected by the voters the following year (Office of the Governor of Guam 2008). Subsequent attempts to change Guam from an organized but unincorporated territory into a commonwealth have so far collapsed.

A reduction in Chamorro voting power may also be felt on the policy level. For example, it is commonly agreed among Chamorro politicians that public funds should be spent to support funeral and wake activities. However, non-Chamorro elected officials may not appreciate this cultural tradition and support such things (Guam DCA Interview – Appendix F SIAS).

Another goal of Chamorros has been political self determination, and for some Chamorros, total sovereignty. While it is by no means certain that Guam residents would ever vote for full independence even if the military buildup does not take place, the addition of more non-Chamorro voters may make efforts at sovereignty less viable.

On a more purely cultural level, while the loss of the Chamorro language has been occurring for years on Guam, it may be accelerated with the military build-up.

Guam's integration into the larger English-speaking American society has been correlated with a loss of the use of Chamorro language in everyday life. A survey of Chamorro residents (Santos and Salas 2005)

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Table 16.1-3. Guam-Wide Total Population and Ethnicity, 1920-2000

	1920	1930	1940	1950	1960	1970	1980	1990	2000
Total Population	13,275	18,509	22,290	59,498	67,044	84,996	105,979	133,152	154,805
Ethnicity									
Chamorro/Part-Chamorro	92%	89%	91%	46%	52%	N/A	45%	43%	42%
Caucasian	2%	7%	4%	39%	31%	N/A	8%	14%	7%
Filipino	3%	2%	3%	12%	13%	N/A	21%	23%	26%
Other	3%	3%	3%	4%	4%	N/A	26%	20%	25%

Source: U.S. Census Bureau 2000a

Table 16.1-4 provides demographic information for Guam and the island's individual villages for the year 2000. The three largest village populations are in the northern villages of Dededo and Yigo and the centrally-located village of Tamuning.

Table 16.1-4. Demographic Characteristics 2000, Guam Total and Individual Villages

	Population/Gender			Ethnicity						Median Age	Place of Birth				Education (25 yr and over, %)	
	Total	Male	Female	Chamorro/Part Chamorro	Filipino	Caucasian	Other Pacific Islander	Other	Guam		Other U.S.	Philippines	Other Pacific Islands	High School	College Degree	
Guam Totals	154,805	79,181	75,624	42%	30%	7%	8%	17%	27.1	52%	12%	21%	7%	52%	23%	
Dededo	42,989	21,645	21,335	30%	45%	3%	8%	13%	27	46%	7%	33%	7%	50%	23%	
Yigo	18,174	9,599	8,575	37%	31%	15%	8%	19%	25	40%	23%	29%	7%	53%	29%	
Tamuning	18,017	9,420	8,597	18%	26%	8%	10%	37%	32	31%	11%	22%	9%	49%	31%	
Barroeta	8,652	4,320	4,332	50%	19%	3%	2%	13%	28.3	62%	0%	15%	7%	53%	25%	
Mangilao	13,315	6,958	6,355	47%	22%	4%	11%	16%	27.4	53%	8%	18%	10%	50%	23%	
Mongmong																
Toto-Maite	5,845	2,895	2,950	53%	16%	4%	13%	15%	27.1	60%	8%	13%	11%	54%	22%	
Hagåtña	1,100	672	428	89%	16%	4%	17%	14%	31.8	52%	8%	14%	15%	51%	21%	
Saipan	2,833	1,433	1,420	73%	7%	4%	6%	9%	28.7	73%	10%	6%	6%	53%	23%	
Agaña																
Heights	3,940	1,946	1,994	68%	10%	0%	7%	8%	28.1	65%	13%	9%	6%	53%	28%	
Chalan																
Pago-Dedot	5,923	3,011	2,912	53%	11%	5%	6%	26%	27.3	69%	16%	11%	7%	55%	22%	
Axan	2,090	1,078	1,012	71%	8%	8%	5%	8%	28.9	30%	15%	6%	5%	36%	24%	
Pai	1,666	882	784	60%	7%	10%	3%	14%	30.3	60%	22%	7%	4%	30%	31%	
Yona	6,484	3,242	3,242	30%	8%	6%	4%	15%	24.3	26%	12%	3%	4%	33%	25%	
Agat	5,656	2,910	2,746	67%	23%	3%	3%	4%	25.3	20%	7%	18%	3%	52%	19%	
Santa Rita	7,900	4,028	3,872	31%	20%	24%	1%	24%	26.3	35%	38%	17%	1%	38%	30%	
Talofafo	3,215	1,641	1,574	79%	3%	7%	5%	6%	34.8	78%	13%	2%	5%	55%	22%	
Umatac	887	465	422	93%	1%	1%	1%	2%	21.9	91%	6%	1%	1%	66%	6%	
Instanin	3,052	1,536	1,506	86%	2%	2%	2%	8%	23.5	89%	7%	2%	3%	57%	11%	
Merizo	2,163	1,090	1,073	89%	1%	3%	2%	5%	23.3	85%	9%	2%	2%	62%	11%	

Source: U.S. Census Bureau 2000a

North

As of 2000, 40% of Guam's population resided in the Northern region. That percentage has likely increased since that time as Dededo and Yigo have been growing quickly over the past 10 years.

The region was 50.06% male, 49.94% female compared to the overall Guam population (51.15% male, 48.84% female). Ethnically, the Northern region was less Chamorro than the rest of Guam; Dededo was far more Filipino than the rest of Guam (45% vs. 26%) and Yigo was more heavily populated with Caucasians than the Guam average (15% vs. 7%).

The median age of the population in the Northern region was similar to that of Guam's overall population; Dededo's median age was 27 years old and Yigo's was 25 years old compared to Guam's overall median age of 27.1 years old.

(210)

<i>Assumption</i>	<i>Assumed Value</i>	<i>Source/Rationale</i>
Korea	0.8%	U.S. Census American Community Survey, PUMS 2005-2007 3-yr estimates
Guam	0.7%	U.S. Census American Community Survey, PUMS 2005-2007 3-yr estimates
Educational Attainment (25 yrs. and older)		
High School Graduate	47.2%	U.S. Census American Community Survey, PUMS 2005-2007 3-yr estimates
College Degree	50.7%	U.S. Census American Community Survey, PUMS 2005-2007 3-yr estimates

Impacts - Employment Component

Populations who move to Guam for employment purposes are made up of more males than females. Therefore, the proposed action would increase the percentage male population on Guam.

Populations who move to Guam for work have historically moved at an average age of 32. This is an older population than Guam's current population. Therefore the employment component of the proposed action would increase the average age of the Guam population slightly.

Populations who have moved to Guam for employment purposes in the past have relocated largely from Asian or Other Pacific Island areas, with places of birth located mainly in the Philippines, the U.S., or Micronesia. This component of the proposed action would thus result in the population of Guam being made up of a relatively smaller population of Chamorros and Guam-born individuals, and a relatively higher population of Filipinos, Caucasians from the U.S Mainland, and Micronesians.

The educational attainment levels of people who move to Guam for employment purposes are variable, displaying low levels of high school graduation but high levels of college graduation. This likely represents the historical type of employment available on Guam (typically trades-related or requiring a specialty skill). Overall, the analysis shows that the in-migrant population would have a similar educational attainment as those currently living on Guam (most would have at least a high school diploma).

Impacts - Military Component

The military component incoming population will have a higher ratio of males to females than currently reside on Guam. Therefore, the proposed action would increase the percentage male population on Guam.

The military component incoming population will generally be younger than Guam's population. Therefore this component of the proposed action would decrease the average age of the Guam population slightly.

The military component incoming population will be composed of more Caucasian backgrounds than Guam's current population. This component of the proposed action would thus result in the population of Guam being made up of a relatively smaller population of Chamorros and Guam-born individuals, and a relatively higher population of Caucasians from the U.S Mainland.

There is a higher overall level of educational attainment among the expected military population than is currently present on Guam. Therefore the proposed action would increase the number of people on Guam who possess a college degree.

2011

Table 16.1-6. Active Duty Military Population on Guam, 1998-2007

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Total Active Duty	6,379	6,155	5,806	5,974	5,820	5,944	6,220	6,514	6,253	6,286
Navy	3,946	3,902	3,741	3,626	3,810	3,760	3,922	4,085	3,867	3,879
Air Force	2,119	1,964	1,752	1,981	1,670	1,828	1,950	1,844	1,596	1,596
Army	178	158	172	183	200	217	211	422	606	632
Coast Guard	134	130	136	180	136	136	134	160	180	175
Marine Corps	2	1	5	4	4	3	3	3	4	4

Sources: Guam Bureau of Statistics and Plans 2006, COMNAV Marianas 2008

The demographic characteristics of military personnel and their dependents living on Guam in 2000 are shown in Table 16.1-7. Military and military dependents on Guam were younger than Guam overall. Additionally, there were more Caucasians and fewer Pacific Islanders among the group. Military households had a lower median income than Guam overall. However, military households also had fewer persons per household to the extent that income per household member was greater than Guam overall (\$10,963 vs. \$10,107). It should also be noted that Military households also receive a basic allowance for housing which provides them with more disposable income. Military and military dependents had slightly higher educational attainment; 58% completed high school and an additional 36.6% obtained a college degree.

Table 16.1-7. Active Duty Military and Military Dependent Demographic Characteristics, 2000

Median Age	Gender		Ethnicity						Median Household (HH) Income	Median HH Size	Income Per HH Member	Education (25 yr. and over pop.)	
	Male	Female	White	Asian	Native Hawaiian/Other Pacific Islander	Black or African American	Other	High School				College Degree	
23	52.2%	47.8%	44.6%	16.0%	11.8%	8.2%	19.4%	\$33,000	3.01	\$10,963	58%	36.6%	

Source: U.S. Census Bureau 2000c

16.1.4 Economic Characteristics

16.1.4.1 Employment and Income

Employment by Industry

As of 2000, Guam's industrial employment composition was quite different than that of the U.S. as a whole. Guam's economy was more government- and service-oriented and less production-oriented.

Table 16.1-8 shows that GovGuam is the major employer on Guam. Furthermore, it shows that the percentage of Guam's payroll employment in the Government sector is high compared to the U.S. overall.

Table 16.1-8. Government's Share of Employment (June 2009)

Country/Territory	Payroll Employment	Government Workers	Government Workers (% of Labor Force)
U.S.	132,609,000	22,511,000	17%
Guam	59,340	14,430	24.3%

Sources: U.S. Bureau of Labor Statistics 2009, Guam Department of Labor 2009b

Table 16.1-9 shows the industrial employment composition of Guam's economy. Between 2000 and 2009 the number of construction jobs has increased. Over the same period, the number of jobs in the retail trade industry declined, possibly due to lower spending by Guam residents coping with decreasing price-adjusted incomes (see subsequent discussion).

Chamorros may end up like Hawaiians after buildup

By Fina Leon Guerrero

“Guam’s indigenous Chamorro population has strong concerns about whether incoming military populations would recognize them as both American by nationality and also as a unique ethnic culture worthy of respect and preservation. This could be mitigated by orientation programs designed in cooperation with the Department of Chamorro Affairs. 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.” (Volume 7, Chapter 3, Page 64, “Mitigation, Summary Impacts, Cumulative.”)

I have always wanted the best for our island and when I first heard about the military buildup, I thought it was a good way to improve

everyone’s way of life. It would boost our economy, improve our infrastructure and give a sense of direction to our island.

However, as I reviewed the EIS draft and attended public hearings, my stance on the buildup has dramatically changed. Every positive aspect of the buildup is counteracted by a negative impact. It seems that our island environment, infrastructure and people cannot handle the substantial increase in the population.

I have seen it before, in Hawaii. The military gets what it needs out of the island and then leaves the local people outside its gates to get the scraps left behind. The buildup would only cause the local people to be left behind while the best schools, hospitals, gyms, baseball fields, playgrounds, etc., go onto the military base with our local people as onlookers from the military gates.

Guam is such a small piece of land, and it is all that we have as a Chamorro people. If the military takes this away from us, where will we go? Will we end up like the Hawaiians and

Marshallese, displaced from our own homeland for the good of the military?

As locals we are proud, mindful and protective of our culture, history and land. Without our perseverance, the beauty of Guam and the other Micronesian Islands would be lost forever to this dominant society. Who will our children identify with once the land and cultures of our islands have completely assimilated into Western society? What will our island society become? And is that something we want to see?

It is time for the government and military to do what is right and not repeat their past mistakes. The indigenous people of Bikini Atoll (Marshallese), Hawaii (Hawaiians), and America (Native Americans) are all second-rate citizens on their native land. Will we, the Chamorro people, end up like them?

Can the government and military look beyond their own gains and see what is best for a small island community?

Fina Leon Guerrero is a resident of Ordot.

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Table 16.2-44 presents the key operational component assumptions used in analysis of impacts and the source or rationale for these assumptions. These assumptions are much the same as those used for the construction phase analysis.

Table 16.2-44. Operational Component Assumptions for Public Safety Agency Impacts

Assumption	Assumed Value	Source/Rationale
All quantitative assumptions for construction component also apply for the operational component, unless negated by the assumptions listed below.		
% increase in inmates in jail, prison or federal holds at GDoC per year.	2010 – 1% 2011 – 1% 2012 – 1% 2013 – 1% 2014 – 4% 2015 – 4% 2016 – 4% 2017 – 4% 2018 – 4% 2019 – 4% 2020 – 4%	Percent of adult population (not including active duty) increase over baseline as a result of proposed action. To produce increase in service population, these percentages were then multiplied by inmate population numbers provided in the GDoC Survey (Appendix F SIAS).

Impacts

Table 16.2-45 provides an overview of the proposed action's impacts on GPD, GFD, GDoC, and GDYA service populations for the action's peak year and steady-state. Year by year breakdowns of impacts are available in the Appendix F SIAS.

Table 16.2-45. Impact on Public Safety Service Population Summary

Agency	Baseline Service Population	Peak Year	Peak Year Additional Service Population	Peak Year Percentage Increase	Steady State Additional Service Population (going forward)	Steady Requirements Percentage Increase
GPD	160,797	2014	65,527	41%	31,071	19%
GFD	175,877	2014	49,895	28%	9,604	5%
GDoC	1,035	2014	240	23%	80	8%
GDYA	24,987	2014	9,263	37%	5,731	23%

Table 16.2-46 provides an overview of the proposed action's impacts on various public safety services agency staffing requirements for the action's peak year and steady-state. Year by year breakdowns of impacts are available in the Appendix F SIAS.

Table 16.2-46. Public Safety Services Staffing Impacts Summary

Agency and Staffing Type	Current Staffing Numbers	Peak Year	Peak Year Additional Staffing Requirements	Peak Year Percentage Increase	Steady State Additional Staffing Requirements (going forward)	Steady Staffing Requirements Percentage Increase
GPD – Police Officers	309	2014	117	38%	55	17%
GFD - Firefighters	190	2014	59	31%	11	6%
GDoC – Custody and Security Personnel	188	2014	44	23%	15	8%
GDYA – Youth Service Professionals	79	2014	29	37%	18	23%

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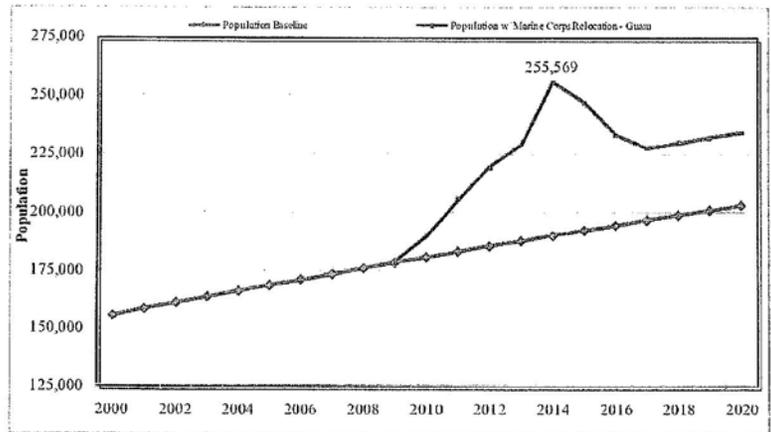


Figure 16.2-1. Population with and without Proposed Action

Demographic Characteristics

Approach to Analysis

New population on Guam related to the proposed action would have a different demographic composition than what currently exists on Guam, and will thus affect the island's demographic composition.

Demographic impact data discussed here are broken out into two components. One is for those individuals coming to Guam as part of the proposed action (i.e. marine relocation). The other is for people who are likely to come to Guam seeking employment. The analysis is based on the historic characteristics of in-migrating groups and the military population. Results from this analysis are compared to the demographic characteristics of Guam presented in the Affected Environment Section.

Table 16.2-4 provides assumptions made about the demographic characteristics of population related to the employment component as well as the source of or rationale for those assumptions.

Table 16.2-4. Employment Component Assumptions for Demographic Characteristic Impacts

Assumption	Assumed Value	Source/Rationale
Number of Cases Studied (Not born on Guam, moved to Guam for employment)	1,525	U.S. Census. Guam 10% PUMS data, 2000
Average Year of Entry	1987	U.S. Census. Guam 10% PUMS data, 2000
Median Age when moved to Guam	32	U.S. Census. Guam 10% PUMS data, 2000. Reported median age adjusted for year of entry
Gender		
Male	74.2%	U.S. Census. Guam 10% PUMS data, 2000
Female	25.8%	U.S. Census. Guam 10% PUMS data, 2000
Ethnicity		
Asian Alone	56.1%	U.S. Census. Guam 10% PUMS data, 2000
Native Hawaiian/Other Pacific Islander	24.8%	U.S. Census. Guam 10% PUMS data, 2000

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Impact Area	Adverse Impacts	Mitigation Measures
<p>Crime and Social Order</p>	<ul style="list-style-type: none"> • Significant adverse impact due to increased overall crime, prostitution, alcohol/substance abuse, domestic offenses, and fights. 	<ul style="list-style-type: none"> • DoD can collaborate with GovGuam public safety agencies to develop a comprehensive and regular shore patrol system, and maintain a regular visible preventative presence. • DoD can develop community outreach task forces aimed at addressing community crime and social order concerns. These task forces would provide ongoing review, improvement and implementation of military policies related to such offenses or concerns. Members of these task forces would partner with existing civilian groups with similar concerns to share information regarding current policies and programs. The task forces would also implement volunteer programs for military spouses and dependents to link them to long-term volunteer positions at these civilian groups or similar non-profit entities on Guam. • DoD can assist GovGuam in seeking federal funding for collaborative efforts with FSM governments and relevant federal agencies to educate in-migrants on the laws and cultures of the Island of Guam, focused areas where there are known cultural differences.
<p>Chamorro Issues/Community Cohesion</p>	<ul style="list-style-type: none"> • Significant adverse impacts to indigenous Chamorro efforts to preserve political representation due to lower number of ethnic Chamorro voters, due to increase in non-Chamorro voting population on Guam • Significant adverse impacts to social fabric resulting in differences in norms and customs between longtime Guam residents and foreign workers or FAS in-migrants arriving on Guam for jobs. 	<ul style="list-style-type: none"> • DoD can implement an orientation course on Guam local culture and history, designed in conjunction with the Guam Department of Chamorro Affairs, to be attended by all arriving active-duty DoD personnel and dependents. • DoD can collaborate with GovGuam, the University of Guam, and the Guam Chamber of Commerce to design and implement a scientifically valid semi-annual resident opinion survey, to accurately measure resident concerns and perceptions through the construction period and as needed in the operations phase. • DoD can assist GovGuam in seeking federal funding for technical assistance to identify, translate and produce all necessary GovGuam informational brochures and materials likely to be accessed by in-migrant groups. • To minimize local community perceptions of separation of local resident and military communities, DoD will consider developing a mayoral outreach task force aimed at developing military-civilian relationships. The task force would work with each mayor and their staff to integrate military participation in existing cultural or recreational community events, expand on existing military outreach activities, and develop new civilian-military collaborative projects as determined by the task force and mayors.

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Revenue impacts are beneficial to GovGuam, subject to the issues of timing and the fluctuation associated with construction ramp-up and decline.

Table 16.2-27. Impact on GovGuam Tax Revenue Summary (Thousands of 2008 \$s)

Tax	Peak Impact	Steady Impact
GRT	\$107,638	\$8,433
Corporate Income	\$27,448	\$2,150
Personal Income	\$192,585	\$86,030
Total	\$327,671	\$96,614

Figure 16.2-6 compares total GovGuam tax revenue with and without the proposed action. At the 2014 peak, tax revenues with the proposed action are 81% higher than they otherwise would have been without the project, representing a beneficial increase. At 2020, the difference declines to 25%, a lesser but still beneficial increase.

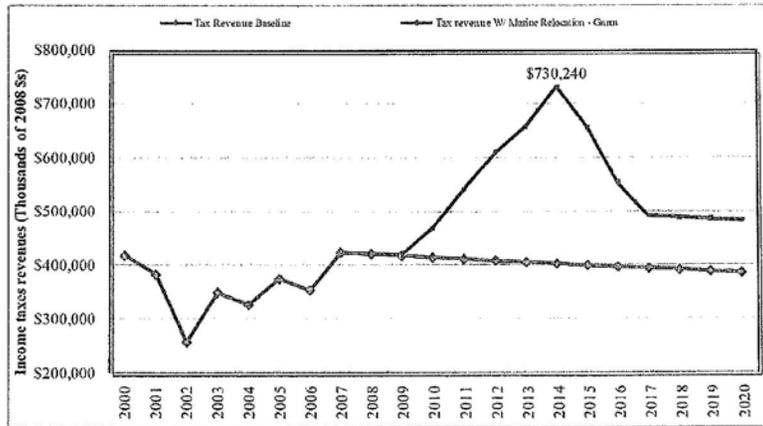


Figure 16.2-6. GovGuam Tax Revenues with and without Proposed Action

Gross Island Product

Approach to Analysis

GIP for Guam represents the total market value of all final goods and services produced in a given year. The concept is generally referred to as Gross Domestic Product (GDP) and it the most commonly used benchmark to assess the overall strength of an economy; when the term economic growth is mentioned it usually refers to an increase in Gross Product from one time period to another.

Table 16.2-28 provides assumptions made in conducting the GIP analysis for the construction phase. Table 16.2-29 shows key intermediate calculations feeding into subsequent estimates of the impact on GIP from construction.

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usually the first responder in such incidents. GFD currently employs approximately 200 full time sworn personnel, including emergency medical technicians. Approximately 32 of these personnel are equipped to perform open water rescues.

GFD cooperates with military fire response agencies through the National Incident Management System. For land-based search and rescue incidents that occur on federal or military property, military responders take the lead on emergency coordination, supported by GovGuam agencies. For sea-based incidents beyond the GFD's capacity, the USCG takes operational lead (Guam Homeland Security Office of Civil Defense 2009).

GFD also employs two inspectors that work in cooperation with the Guam Department of Public Works (GDPW) to ensure that any construction plans are reviewed for compliance with fire codes prior to being approved. The GFD's Code Enforcement Section performs inspections of facilities for code compliance (Appendix F SIAS - GFD Interview).

Guam Department of Corrections

The Guam Department of Corrections (GDoC) is responsible for the handling of persons after their conviction of a criminal offense. The Department is organized into four divisions: Administration, Prison Security, Diagnostic Treatment Services, and Parole Services.

Space constraints currently exist for GDoC facilities. Overcrowding at the Hagatna Detention Facility necessitates that the Adult Correctional Facility be used to house some pre-trial individuals. GDoC has considered building a new facility to meet housing needs, but there have been no firm plans to do so (GDoC 2008).

Guam Department of Youth Affairs

The Guam Department of Youth Affairs (GDYA) runs a variety of programs geared toward youth development, rehabilitation, and involvement with the community. Its youth programs and facilities include Youth Correctional Facility and Cottage Homes, Counseling/Case Management, and Community Social Development Resource Centers and Prevention.

Military Security

While Navy and Air Force security personnel work independently, they share facilities and training. In addition, if military personnel are given base suspension or debarment on one military property, they lose privileges on all military bases. Currently the Air Force and Navy are adapting to new Joint Region Marianas requirements, whereby the Navy will take the lead for the joint region. In the 1980s, a military corrections facility existed on the Naval Base, but that facility has since been closed due to underuse. Andersen AFB maintains a small correctional facility of four cells (Appendix F SIAS - Naval Security Interview).

In addition to on-base patrol, military security plays a role outside the fence. There is a close working relationship between GPD and military security. GPD headquarters are located in old Navy facilities that GPD provides safety briefings for the military and have recently begun working together to patrol the Tamuning/Tumon area. Furthermore, when large ships come in to port, shore patrol is a requirement (Appendix F SIAS - GPD Interview).

16.1.5.4 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.

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Standard of Living - Approach to Analysis

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 purchase rise faster than the person's income.

The average FTE salary for jobs related to the construction phase (including indirect jobs) was derived using current construction worker wages and outputs from the Input-Output Model (I-O). The total income of new jobs (direct and indirect) created was divided by the total number of jobs created.

The average FTE salary for jobs related to the military operational phase (including indirect jobs) was based on estimated civilian military worker current incomes and incomes derived in the modeling process.

Standard of Living - Impacts

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.

Guam incomes are expected to rise; it is estimated that the average FTE salary for jobs related to the construction phase would rise to \$33,500 (compared to 2007 Guam average FTE salary of \$28,150). Construction component salaries are expected to be higher due to the creation of higher-paying jobs in the architecture and engineering, wholesale trade, and health services industries. 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. The market wage may increase over the estimated \$33,500 due to the fact that the estimation procedure has no basis for estimating the extent of upward pressure on rates.

It is estimated that the average FTE salary for jobs related to the military operational phase would rise to \$40,000 (compare to 2007 Guam average FTE salary of \$28,150). Operational component salaries are expected to be higher, in large part, due to additional higher-paying on-base civilian military jobs. As previously noted, most civilian military jobs would likely go to either spouses of new active duty personnel or to labor brought in from off-island; only about 25% of civilian military jobs are expected to be filled by current Guam residents.

General inflation, arising from the increase in economic activity (and money supply), would likely create an adverse significant impact on household purchasing power. This impact would be more acute during the construction period because of the sudden spike in demand for all types of goods and services. Rates of inflation would likely fall to less than significant levels thereafter. 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 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.

It should be noted that 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

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level of 22,900 (with a military and dependent population of 1,427) to 59,498 (with a military and dependent population of 26,617) in 1950 (U.S. Census Bureau 2008a).

The 1950s brought with it a shift in military governance, presence, and focus on Guam. Two important events took place in 1950: Congress enacted the Organic Act of 1950 and the major hostilities of the Korean War began. The Organic Act re-designated the island of Guam as an unincorporated territory of the U.S., passing its control from the U.S. Navy to the Department of the Interior (DoI) and granting a greater measure of self-governance to the people of Guam. The destruction caused by Typhoon Alice in 1954 required that the U.S. military shift its focus on Guam from base construction to the island's public works. Although the ongoing Korean War and the Cold War with the Soviet Union required a continued military presence on Guam, the island's military population experienced an overall decline of 15% between 1950 and 1960 (Table 16.1-1).

Table 16.1-1. Combined Military and their Dependents Population on Guam, Selected Years

1950	1960	1970	1980	1987	1990
26,617	23,300	19,777	20,000	23,790	19,610
1993	1994	1997	2000	2003	2007
22,077	15,865	13,002	11,624	11,832	14,110

Source: U.S. Census Bureau 2008a

In the 1960s, Super Typhoon Karen brought considerable damage to Guam, destroying temporary and permanent structures, and leaving many residents homeless in its wake. The lifting of visitor security clearance requirements, combined with the initiation of Pan American Airway services from Japan to Guam in 1967, sparked opportunities for direct growth of Guam's tourist industry. This growth also led to indirect growth in related industries such as construction, recreational fishing and diving, commercial fishing and retail trade.

Guam's economy stagnated in the 1970s and early 1980s, partially in response to the 1973 Organization of the Petroleum Exporting Countries (OPEC) oil embargo. Construction activity and visitor arrivals declined over the decade. Poor economic conditions continued into the 1980s. However, the economic trend stabilized from 1982 to 1984 and improved between 1985 and the end of the decade. In the latter part of the 1980s, Cold War military spending and the closing of U.S. bases in the Philippines increased Guam's military population (including dependents) to a level not seen since the 1960s (23,800 in 1987), thereby adding to its economic base.

The late 1980s brought fluctuation and an eventual decrease to military population levels on Guam that lasted through the 1990s. Troops temporarily transplanted from closed Philippine bases were relocated at the end of the 1980s resulting in a new post-war military population low of 19,600 in 1990. The Base Realignment and Closure (BRAC) process led to the closure of Naval Air Station Hagatna (also referred to as Naval Air Station Agana) causing the military population on Guam to fall from 22,077 in 1993 to 15,865 in 1994. By 2000 Guam's military and dependent population was 11,624.

Guam's Asia-oriented visitor base expanded and peaked between 1995 and 1997, generating substantial increases in the construction of hotels and condominiums. However, the 1997 collapse of Asian financial markets, compounded by the crash of a Korean Air Lines plane full of visitors, led to a 12.4% decline on Guam's primary Japanese market and an 83% decline in its secondary Korean market from 1997 to 1998 (Guam Bureau of Statistics and Plans 2006). While visitor numbers have increased since that low mark, the peak levels experienced in the mid-1990s have yet to be recaptured.

WFO

This four-step process was applied independently for individual projects comprising each of the four functional components of the action: main cantonment, training, airfield, and waterfront. Sections 2.2 through 2.5 describe in detail, for each functional component of the action, the specific infrastructure projects and operations that comprise the proposed action, as well as the project alternatives that were identified. Section 2.6 summarizes the set of all reasonable alternatives for the proposed action, as well as the no-action alternative.

Alternatives associated with utility infrastructure requirements for the proposed action components (e.g., power, wastewater, potable water and solid waste management) are discussed in Volume 6. Utility planning requires technological alternatives analysis as well as siting alternatives analysis. The utilities planning would follow the overall master planning evolution.

2.1.2.1 Step 1 Requirements Analysis

Land use and operational requirements associated with the proposed Marine Corps relocation to Guam were based on intensive, multi-phased planning efforts conducted by the United States (U.S.) Navy and Marine Corps. Ongoing master planning efforts would continue throughout design and construction phases of the action. Details of the identified requirements for each functional component of the action are provided in Sections 2.2.1, 2.3.1, 2.4.1, and 2.5.1, respectively.

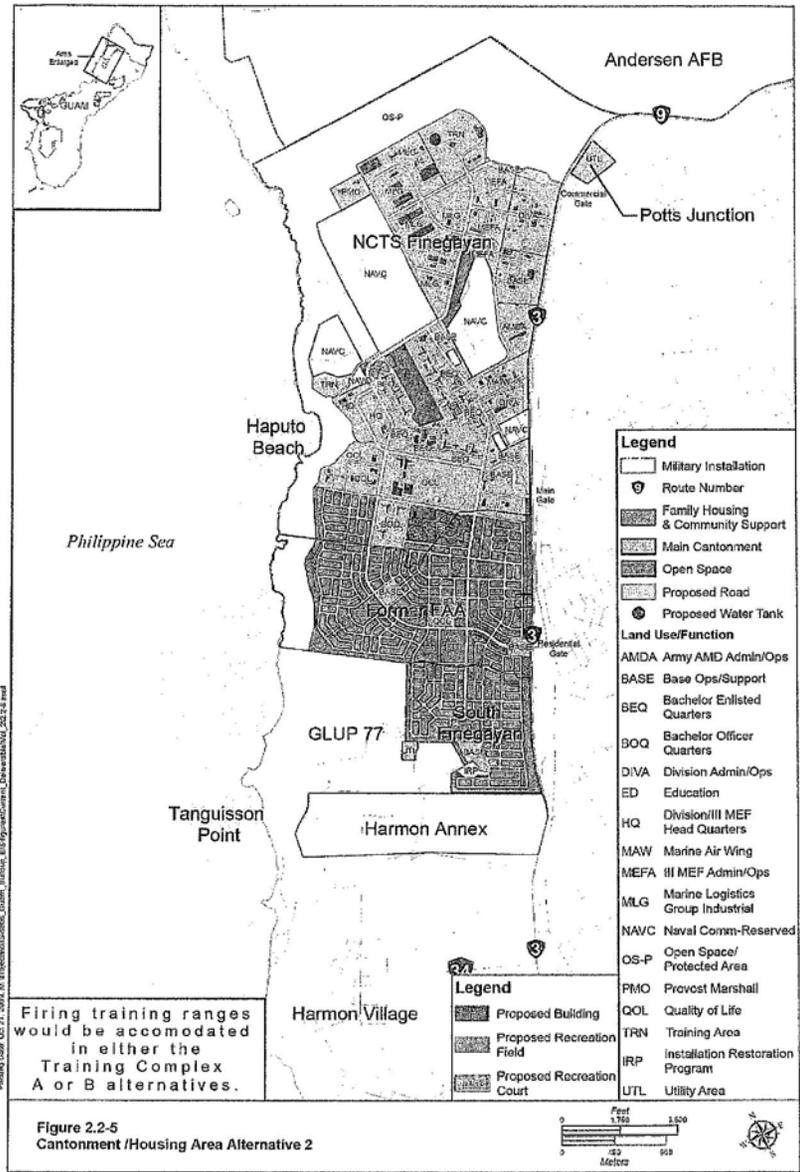
2.1.2.2 Step 2 Site Alternatives

In accordance with federal requirements on land usage, including Title 42 U.S. Code (USC) and applicable rules and regulations, the master planning effort identified the Marine Corps' specific facility and space requirements on Guam based upon unit mission, functions, and required capabilities. The total acreage of land required was estimated based on planning assumptions and planning guidance codified in Unified Facility Criteria (UFC) codes. The Guam Joint Military Master Plan (NAVFAC Pacific 2009) lists planning assumptions and criteria for the development plans (e.g., family housing density is based on 4-6 units per acre (ac) and maximum building height is four floors). Some of the assumptions were driven by operational requirements and others by military standards or existing on-island military construction. These assumptions were used for gross assessment of acreage required and are subject to change as the master planning is refined. The available DoD land was compared with the total facility requirements and evaluated against the potential loss of military mission capability. The results indicate that potential loss of mission capability was unacceptable when only DoD land was considered for development. Non-U.S. controlled property was considered in the analysis of the alternatives.

Initially, a key assumption was that most of NCTS Finegayan, excluding existing communications facilities and the Haputo Ecological Reserve, was developable. However, through subsequent informal agency consultations, agency review of a preliminary Description of Proposed Action and Alternatives (DOPAA) (April 2008), and subsequent partnering meetings, the Navy recognized the importance of keeping the Overlay Refuge as intact as possible. The Overlay Refuge was created to support the recovery efforts of four endangered species and is included in the recovery plans for certain species. The Overlay Refuge boundaries encumber 87% of NCTS Finegayan and 98% of Andersen AFB NWF as all operational areas were excluded from the original Overlay Refuge designation. The result of this consideration was a range of alternatives that differ from the DOPAA (April 2008) action alternatives and generally these new alternatives require more land acquisition and/or long term leasing than was initially estimated when assuming the majority of NCTS Finegayan was developable.

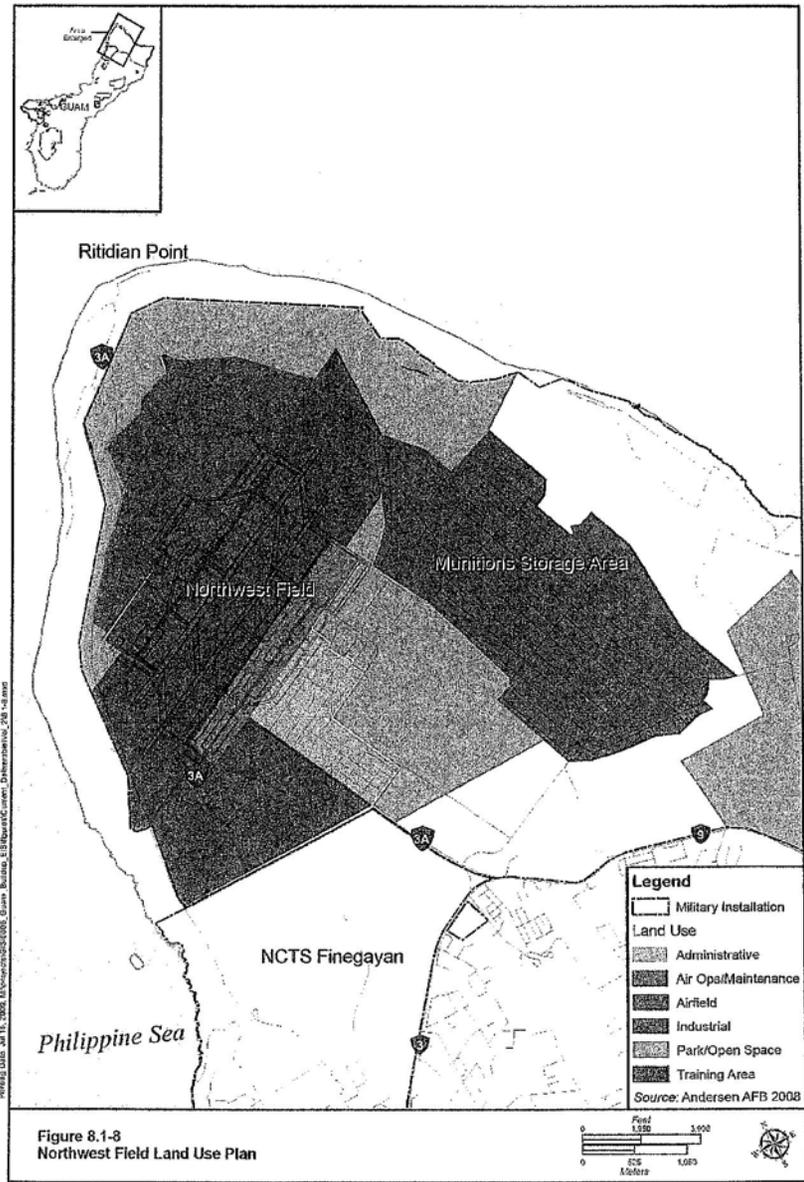
The Step 2 site selection process matched land parcels with required land use functions. The candidate parcels were NCTS and South Finegayan, Andersen South, Barrigada (Navy and Air Force), Naval Base

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Firing training ranges would be accommodated in either the Training Complex A or B alternatives.

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8.2 ENVIRONMENTAL CONSEQUENCES

This description of environmental consequences addresses all components of the proposed action for the Marine Corps on Guam. The components addressed include: Main Cantonment, Training, Airfield, and Waterfront. There are multiple alternatives for the Main Cantonment, Training-Firing Range, Training-Ammunition Storage, and Training-NMS Access Road. Airfield and Waterfront do not have alternatives. Although organized by the Main Cantonment alternatives, a full analysis of each alternative, Airfield, and Waterfront is presented beneath the respective headings. A summary of impacts specific to each alternative, Airfield, and Waterfront is presented at the end of this chapter. An analysis of the impacts associated with the off-base roadways is discussed in Volume 6.

8.2.1 Approach to Analysis

There are two components to the land use analysis: 1) land/submerged lands ownership and management, and 2) land/submerged land use. There are different criteria for assessing potential impacts under these two categories. Short-term impacts would be related to facility construction activities that would be located within the project footprint or on previously disturbed lands. No construction staging area has been designated away from the project site. These construction activities would have minimal and localized impacts on land use. All impacts related to land ownership and use are assumed to occur during the long-term operational phase of the proposed action as the changed conditions would alter the development and use of the current site and its vicinity.

The potential indirect impacts that would be due to changes in land ownership and use are addressed under other specific resource categories such as traffic, noise, natural resources and recreation. Federal actions on federal lands are not subject to local zoning or land management regulations; however, consistency with surrounding non-federal land uses is an important consideration in land use planning. Coastal Zone Management Act consistency determination assessment is being prepared for all Guam proposed action and the correspondence will be included in the Final EIS/OEIS appendices.

8.2.1.1 Determination of Significance - Land Ownership/Management

The impact assessment methodology for land/submerged land ownership and management is not dictated by regulatory authority or permit requirements. The basic premise is that a release of federal lands/submerged lands to GovGuam or individuals have beneficial impacts on the new landowners. Conversely, the taking of land by the federal government may be considered an adverse impact on the entities that are losing ownership or control of their property. "Taking property" in this discussion refers to a situation where the property owner is legally required to sell property to the federal government. There may be some owners who are interested in selling or leasing land to the federal government and would perceive the federal acquisition or lease of their property as a beneficial impact. Other owners who do not want to sell their property (or relocate) are likely to consider the forced sale or relocation as an adverse impact even though they are properly compensated. Until the land negotiations are complete, the impact analysis assumes a significant impact on the individual landowner. There are exceptions to this significant impact for minor rights-of-way and easements for utilities. Mitigation for the taking of property that is not acceptable to the landowner may be a long-term lease agreement instead of purchase where the property returns to the owner on termination of the lease.

The comments received during the scoping period did not support an increase in federal land on island and the increase is considered an adverse impact by some members of the public (refer to Section 8.2.2 for a summary of issues raised during the scoping process). The impacts of the proposed island-wide increase in federal land are being addressed in the Land Acquisition Impact Study portion of the

Socioeconomic Impact Assessment Study that is being developed and will be available as part of the Final EIS.

There are no indirect impacts associated with changes in land ownership, except for those that would be discussed under other resource categories. For example, changes in land ownership may impact potential tax revenue to GovGuam, a potential indirect impact on socioeconomics.

Changes in land ownership may result in access restrictions to non-federally controlled land. This may be an adverse impact and is considered in the land ownership assessment.

8.2.1.2 Determination of Significance – Land Use

The land use impact analysis is based on operational impacts, except for dredging and dredged material disposal management. The assumption is that construction staging and equipment area would be located on DoD land. There would be no land/submerged land acquisition, or restrictions on public access during the construction phase. No farmlands would be lost and construction land use impacts would be temporary. The disturbed area would be situated on previously disturbed land or within the project footprint; therefore, there would be no potential adverse impacts to land use due to construction.

There are three criteria that are applied for assessing impacts on land and submerged land use:

- Consistency with Farmland Protection Policy Act (FPPA) of 1981 (not applicable to submerged lands).
- Consistency with current or documented planned land and submerged land use. Land use consistency includes impacts on access policies and loss of open space.
- Restrictions on access due to changes in land use.

Land Use Criterion 1: FPPA

The FPPA (Public Law 97-98, 7 USC 4201 and 7 CFR 658) is intended for federal agencies to: 1) identify and take into account the potential adverse effects of federal programs on the preservation of farmland land; and 2) consider alternative actions, as appropriate, that could lessen such adverse effects; and assure that such federal programs, to the extent practicable, are compatible with state, unit of local government, and private programs and policies to protect farmland. The FPPA addresses prime and important farmlands. Actions that are not consistent with this FPPA are considered to have an adverse impact and determination of significance is a qualitative assessment of the value of the farmland affected. DoD lands on Guam are not currently used or planned for agricultural use and there would be no FPPA impact associated with changes in DoD land use within the property boundary. The non-DoD lands proposed for acquisition could potentially be used for farming and the potential impacts are assessed.

Land Use Criterion 2: Consistency with current or documented planned land use

Land use plans are intended to guide future development. Potential adverse land use impacts would result from a proposed land use that is incompatible with the existing land use or planned land use or if vacant (i.e., no modern manmade structures) land and open space is developed. It is possible for land uses to be inconsistent, but not necessarily incompatible. For example, residential development next to a park is inconsistent, but compatible, while an industrial facility proposed within a residential area would likely be incompatible and inconsistent. Potential adverse impacts would also result if there are incompatible changes in use within submerged lands. Changes in access policies may result from changes in land use and adverse impacts would result if the access became more restrictive to the public.

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The potential impacts of the Overlay Refuge is discussed in Volume 2, Chapter 10, Terrestrial Biological Resources. No significant impact on land use is expected.

South Finegayan is used for military family housing and under Alternative 1, it would continue to be used for family housing. There would be more family housing units developed on land than was historically used for housing. No significant land use impact is anticipated under Alternative 1 at South Finegayan.

The intensity of land use at NCTS Finegayan and South Finegayan would increase over existing conditions. The impacts of the change in land use intensity are addressed in other resource chapters of this EIS/OEIS.

On the west side of Route 3, existing uses of adjacent non-federal lands are vacant (i.e., no modern manmade structures) lands that surround South Finegayan and are south of NCTS Finegayan. The *North and Central Guam Land Use Plan* (Bureau of Statistics and Plans 2009) identifies the area as the Dos Amantes Planning Area that includes Hotel/Resort and Urban Center land use designations. The proposed land uses on federal land boundaries would be consistent with future development on adjacent properties.

East of NCTS Finegayan and Route 3 the existing and designated future land use is Very Low Density Residential, with the exception of the Village Center land use designation in the vicinity of the southeast corner of NCTS Finegayan.

South Finegayan is adjacent to vacant land to the north, west and south. Residential communities are east of Route 3. The land use designation for future development west of South Finegayan and along Route 3 is Mixed Use and further east beyond the Mixed Use is designated for residential use. The existing land uses and proposed land use designations for future development on adjacent properties are consistent with the proposed development under Alternative 1. No significant impacts are anticipated.

Potts Junction

No change in land ownership is proposed at Potts Junction. No new access restrictions would be generated. There are no farmlands; therefore, FPPA is not relevant. There are no submerged lands associated with Potts Junction because the parcel is inland.

Potts Junction was previously used for fuel storage and under Alternative 1 it would be used for utilities to support the main cantonment at NCTS Finegayan. See Volume 6 of this EIS/OEIS for the utilities impact assessment discussion.

Non-DoD Land

Former FAA

The acquisition of the Former FAA parcel would be a significant impact on land ownership if the landowner were forced to sell or relocate, or if access to the site would be restricted to authorized personnel. As the parcel would extend from Route 3 to the coastline, but development would not extend beyond the cliffline toward the ocean, no new restrictions on access would be generated. The Navy controls the adjacent submerged lands and no acquisition of submerged lands is proposed. No farmlands were identified at the site; therefore no impact on FPPA is anticipated. A beneficial land use impact would be the elimination of the existing gap between NCTS Finegayan and South Finegayan and the formation of a contiguous base.

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The property is vacant (i.e., no modern manmade structures) but portions are disturbed as a result of historical FAA use. The Former FAA parcel and property south of the parcel is within the Dos Amantes Planning Area that would include residential, tourism, and commercial land uses. The proposed use of the

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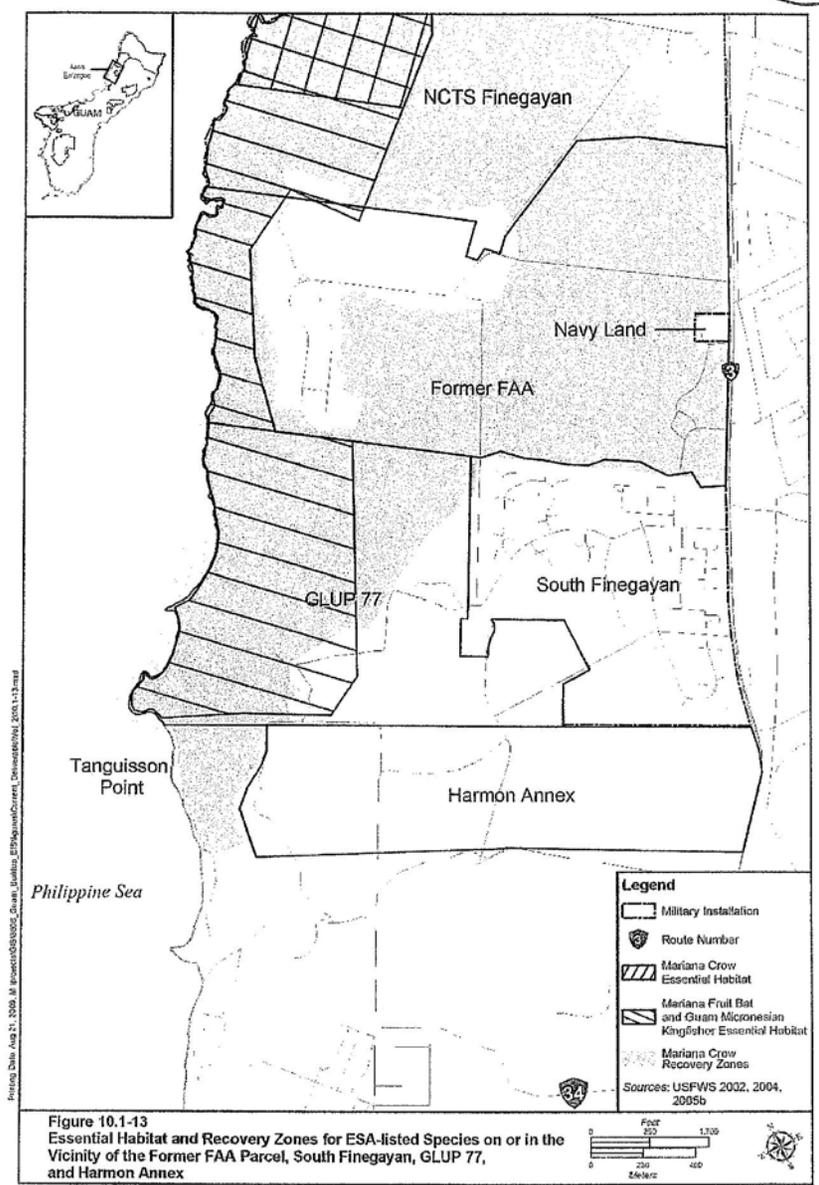
listed species on Guam, particularly the Mariana crow, Guam Micronesian kingfisher, and Mariana fruit bat (Figure 10.1-4). These include approximately 24,802 ac (10,040 ha) of essential habitat for the Mariana fruit bat and Micronesian kingfisher, of which 77% is on DoD land, 2% is on non-DoD land being considered for use under the actions described in this EIS/OEIS, and 21% is on other non-DoD land not associated with the proposed projects. Mariana crow essential habitat includes lands also considered essential habitat for the fruit bat and kingfisher, but over a more limited area (refer to Figure 10.1-4) of approximately 23,004 ac (9,309 ha). For crow essential habitat, 83% is on DoD land and 17% is on non-DoD land not associated with the proposed project.

Recovery Plans

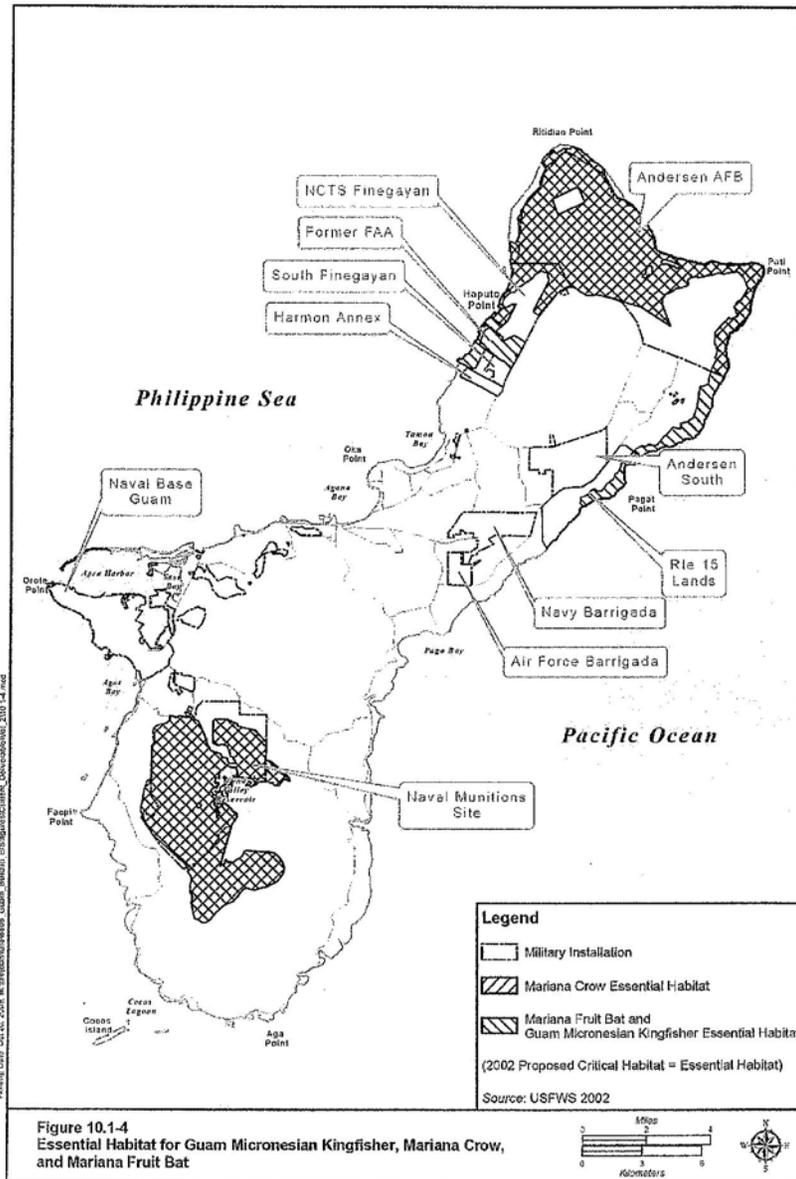
USFWS has published recovery plans for the ESA-listed species present on Guam. A brief summary of the delisting or downlisting criteria from these plans for the species that have essential habitat as defined in the recovery plans are outlined below.

- *Guam Mariana Fruit Bat and Little Mariana Fruit Bat Recovery Plan* (USFWS 1990a) – The little Mariana fruit bat is considered extinct and is not considered here. The recovery goal for the Guam Mariana fruit bat was to recover the subspecies to allow downlisting from endangered to threatened status. The plan specified increasing the fruit bat population to at least 2,500 while maintaining a minimum of 3 permanent colonies of 400 bats each. Control of BTS was considered important. Since the recovery plan was published, the Mariana fruit bat population throughout the Marianas (Guam and CNMI) was determined to be one subspecies and the species was downlisted to threatened status based on the archipelago-wide population. The current population of the subspecies is unknown because of the lack of recent surveys on most islands; however, based on surveys conducted from the 1990s the population of the subspecies may be up to several thousand individuals (Andersen AFB 2008e). Additional discussion and detail is provided in the Biological Assessment (BA) for the proposed action. Because of the age of the recovery plan and change in status, there are no valid recovery criteria currently in place for the Mariana fruit bat on Guam.
- *Revised Recovery Plan for the Sihel or Guam Micronesian Kingfisher (Halcyon cinnamomina cinnamomina)* (USFWS 2008a) – This subspecies currently exists only in captivity. To delist this subspecies, the plan specified the establishment of two subpopulations, one in northern Guam and one in southern Guam, each with at least 500 adults. The recovery plan estimated that the island of Guam could support a population of between 3,600 and 6,800 kingfishers based on available density estimates. Using the estimate of 63,833 ac (25,832 ha) of forested habitat specified in the recovery plan results in a maximum estimate of 17.7 ac (7.2 ha) of habitat required per kingfisher. Multiplying this by the target of 1,000 kingfishers in the recovery plan results in a requirement for 9,400 ac (3,804 ha) of habitat to achieve the delisting criteria. Control of BTS was considered important.
- *Draft Revised Recovery Plan for the Aga or Mariana Crow (Corvus kubaryi)* (USFWS 2005b) – To delist this species, the plan specified the establishment of three populations, one each on Rota, northern Guam, and southern Guam, each consisting of a minimum of 75 territorial pairs. The most recent estimate of the Rota population was 170 breeding pairs in 2004. The current population on Guam is two individuals, both males (Andersen AFB 2008d). To help achieve the recovery goal, priority recovery zones were proposed in northern and southern Guam. Based on a territory estimate of 1 pair per 54 ac (22 ha) obtained from studies on Rota, the required acreage on Guam to achieve the recovery goal of 150 pairs (75

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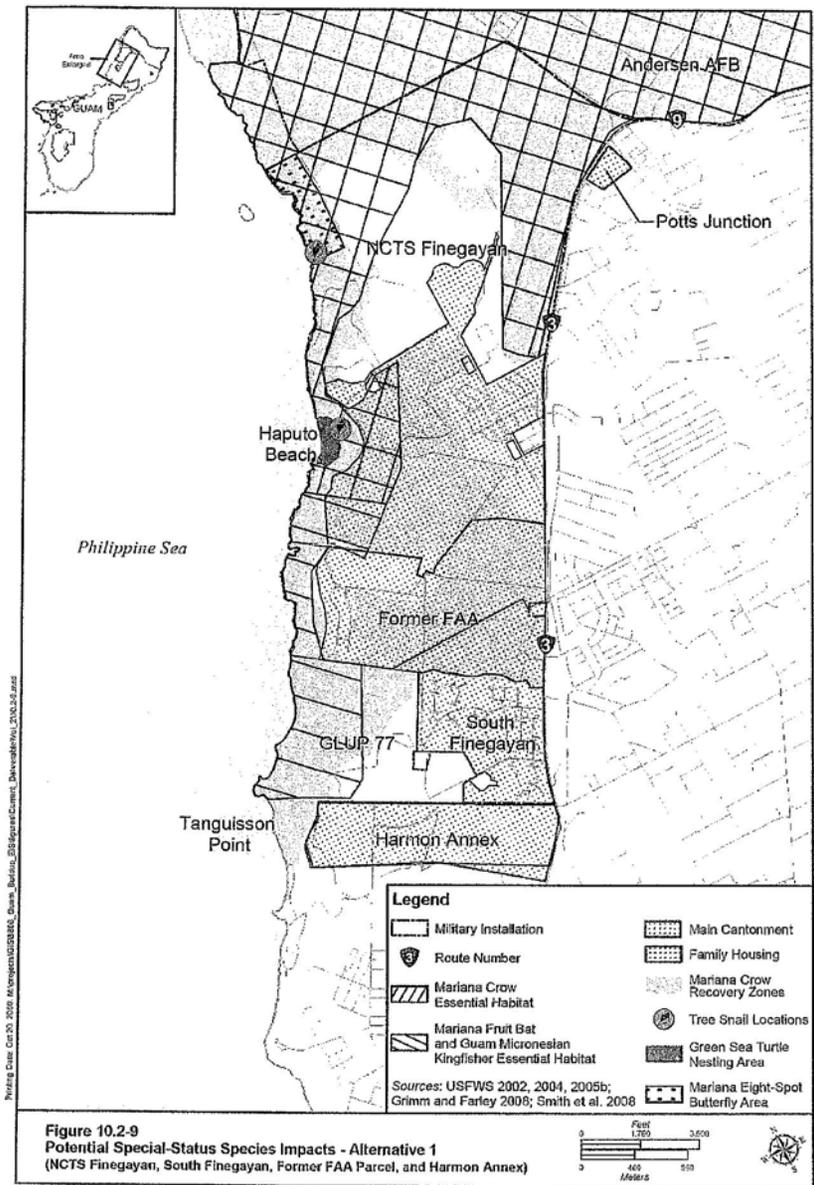


Figure 10.2-9
Potential Special-Status Species Impacts - Alternative 1
 (NCTS Finegayan, South Finegayan, Former FAA Parcel, and Harmon Annex)

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Impact Area	Adverse Impacts	Mitigation Measures
Crime and Social Order	<ul style="list-style-type: none"> Significant adverse impact due to increased overall crime, prostitution, alcohol/substance abuse, domestic offenses, and fights. 	<ul style="list-style-type: none"> DoD can collaborate with GovGuam public safety agencies to develop a comprehensive and regular shore patrol system, and maintain a regular visible preventative presence. DoD can develop community outreach task forces aimed at addressing community crime and social order concerns. These task forces would provide ongoing review, improvement and implementation of military policies related to such offenses or concerns. Members of these task forces would partner with existing civilian groups with similar concerns to share information regarding current policies and programs. The task forces would also implement volunteer programs for military spouses and dependents to link them to long-term volunteer positions at these civilian groups or similar non-profit entities on Guam. DoD can assist GovGuam in seeking federal funding for collaborative efforts with FSM governments and relevant federal agencies to educate in-migrants on the laws and cultures of the Island of Guam, focused areas where there are known cultural differences.
Chamorro Issues/Community Cohesion	<ul style="list-style-type: none"> Significant adverse impacts to indigenous Chamorro efforts to preserve political representation due to lower number of ethnic Chamorro voters, due to increase in non-Chamorro voting population on Guam Significant adverse impacts to social fabric resulting in differences in norms and customs between longtime Guam residents and foreign workers or FAS in-migrants arriving on Guam for jobs. 	<ul style="list-style-type: none"> DoD can implement an orientation course on Guam local culture and history, designed in conjunction with the Guam Department of Chamorro Affairs, to be attended by all arriving active-duty DoD personnel and dependents. DoD can collaborate with GovGuam, the University of Guam, and the Guam Chamber of Commerce to design and implement a scientifically valid semi-annual resident opinion survey, to accurately measure resident concerns and perceptions through the construction period and as needed in the operations phase. DoD can assist GovGuam in seeking federal funding for technical assistance to identify, translate and produce all necessary GovGuam informational brochures and materials likely to be accessed by in-migrant groups. To minimize local community perceptions of separation of local resident and military communities, DoD will consider developing a mayoral outreach task force aimed at developing military-civilian relationships. The task force would work with each mayor and their staff to integrate military participation in existing cultural or recreational community events, expand on existing military outreach activities, and develop new civilian-military collaborative projects as determined by the task force and mayors.

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Impact Area	Adverse Impacts	Mitigation Measures
Civilian Housing Demand	<ul style="list-style-type: none"> • Significant adverse impact if construction phase housing demand is not met at the peak, resulting in high costs, crowding and/or homelessness • Significant delayed adverse impact following construction phase if demand is met at the peak. Subsequent over-supply of housing units would follow the construction period, and result in declining housing values 	<ul style="list-style-type: none"> • To reduce impacts on housing availability and expense, DoD can assist GovGuam in seeking federal funding to expand the stock of low- to moderate-income housing on Guam.
Public Service and Growth Permitting and Regulatory Agencies	<ul style="list-style-type: none"> • Significant adverse impacts due to difficulty in meeting fluctuating staffing requirements during and following the construction phase with an existing environment of staffing and budget shortfalls and recruitment complications • Significant adverse impact due to difficulty in recruiting and funding adequate staffing during operational phase 	<p>DoD can implement:</p> <ul style="list-style-type: none"> • incentive programs for military spouses and dependents that apply for and are hired into GovGuam public service agency employment. • volunteer programs for military, their spouses and dependents, linking them to long-term GovGuam public service agency volunteer positions. • 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. <p>DoD can assist GovGuam in seeking federal funding for:</p> <ul style="list-style-type: none"> • the 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. • an increase in the number of private staffing and service contractors currently working for service agencies, to match staffing requirements. • a one-time hiring bonus of 20% of base pay for all GovGuam agency positions, to increase interest in GovGuam agency employment and compete with wages offered by private offices. <p>DoD can assist GovGuam with technical assistance, development and implementation of comprehensive data collection systems focused on:</p> <ul style="list-style-type: none"> • public services provided to FAS citizens in order to facilitate GovGuam access of Compact Impact and other related funding. • public services provided to military individuals, in order to facility GovGuam access of TRICARE and other related funding. • patient information, records, and services accessed, in order to facilitate appropriate care administered in a timely manner. <p>DoD can assist GovGuam in seeking federal funding for technical assistance, development, and implementation of a system of interpreters and translators available for the interpreting and translating needs of GovGuam public service agencies, to facilitate timely and appropriate provision of services for the English as a Second Language service population.</p>

Observations and Comments on EIS section on utilities.

Potable Water.

Page 4-10 interesting discussion of Northern Aquifer sustainable yield (80.5 mgd). Assuming a population of two hundred thousand, 80.5mgd translates to 400 gpd. Adding actual and potential yield from southern Guam, a logical conclusion is that Guam is in no danger of running short of water if properly managed

Some interesting math (not from EIS). The area of Guam is 213 square miles. Average rainfall is 100 inches, translating to 1.6 billion gallon per day (average) falling on Guam. If 10% of this rainfall could be captured, 162 million gallons per day would be available for consumption. Assuming a population of 200,000, 162 mgd translates to 813 gallons/person/day (650 gpcd for a population of 250,000). Page 2-30 of Volume 6. Related Actions, projects domestic usages of 155 gpcd for unaccompanied personnel, 180 gpcd for family housing and 45 gpcd for transients and workers, but also predicts a 22% reduction due to federally mandated water conservation measures. So, is depletion of Guam's water resources really a potential problem? **Caveat.** There is water usage outside domestic usage, which must be considered in the above discussion. Perhaps GWA could provide input on commercial and industrial usage.

Page 8-8. Discussion of various land planning documents including the Land Use Plan prepared for Gov-Guam. None of the more recent planning documents have been adopted by the Guam Legislature, therefore they have no teeth (writer's opinion).

Fig 8.1-10 (page 8-27. discussion on page 8-26). Off-base roadway projects, mostly concentrated in middle of Guam and North, to be implemented by DoD (assume this means DoD picks up the tab?) See Fig 8.1-13 (page 8-35), Fig 8.1-17 (page 8-47) and Fig 8.1-19 (page 8-52) for continuation of Fig 8.1-10.

Question. Why not extend 124 north to provide direct access from the Marine Base to Marine Corps Drive, thereby relieving the traffic load on Route 3 (see page 8-27 and 2-32)?

As a note of interest, Fig 3.1-2, page 3-8 indicates a significant number of the water distribution lines in Central and Northern Guam are owned by the Navy. Are these water lines maintained by the Navy or GWA?

Page 3-10 on gives a good picture of the overall status of water and wastewater on Guam. Paints a pretty bleak picture of the GWA water system. GWA water system has 50% Unaccounted for Water. An interesting thought is that a logical argument can be made that transmission line leakage in northern Guam is not "lost" water as it percolates back into the aquifer. What is lost is the power required to pump the water to ground level only to percolate back into the aquifer.

Page 3-11. What is the allocation of bad debts between the private and public sectors?

Page 3-15. **Wastewater.** Like the water system, the EIS paints a pretty bleak picture of the wastewater system.

Page 3-20. Current daily flow into treatment plants.

NDWWTP – 5.7 mgd. – capacity – 12.0 mgd

Hagatna WWTP – 4.4 mgd. – capacity – 12.0 mgd

Apra Harbor WWTP – 2.9 mgd. – capacity – 4.3 mgd

Two pieces of trivia.

1. Average daily flow into these three plants is 13.0 mgd, 46% of capacity. Is it valid to conclude that the population/total usage could expand by 50% or more with no significant adverse effect on the treatment systems? The answer appears to be yes from a treatment viewpoint (as opposed to a collection and transportation viewpoint).
2. Figure 3.2-1, page 3-51. Of the millions of gallons of water consumption on Guam, only 13 mgd is discharged into the ocean. Where goes the rest? The most logical conclusion is the majority recharges the aquifers in the north, which is the area of maximum usage (since the majority of the users sit atop the northern aquifers).

Page 3-40. Has or should Guam consider making similar energy conservation standards mandatory for all new buildings (both public and private sector)?

Page 3-45 & 3-46. . Discussion of preferred alternative for Potable Water. Question. Should Guam require water efficient plumbing fixtures for all new construction?

Page 3-51, fig 3.2-1. To repeat a previous discussion, if a significant portion of the UFW (Unaccounted for Water) is the result of line leakage in northern Guam, the net effects of UFW should consider the fact that line leakage will simply percolate back into the aquifer, from whence it can be pumped back into the system. Thus, whereas line losses may adversely affect delivery capacity, pump capacity and power consumption, the effect on potential water supply may be significantly less than could be implied from Figure 3.2-1. **Note.** This statement should not be construed as whitewashing poor waterline maintenance, it is an attempt to look a realistic evaluation of water resources on Guam, and a realistic impact of the buildup on Guam's water resources (as opposed the impact on pumping, treating, transporting and distribution).

From Page 3-56 the preferred alternative is to upgrade the Northern District Sewage Treatment Plant. Since this would be the primary destination of wastewater generated by DoD facilities, it seems only fair that DoD should foot the bill for the upgrade. If DoD had to construct an on base STP, who would pay for it? The DoD quite obviously, and a cost analysis would almost assuredly show that it would cost the DoD much less to upgrade the NDSTP than to construct a new on base STP and a new ocean outfall.

Page 3-58. A potential mitigation measure is to decrease the construction tempo. I suggest this measure should be fully supported by Gov-Guam as it could alleviate many of the potential impacts of a "boom-bust" construction scenario, especially the potential "boom-bust" of Gov-Guam revenues which has the potential to leave Gov-Guam in a serious cash crunch situation.

General statement regarding utilities. The buildup will require utility enhancement involving a significant infusion of money. Privatization may be the best approach. Since GTA was privatized, the service is better and the employees are happier. A logical conclusion is that the employees were not the problem with GTA, the problem was management. Perhaps GTA could serve as a template for privatization of water, power and sewer.

Chapter 4 is a long (and somewhat tedious) discussion of roads. Accepted at face value, Chapter 4 provides some excellent background for planning Guam's road system. Since Larry Perez is leaving DPW to join GTA, is it practicable to ask Larry to provide input on roadways, mass transit, transportation in general and solid waste? Larry may be one of the more knowledgeable people on Guam on this issue. Of course, Duenas et. al. did the road master plan, so Ken Rekdahi is also quite knowledgeable.

Per capita (person) requirements for domestic uses including drinking water, household uses, and household lawn irrigation are as follows for permanent and temporary installations (DoD 2005), with the per capita requirements for the tropics selected for Guam:

- Unaccompanied Personnel Housing, 155 gallons per capita per day (gpcd)
- Family Housing, 180 gpcd
- Transients and Workers (per shift), 45 gpcd

The average demand in gallons per day (gpd) is calculated by Equation 1:

Equation 1

Average daily domestic demand in gpd = gpcd x design population x growth factor

The following growth factors are used in Equation 1:

- (a) Large systems (5,000 population or greater), 1.25.
- (b) Small systems (populations less than 5,000), 1.50.

Total average demand is the sum of averages for unaccompanied personnel housing, family housing and workers. Other controlling demands are calculated by Equation 2:

Equation 2

Maximum Daily Domestic Demand = average daily domestic demand in gpd x K

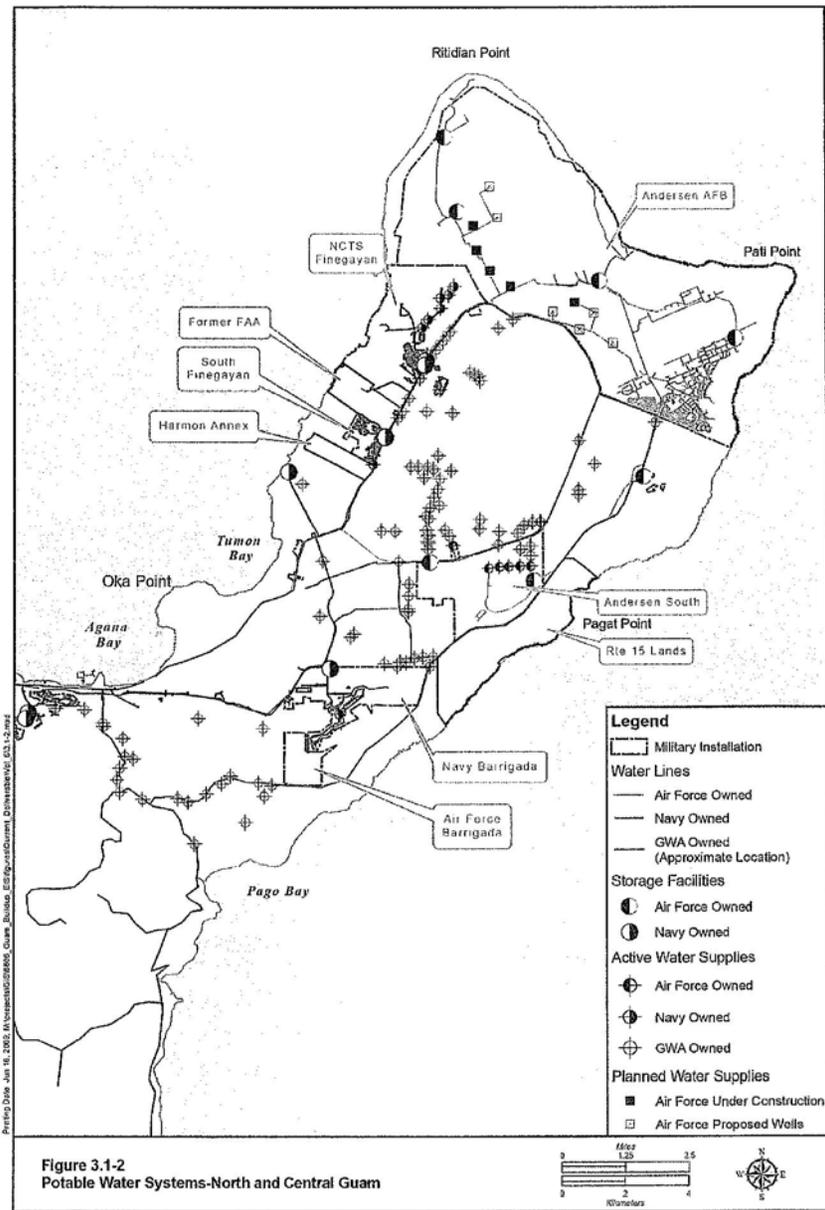
Where K is 2.25 for populations < 5,000 and 2 for populations > 5,000.

The demand calculation for GWA is provided in Section 2.2.2.2. It is assumed that the water demands for the services would be addressed by the DoD water systems as follows:

- Marine Corps—Finegayan Base Complex water system
- Air Force—Andersen AFB water system
- Navy—Navy islandwide water system
- Army—Finegayan Base Complex water system
- U.S. Coast Guard—Navy islandwide water system
- Special Operations Force—Finegayan Base Complex water system, Navy islandwide water system, and Andersen AFB water system

It is assumed that housing for the Marine Corps would be either entirely within the Finegayan Base Complex (Main Cantonment Alternatives 1 and 2) or split between the Finegayan Base Complex, Navy Barrigada, and/or Air Force Barrigada (Main Cantonment Alternatives 3 and 8). Main Cantonment Alternative 2 was taken as representative for both Alternatives 1 and 2, and Alternative 3 was taken as representative for both Alternatives 3 and 8.

Industrial water uses include air conditioning, irrigation, swimming pools, shops, laundries, dining, processing, flushing, air conditioning, and boiler makeup water. Demands were assigned according to the values in UFC 3-230-19N (DoD 2005). Additionally, UFC 3-230-19N (DoD 2005) requires the use of water demand data from other activities with uses similar to those anticipated. The industrial demands for the facilities not covered by UFC 3-230-19N (DoD 2005) were assigned a demand based on the measured demands for similar to facilities within the existing Navy bases. The future estimated average daily



Navy Water System

The Navy water system services NCTS Finegayan, South Finegayan, Navy Barrigada, Nimitz Hill, the Naval Hospital, the Naval Munitions Site, and the Naval Base Guam. The existing Navy water system is an island-wide system extending from the Navy Reservoir in southern Guam to NCTS Finegayan near the northern tip of Guam. Water for the system is supplied primarily from the Fena Water Treatment Plant (WTP). Water is distributed from the treatment plant to storage tanks designed to serve different service zones and transfer water to other DoD lands across Guam. Most of the transmission lines from the storage tanks to the distribution systems are 24-inch (in) (61-centimeter [cm]) pipelines. The Navy system is interconnected to supply water to GWA and for emergency service capability. Under a 1991 memorandum of understanding with the Government of Guam (GovGuam), the Navy system provides up to 4 million gallons per day (MGd) (15 million liters per day [mld]) to the GWA water system. Transmission lines connecting the Navy water system and the Andersen AFB system also exist, but they are presently out of service.

Primary water supply sources for the Navy's island-wide water system are located in the southern region of Guam and include Almagosa Springs, Bona Springs, and the Fena Reservoir surface water impoundment. Water from the above three sources are treated at the Fena WTP and are distributed through a network of storage tanks, transmission lines, and booster pump stations. Groundwater wells are the primary source of potable water at Finegayan and Navy Barrigada. A brief description of the water supply sources in each of the Navy service areas is provided below.

- At NCTS Finegayan and South Finegayan, water is supplied primarily by on-site groundwater wells. If necessary, water can also be supplied by interconnections with the GWA system or the Navy's island-wide system.
- At Navy Barrigada, water is supplied primarily by groundwater wells. As a backup, the water storage system is connected to the Navy's island-wide system.
- At the Naval Hospital, water can be provided from either the Navy island-wide water system or from on-site groundwater wells. Currently, two wells are operational.
- At the Naval Base Guam and other Navy areas south of the Piti Power Plant, potable water is supplied entirely by the Fena WTP.

GWA Water System

The baseline condition of the GWA water system is described in GWA's *Water Resources Master Plan* (WRMP). The overall condition of the water system's equipment is identified as poor in the WRMP with substantial corrosion in all infrastructure. The water system has a 50% Unaccounted for Water (UFW) rate compared to an acceptable rate of 15% or less. Problems with the GWA infrastructure result from the effects of natural disasters, poor maintenance, and vandalism. According to the WRMP, the water system infrastructure does not meet the basic flow and pressure requirements for all customers. The water system did not consistently comply with regulatory requirements. The unreliable drinking-water delivery system resulted in frequent bacterial contamination from sewage spills, causing "boil water" notices to be sent to residents. Maintenance to improve the system has been conducted since the water system was assessed in 2005. GWA plans improvements to the distribution system principally to improve the continuity of the water supply. Improvements include a corrosion control program, pipe and equipment replacement, distribution system improvements, improvements to the GWA Northern Public Water System's raw-water transmission line, and filtration compliance for groundwater under the direct influence of surface water.

The GWA water system consists of three public water systems known as the Northern, Central, and Southern Public Water Systems, serving the respective areas of Guam with some overlaps.

The GWA Northern Public Water System is the largest system serving all public areas in the north and central parts of the island south of Andersen AFB and serves an approximate population of 146,050. This system consists of 119 groundwater wells, 14 storage facilities (11 in use), and 10 booster pump stations (nine in use). The GWA Northern Public Water System is important to the Marine Corps relocation because of its proximity to the relocation areas and because the system is supplied primarily by the same aquifer that serves the DoD systems.

The GWA Central Public Water System consists of one spring, eight storage facilities (five in use), and nine booster stations (six in use). The main source of water for this system is the Navy water system; water is purchased through 54 metered interconnections, of which 15 are reported to be inactive. Water from the Northern Public Water System can also be fed via water mains to the Central Public Water System.

- The GWA Southern Public Water System supplies the southern and southeastern parts of Guam. It consists of two groundwater wells, four springs, 14 storage facilities, 16 booster stations (14 in use), and the Guam Water Treatment Plant.

Financially, during the 1997 to 2002 time frame, GWA demonstrated losses of nearly \$80 million (Deloitte Touche Tohmatsu 2003) partly because of bad debt write-offs and the lack of rate increases. In 2001, a \$9 million judgment was made against GWA for failure to pay for water delivery from the Navy. Also at this time, GWA carried \$12 million debt to GPA and \$3.5 million to a private vendor (Reuters 2009).

The United States Department of Justice (DOJ) filed a civil suit against GWA and GovGuam in December 2002 for failure to comply with the Safe Drinking Water Act and the Clean Water Act (CWA). The Stipulated Order for Preliminary Relief for Civil Case No. 02-0035 (SO) was negotiated in June 2003. The SO requires GWA to improve water and wastewater conditions so that it would comply with all applicable regulations, including the National Primary Drinking Water Regulations and Maximum Contaminant Levels for microbiological contaminants, and to provide reliable water services to the public on Guam. The SO requires the following steps:

- Ensure United States (U.S.) Environmental Protection Agency (USEPA) oversight of plans and other submittals relating to the SO.
- Reorganize staff and hire qualified personnel as general manager, financial officers, engineers, etc.
- Develop a WRMP.
- Develop a plan to ensure that optimal chlorine levels are maintained at chlorination points and throughout the distribution system.
- Ensure that there are adequate chlorine supplies on Guam.
- Implement a project to upgrade the groundwater chlorination system.
- Develop and implement a potable-water leak detection and response program.
- Develop and implement a water meter improvement program.
- Develop an inventory of operation and maintenance parts and ensure that the parts are available.
- Develop and implement an emergency response plan.
- Develop and implement a preventive maintenance program.
- Comply with specific financial and reporting requirements.

Table 3.1-5. Department of Defense Water Storage Capacity by Area

Area	Total Existing Capacity (MG)
South Finegayan	0.25
North Finegayan	0.25
Andersen Northwest Field	0.30
Andersen Main Base	0.25
Andersen South	2.73
Apra Harbor/Naval Munitions	11.2
Barrigada	3.00
Navy Hospital/Nimitz Hill	5.00
Total	23

Legend: MG = million gallons.
Source: NAVFAC Pacific 2008b.

3.1.3 Wastewater

The ROI for wastewater includes wastewater systems on Guam that would be directly or indirectly affected by the proposed military buildup. Wastewater flows from DoD lands are presently treated by the GWA Northern District Wastewater Treatment Plant (NDWWTP), the GWA Hagatna Wastewater Treatment Plant (WWTP), and the Navy Apra Harbor WWTP. The NDWWTP would be handling most of the increased wastewater treatment demand from the DoD buildup. The Navy Apra Harbor WWTP would handle the increased wastewater treatment demand from the ship based transient DoD personnel. The NDWWTP and Hagatna WWTP are also anticipated to treat most of the increased wastewater flows that would be generated by the temporary construction workforce and the increased civilian population. Descriptions of all three wastewater systems are provided in Section 3.1.3.

GWA's wastewater infrastructure (treatment plants, collection piping, and pump stations) has slowly deteriorated over the years. This, coupled with natural disasters such as typhoons and flooding, has resulted in frequent sewage spills at pump stations and collection piping, collapse of collection piping, and failure of treatment plant equipment. Lack of GWA resources, particularly restrictions on fees that can be collected from the public for sewer services, have severely limited GWA's ability to adequately maintain and update their wastewater treatment system. As a result, GWA has experienced frequent violations of its NPDES permit conditions, including inability to adequately treat wastewater and exceedances of the allowed pollutant levels in plant discharges.

On April 4, 1997, USEPA Region 9 issued a tentative decision to deny the reissuance of the Clean Water Act Section 301(h) secondary treatment variance to GWA for the NDWWTP and the Hagatna WWTP because, in USEPA Region 9's view, GWA failed to provide sufficient information that both plants meet 301(h) secondary treatment variance criteria. Central to this tentative denial was USEPA's assessment that the Hagatna WWTP and Northern District WWTP had failed to meet minimum standards for primary treatment, including adequate removal of pollutants, violations of pollutant discharge permit limits, and inability to demonstrate that plant discharges are not impacting water quality or the environment.

GWA provided additional information to USEPA Region 9 in an attempt to address the inadequacies cited in the USEPA Region 9 tentative secondary treatment variance denial. However, lack of maintenance on GWA's aging plants due to resource shortfalls continued to limit GWA's progress in improving their wastewater treatment program and bringing the plants into permit compliance.

In December 2002 the U.S. Department of Justice filed a civil lawsuit against GWA and the Government of Guam (GovGuam) for failure to comply with the Clean Water Act (CWA) and its NPDES permits. As noted in Section 3.1.2, this civil lawsuit also sued GWA for failure to comply with the Safe Drinking

convey the wastewater via force main to the gravity collection system on the south side of the airfield. The system also collects wastewater generated by the industrial and residential areas on the base. The average daily wastewater flow generated by Andersen AFB in 2008 is approximately 0.36 MGd (1.36 mld). Wastewater generated by Andersen AFB is discharged off base into the GWA sewage collection system at a sewer manhole located near the Andersen AFB main gate. The wastewater is then conveyed to the NDWWTP for treatment.

The wastewater collection system at NCTS Finegayan is primarily gravity sewer system consisting of two main trunk lines. The wastewater is conveyed to the NDWWTP via a GWA wastewater collection system. At South Finegayan, the wastewater collection system is a gravity sewer system connected to the GWA wastewater collection system. The wastewater is conveyed to the NDWWTP. The current average wastewater flow generated by NCTS Finegayan is approximately 0.17 MGd (0.64 mld).

Facilities and infrastructure at Andersen South have been abandoned and are not being maintained. The original sewers in the area flowed to a sewer pumping station located along the northern edge of the site. Sewage from the pump station discharged to a GWA sewer collection system and was subsequently conveyed to the NDWWTP for treatment. Neither the sewer lines nor the sewer pumping station are in operating condition and Andersen South contributes no wastewater flows to the NDWWTP.

The NDWWTP is a primary treatment plant designed for an average daily flow of 12.0 MGd (45.4 mld) and a peak capacity of 27 MGd (102 mld). Communication with GWA has indicated that the current average daily flow to the NDWWTP from civilian and military sources is approximately 5.7 MGd (22 mld) (GWA 2008a).

The NDWWTP discharges treated effluent through a newly constructed 34-in (86-cm) outfall into the Philippine Sea approximately 2,100 ft (640 m) offshore at a depth of approximately 150 ft (45 m) near Tanguisson Point. Section 301(h) of the CWA allows the USEPA administrator to waive secondary treatment requirements for publicly owned treatment works that discharge into marine waters under a modified National Pollutant Discharge Elimination System (NPDES) permit. The NDWWTP had received a 301(h) modified permit (NPDES Permit No. GU0020141) that expired on June 30, 1991. This permit authorized the NDWWTP to discharge a maximum daily flow of 6 MGd (23 mld). Because GWA failed to provide sufficient information for USEPA to conclude that the GWA permit renewal application met the 301(h) criteria, USEPA issued a tentative decision on April 4, 1997, denying the reissuance of a 301(h) variance to GWA. GWA revised the permit renewal applications by installing a new extended outfall and planned CIP for restoring the treatment capacity of the plant. The new outfall was put into service in December 2008. Based on plant operation performance and data provided by GWA on the actual discharged wastewater qualities, USEPA denied GWA's application for a renewed variance from full secondary treatment in September 30, 2009, and concluded that the CWA 301(h) criteria have not been met at the NDWWTP.

3.1.3.2 Hagatna Wastewater Treatment Plant

The Hagatna WWTP is owned and operated by GWA. The treatment plant treats wastewater flows from civilian populations and DoD lands that are located in central Guam. Navy and Air Force Barrigada, the Naval Hospital, and DoD lands located in the Nimitz Hill area contribute wastewater flows to the Hagatna WWTP.

The existing Navy Barrigada sewer system consists of approximately 13,000 ft (3,962 m) of gravity sewer lines ranging from 6 to 8 in (15 to 20 cm) in diameter. The existing Naval Hospital sewer system consists of approximately 14,800 ft (4,511 m) of gravity sewer lines ranging from 6 to 10 in (15 to 25 cm) in

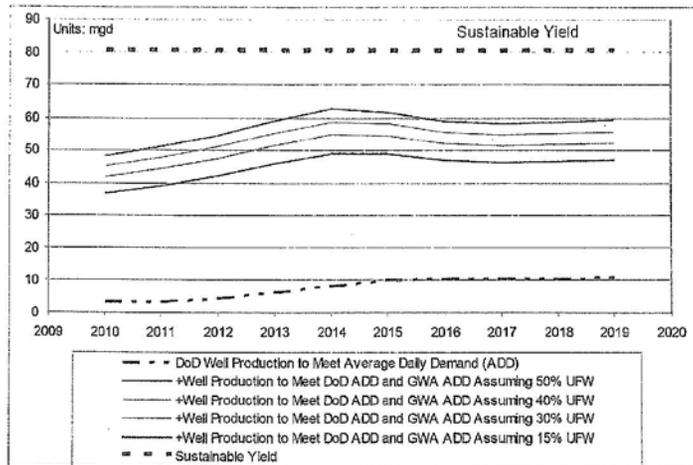


Figure 3.2-1. Well Withdrawal to Meet DoD Average Daily Demand and GWA Average Daily Demand (15-50% UFW for GWA)

Potential Mitigation Measures

Mitigation for Potential GWA Potable Water Shortfalls within DoD Control

If enough new planned GWA wells are not brought online by 2010, the proposed project has the potential to result in significant impacts on the Guam water supply. To mitigate those impacts, DoD could transfer excess water production capacity to GWA, if requested. Current assessments indicate the Andersen Air Force Base water system has well production capacity in excess of current and future Air Force requirements. Additionally, the wells at NCTS Finegayan can produce more than is presently needed by NCTS. However, some of the excess water well capacity at NCTS would be needed to support the on-base construction activities at Finegayan. Thus, in the northern DoD water system, there would be excess water production capacity that could be made available to GWA to meet their interim requirements. GWA would need to formally request this support through the Region's Utilities Department, who would determine water availability and appropriate rates reimbursement. The DoD expects that GWA or the developer requesting additional water would install the necessary piping to make the interconnections with DoD water systems.

The availability of excess DoD water production capacity to GWA water systems may be encumbered by the following:

- The lack of interconnections points between the former AAFB water system and the Navy island-wide system may increase the effective distance between the GWA water system requiring additional water and the DoD water resource
- Poor condition of certain DoD water mains that may require line segment replacement in order to interconnect

- a. Conservation and demand reduction:
 - Existing Infrastructure Buildup Infrastructure
 - Facility Energy Audits Smart Metering on all buildings
 - Energy Conservation Programs Demand reduced through sustainability
 - Energy Conservation Investment User training and education
 - Program (ECIP) Smart base technology
 - b. Sustainable Design/Development Strategies
 - Existing Infrastructure Buildup Infrastructure
 - LEED projects being implemented All Facilities LEED Silver
 - Sustainable Program Officer
 - Sustainable Systems Integration
 - Modeling (SSIM)
 - c. Sustainable Infrastructure
 - Existing Infrastructure Buildup Infrastructure
 - Foot Print Reduction Low Impact Development
 - Adaptive Reuse of Facilities Integrated Site Design
 - Brown Field Development Passive Solar Orientation
 - Carbon Sequestration
 - Reuse of Construction and Demolition
 - Debris
 - Transportation Demand Management
 - d. Renewable Energy
 - Existing Infrastructure Buildup Infrastructure
 - Solar Hot Water System Conversions Solar Hot Water Systems
 - Integrated Solar Photovoltaic Systems Photovoltaic Compatible Facilities
 - Renewable Energy Studies
2. Unified Facilities Criteria (UFC) incorporate energy conservation standards and policy from various Executive Orders and public laws to provide guidance and goals for new and renovated DoD facilities. These conservation measures would result in a reduced increased demand for utilities. Many of these conservation standards and policy were initiated in compliance with the Energy Policy Act of 2005. The following provisions would be incorporated into the planning, design and construction of DoD facilities:
- a. New Bachelor Enlisted and Officer Quarters (BEQ and BOQ) would be designed and constructed in accordance with the Energy Policy Act of 2005.
 - b. New buildings (except residential) would be designed to comply with **American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 90.1**. Based on UFC guidance, the building design would also strive to achieve an energy consumption level that is 30% below ASHRAE Standard 90.1.
 - c. New residential buildings would be designed to comply with the International Code Council (ICC) International Energy Conservation Code. Based on UFC guidance, the building design would also try to achieve an energy consumption level that is 30% below International Energy Conservation Code standards.

increased power demands. Environmental impacts are not included in this section, but are detailed in the individual resource chapters of Volume 6. Analysis of long-term alternatives was not done because those alternatives are not yet ripe for project-specific analysis. Table 3.2-3 shows anticipated supply and demand in 2014 and 2016.

Table 3.2-3. Supply and Demand in 2014 and 2016

Alternatives	Supply (2014)	Demand (2014)	Power Surplus (2014)	Supply (2016)	Demand (2016)	Power Surplus (2016)
Interim Alternative 1	361.84	356.93	4.91	414.47	356.90	57.58
Interim Alternative 2	361.84	356.93	4.91	414.47	356.90	57.58
Interim Alternative 3	361.84	356.93	4.91	414.47	356.90	57.58

Implementation of any of the three interim alternatives would result in adequate power in all years, including the peak year of 2014. However, this scenario is dependent upon reconditioning the required generating units and upgrading the T&D systems in time to meet the increased demand. Should that not happen for some reason, the resulting impacts could be power outages by either brownouts or blackouts. Several potential mitigations are discussed above as a contingency should this scenario occur. See Volume 7 for a discussion on mitigation measures and adaptive management. Table 3.2-4 summarizes the potential impacts on the power utility for the interim alternatives based on successful reconditioning of existing generation units in time to meet the increased demand.

Table 3.2-4. Summary of Interim Alternative Impacts for Power

Potentially Affected Resource	Interim Alternative 1*	Interim Alternative 2	Interim Alternative 3
Power	LSI	LSI	LSI

Legend: LSI = Less than significant impact. *Preferred Alternative

Since all power demands are met in the interim by implementation of a selected interim alternative and because the power system would be subject to greater demand but could be operated within existing permitted capacity, the impact of the proposed DoD buildup on the power utility for Interim Alternative 1 was determined to be less than significant. For Interim Alternative 2, all power demands are also met in the interim but air permits for one or more of the power generation facilities would require modifications. While this impact would be greater than Interim Alternative 1, it is still considered less than significant since all interim power needs would be met. Interim Alternative 3 would require upgrades to the Navy generating facility at Orote and modifying the permit for Orote and some of GPA's existing units. While the impact of Interim Alternative 3 is greater than Interim Alternative 1 and similar to Interim Alternative 2, it is still considered less than significant since all interim power needs would be met.

3.2.3 Potable Water

3.2.3.1 Basic Alternative 1 (Preferred Alternative)

DoD Water System

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.

Implementing Alternative 1 would result in a total planned water supply of 27.1 MGd (103 mld) for the DoD water system at buildout (Table 3.2-55) accounting for water transferred to GWA of 3.3 MGd (12.5 mld) from Fena Reservoir. The Navy transfers up to 4 MGd (15 mld) to GWA according to off base demand. Due to GWA's planned expansion, it is projected that in 2019 GWA will require less than the maximum transfer amount specified in the MOU. Currently, the transfer amount to GWA is less than the maximum, averaging approximately 3.5 MGd (13.2 mld). This planned supply is expected to fully meet the projected future DoD maximum daily demand of 27.1 MGd (102.6 mld). The planned supply also meets the projected average daily demand at each military base.

Given the planned supply, the Navy system has adequate water for average daily demand but a shortfall for maximum daily demand of 1.3 MGd (4.9 mld). Presently, based on personal communications with Navy utility managers on Guam, there is no existing water shortage being experienced, except during severe drought periods. The 1.3 MGd shortfall for maximum daily demand is based on planning criteria, which provides guidance for future project programming. Implementation of long-term alternatives would fully resolve the projected shortfall. Alternatively, the shortfall can be addressed through transfer of excess water from northern Guam through the Navy island-wide system. Maintenance to restore the ability to transfer excess water from the Andersen AFB system to the Navy island-wide water system would be needed. If this shortfall occurs, it is possible that water outages or low pressure conditions would take place within the water system. 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 prevent effective fire fighting and degrade the basic sanitary needs of the population.

As discussed in Section 2.2.1.1, by using sustainability measures, the Marine Corps base could reduce its estimated maximum daily demand by 40% compared to Unified Facilities Criteria (UFC) guidance. Additionally, the existing bases are expected to comply with Executive Order 13423, which specifies a 16% reduction in water usage over the 2007 baseline by 2015. An estimate of the water demand on the military bases incorporating these adjustments is presented in Table 3.2-6. Table 3.2-6 presents the DoD water supply and demand estimates assuming reductions for compliance with the executive orders regarding water conservation and sustainability efforts for this project. Using an estimate of the revised demand, the planned water supply is sufficient overall and for each base to meet the average daily demand and maximum daily demand.

To meet the increased maximum water demand as the military buildup progresses, construction of planned water components would begin in 2010. Pilot test wells would be drilled to verify the production capacity of the wells, and DoD well development would be coordinated with GWA and would comply with GEPA permit requirements to optimize groundwater withdrawal from the NGLA. Pilot test well results and/or coordination of groundwater withdrawal with GWA could result in some adjustment to the proposed locations of wells.

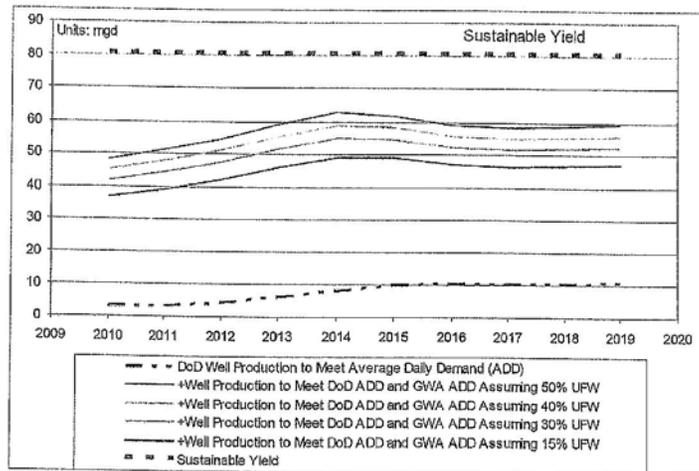


Figure 3.2-1. Well Withdrawal to Meet DoD Average Daily Demand and GWA Average Daily Demand (15-50% UFW for GWA)

Potential Mitigation Measures

Mitigation for Potential GWA Potable Water Shortfalls within DoD Control

If enough new planned GWA wells are not brought online by 2010, the proposed project has the potential to result in significant impacts on the Guam water supply. To mitigate those impacts, DoD could transfer excess water production capacity to GWA, if requested. Current assessments indicate the Andersen Air Force Base water system has well production capacity in excess of current and future Air Force requirements. Additionally, the wells at NCTS Finegayan can produce more than is presently needed by NCTS. However, some of the excess water well capacity at NCTS would be needed to support the on-base construction activities at Finegayan. Thus, in the northern DoD water system, there would be excess water production capacity that could be made available to GWA to meet their interim requirements. GWA would need to formally request this support through the Region's Utilities Department, who would determine water availability and appropriate rates reimbursement. The DoD expects that GWA or the developer requesting additional water would install the necessary piping to make the interconnections with DoD water systems.

The availability of excess DoD water production capacity to GWA water systems may be encumbered by the following:

- The lack of interconnections points between the former AAFB water system and the Navy island-wide system may increase the effective distance between the GWA water system requiring additional water and the DoD water resource
- Poor condition of certain DoD water mains that may require line segment replacement in order to interconnect

by the on-base civilian workforce. The projected year 2019 wastewater flow also accounts for GWA forecasts for growth of the natural civilian population and induced growth of civilians caused by the military buildup in both northern Guam and central Guam.

Including these sources, the projected end state increase in wastewater flow in northern Guam as a result of the military buildup would not exceed the NDWWTP's design capacity of 12 MGd (45 mld). At the end state, however, the permit limit of 6.0 MGd (23.0 mld) would still be exceeded, and the plant would still need refurbishment to restore it to the original design capacity. A socioeconomic analysis of the proposed military buildup has estimated that induced civilian growth as a result of the military buildup could increase the island-wide population on Guam by up to approximately 40,000 in the peak year of 2014. Assuming this induced growth would be evenly distributed among the north, central, and Apra Harbor regions of Guam, the induced civilian demand for wastewater treatment in northern Guam is estimated to reach 1.6 MGd (6.0 mld) of water in both northern and central Guam. The construction workforce would generate up to an additional 1.5 MGd (5.7 mld) of wastewater flow to be treated at the NDWWTP in the peak year of 2014.

Thus, while the year 2019 wastewater treatment demand estimates would be within the physical capability of the NDWWTP design basis, the demand would peak in 2014 with the combined impacts of the Marine Corps relocation, construction workforce, and civilian growth and be in excess of that physical capacity at approximately 12.8 MGd average. In addition, the regulatory scenario requires attention regarding permit and secondary treatment issues.

3.2.4.1 Basic Alternative 1a (Preferred Alternative) and 1b

Basic Alternative 1 (Alternative 1a supports Main Cantonment Alternatives 1 and 2; and Alternative 1b supports Main Cantonment Alternatives 3 and 8) combines upgrade to the existing primary treatment facilities and expansion to secondary treatment at the Northern District Wastewater Treatment Plant (NDWWTP). The difference between Alternatives 1a and 1b is a requirement for a new sewer line from Barrigada housing to NDWWTP for Alternative 1b.

Basic Alternative 1a

Projected wastewater flows to the NDWWTP are summarized in Table 3.2-11. Table 3.2-11 also summarizes existing Guam civilian and DoD flows, projected increases in flows from Guam civilians related to natural population growth, projected DoD increases associated with the military buildup, increases associated with the imported construction workforce, and civilian increases that could result from induced growth under Main Cantonment Alternatives 1 and 2 for northern Guam.

Table 3.2-11. Projected Wastewater Flows to the NDWWTP under Main Cantonment Alternatives 1 and 2

Source of Wastewater Flow	Year									
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Existing Guam Civilian	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20
Existing DoD	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53
Guam Civilian Increase	0.42	0.64	0.85	1.06	1.26	1.47	1.67	1.87	2.07	2.26
DoD Increase	0.24	0.48	0.53	0.57	2.71	2.95	2.99	3.03	3.07	3.12
Construction Workforce	0.26	0.66	1.14	1.43	1.47	0.97	0.30	0.00	0.00	0.00
Subtotal Direct DoD And Guam Civilian	6.65	7.50	8.25	8.79	11.17	11.11	10.69	10.62	10.86	11.11
Induced Civilian Increase	0.27	0.66	1.08	1.27	1.58	1.19	0.61	0.42	0.42	0.43
Total Flow -- All Sources	6.92	8.16	9.33	10.05	12.75	12.31	11.29	11.04	11.28	11.54

includes upgrades to the NDWWTP to allow wastewater generated at Barrigada housing site to be conveyed to the GWA NDWWTP for treatment. Those upgrades to the NDWWTP would be identical to those described under Basic Alternative 1a, and will not be repeated here.

Under this alternative, a new sewer line and two pump stations would need to be installed to convey wastewater generated at Barrigada to the GWA NDWWTP for treatment. The primary-treatment facilities of the NDWWTP would be refurbished and upgraded to accept the additional DoD flows and military buildup-related flows in northern Guam. The estimated wastewater flows to the NDWWTP under Main Cantonment Alternatives 3 and 8 are shown in Table 3.2-11.

Table 3.2-12. Projected Wastewater Flows to the NDWWTP under Main Cantonment Alternatives 3 and 8

Source of Wastewater Flow	Year									
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Existing Guam Civilian	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20
Existing DoD	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53
Guam Civilian Increase	0.42	0.64	0.85	1.06	1.26	1.47	1.67	1.87	2.07	2.26
DoD Increase	0.24	0.48	0.53	0.57	2.71	2.95	2.99	3.03	3.07	3.12
Construction Workforce	0.26	0.66	1.14	1.43	1.47	0.97	0.30	0.00	0.00	0.00
Subtotal Direct DoD and Guam Civilian	6.65	7.50	8.25	8.79	11.17	11.11	10.69	10.62	10.86	11.11
Induced Civilian Increase	0.27	0.66	1.08	1.27	1.58	1.19	0.61	0.42	0.42	0.43
Total Flow – All Sources	6.92	8.16	9.33	10.05	12.75	12.31	11.29	11.04	11.28	11.54

Note: All units are in million gallons per day.
Source: NAVFAC Pacific 2008c.

Under Alternative 1b, new sewer line would need to be installed to convey wastewater generated at Barrigada to the GWA NDWWTP for treatment. Figure 2.3-3 indicates the most likely routing of the proposed sewer lines. The proposed sewer lines and pump station should be completed by 2013.

Potential Mitigation Measures

Potential mitigation measures have been divided into two categories: those within DoD control and those outside of DoD control. The following potential mitigations cover the condition of demand exceeding the design capacity of the NDWWTP and assume that the near-term upgrades of the primary treatment system and permit issues would have been resolved.

Potential mitigations within DoD control:

1. The construction tempo could be reduced to reduce the peak construction workforce. This is discussed further in Volume 7 under adaptive management.
2. The execution of construction could be incentivized to reduce on-island construction workforce requirements by using off-island prefabrication techniques and/or sequencing labor intensive construction activities in such a way to reduce the peak construction workforce needs.

Attachment A

Attachment b1 is a reprint of a letter to the editor by Mr. Tony Artero (self explanatory).

Attachment b2 is an excerpt from the Assistant Secretary of the Navy's report to Congress on 20 march 2007 ***In accordance with longstanding DoD and DoN policy, we rely first on the local community to provide housing for our Sailors, Marines and their families. Approximately three out of four Navy and Marine Cops families receive a Basic Allowance for Housing (BAH) and own or rent homes in the community.*** (Career military personnel advise this writer that in many places military personnel can use their BAH to buy homes).

Attachment b3 - Excerpts from a document issued by the Office of the Deputy Under Secretary of Defense and questions being asked by the people of Guam ***What does DoD's "community first" policy mean? It means that DoD looks to the private sector first to house its Service members.***

Questions:

- Is this DoD policy applicable only to the rest of the United States, and not to Guam?
- Is not Guam a part of the United States of America?

DoD believes the private sector can offer safe, secure and convenient housing to its military personnel.

Question:

- Does the DoD believe the people of Guam cannot **offer safe, secure and convenient housing to its military personnel** if given the opportunity? If so, why?

DoD believes....the military personnel's presence in the community is a positive influence.

Question:

- Does the DoD believe this policy does not apply to Guam, that the DoD perceives the military personnel's presence in the Guam community is not a positive influence (which by default would mean the DoD perceives the military personnel's presence in the Guam community to be a negative influence)?

DoD provides "on-base" privatized housing..only when the private sector cannot provide adequate affordable housing.

Questions:

- Again, is this DoD policy applicable only to the rest of the United States, and not to Guam?
- Does the DoD believe that, given the chance, the people of Guam are incapable of providing adequate affordable housing to military personnel?
- Does the DoD plan to give the people of Guam an opportunity to vie for providing housing for military personnel? If no, then why not, especially in view of the official DoD policy ***DoD provides "on-base" privatized housing..only when the private sector cannot provide adequate affordable housing.***

DoD written policies include the policy that military personnel are not required to live in on base military housing, or in on base privatized housing (see attachment b4, page 2 of 2). The concept of constructing the military housing on military bases or military land appears completely contrary to this policy, as it appears the intent of DoD that military personnel will be forced to live "behind the fences".

Questions:

- What if the military personnel prefer not to rent the military housing on base?
- Will the DoD then **force** the military personnel to live in on base privatized military housing on Guam (but nowhere else)? The EIS states ***During the operational phase, all Marines and their dependents would be housed on-base, per specifications of the proposed action. Thus no off-base housing demand would stem directly from that population***, definitely implying the Marines will be forced to live "behind the fences". Of interest is the fact that there is apparently no discussion of this issue in the EIS or elsewhere, just a short terse statement. The question is **Why?** The DoD decision of whether or not to follow official DoD policy with respect to housing of military personnel on Guam is deemed a decision that will produce a significant impact on the Island of Guam (regardless of whether the impact is judged positive or negative). In view of this, why does the EIS not address this issue?
- If per attachment b2, 75% of DoD personnel live off base (65% in attachment b3), a logical conclusion is that 75% of DoD personnel prefer to live off base. Assuming:
 - o 3,500 living units are required to house the Marines coming to Guam.
 - o The 3,500 units are constructed behind the fence, with a loan from the Japanese banks. What guarantee do the Japanese banks have that they will recoup the loan? Obviously, the 3,500 units have to be occupied, else the Japanese banks are in danger of a default on the part of the developer(s).
 - o So how does the U.S ensure occupancy of the 3,500 on base units? The logical conclusion is that the DoD will force the Marines to live in the 3,500 on base units. Who else can the DoD rent the units to? How else can the Japanese banks be guaranteed loan repayment?

Comparing the economic and social welfare of Guam and the DoD personnel based on two Scenarios;

- **Scenario 1.** The DoD proceeds on its present course which is apparently "forced sale" of land to the DoD in order for the DoD to lease the land for \$1/year to an off island developer to build and operate "behind the fence" housing for military personnel on Guam, and forcing DoD personnel to occupy the on base units.
- **Scenario 2.** The DoD allows the Guam private sector the opportunity to vie for the military housing on private land.

GRT to Gov-Guam. Under **Scenario 1**, will the developer/operator pay GRT on rental income to Gov-Guam?

For sure, under **Scenario 2**, the developer/operator will pay GRT on rental income.

Assuming:

- Given the choice, 75% of military personnel would choose to live off base (see quotation from Secretary of the Navy above).
- 75% of 3,500 living units are constructed on private land.
- An average rent of \$2,000/month (current BAH on Guam varies from \$1900 to \$2600 per month – see attachment b6).
- Six percent vacancy rate (from a Guam realtor)

Translates to \$60,000,000 per year rental income. GRT would be \$2,400,000 per year.

Real Property Tax. Under **Scenario 1**, the developer/operator will not pay real property tax to Gov-Guam whereas under **Scenario 2**, the developer/operator will pay real property tax (including real property tax on \$1.5B to \$2B property improvements).

Corporate Income Tax. Under **Scenario 1**, will the developer/operator pay corporate income tax to Gov-Guam? For sure, under **Scenario 2**, the developer/operator will pay corporate income tax to Gov-Guam.

Utilities. Under **Scenario 1**, will the developer/operator buy utility services from local utility agencies? Under **Scenario 2**, the developer/operator will definitely support the local utility agencies. In addition, the developer could drill additional wells on private property to serve the military housing and amenities, thereby relieving the GWA of this burden.

Adhering to the written DoD policy that **DoD provides “on-base” privatized housing..only when the private sector cannot provide adequate affordable housing** could benefit both the DoD and the people of Guam.

- DoD could be spared the up front cost (both monetary and adverse public relations) of acquiring additional land for the housing. To quote a GAO Report (attachment b4) **There are political sensitivities to using former DoD land areas since local community officials in Guam are concerned with the community's reaction to DoD's possible expansion of land holdings on the island. .**
- It would clearly illustrate to everyone that the DoD is truly sincere in its repeated assurances to the people of Guam that the DoD considers the military build up on Guam to be a **partnership** between the DoD and the people of Guam, wherein both parties benefit.
- It would respect the long standing and official DoD policy of **Community First**.
- It would respect the official DoD policy that **DoD believes....the military personnel's presence in the community is a positive influence.**
- It would respect the official DoD policy that **DoD provides “on-base” privatized housing..only when the private sector cannot provide adequate affordable housing.**

- The program could include provisions for DoD personnel to purchase living units, providing a benefit to the DoD personnel and perhaps to the DoD as personnel who own a living unit on Guam would be more likely to extend their duty tour, thereby saving the DoD relocation costs. ***Approximately three out of four Navy and Marine Cops families receive a Basic Allowance for Housing (BAH) and own or rent homes in the community*** (excerpt from the Assistant Secretary of the Navy's report to Congress on 20 march 2007).
- It could alleviate the potential problem of security during the construction phase of the military housing as the use of non citizen or non resident workers present no problem off base.
- It would resolve the problem of a developer/investor owning rental units that could be rented or leased only to military personnel or personnel with security clearances. If constructed within a Guam community, the units could be rented or sold to both military personnel (with preference being given to Service personnel) and the people of Guam, resulting in symbiosis between military personnel and the people of Guam, ensuring the developer/investor a broader and more flexible clientele base and supporting the desire of DoD to have military personnel living within, and interacting with, local communities.
- It would promote synergy between the DoD and the people of Guam, and promote a climate of "**oneness**" between the military personnel and the people of Guam, rather than perpetuating an atmosphere of "**us**" and "**them**".
- It would minimize the resentment of the people of Guam that is bound to occur if the DoD insists on "forced sales" to provide off island developers with land to build the military housing "behind the fences". As Mr. Artero implies in his letter to the editor, if the DoD offers the people of Guam an opportunity to vie for the military housing, and the people of Guam cannot or do not step up to the plate, then DoD would be fully justified in locating the military housing "behind the fence" (comment: The DoD would need some assurance that the people of Guam are capable of providing safe, secure, desirable housing before the DoD scraps any plans for securing additional land for housing. It would be imprudent for the DoD to limit proposals to the private sector on private land. Perhaps some kind of Request for Qualifications preceding the formal Request for Proposals would be in order).
- It would allow the rental proceeds to remain on Guam, boosting the economy of the Island.
- It would ensure enhanced GRT and real property taxes to Gov-Guam, and possibly income tax and support of local utility agencies.

A RFP (request for proposals) for military housing on both military bases and private lands should be predicated on a **level playing field**, i.e.

- The "acquired" private land should not be leased to the developers for a dollar a year, but rather at a reasonable land value based on appraised land values immediately adjacent to military lands.
- The developers of "on base" privatized housing should pay Guam GRT and income tax to the Government of Guam.

This approach will ensure a level playing field, thereby ensuring private landowners can compete on an equitable basis.

At a meeting between the Chamber Development Committee and DoD representatives, Mr. Timothy Amor of RIM Architects proffered a most logical overall solution to the military housing issue

- Construct at lease a portion of the military housing on private land (presumably the DoD may want personnel in critical positions to be on base at all times).
- Commence construction ASAP, but do not fit out the living units, leaving out the cooking facilities and provide the same minimal finishes expected in a labor barracks.
- The developer rents the unfinished living units to contractors for worker housing.
- As the Marines commence deploying to Guam, the developer finishes the units (installing cooking facilities, carpeting etc.) for occupancy by the Marines.
- This approach could address a variety of potential impacts:
 - o The specter of a housing glut at the end of the buildup period, since the units would see double use, first as worker housing then as DoD personnel housing, requiring construction of fewer units.
 - o The voiced citizens concerns of labor impacts on non-defense projects (it would take much less labor to construct one set of housing than to construct two sets),
 - o Immigration of off island labor (again it would take much less labor to construct on set of housing than to construct two sets).
 - o Minimize the "acquiring" of private lands for military housing.

We want you to be a debate panelist

We are looking for members of our community who would be interested in participating as panelists in the Pacific Daily News-GUAM gubernatorial debates. Each panelist will be allowed to ask the candidates one question during the debates. If you are interested in participating, please provide a letter that includes your name, age, village, contact numbers, e-mail address, mail-

ing address and a photo. Now here's the important part: In your letter, let us know why you should be chosen and the top three questions you would ask. Letters can be submitted:
 ▲ by e-mail: election2006@guampdn.com
 ▲ by fax: (671) 477-3079, photos must be dropped off if you use this option.
 ▲ by mail: Pacific Daily News, Election

Election 2006

2006, P.O. Box DN, Hagåtña, GU 96832, letter must be received by the submission deadline.
 ▲ In person: You can drop off your letter at our offices in Hagåtña: 244 Archbishop Flores St.
 Deadline: July 25
 For more information, call Lindsay Colas Limitaco at 671-477-5711, ext. 400, or e-mail rlimitaco@guampdn.com.

SUNDAY FORUM

The Pacific Daily News invites readers to join us in discussing some of the hot topics in the news.
 ▲ Sunday: How can we increase the numbers of people who register to vote?

If you have some insight on this topic that can make a difference, or if you just want to join the discussion, we want to hear from you.
 Make contact

- ▲ Call: 477-6711, ext. 415
- ▲ Fax: 477-3079
- ▲ E-mail: voice@guampdn.com

Submit a letter

We welcome your comments on editorials, columns and other topics in the Pacific Daily News about subjects important to you.

▲ Only submissions that include name, address, village of residence and day and evening phone numbers, and that are verified by the Pacific Daily News can be considered for publication.

▲ Letters with facts or statements that can't be substantiated will not be published. The burden of substantiation will be on the letter writer.

▲ Mailed letters must include a return address on the envelope.

▲ Letters must be previously unpublished, including on the internet.

▲ Letters to the editor of 500 or fewer words have the best chance of being published. Opinion and editorial columns of 550 or fewer words have the best chance of being published. Limited to one published letter a month.

▲ All submissions may be edited for length, accuracy and clarity, and may be published or distributed in print, electronic or other forms.

▲ Send letters by e-mail to voice@guampdn.com; fax to 477-3079; or mail to Voice of the People, Box DN, Hagåtña, Guam 96832.

▲ Opinions expressed by letter writers and column-

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New military housing can be win-win

By Tony Artero

Who will build it, if you are coming? I'm referring to housing for the military; the single service member as well as the military family. This should be the Guam community's message to the Pentagon! But our local politicians are sold on, "Uncle, give me money!"

Have heard through the grapevine that the Navy is initiating a massive on-base barracks project to house approximately 1,400 single soldiers; it is also preparing for the construction of a thousand or more family housing units. I understand that the Air Force master plan calls for the same on-base approach. I'm sure the Marines are making similar plans.

How is it that this is happening? Because the Pentagon doesn't think we can provide adequate housing in the community.

Where is our outrage? Where is the Legislature? The Armed Services Committee? The governor? Our delegate to Congress? The Chamber of Commerce? The Guam Association of Realtors? The developers and the banks?

Do we want to go back to and end up with self-sufficient military enclaves again? Or do we want an integrated community where the military members and families live (and enjoy Guam) on the local economy?

This is an opportunity for a win-win outcome, or an us-versus separation. The choice is ours.

If so happens that if we build it, they cannot. The DoD Housing Management Manual (DoD 4165.03 M) states: "Communities near military installations shall be the primary source to meet a need for additional housing. Military-

owned, -leased, or -sponsored housing may be programmed for all grades to meet long-range requirements in areas where the local community cannot support the housing needs of the military members, where available housing in the community has been determined to be unacceptable or where personnel must reside on the installation for reasons of military necessity."

This means that, if the local community can step up to the plate and program adequate housing to meet the military needs, the military cannot program military housing. This is a win-win situation. The community can enjoy more of the economic benefit of hosting the military on our island. The military can concentrate its scarce military construction funds on essential projects such as wharfs, hospitals and training ranges.

The only thing needed is a little coordination and investment on the community's part. A task force representing lenders, builders and landowners should meet with the military and ascertain their needs and target dates.

Tony Artero is a realtor, a retired Navy submariner and a resident of, Agaña Heights.

TO THE POINT

▲ Do we want to go back to and end up with self-sufficient military enclaves again?
 Or do we want an integrated community where the military members and families live (and enjoy Guam) on the local economy?



Artero

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Not for publication until
Released by the
House Armed Services Committee

Statement of
HONORABLE B.J. PENN, ASSISTANT SECRETARY OF
THE NAVY
(INSTALLATIONS AND ENVIRONMENT)

Before the
READINESS SUBCOMMITTEE
of the
HOUSE ARMED SERVICES COMMITTEE

20 March 2007

Not for Publication until
Released by the
House Armed Services Committee

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Energy

The DoN is pursuing ways to meet the requirements of Executive Order 13423 and the Energy Policy Act of 2005. Central to this plan is our continued development of geothermal power plants. Navy has partnered with the renewable energy industry on a 270 MW geothermal plant at Naval Air Warfare Station China Lake, CA; awarded a geothermal power plant contract for Naval Air Station Fallon, NV; and is evaluating a project at Naval Facilities Engineering Center El Centro, CA. Other on-base renewable projects include photovoltaic, wind, wave and ocean thermal energy conversion projects. I issued a new DoN policy last fall requiring all new buildings to be built to a LEED Silver level.

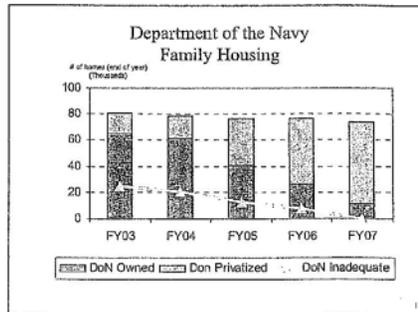
HOUSING

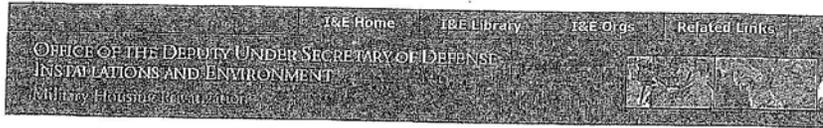
Our FY-08 budget continues to improve living conditions for Sailors, Marines, and their families. We have programmed the necessary funds and expect to have contracts in place by the end of FY-07 to eliminate all inadequate family housing. Renovation and new construction will be completed such that Sailors and Marines are no longer occupying inadequate homes by FY-12. We continue to provide homes ashore for our junior shipboard unaccompanied Sailors, to provide appropriate living spaces for our junior enlisted bachelor Marines, and to address long standing family housing deficits. We have programmed the necessary funding to eliminate over 99 percent of the inadequate permanent party unaccompanied bachelor quarters (BQs) housing spaces still served by "gang heads." As we near finishing privatizing existing military family housing, we are making tangible progress in applying that same privatization approach to meet our unaccompanied housing needs.

Family Housing

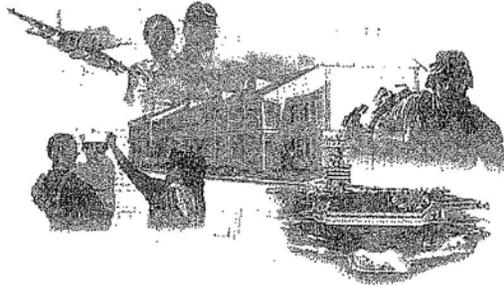
As in past years, our family housing strategy consists of a prioritized triad:

- Reliance on the Private Sector. In accordance with longstanding DoD and DoN policy, we rely first on the local community to provide housing for our Sailors, Marines, and their families. Approximately three out of four Navy and Marine Corps families receive a Basic Allowance for Housing (BAH) and own or rent homes in the community.





Welcome to the Department of Defense's Military
Housing Privatization Program



We Support our
Troops and their
Families
United We Stand
God Bless
America

If you are interested in learning more about the Military
Housing Privatization Initiative, click here.

[Enter](#)

Military housing is managed by the Housing and Competitive Sourcing (H&CS) Office under
the direction of Mr. Joseph Sikes in the Office of the Deputy Under Secretary of Defense
(Installations and Environment).

Page Last Updated: August 14, 2006



<http://www.acq.osd.mil/housing/>

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Military Housing Privatization

PROGRAM OBJECTIVES

What is military family housing privatization?

The Military Housing Privatization Initiative (MHPI) is a public/private program whereby private sector developers may own, operate, maintain, improve and assume responsibility for military family housing, where doing so is economically advantageous and national security is not adversely affected. The MHPI was enacted on February 10, 1996, as part of the National Defense Authorization Act for fiscal year 1996. Under the MHPI authorities, the Department of Defense (DoD) can work with the private sector to revitalize military family housing by employing a variety of financial tools-including direct loans, loan guarantees, equity investments, and conveyance or leasing of property or facilities. For more information on these authorities, see MHPI Overview.

What does DoD's "community first" policy mean?

It means that DoD looks to the private sector first to house its Service members. DoD believes the private sector can offer safe, secure and convenient housing to its military personnel and that the military personnel's presence in the community is a positive influence. Therefore, DoD provides "on-base" privatized housing or military construction housing only when the private sector cannot provide adequate affordable housing.

What percentage of DoD military personnel live off post?

Approximately 65% of Service members live in housing in the private sector.

Why is DoD interested in privatizing military housing?

The MHPI program was created to address two significant problems concerning housing for military Service members and their families. The first problem is the poor condition of DoD owned housing. DoD currently owns approximately 166,000 family housing units on and off base. About 45% of these units need to be renovated or replaced because over the past 30 years, they have not been sufficiently maintained or modernized. The second problem is a shortage of affordable private housing of adequate quality.

This situation has led to a decline in readiness and morale among Service members. However, DoD has been unable to address the critical housing needs of its Service members and their families because of existing budgetary constraints. Using the traditional approach to military construction, it would cost taxpayers nearly \$16 billion and it would take 20 years to solve this housing problem. MHPI provides a creative and effective solution to addressing the quality housing shortage. For DoD, MHPI results in the construction of more housing built to market standards, for less money than through the military construction process. Commercial construction is not only faster and less costly than military construction, but private sector funds significantly stretch and leverage DoD's limited housing funds. At the same time, developers and financiers are interested in participating since privatization opens the military construction market to a greater number of development firms, stimulates the economy through increased building activity, and the projects can provide a continuous inflow of capital to investors over a long period of time.

To whom is the MHPI program primarily targeted?

Although it is DoD policy to rely on the private market for its housing, in many instances the junior enlisted personnel cannot afford quality private housing within a reasonable commuting distance. Therefore the MHPI program is targeted to these Service members.

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Military Housing Privatization

on the median cost of adequate housing in the areas where people live. In accordance with former Secretary Cohen's announcement to eliminate out-of-pocket housing costs for military members, the BAH system seeks to provide the typical service member with the ability to secure quality housing, irrespective of their duty location.

How does the developer receive Service member's rents at a privatized project?

The Service member chooses to sign a lease and pays rent directly to the developer.

Will DoD give developers some guarantee that Service members will live in privatized housing?

No occupancy guarantees will be provided to developers. Developers will build/renovate housing communities where the Service members will choose to live.

How do you factor in the possibility that a military installation being privatized is closed?

Section 2873. Direct loans and loan guarantees allows DoD to provide a limited guarantee against base realignment and closure (BRAC). If a base closes, developers will still own and manage the leased property and housing on it and can therefore rent it out in the private market.

Does the Davis-Bacon Act apply to privatized developers?

The individual developer is responsible for implementing Davis-Bacon provisions, where applicable.

How is renter's insurance handled on these projects?

The developer is required to provide a standard renters insurance package (reasonable deductible and policy limit) to its tenants, the Service members.

Are property taxes considered in these deals?

Although DoD will not negotiate with the local jurisdiction on any tax abatements, the developer is free to negotiate to achieve any tax abatements.

What building codes are followed in these projects? Are new off-base units being built to be especially strong (or at least stronger than the old units), to resist terrorist attack, for instance?

No, both on base and off base units are being built to private sector residential standards and follow State and Local building codes. Just as private sector housing should be safe, affordable, and quality-built, DoD expects the same of the housing built as part of the housing privatization initiative.

What is an inadequate unit?

"Inadequate" is defined by each Service as housing which requires significant renovation or repair of kitchen, bathroom, infrastructure, plumbing, electrical beyond a certain dollar level.

After a deal is closed who handles tenant complaints?

Once a deal is closed, property management becomes the responsibility of the developer. Therefore, tenant complaints should be addressed to the developer's or its subcontractor's property management office onsite.

How many military authorities' will I need to deal with at these projects—what will the structure look like to address tenant issues?

In most cases, these projects have management review committees (MRC) that have representatives from both the Government and Developer. The MRC will meet periodically and address project issues.

<http://www.acq.osd.mil/housing/faqs.htm>

Military Housing Privatization

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RFP2

How will the DoD ensure that a developer performs?

DoD wants market forces to drive contractor performance. This means that the primary enforcement mechanism is the ability of the military members to choose whether to live in privatized housing or in off-base private housing. In addition, the structure of each deal provides some mechanisms to oversee developer performance. Contract management plans and ground leases provide for contract performance over time. Depending on the financial structure of the deal, DoD may also have loan documents, loan guarantees, and intercreditor agreements. Each deal will specifically design these mechanisms to work together to provide adequate DoD controls. DoD will also require the developer to include funding in contingency escrow accounts. Finally, DoD has designed a portfolio management and monitoring tool called the Program Evaluation Plan (PEP) that includes detailed information submitted by each of the Services to OSD regarding their portfolios of MHPI projects, including information about deal structures, government costs, use of government authorities and on-going program performance.

How can I bid on a project?

The solicitation process differs slightly between the Navy and the Air Force, and the Army. After the Services make the decision to privatize an installation, they hold an Industry Forum to introduce the project to private developers. The Navy and the Air Force then draft and issue a detailed Request for Proposals to the construction community. Developers who satisfy the Services that they can successfully complete the project respond with equally detailed project proposals, and selection is made from among them. The Army uses a Request for Qualifications process by which it screens and selects a "development partner" to undertake privatization work for an entire installation. The Army and its private partner then create a development concept for the project.

How can I know what I'm bidding on?

When the project concept is approved by OSD and Congress has been notified of the solicitation proposal, the Services hold an industry forum to introduce the project to the construction committee. Once the solicitation is issued, the Services also hold local pre-proposal conferences so officials may travel to the communities and meet with developers and financiers who may have questions and want to learn more about the process and project specifics. These two events, in addition to the solicitation documents, provide developers all the necessary information on the projects they are bidding on.

How long does it take for a privatization deal to go from solicitation to award?

As the program matures, the time from issuing the solicitation to award should settle in between 8 to 14 months.

How many companies have been awarded MHPI deals and what did the deals look like?

Over twenty companies have been awarded deals individually or in a partnership to date. Given that project requirements differ depending on the Service privatization program stipulations and the installations' conditions, each project deal has been different. For a list of links to these companies, see [Awarded Projects Websites](#).

How can I find out about upcoming MHPI projects?

The best information about the Military Housing Privatization Initiative, including contractor opportunities and a listing of currently identified military housing privatization projects, can be found on this website. Specific information about upcoming industry forums and privatization projects (including requests for proposals or requests for qualifications) can be obtained from the housing privatization websites maintained by each of the military services (Army RCI, Navy PPV, Air Force HP).

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United States Government Accountability Office
Washington, DC 20548

September 12, 2007

Congressional Committees

Over the next several years, the ongoing implementation of the Department of Defense's (DOD) integrated global presence and basing strategy will result in a global realignment of U.S. forces and installations, including a reduction of the number of troops stationed overseas and a consolidation of overseas bases. While the strategy is intended to make the overseas posture of the United States more flexible and efficient, it will also require new facilities costing billions of dollars, some of the cost to be borne by the United States and some by other nations, such as Japan and South Korea. A key component of the U.S. Pacific Command's (PACOM) integrated global presence and basing strategy is the proposed military buildup on the island of Guam—a U.S. territory located in the western Pacific Ocean. This buildup includes personnel, weapons systems, and infrastructure of all the military services—Army, Navy, Marine Corps, and Air Force. The most ambitious undertaking involves moving approximately 8,000 marines and their estimated 9,000 dependents from Okinawa, Japan, to Guam.

As plans for overseas basing began to emerge, the Senate Appropriations Committee expressed concern about the use of military construction budget authority for projects at overseas bases that may soon be obsolete or closed because of changes being considered by DOD and the military services. Accordingly, the Senate report accompanying the fiscal year 2004 military construction appropriation bill directed DOD¹ to prepare detailed, comprehensive master plans for changing infrastructure requirements at U.S. military facilities in each of the overseas regional commands.² DOD was required to provide a baseline report on these plans, along with yearly updates on their status and their implementation with the annual military construction budget submissions through 2008. Subsequently, the House conference report accompanying the 2004 military construction appropriation bill directed the department to prepare comprehensive

¹In fulfilling this requirement, the Office of the Secretary of Defense asked the overseas regional combatant commands to prepare comprehensive master plans for their areas of responsibility.

²S. Rep. No. 108-82, at 13-14 (2003).

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tensions between the local population and foreign workers because of job competition.

- **Public infrastructure.** The effects of the increased demand on Guam's roads, port capabilities, and utility services—such as electrical generation, wastewater treatment, and solid waste disposal—have not been fully addressed. DOD and Guam officials recognize that the island's infrastructure is inadequate to meet the projected demand and will require significant funding to address these needs. For example, the Government of Guam has estimated that it will cost about \$2.6 billion to improve the local infrastructure to accommodate forecasted military and civilian growth on the island and that federal assistance is needed to meet these requirements. DOD officials and the *Guam Integrated Military Development Plan* identified several infrastructure areas that are in need of improvements: (1) the two major roads in Guam are in poor condition and, when ordnance (ammunition and explosives) is unloaded from ships for the Air Force now and for the Marine Corps in the future, it must be transported on one of these major roads that runs through highly populated areas; (2) the Government of Guam plans a number of projects to upgrade the capability and efficiency of Guam's port facilities that total about \$155 million with only \$56 million funded at the time of our review; (3) the utilities transmission lines are antiquated and the system is not reliable, and voltage and frequency fluctuations are common; (4) the wastewater treatment facilities have a long history of failing and are near capacity; and (5) the solid waste landfills have a number of unresolved issues related to discharge of pollutants and are near capacity. Although the Government of Japan has agreed to provide \$700 million for utilities infrastructure on DOD bases in Guam, this funding is neither intended nor is it sufficient to improve the infrastructure throughout the island. Future DOD operations may be constrained on Guam if improvements are not made to Guam's infrastructure.
- **DOD land use on Guam.** DOD officials initially told Guam officials that they could implement force structure plans with currently held land although they are now reviewing the possibility of using additional land to prevent future encroachment. For example, the *Guam Integrated Military Development Plan* considered both existing and former DOD land areas for potential use to accommodate realignment actions. In terms of existing land, DOD owned about 40,000 acres of land in Guam at the time of this review—approximately 29 percent of the island. Former DOD land areas have previously been a part of the base realignment and closure process or released to the Government of Guam. There are political sensitivities to using former DOD land areas, since local community officials in Guam are

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concerned with the community's reaction to DOD's possible expansion of land holdings on the island.

Funding uncertainties, operational challenges, and community impacts may not only affect the development of the Guam master plan but also increase costs for the U.S. government. Until DOD provides further information on how these challenges will be resolved, it will not know the precise costs of the Guam realignment plans to the U.S. government. DOD's has begun efforts to create a successful partnership and coordinate with other federal departments and agencies, the Government of Guam, and other organizations, which are important in addressing Guam's unique economic and infrastructure requirements. At the same time, DOD has not established a comprehensive and routine process to keep Congress informed on its progress dealing with these issues and the overall status of implementing the military buildup on Guam. In the absence of this information on how challenges will be addressed in the future, Congress is not in a position to help ensure the best application of limited federal funds and the leveraging of all available options for supporting the military buildup on Guam.

Concluding Observations

As U.S. overseas defense basing strategies and requirements continue to evolve, so do the department's master plans. The plans continue to improve each year by providing more complete, clear, and consistent information and descriptions of the challenges DOD faces overseas. However, we have previously recommended that overseas regional commands address the extent to which they are seeking residual value compensation for U.S. capital improvements at installations returned to host nations and that PACOM explain how it plans to address existing training limitations that may affect infrastructure and funding requirements. We believe that identifying these issues would provide Congress an awareness of potential challenges of recouping residual value from host nations and training U.S. forces in South Korea, which may affect facility requirements and funding in these countries. We continue to believe that these recommendations have merit and that Congress would benefit from disclosure of this information.

In July 2006, the Senate report accompanying the fiscal year 2007 military construction appropriation bill directed DOD to provide a master plan on the military buildup in Guam. DOD needs several more years to complete a master plan. Completion of a Guam master plan depends on the outcome of the environmental impact assessments and statement that could take up to 3 years to complete, on decisions that finalize the exact size and

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**Overseas Housing Allowance (as of September 19, 2007)
for Guam GQ001**

Enlisted Personnel:

Rank	With Dependents	Utility Allow.	W/O Dependents	Utility Allow
E-1	\$1,900.00	\$602.00	\$1,710.00	\$451.50
E-2	\$1,900.00	\$602.00	\$1,710.00	\$451.50
E-3	\$1,900.00	\$602.00	\$1,710.00	\$451.50
E-4	\$1,900.00	\$602.00	\$1,710.00	\$451.50
E-5	\$1,900.00	\$602.00	\$1,710.00	\$451.50
E-6	\$1,900.00	\$602.00	\$1,710.00	\$451.50
E-7	\$2,350.00	\$602.00	\$2,115.00	\$451.50
E-8	\$2,450.00	\$602.00	\$2,205.00	\$451.50
E-9	\$2,450.00	\$602.00	\$2,205.00	\$451.50

Commissioned Officer Personnel:

Rank	With Dependents	Utility Allow.	W/O Dependents	Utility Allow
O-1E	\$2,450.00	\$602.00	\$2,205.00	\$451.50
O-2E	\$2,450.00	\$602.00	\$2,205.00	\$451.50
O-3E	\$2,450.00	\$602.00	\$2,205.00	\$451.50
O-1	\$2,350.00	\$602.00	\$2,115.00	\$451.50
O-2	\$2,450.00	\$602.00	\$2,205.00	\$451.50
O-3	\$2,450.00	\$602.00	\$2,205.00	\$451.50
O-4	\$2,450.00	\$602.00	\$2,205.00	\$451.50
O-5	\$2,600.00	\$602.00	\$2,340.00	\$451.50
O-6	\$2,600.00	\$602.00	\$2,340.00	\$451.50
O-7	\$2,600.00	\$602.00	\$2,340.00	\$451.50
O-8	\$2,600.00	\$602.00	\$2,340.00	\$451.50
O-9	\$2,600.00	\$602.00	\$2,340.00	\$451.50
O-10	\$2,600.00	\$602.00	\$2,340.00	\$451.50

Supplement added Saturday, February 06, 2010

Following are 5 steps that could alleviate buildup impacts and also alleviate the public concern with the buildup.

1. Cut off the population influx peak by smoothing the construction volume over a longer time frame.
2. Dual use of new housing (workers first followed by Marines).
3. Do not allow dependents of Marines and guest workers to move to Guam until after the peak has subsided.
4. Gov-Guam enhances infrastructure and public facilities to service the projected "steady state" increase in civilian population (projected at 13,000 bodies directly due to the buildup plus the increase in population that would occur under a No Action scenario). The DoD and the contractors provide additional educational, medical and other public facilities to accommodate the civilian population increase above the projected "steady state" (i.e. the peak). **If additional education facilities and staff, additional medical facilities and staff, additional water wells etc. are required to service the peak influx of workers, it is just as easy for the DoD to enhance these facilities as it is for the Government of Guam.** This does not necessarily apply to all infrastructure, roadways for example.
5. Provide more realistic evaluation of potential impacts for dissemination to the public at large.

Figure 16.2-1 (attached). Cut population peak by "Smoothing" construction schedule. DoD and Contractors provide temporary educational and medical facilities to service peak.

Figure 16.2-2 (attached). Cut labor force demand by "Smoothing" construction schedule (basically same as smoothing population peak).

Figure 16.2-5 (attached). Cut labor housing force demand by:

- "Smoothing" construction schedule.
- Use of Dual Usage housing (living units serve both as labor camp and Marine housing).
- Do not allow Marine's and guest worker's families to move to Guam until after the peak.

The EIS (Table 16.2-25, page 16-59) indicates construction of 6,644 new living units must be constructed in a 4 year period to satisfy housing needs, leaving a housing glut of 6,500 units in 2017.

This projection is deemed unrealistic. As Carl Peterson noted, there is not going to be a housing glut of the magnitude presented in the EIS. **What bank or other lending institution is going to finance the construction of 6,500 new living units knowing that within a few years Guam will experience a housing glut of 6,500 units? A more likely scenario is overcrowding of living units with the undesirable effects typically associated with overcrowding.**

This impact can be addressed by the above scenario. In addition, "Smoothing" the construction activities could also be implemented to further reduce the peak housing demand if necessary.

Attachment S1 provides an analysis of the potential effects of items 2 and 3 above. The top table is essentially a reproduction of EIS Table 16.2-25. The bottom table assumes dual usage of DoD housing and no worker dependents until after the boom. Fifty percent of Marine dependents are assumed to move to Guam in 2014, another 25% in 2015 and the final 25% in 2016. Those guest workers **who remain on Guam** can move their families to Guam beginning 2016.

Note the difference in the housing surplus. The result is that essentially no new housing units will be required to house the influx of workers.

CAVEAT! This analysis follows the EIS analysis which is predicated on:

1. Use of all vacant housing presently existing on Guam.
2. Does not consider the natural population growth of Guam w/o the buildup.

Neither of these assumptions is realistic, however the intent is to compare apples with apples.

Also, the intent of this worksheet is not to provide specific data; the intent is to provide a sample template for evaluating possible mitigating measures to the housing problem associated with the buildup. Similar worksheets could be used to evaluate other impacts such as impacts on Guam infrastructure.

Question. What percentage of **temporary** guest workers are likely to want to move their families to Guam on a temporary basis? What do they do with their permanent homes (assuming they own a home at the time of recruitment)? Rent? Sell? If they sell, what do they do for housing when they return to their permanent places of residence?

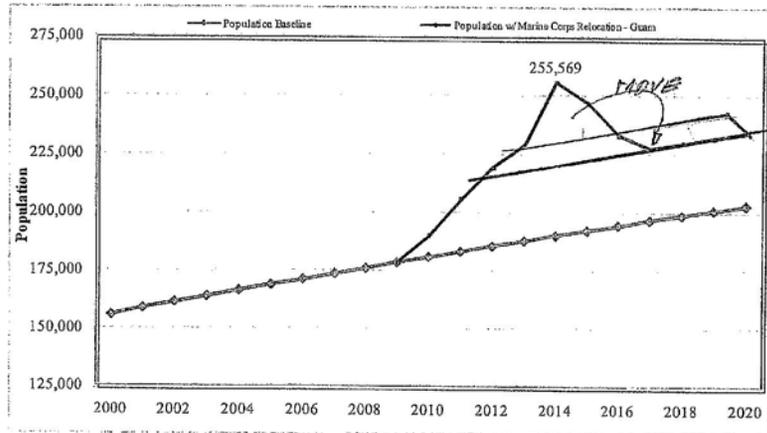


Figure 16.2-1. Population with and without Proposed Action

Demographic Characteristics

Approach to Analysis

New population on Guam related to the proposed action would have a different demographic composition than what currently exists on Guam, and will thus affect the island's demographic composition.

Demographic impact data discussed here are broken out into two components. One is for those individuals coming to Guam as part of the proposed action (i.e. marine relocation). The other is for people who are likely to come to Guam seeking employment. The analysis is based on the historic characteristics of in-migrating groups and the military population. Results from this analysis are compared to the demographic characteristics of Guam presented in the Affected Environment Section.

Table 16.2-4 provides assumptions made about the demographic characteristics of population related to the employment component as well as the source of or rationale for those assumptions.

Table 16.2-4. Employment Component Assumptions for Demographic Characteristic Impacts

Assumption	Assumed Value	Source/Rationale
Number of Cases Studied (Not born on Guam, moved to Guam for employment)	1,525	U.S. Census. Guam 10% PUMS data, 2000
Average Year of Entry	1987	U.S. Census. Guam 10% PUMS data, 2000
Median Age when moved to Guam	32	U.S. Census. Guam 10% PUMS data, 2000. Reported median age adjusted for year of entry
Gender		
Male	74.2%	U.S. Census. Guam 10% PUMS data, 2000
Female	25.8%	U.S. Census. Guam 10% PUMS data, 2000
Ethnicity		
Asian Alone	56.1%	U.S. Census. Guam 10% PUMS data, 2000
Native Hawaiian/Other Pacific Islander	24.8%	U.S. Census. Guam 10% PUMS data, 2000

Figure 16.2-2 compares total labor force demand on Guam with and without the proposed action. At the 2014 peak, civilian labor force demand with the proposed action is 75% higher than it otherwise would have been, without the project. At 2020, the difference declines to 12%.

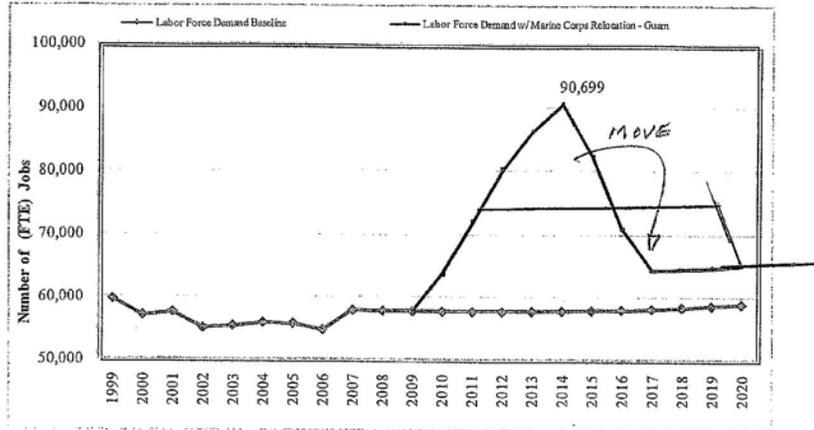


Figure 16.2-2. Labor Force Demand with and without Proposed Action

Civilian Labor Force Supply - Approach to Analysis

Evidence for potential labor supply sources is provided for:

- Direct on-site military construction
- Other employment (direct construction jobs from purchases or civilian operational jobs, as well as indirect workers)

Analysis was conducted to address the following two questions:

- How many of the civilian jobs (on a net basis) are likely to accrue to currently unemployed Guam residents?
- From what countries or regions are the rest of the workers likely to in-migrate?

Possible sources for direct on-site military construction workers include:

- Current Guam Residents
- Temporary Foreign Workers
- CNMI and Other U.S. Pacific Islands
- Other Workers from the continental U.S. (CONUS) or Hawaii

Table 16.2-12 presents assumptions about labor sources for direct on-site military construction labor, and the source or rationale for these assumptions. Refer to the Appendix F SIAS for additional descriptions of and historical information regarding each of these sources.

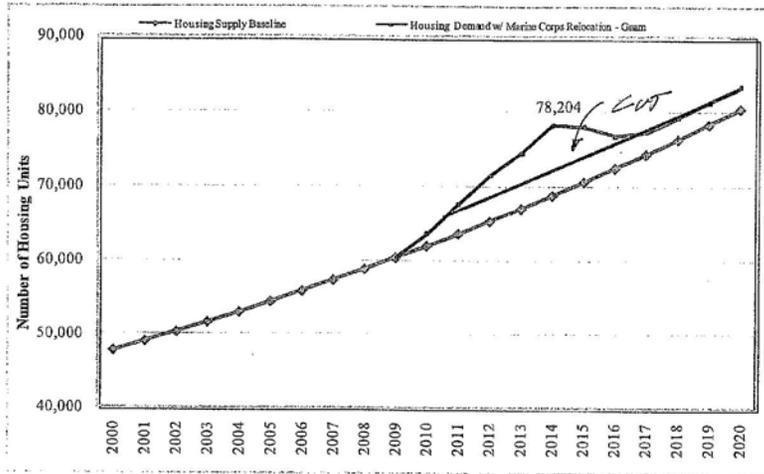


Figure 16.2-5. Housing Demand with and without Proposed Action

Based on assumptions, the stock of likely available housing was estimated at 2,787 units at the start of project construction in 2010.

Table 16.2-25 shows an estimated housing surplus in the years subsequent to the construction phase if the market were to provide all the needed housing during the construction-period. The recently released housing needs assessment study by the Guam Housing and Urban Renewal Authority may provide an updated estimate of the available housing and the market's ability to respond to the additional housing unit demands.

Table 16.2-25. Demand and Supply for New Civilian Housing Units

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Combined Action Total Impact	1,648	3,972	6,119	7,465	9,431	7,406	4,283	2,913	2,913	2,959	2,959
Annual Change in Demand	1,648	2,324	2,147	1,346	1,966	(2,025)	(3,123)	(1,370)	0	46	0
Available Housing Supply (vacant, likely available)	2,787	1,139	0	0	0	0	0	0	0	0	0
Annual Construction Needed to Eliminate Housing Deficit	0	1,185	2,147	1,346	1,966	0	0	0	0	0	0
Surplus Units if Supply Increases to Eliminate Deficit	0	0	0	0	0	2,025	5,148	6,518	6,518	6,472	6,472

Per EIS Table 16.2-25, page 16-59											
Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Combined Action Total Impact	1,648	3,972	6,119	7,465	9,431	7,406	4,283	2,913	2,913	2,959	2,959
Annual Change in Demand	1,648	2,324	2,147	1,346	1,966	(2,025)	(3,123)	(1,370)	-	46	-
Available Housing Supply	2,787	1,139	-	-	-	-	-	-	-	-	-
Annual Construction Needs		1,185	2,147	1,346	1,966	-	-	-	-	46	-
Surplus						2025	5148	6518	6518	6472	6472
Housing Demand Assuming no dependents (workers "double up") and dual usage of DoD living units											
Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Combined Action Total Impact	824	1986	3060	3733	4716	3703	2142	2913	2913	2959	2959
Annual Change in Demand	824	1162	1074	673	983	1013	1562	772	0	46	0
Available Initial Housing Supply - Civilian	2787	2787	2787	2787	2787	2787	2787	2787	2787	2787	2787
Dual Usage Units	900	1800	2700	3500	3500	3500	3500	3500	3500	3500	3500
Marine Housing Requirements	0	0	0	0	1750	2625	3500	3500	3500	3500	3500
Surplus	0	0	0	0	179	41	0	126	126	172	172

ORIGINAL



National Association of Social Workers

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**Comments from the National Association of Social Workers,
Guam Chapter
to the Draft Environmental Impact Statement/Overseas
Environmental Impact
Statement on the Guam and CNMI Military Relocation**

**The Relocation of Marines from Okinawa, Visiting Aircraft Carrier Berthing,
and Army Air Missile Defense Task Force**

I. BACKGROUND INFORMATION

The National Association of Social Workers (NASW) is the largest membership organization of professional social workers in the world, with 150,000 members. NASW works to enhance the professional growth and development of its members, to create and maintain professional standards, and to advance sound social policies. The Guam chapter of NASW was established in 1999 and has been a voice in advocating for social and economic justice on island, as well as for the general human rights of all people living on the island.

Social workers have consistently advocated for a just and peaceful world. Social justice is central to the profession's values and specifically emphasized in the NASW Code of Ethics (1999) as social work professionals are instructed to "promote policies that safeguard the rights of and confirm equity and social justice for all people." Social workers are similarly encouraged to learn other languages, become informed about all aspects of other cultures, and apply the profession's values to work with clients of all races, ethnicities and sexual orientations. Key aspects of promoting peace and social justice, and topics of concern to NASW, are the prevention of human trafficking, poverty alleviation, and prevention of torture. Social justice is inherent in efforts to create a peaceful world, whether in our own families and neighborhoods, or globally.

The 8th edition of NASW's *Social Work Speaks* (2009) is the most current comprehensive collection of policies adopted and revised by NASW's key policy-making body. It contains a specific policy on Peace and Social Justice. This policy asserts that the events of September 11 made clearer the relationship between unrest in other parts of the world and the safety of residents and citizens in the United States. It further acknowledges that responding to terrorism, especially against civilians and on our own shores, in ways that do not maim and kill is a tremendous challenge, but given the United States' wealth and power, it appears to be a vital step for establishing and maintaining peace. In spite of the challenges of terrorism, the policy states

the need to reduce the use of violence in our language and as a solution to both domestic and international problems.

The policy on Peace and Social Justice further states that the welfare of all people and the balanced economic and social development of nations should be the goals of U.S. foreign policy. The United States needs to emphasize economic support rather than Western dominance in its foreign policy language and actions. The United States should ratify and support implementation of the 1948 Universal Declaration of Human Rights, which states that individuals have the right to a standard of living adequate for their well-being, and related U.N. treaties. A long-range goal should be reduction of military spending and diversion of the subsequent savings to social needs.

At the same time, the United States should work peacefully for the abolition of nuclear testing by all nations and the eventual elimination of nuclear weapons worldwide, as well as elimination of chemical and biological warfare and weapons. In addition, full participation with such organizations such as the United Nations, the World Health Organization, and the World Court are critical first steps in reducing violence against innocent civilians. Rather than providing military shipments to other nations, the United States should decrease the numbers of refugees by providing economic and social assistance. Furthermore, the United States should support each country's right to: political and economic self-determination, in compliance with international law and U.N. conventions on human rights; non-intervention; and control over its own natural resources. Whenever possible, the United States must foster cooperation in its foreign policy, rather than unilateral military action.

G-376-001

In 2006, the United States entered into a bilateral agreement addressing U.S. military activities in Japan. As part of the agreement, it was revealed that 8,600 U.S. Marines would be transferred from Okinawa to Guam by 2014. The figure presented in the Draft Environmental Impact Statement (DEIS) suggests an increase in the population of the island by nearly 80,000 people at a particular juncture in time. Guam's current population is approximately 170,000 people. The relocation of Marines from Okinawa to Guam will entail a nearly 40% population increase. The proposed relocation of Marines to Guam has been described as unprecedented in nature. The Guam build-up has been referred to as, "The largest project that the Department of Defense has ever attempted," according to the Assistant Secretary of the Navy, B.J. Penn. "Guam also offers the Air Force's largest fuel supply in the United States, its largest supply of weapons in the Pacific and a valuable urban training area in an abandoned housing area at a site known as Andersen South." Different military administrators have referred to Guam with the following images: "America's unsinkable aircraft carrier in the Pacific", "The Tip of the Spear", "Fortress Pacific," and "A Power projection hub." In the words of the former director of the Joint Guam Program Office, Captain Robert Lee, "We're seeing a realignment of forces away from Cold War theatres to Pacific theatres and Guam is ideal for us because it is a U.S. territory and therefore gives us maximum flexibility." The notion of "maximum flexibility" is rooted in the fact that as an unincorporated territory of the United States, the people and leadership of the island do not legally need to be consulted in the development of new plans for the island. Guam has also been referred to as a former trailer park and a mere investment: "Guam is no longer the trailer park of the Pacific," Admiral Johnson said. "Guam has emerged from backwater status to the center of the radar screen. This is rapidly becoming a focus for logistics, for strategic planning."

G-376-001

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

G-376-002

The recent release of the Draft Environmental Statement (DEIS) has raised numerous concerns about how the relocation plan is designed and more specifically, how it will impact the lives of people living outside of the military footprint. In an effort to be compliant with the National Environmental Policy Act of 1969, the DEIS process is intended to, “assess the potential environmental effects associated with the proposed military activities”(DEIS, Executive Summary, Abstract). Our association has reviewed sections of the DEIS since its release on November 20, 2009. In our conclusions and in response to the voluminous document that is the DEIS, the National Association of Social Workers, Guam chapter recommends the “**NO ACTION ALTERNATIVE**” on the Marianas Build-Up until the various concerns and questions in the areas of the impact on general human services, public safety, the environment, and impact on Chamorro people and culture are sufficiently addressed. Concerns in each of these areas are herein discussed.

G-376-003

II. IMPACT ON GENERAL HUMAN SERVICES

In consultation with various human services organizations throughout the island, it is clear that programmatic operations will be significantly impacted by the military actions proposed in the DEIS. Human service organizations include both government and non-government sectors. More specifically, government agencies of concern include the Department of Public Health and Social Services, the Department of Mental Health and Substance Abuse, the Guam Memorial Hospital Authority, the Department of Youth Affairs, and the Department of Integrated Services for Individuals with Disabilities. Likewise, our island’s Non-Government Organizations (NGO) sector will be impacted. Organizations such as Sanctuary, Incorporated, Oasis, the GUAHAN Project, Victim Advocates Reaching Out, Guam Legal Services Corporation, and the Salvation Lighthouse Recovery Center, who provide vital social services in our community, also stand to be impacted. **Nonetheless, the DEIS does not sufficiently address concerns impacting human service organizations, nor does it propose any mitigation measures to address areas of impact.**

A major point of contention in the DEIS that is not specifically addressed in the document is in determining whose burden it is to pay for infrastructural upgrades to Guam’s human service organizations. It is widely known- as reported in the media- that Guam’s social service spectrum barely meets the needs of our local community. In consideration of the major population influx that is projected in the DEIS, it is indisputable that Guam’s service network cannot accommodate such an influx. The following discusses the current state of several of Guam’s governmental, social service agencies, as well as points of clarification and suggestion in an effort to mitigate significant impacts on our local community. The source of this information is the Civilian Military Task Force, Sub-committee on Health and Social Services Environmental Scoping Comments Report (May 2007); testimonies presented to the Guam Legislature’s Committee on Health and Human Services on February 2, 2010; DEIS; and personal communication with social work staff.

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.

G-376-002

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.

G-376-003

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.

Department of Mental Health and Substance Abuse (DMHSA)

DMHSA provides inpatient, outpatient, and residential services for those suffering from mental illness or substance abuse problems and for children with serious emotional disturbances. The department has a 16-bed capacity. Complex cases are sent off-island for specialized treatment not provided locally for adults and children. DMHSA has been the subject of media attention with the potential threat of the federal government putting the agency under federal receivership until services meet a minimum standard of care.

In a news story in the Pacific Daily News on February 8, 2010, the writer stated:

The mental health agency has a poor track record when it comes to providing adequate services to those who need them. A federal court order that requires vast improvements is in place, and the agency faces the prospect of being placed under a federal receiver because the local government hasn't met the requirements and deadlines of the order.

G-376-004

The DEIS Volume 9, Appendix F, reported that the projected increase in population will impact vital DMHSA services. DMHSA staff reported that the build-up will further exacerbate the department's shortage of qualified professionals. In the DEIS Volume 9, Appendix F it also reflects the increase in the usage of psychiatrists and psychologists, man-hours, treatment expectations, military expectations of services (e.g., command directed evaluations, fitness-for-duty, different confidentiality requirements and rules of engagement), and increased expertise in military/combat psychology. In addition, the DEIS reported (Volume 2, chapter 4, 4.4.3) the increased need for psychotropic medication dispensing and prescribing, the utilization of clinic hours, and an increased number of prescribing psychiatrists and psychologists, as well as funding for medications.

The DEIS also reported on the need to increase services to address childhood related disorders and illnesses, increased specialized training needs for clinicians, and the need to develop programs directly related to children and adolescent services (Volume 9, Appendix F). Further, DMHSA staff reported the need for additional correctional, residential, and transitional facilities for children, as well as an increase in the utilization of children's inpatient unit services. Most of these service needs also apply to services for adults. Lastly, an increase in the department's nursing capacity, rape crisis response services, and substance abuse services will need to be taken into account.

Comments and Recommendations

G-376-005

- DEIS Vol. 2 Ch. 16, p. 35 states, "According to an Okinawan activist group (Okinawa Women Act Against Military Violence 2009), an estimated 7,000 Filipinas today serve as prostitutes – on entertainment visas – for U.S. military personnel in Okinawa, even though prostitution is illegal in Japan." Since Guam's adult entertainment industry is nowhere near this size, will Guam have a repeat of what happened in "the history of U.S. military presence in Okinawa, [where] arguments of justice and jurisdiction surround hundreds of allegations of sexual crimes that have been reported through the years?" The DEIS states that "from 1945 to 1950, 278 rapes by U.S. servicemen were reported and an additional 200 rapes by U.S. military personnel were reported between 1972 and 1997

G-376-004

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.

G-376-005

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

G-376-005

(Caron 1999).” If this happens who will pay for the trauma to these women such as counseling, mental health services, and drug and alcohol counseling?

G-376-006

- Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build up takes place instead of guessing or estimating the impact.
- There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems. What federal sources of funding can be provided to support such services?
- According to a presentation held at the legislature on February 4, 2010, Dr. Andrea M.S. Lethaiser, a Clinical Administrator for the Department of Mental Health and Substance Abuse reported that in the area of Substance Abuse 20% of their clients are from the military. Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up (~80,000 people).
- As a mitigation factor, it is recommended that the U.S. Naval Hospital Guam coordinate and provide a professional training program to train Guam-based residents to be qualified practitioners in the areas of psychology, psychiatry, social work, nursing, and other medical fields of practice to fill the shortage in clinical workers available on the island.

G-376-007

G-376-008

Guam Memorial Hospital Authority (GMHA)

The hospital currently has a bed capacity of 208, with 159 beds designated for acute care, 16 for infants, and 33 for long-term care at the Skilled Nursing Unit. The Social Services Supervisor reported that as of the date of this writing, the hospital “has been at 100% capacity for over three weeks in all adult wards.” It is not uncommon for the media to report patients in the hallways of the GMHA waiting for the availability of a room. Further, the lack of specialty care available on island adds another level of complexity, necessitating the transfer of patients to medical treatment centers in places such as the Philippines and the U.S. states of Hawaii and California. The DEIS states, “Without corresponding increases in health care providers, potential health and safety impacts could include:

- Longer wait/response times 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” (Volume 2, Chapter 18, Page 18-16).

Comments and Recommendations

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.

G-376-006

Thank you for your comments. During the DEIS review period, many mitigation measures were recommended; subsequently, the FEIS has included expanded discussions of mitigation measures. Also, the Final EIS has been updated (Volume 2) to better address impacts on social services.

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 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. For these medical services, it is anticipated that the military and their dependents will use DoD facilities. The Guam Memorial Hospital and private medical practices would service the civilian population. Public health services provided by Guam are also discussed

G-376-008

- According to DEIS Vol. 2, Ch. 16, p. 22 as quoted from GDPHSS, our population is approximately 160,000 with an estimated 60,000 individuals who are uninsured or underinsured. Guam's federal matching funds for Medicaid is a lower rate than allowed to most other U.S. states and territories at 50% the minimum rate. How will Gov Guam come up with the money to pay for the exhausted cap if the minimum rate is not increased and the population is tripled within a shorter time frame? What can the U.S. military do to ensure raising the Medicaid and Medicare caps applicable to Guam? The build-up should not occur until said caps are lifted.
- As stated in DEIS Vol. 2, Ch.16, p. 21 because of Guam's location, we are susceptible to health concerns especially from people migrating from the Philippines and Chuuk whose populations often have high rates of hepatitis B, TB, cholera, and Hansen's disease among other public health concerns. The island is currently experiencing shortages of health care providers and lacks specific health care specialists. For every 10,000 residents there are 14.1 active physicians to serve the community. To prevent the spread of TB and any other communicable diseases, there should be a policy made for mandatory testing or screening of all people (H2 workers, military members, dependents, contractors and their family members, etc.) before coming to Guam.

G-376-009

- DEIS Vol. 2 Ch. 16, p. 35 states, "According to an Okinawan activist group (Okinawa Women Act Against Military Violence 2009), an estimated 7,000 Filipinas today serve as prostitutes -- on entertainment visas -- for U.S. military personnel in Okinawa, even though prostitution is illegal in Japan." Since Guam's adult entertainment industry is nowhere near this size, will Guam have a repeat of what happened in "the history of U.S. military presence in Okinawa, [where] arguments of justice and jurisdiction surround hundreds of allegations of sexual crimes that have been reported through the years?" The DEIS states that "from 1945 to 1950, 278 rapes by U.S. servicemen were reported and an additional 200 rapes by U.S. military personnel were reported between 1972 and 1997 (Caron 1999)." If this happens who will pay for hospital bills and screening for HIV and AIDS?

G-376-010

- Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build up takes place instead of guessing or estimating the impact.
- There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems.
- Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies -- including Guam Memorial Hospital - to military personnel and other persons associated with this build-up (~80,000 people).

in the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F, Volume 9 of the DEIS.

Although mental health and substance abuse services are available within the DoD health system it is probable that some military personnel and their dependents perceive more anonymity when they seek help with these social disorders outside the DoD health system. The solutions could include better educational training of the military and their dependents, less punitive measures by the military for these disorders, and reimbursement to Guam when a military personnel and/or their dependents seek these services. At the same time, the military and their dependents will be contributing to Guam's government through taxes, expenditures, and services and, as such, are entitled to seek out and obtain services for these social disorders. In the Final EIS, more discussion will be included on the impacts to Guam agencies related to public health and mental and social disorders.

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.

G-376-007

Thank you for your comment. While the DoD cannot provide training as recommended, cooperative support would be provided to those local and private institutions whose responsibility it is for training. Moreover,

G-376-011

- As a mitigation factor, it is recommended that the U.S. Naval Hospital Guam coordinate and provide a professional training program to train Guam-based residents to be qualified practitioners in the areas of psychology, psychiatry, social work, nursing, and other medical fields of practice to fill the shortage in clinical workers available on the island.

G-376-012

- Since the U.S. Naval Hospital Guam is a state-of-the-art medical facility and there are plans to expand its scope of services, it is recommended that all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) receive medical treatment and services at the U.S. Naval Hospital Guam. This mitigation measure would allow for the "avoidance of impact" to our local community. Related to this are the following specific comments and recommendations:
 - NASW, Guam chapter raises the critical question of whether JGPO or other decisional ranking military members have considered investing in the Guam Memorial Hospital or allowing the civilian community to access services at the U.S. Naval Hospital Guam, so as to share resources in the area of health care beyond the borders of military fences?
 - If all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) are not allowed access U.S. Naval Hospital Guam, JGPO should identify the financial resources to cover the cost of expanding Guam Memorial Hospital Authority's service spectrum to accommodate the increase in population of approximately 80,000 people. A cost analysis must be completed to determine the total amount of resources necessary to address the infrastructural upgrades to GMHA.
 - If all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) are not allowed access U.S. Naval Hospital Guam, all contractors should provide full and adequate health insurance coverage for all employed workers so as not to add to the 37.5% of the current population who are uninsured or underinsured (as cited in the DEIS, Vol. 2, Ch. 16, p. 72.)

Department of Public Health and Social Services (DPHSS)

DPHSS provides services in the area of primary care, environmental health, welfare and social services, and senior services. The agency oversees the provision of services to include the Northern, Central, and Southern community health centers providing primary health care services. DPHSS is also responsible for the distribution of welfare benefits and program assistance to include MIP and Medicaid; licensing of child care facilities and foster homes; protective services for children, senior citizens, and persons with disabilities; the administration of health and sanitary certificates; immunizations; issuance of birth and death certificates; reporting communicable diseases, and other community support services.

money from taxes, fees, and reimbursements would help support this needed training and services.

G-376-008

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address mitigations.

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 H2B workers would go through a required physical examination before they come to Guam.

G-376-009

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

G-376-013

Comments and Recommendations

- DEIS, Vol. 2, Ch. 16, p. 75 notes the role of GDPHSS in providing services to those who are uninsured or underinsured: "GDPHSS and GDMHSA target the most indigent populations for health care (see Affected Environment section). Thus the majority of individuals accessing services are uninsured. However, GDPHSS and GDMHSA staff members note that many individuals accessing services do have health insurance, but unaffordable co-payments for services or medications, or missing coverage of specific services and medications makes it necessary that these individuals access the free services of these two agencies. The population growth associated with the proposed action would contribute to these uninsured and underinsured populations..."
Consequently, if all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) are not allowed access U.S. Naval Hospital Guam, all contractors should provide full and adequate health insurance coverage for all employed workers and their families so as not to add to the 37.5% of the current population who are uninsured or underinsured (as cited in the DEIS, Vol. 2, Ch. 16, p. 72.)
- Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build-up takes place instead of guessing or estimating the impact.
- There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems.
- Caps in MediCaid and Medicare, as well as funding provided thru HRSA and the Center for Disease Control must be increased to provide services for the additional population projected BEFORE the transfer of Marines and other build-up related persons.
- Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up (~80,000 people).

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.

G-376-010

Thank you for your comment. The Final EIS has been updated (Volume 7) to better address mitigations.

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.

Department of Youth Affairs (DYA)

The Department of Youth Affairs (DYA) is best known by the Guam community as a "Youth Correctional Facility" where non-status offenders are incarcerated. Since 1995 however, DYA made a dramatic change in its direction and emphasis, where the department's main focus shifted towards delinquency prevention, treatment and aftercare. In 1997, DYA expanded its clinical and community-based services through the establishment of the Counseling Case Management Unit and the Community Social Development Unit's Resource Centers, strategically located in the northern, central and southern regions of Guam. This philosophy at DYA, through the development and implementation of new programs and services, established its mission as follows: "to improve the quality of life on Guam for all people by the development and implementation of programs and services that promote youth development, decrease juvenile delinquency and status offenses, strengthen the family unit, protect the public from juvenile delinquents, ensure that offenders are held accountable for their actions and are provided with appropriate treatment, and provide restitution to the victims." As per Public Law 14-110, the purpose for DYA is to plan, coordinate and/or implement programs, services and activities geared toward youth development, rehabilitation and involvement in the community. One of the responsibilities is to have general purview of all youth activities on Guam. DYA's three (3) Divisions are: Special Services, Youth Development and Vocational Rehabilitation and Support Services.

Comments and Recommendations

The following pertains to DEIS Vol. 2 Ch. 16:

G-376-014

- Comment: p. 76, Public Safety Services *Approach to Analysis* impact on service population number and key public safety services staffing requirements. Table 16.2-43 presents key assumptions.
- Recommendation: Add on as a bullet "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." The anticipation of the military and civilian influx warrants the need for additional personnel (youth service workers, social workers, clinicians, prevention, maintenance and administrative staff) and new buildings, vehicles and equipment to ensure safety, supervision, security and care and custody of the influx of incoming youth.
- Comment: p. 77, Table 16.2-43, Construction Component Assumptions for Public Safety Agency Impacts: GDYA Youth Service Worker: Service population ratio indicates 1:3.
- Recommendation: The standard ratio is 1:4. The average capacity of the YCF is 45 but has been exceeding its standard at 70 clients while the CH has a capacity of 18 clients. As a result of the buildup, the additional capacity is estimated at 35 clients, therefore the hiring of additional personnel and construction of a new YCF facility with a capacity of 150 clients, a new CH with a capacity of 25 clients and a new administration building are critical in providing security, supervision and services to an estimated 105 clients at maximum daily capacity in these facilities.

G-376-011

Thank you for your comment. Your mitigation recommendation has been taken into consideration. Expanded mitigation discussion is available in the FEIS.

G-376-012

Thank you for your comment. The Naval Hospital has been planned to support current and long-range military population projections and would provide health services to the military personnel, their dependents, and military beneficiaries. Under current conditions, and with few exceptions, the Naval Hospital cannot provide health care services to non-military personnel.

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.

G-376-013

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services. In addition, your mitigation recommendations have been taken under consideration and expanded mitigation discussion is provided in Volume 7.

It is anticipated that the military and their dependents would be a relatively young population with minimal health conditions. This would

- Comment: p. 78, Table 16.2-45 Impact on Public Safety Service Population Summary
- Recommendation: GDYA has general purview 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: youth development and leadership activities, prevention and awareness; diversion, 24-hour crisis intervention and treatment, rehabilitation and aftercare.
- Comment: p. 78, Table 16.2-46, Public Safety Services Staffing Impacts Summary - Youth Service Professionals is 79 under current staffing numbers; Peak year staffing requirement is 29; Peak year percentage increase is 37%; Steady staffing requirements going forward is 18.
- Recommendation: Youth Service personnel are currently at 48 while the reported 79 represents 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 exceed 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.
- Comment: p. 80, Current Facilities and Equipment Deficits: GDYA also has crowding issues. The facilities were built in the 1960's and are severely inadequate for housing Guam's 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 Dededo, Toto Gardens and Agat that provide prevention programs, crisis intervention and counseling, after school and other educational activities for juvenile clients, at-risk children and youth and the general youth population.
- Recommendation: Construction of a state-of-the-art facility including an Administration Building; Bring current staffing levels up to par. The current full-time employee level is 96 however, the current warm bodies count is at 70. The quality of all services is affected. In addition, a medical professional is critically needed. Client medications are dispensed and administered by Youth Service Workers.
- Comment: p. 80, Current Facilities and Equipment Deficits
- Recommendation: Conduct a cost-analysis and benefits studies on the relocation of CH and construct of a new CH facility at the main compound in Mangilao.

The following pertains to DEIS Vol. 9, Appendix F:

- Comment: p. viii Executive Summary, Table ES-4, Summary of Public Agency Service Population is 10,547 for 2014 and 6,328 for 2020 (unconstrained); 7,513 for 2014 and 6106 for 2020 (constrained).
- Recommendation: 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 5-12) and implements programs and activities geared toward youth development,

likely be true of the off-island construction workers who must be in good physical health for their occupational requirements. The information on the military and their dependents demographics is an estimate based on the best available information.

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.

G-376-014

Thank you for your comment. The GDYA analysis did take into account military dependents, and this is now noted in the assumptions table. Analysis has been adjusted to take into account a service population of ages 5-21 as indicated in your comment. Information regarding Vocational Rehabilitation and Support Services has also been added to 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.

prevention/diversion, 24-hour crisis intervention and treatment/rehabilitation/aftercare, including youth who are under continuing jurisdiction of the court (ages 8-21).

- Comment: p. viii Executive Summary, Table ES-5, Summary of Public Service Agency Key Staffing Requirements - 44% increase at peak, dropping to at most 17% increase for the steady-state operational component.
- Recommendation: 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.

- Comment: p. 18, 3.4.3.4 Guam Department of Youth Affairs
- Recommendation(s): 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."

- Comment: p. 42, Table 4.4-1, Overview of GovGuam Agency Staffing and Facility Capacities - Summary of Agency Survey Comments on Existing Facility and Staffing Challenges; Capacity of Agency category is at mixed capacity at existing facilities and staffing problems (recruitment and turnover) are youth service workers and clerical and program personnel.
- Recommendation: Capacity of the YCF (45) and CH (18) consistently exceed standard capacities as the average at YCF is ongoing at 70; Staffing shortages exist in all divisions (YSWs, Social Workers, Clinicians, Medical, Clerical, Maintenance, Programmatic and supervisory levels).

- Comment: p. 80, Table 4.4-58 Impact on GDYA Service Population (Unconstrained)
- Recommendation: 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) 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).

- Comment: p. 81, Table 4.4-59, Public Safety Services Staffing Impacts Summary (Unconstrained) - YSW listed at 79 under current staffing numbers; Peak year staffing requirement is 33; Peak year percentage increase is 42%; Steady staffing requirements going forward is 20.
- Recommendation: Youth Service personnel is currently at 48; overall personnel during peak year staffing requirement exceeds 50; Peak year percentage increase is over 50%; Steady staffing requirements going forward is maintained after peak staffing requirement.

- Comment: p. 84, Table 4.4-64: Impact on Public Safety Service Population Summary (Constrained)
- Recommendation: 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.

- Comment: p. 86, Table 4.4-86 Impact on Public Safety Service Population Summary (Constrained)
- Recommendation: The GDYA service population is ages 5 to 21. It provides services that support early childhood, academic, and social development to at-risk children and implements programs and activities geared toward youth development, prevention, diversion/intervention and rehabilitation, including youth who are under continuing jurisdiction of the court.
- Comment: p. 87, Table 4.4-69, Public Safety Services Staffing Impacts Summary (Constrained) - Youth Service Professionals is 79 under current staffing numbers; Peak year staffing requirement is 25; Peak year percentage increase is 32%; Steady staffing requirements going forward is 19.
- Recommendation: Youth Service personnel are 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 exceed 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.
- Comment: p. 89, Table 4.4-73, Additional GDYA Youth Service Professional Required
- Recommendation: The anticipation of the military and civilian influx warrants the need for additional Youth Service professional personnel. The GDYA's current YSW staffing level must first be brought up to par from the current 48 to 55 warm bodies. An additional 25 YSWs will be needed as a result of the buildup. Critical to the rehabilitation and treatment of clients are other professionals including social workers, clinicians, program, clerical, supervisory and medical staff). The GDYA overall staffing level must first be brought back from 70 to 96 to adequately operate and better serve the community at this present time.
- Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed, especially with regard to youth services. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build-up takes place instead of guessing or estimating the impact.
- There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems.

- Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up (~80,000 people).

Department of Integrated Services for Individuals with Disabilities (DISID)

The Department of Integrated Services for Individuals with Disabilities provides services for individuals with mental and/or physical disabilities. Administers benefits to the disabled, monitors and enforces disability regulations for American Disability Act, provides services contracts for five (5) residential homes. Vocational rehabilitation is under the oversight of the department to administer vocational benefits and services. Key partners with the department are the Guam Disabilities Council and the University of Guam's Center for Excellence in Developmental Disabilities Education, Research and Service.

Comments and Recommendations

- The pending receivership puts DISID in an uncertain position of whether it could hire the additional personnel identified during the EIS survey conducted by John Knox and Associates in 2008. At that time, even with five (5) social workers, DISID was already struggling with the existing caseload. Currently all four senior social workers of DISID are at DMHSA. The only social worker at DISID who continues to attend to the existing cases and the walk-ins is a Social Worker I who also assists the DISID Director with the two contracts, namely Respite Care and Community Habilitation Program. Additionally, two vocational rehabilitation counselors at DVR also resigned, leaving the rest of the counselors with additional workloads.
- Given that DISID has not had a chance to establish creditable policies and procedures and standards of care that are anywhere near the DOD standards of care, the Department stands at risk of providing services that may be perceived by the military as sub-standard care.
- The question needs to be answered as to whether the Department will be expected to provide services to non-military personnel associated with the build-up who acquire physical handicapping conditions through job injury or the like. Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed, especially with regard to services for the disabled population. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build-up takes place instead of guessing or estimating the impact.
- Diseases that create a disabling condition for a person to qualify or be defined as a person with a disability under the Americans with Disabilities Act (ADA) that are military build-up related include HIV/AIDS, etc. potentially increases the target population served by DISID.

G-376-015

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

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.

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.

- There is a complete lack of information provided regarding human services and the impact the military build up will have on the island and the people. There needs to be more emphasis in this area in all aspects of human services such as services to disabled persons.
- Because of shortage of staff and the transfer of monies out of DISID, the Department is not capable of addressing or properly responding to widespread epidemics, mass casualties, acts of terrorism, and other threats that are massive and /or widespread, and that affect people with disabilities and the general population. This is in the event of such threats to Guam that would become more likely to happen because of the presence of a sufficiently large military installation.
- The Department is not only concerned with addressing potential needs before and during the build-up. It is also concerned about the post-construction phase, as to whether it can sustain services required during this phase.
- DISID's GetCare System, a web-based information and referral tool for all kinds of services for people with disabilities and senior citizens, may be overburdened with increased traffic including basic inquiry, request for service, case intake, etc.
- Sharing of information whether in hard copies or electronically, the protocols that need to be observed and the policies and procedures for sharing data need to be established.
- Will the federal granting agencies offer more grant opportunities to Guam to address any other unforeseen and/or unexpected health, social, economic, infrastructure, and other aspects of life?
- There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems.
- Will the military share its resources with Guam particularly in addressing the needs of people with disabilities?
- Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up (~80,000 people).

III. PUBLIC SAFETY CONCERNS

The following section refers to how public safety of the people of Guam will be affected in case the proposed actions of Marine Corps, Navy, and Army will be implemented. The primary reference points in the DEIS are in Chapter 16 in Volume 2 and Chapter 4 in Volume 7.

Comments and Recommendations:

G-376-016

• **Affected Environments**

The descriptions of the affected environments (Volume 2, Chapter 16. Socioeconomics and General Services; pages 1 – 37) are cursory and evince lacking involvement of the affected population groups in the analysis of the current state of affected environments. Throughout Chapter 16, the DEIS repeatedly recognized the lack of data on issues and refers to studies from which generalizations and comparisons are inaccurate and/or misleading. As a result the emerging pictures of population characteristics (16.1.3), economic characteristics (16.1.4), public services (16.1.5), and of sociocultural issues (16.1.6) do not constitute a sufficiently grounded basis to accurately analyze the impact of the proposed actions.

G-376-017

As social workers, we advocate for the right of citizens of Guam to determine the destiny of their local communities to the fullest extent possible. We advocate for participatory organizational and institutional mechanisms to help the people of Guam and the US federal government to make politically, economically, and socially responsible decisions and contributions (Social Work Speaks, p. 57.)

Hence, we recommend the no-action alternative and the writing of a new environmental impact study with direct involvement of the affected population groups.

G-376-018

• **Environmental Consequences**

The analysis of the consequence of the proposed actions on Guam's populations (16.2.2.1), the economy (16.2.2.2), on public services (16.2.2.3), and on the sociocultural life of the community (16.2.2.4) outlines and juxtaposes beneficial and adverse impacts of the proposed actions. However, these predictions of consequences are based in part on irrelevant, incomplete, and biased bodies of knowledge. From our professionally and locally grounded viewpoints, we contend that the adverse impacts of the proposed actions are much more severe than portrayed in the DEIS. Too many important questions remain unanswered; the mentioned potential mitigation measurements are insufficient.

Population Impact (16.2.2.1)

It is generally known that the rate of social change is positively associated with increase of internal stress and social problems. The projected dramatic population increase between 2010 and 2014 (an increase by 79,178 people) and the subsequent decrease between 2015 and 2020 (a decrease of 45,430) in the context of small island community as Guam (total of 154,805 people in the last US Census in 2000) is unprecedented. We emphasize, that populations are made up of people; people with their particular histories, individual and collective identities, complex social networks, and with particular human aspirations and needs. Hence, we contend that population changes of such magnitude within such short periods of time will catalyze unpredictable social processes with unexpected outcomes.

Economic Impacts (16.2.2.2)

G-376-016

Thank you for your comment. The entire Socioeconomic Impact Assessment Study (SIAS) is included in Appendix F, Volume 9 of the EIS. 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.

G-376-017

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.

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

The DEIS concludes that the long-term impacts would be beneficial to Guam. We social workers view the expected economic impacts to be more complex and more adverse than described in the DEIS. Although the authors of the DEIS note the general decrease of price adjusted median annual salaries of Guam's workforce, they do not address and plan for the growing income differentials within Guam's populations, especially between ethnic groups and between economic/professional sectors. It is a stark reality in Guam, that certain population groups are increasingly marginalized and excluded from mainstream community life. As neither the economic plans nor the expected economic impacts outlined in the DEIS take into account population specific differences, it is reasonable to expect that the economics associated with the proposed actions will further increase those economic gaps between populations groups. As a result, the growing of economically disadvantaged populations will be associated with increases of social problems and deterioration of public safety.

Public Service Impacts (16.2.2.3)

The projected impacts, as outlined in the DEIS, on the public service sector are beyond the capacity of the Government of Guam to adequately cope with the increasing demands on them. As social workers, we experience on a daily basis that the current public service sector, especially pertaining to social services for poor people, are already understaffed and underfunded to adequately address social problems. In addition, we believe it is reasonable to expect the 2010 Census to document poverty rates to be beyond 25% in most areas in Guam. The proposed actions will further widen and deepen the gaps of public services provided and services needed in Guam. In particular, public safety and social services related agencies will be dramatically understaffed and underfunded. As a result, public safety will further decrease.

Sociocultural Impacts (16.2.2.4)

The DEIS accurately states that "sociocultural impacts by their nature are complex and have no single outcome measure". The DEIS predicts increases in overall crime, prostitution, drug use, sexual assault, crime against women, and increases in military-civilian fights. We social workers not only echo this analysis, we also predict the sociocultural impacts to be much more adverse than described in the DEIS. A major reason for this prediction is the fact that the DEIS does not pay attention to the impacts of the proposed actions on the internal social fabric of communities in Guam. Although the DEIS does mention military-civilian, ethnic, and indigenous-immigrant tensions and conflicts, it does not factor in the impacts of the proposed actions on the capacities of communities to successfully address internal social stress and problems. We predict that communities in Guam will further weaken in their capacities to care for their members and to successfully cope with social problems. Therefore, we expect dramatic increases in crime, in violence against women and children, in substance abuse, in prostitution, and in conflicts among ethnic groups. All this will severely deteriorate public safety.

partially completed DEIS in late July 2009. The DoD has also met with elected officials and community leaders

The EIS was prepared by environmental professionals who worked closely with Guam resource agencies and other local officials to ensure the EIS presented an accurate and thorough analysis of impacts on Guam and the CNMI. Citizens, agencies and interest groups were also encouraged to participate in the EIS process by reviewing the Draft EIS, attending public hearings and providing comments.

The No Action alternative is still an option that could be chosen by DoD.

G-376-018

Thank you for your comments. The affect of stress on an individual or group is not typically included in the DEIS primarily because of the difficulty is measuring stress or its effects based on one action (for example, the military buildup). Additionally, individual perceptions of the proposed action can affect their level of stress and anxieties. However, given the potential that individuals and groups would anticipate upcoming levels of stress and anxieties caused by the proposed action, the FEIS will include a qualitative discussion on this issue.

There are a number of interpretations that can be made on a population's ability to react to and cope with actions that will affect their physical and human environment. Your comments indicate that at least some of Guam's population may not be able to cope with the population increase and/or may not successfully compete with these populations (thus affecting their socioeconomic status). This point of view is noted.

The DEIS review provides the opportunity for comments, issues, and opinions to be voiced. Public and agencies responses are a very important part of the NEPA EIS process. The FEIS will acknowledge this

- **Cumulative Impacts**

In Volume 7, Chapter 4, the authors of DEIS accurately state that there is “no universally accepted framework for cumulative effect analysis”. We recognize this reality. At the same time we social workers emphasize that our local collective professional knowledge and experience, combined with the non-published bodies of knowledge of our indigenous cultures, allows us to ‘sense’ aggregate and cumulative impacts of community dynamics. It also helps us to gage how much of “not knowing” is ethically acceptable in a planning process such as the proposed actions of the military buildup.

After having read and studied the DEIS, we arrive at the conclusion, that the analysis of impacts on affected environments as well as the analysis of the cumulative impacts of the proposed actions in the DEIS are inadequate to proceed with the planning and implementation of the proposed actions.

We hence recommend the ‘no-action alternative’ and the rewriting of the DEIS; together with and under shared auspice of local stakeholders in the affected environments.

IV. ENVIRONMENTAL CONCERNS

These comments are made with regard to environmental concerns pertaining to the proposed action to construct a new deep-draft wharf with shoreside infrastructure improvements, creating the capability to support a transient nuclear powered aircraft carrier in Apra Harbor.

This review is by no means comprehensive of this proposed action nor does it address the numerous environmental concerns presented by the other two proposed actions – the relocation of a portion of the U.S. Marine Corps forces currently located in Okinawa to Guam, and the placement of a US Army Air and Missile Defense Task Force (AMDTF) on Guam. However, as a local chapter of the National Association of Social Workers (NASW), we would first point out our commitment to environmental justice consistent with NASW’s national environmental policy that advocates for and defines “environmental justice.”

As noted in NASW’s issue statement on Environmental Policy and as cited from the U.S. Environmental Protection Agency, Office of Federal Activities, “environmental justice is defined as ‘fair treatment and meaningful involvement of all people regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.’ Fair treatment means that no population, because of policy or economic disempowerment, is forced to bear a disproportionate burden of the negative human health or environmental effects of pollution or other environmental consequences resulted from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.” (Social Work Speaks, p. 123.)

In addition, “environmental racism” as defined by the Social Work Dictionary (5th ed.) is “the practice of operating hazardous businesses or storing toxic waste products in or near areas inhabited primarily by racial and ethnic minorities groups” (Social Work Speaks, p. 123.)

viewpoint and provide the decision makers with all opposing and supporting positions for the proposed action.

G-376-019

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.

In the DEIS volumes 2 (Marine Corps Relocation), 4 (Aircraft Carrier Berthing), 5 (AMDTF), and 6 (Related Actions) that contain a section on "Environmental Justice and the Protection of Children," it is clearly acknowledged that Guam's racial and ethnic minorities, low-income, or children will be disproportionately affected by all proposed project-related impacts. The DEIS states in all aforementioned volumes specific to the chapter on environmental justice:

Normally an analysis of environmental justice is initiated by determining the presence and proximity of these segments of the population relative to the specific locations that would experience adverse impacts to the human environment. The situation on Guam is unique in this regard because racial or ethnic minority groups (as defined by the U.S.) comprise a majority of the Guam population, and the proportions of people living in poverty or who are under 18 years of age are also substantially higher than in the general U.S. population. The analysis is further complicated by the fact that Guam is a relatively small and isolated island, and certain types of impacts would be experienced island-wide. Accordingly, the analysis of environmental justice described in this chapter acknowledges the unique demographic characteristics of the island population and assumes that the project effects could disproportionately affect disadvantaged groups and children because they comprise relatively high proportions of the population.

The above citation is taken from Vol. 4, Ch. 19, p.1 and further states that by the same assumption that the environmental effects will be felt island-wide, so will the impact of any proposed mitigations to counter these environmental hazards. This chapter goes on to conclude that there will be no impacts or less than significant impacts to racial-minorities and children, except with regard to the area of socioeconomics (water quality and recreational resource issues) that will affect both low-income persons and racial minorities, but will be mitigated. Consequently, the DEIS concludes that "there would be no significant environmental justice impacts to disadvantaged populations or children."

It is our belief that the mere introduction of environmental hazards in the form of noise, traffic, air pollution, water pollution, hazardous waste, toxic materials, and radioactive substances to low-income, racial and ethnic minorities, and children is cause for environmental injustice whether or not mitigations are proposed.

This is consistent with the NASW Environmental Policy that supports and advocates for policies that reduce environmental risks to poor, minority, and disadvantaged communities who have been disproportionately affected.

We are opposed to an *increase* in environmental risks as intended and described by the DEIS to these populations and communities on Guam.

G-376-020

Thank you for your comment. DoD has proposed mitigation measures to reduce or avoid environmental impacts to minority, poor, and disadvantaged communities. Comments received from the public regarding the proposed mitigation measures were considered in the preparation of this Final EIS.

Comments and Recommendations

- The DEIS, Volume 4 proposes two alternatives for the construction of a deep-draft wharf and the berthing of nuclear aircraft carriers in Apra Harbor. Both alternatives require the dredging of Apra Harbor as described below:

VOLUME 4: AIRCRAFT CARRIER BERTHING

2.5.3.2 Construction Common to Both Action Alternatives

Dredging

Standard dredge design has been modified through continuing engineering studies to find the least environmentally damaging alternative for Polaris Point (see *CYN-Capable Berthing Study* [NAVFAC Pacific 2008]). Figure 2.5.6 illustrates the smallest dredge footprint for this alternative. The dredge methods and dredged material disposal options would be the same as those described to support the Marine Corps Sierra Wharf dredging in Volume 2, Section 2.5. Dredging operations have been modeled as a 24 hours per day operation for a duration of 6 to 9 months, but depending upon dredging efficiency, could last from 8 to 18 months. Continuing consultation between the Navy and regulatory agencies would determine the actual operational parameters and duration. The total dredge volume would be approximately 608,000 cy (465,850 m³), including a 2 ft (0.6 m) overdredge. The total dredge area would be approximately 53 acres (ac) (21.5 hectares [ha]). Approximately 30% of the dredged material would be generated at the shoreline area of Polaris Point to provide an appropriate slope for the wharf structure. The anticipated dredging production rate is 75 cy/hour (57 m³/hour) based on recent mechanical dredging of similar substrate (Volume 9, Appendix E). At this rate, total production would be approximately 1,800 cy (1,376 m³) per day.

The thickness of the substrate to be dredged (from existing water depths to proposed water depths) is only 1.6 to 3.3 ft (0.5 to 1 m) throughout most of the project area. Dredging would therefore pass rapidly from site to site; a 75.5 by 75.5 ft (23 m by 23 m) grid area would require only a half day of dredging. The wharf area would require a longer dredging duration because there would be a greater volume of dredged material. Assuming two 4,000 cy (3,058 m³) scows, there would be one to two barge trips per day to the ODMDS or an Inner Apra Harbor wharf for loading trucks and hauling to an upland placement site.

The required Best Management Practices (BMPs) that are not project-specific are described in Volume 7. BMPs to avoid or minimize indirect impacts to nearby reefs would likely include installation and maintenance of silt curtains to contain the re-suspended material within the dredge area. The substrate may require chiseling to roughen the surface prior to dredging to allow the clamshell to grab hold of the material. No blasting would be required.

It is our belief that the dredging of Apra Harbor to accommodate nuclear aircraft carriers is a direct contradiction and affront to environmental justice and if allowed to take place, fosters negligent environmental policy because it will destroy a part of Guam's existing natural resources for both food (fishing) and recreation central to our island cultures. In addition, the dredging completely disregards the complexities of our unique marine ecology and threatens the livelihood of our reef habitat.

While we are not ourselves marine biologists, it has been brought to our attention by University of Guam marine biologists that the following must be considered with regard to the coral reef at Apra Harbor:

- There are almost twice as many coral species in the proposed dredging area in Apra Harbor than in the entire Caribbean.

G-376-021

Thank you for your comment. The FEIS has been updated (Volume 4 Chapter 19) to better address the impact of dredging on marine resources as it relates environmental justice concerns. As identified in the EIS, the proposed dredged area within the active commercial and DoD harbor was previously dredged over 60 years ago and maintenance dredging continues. Significant unavoidable impacts would be seen to coral reef, other immobile invertebrates, and some site-attached reef fish from the proposed action. However, a majority of the fish species and mobile invertebrates would vacate the area and return when in-water construction is completed, experiencing only short-term and localized effects. These effects would have temporary but significant impacts on racial/ethnic minority and low-income populations who rely on these resources for fishing and recreation. The operational period of the proposed action is expected to have less than significant impacts to these resources. To lessen the effects of construction, the DoD would 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 of the resuspended sediment, biological monitors, and halting of dredging activities during potential coral spawning months. In addition, land-based construction BMPs would be implemented to reduce run-off/sedimentation into the ocean. As part of the military relocation on Guam, the DoD would be participating in the upgrades of Guam's Northern Waste Water Treatment Plant from primary to secondary treatment. This action would assist the 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 constructing the aircraft carrier berthing project, there remains the 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

G-376-021

- Apra Harbor is the only deep water, protected lagoonal area in the entire Marianas Archipelago.
- The coral reefs in Apra Harbor host unique reef assemblages.
- There are certain species of coral in Apra Harbor that have yet to be identified.

Lastly, the DEIS has not offered adequate evidence or studies that the proposed mitigations of using silt curtains to limit the impact of sedimentation from the dredging, and the construction of artificial reefs to replace the destroyed reef will successfully mitigate the environmental destruction imposed upon Apra Harbor.

Consequently, we support the NO ACTION ALTERNATIVE such that Apra Harbor will not be dredged in order to accommodate the berthing of nuclear aircraft carriers.

G-376-022

HAZARDOUS SUBSTANCES RELATED TO THE CONSTRUCTION AND BERTHING OF THE CVNs

Comments and Recommendations

- It is of great concern that the DEIS has consistently acknowledged an increase in volume of hazardous waste, toxic substances, and radioactive material as a result of the construction of a new deep-draft wharf and the berthing of nuclear aircraft carriers, while simultaneously making conclusive remarks that these increases will have no impact on public health, or the land and water resources on Guam.

Every potential significant impact has been negated by what is explained as the implementation of best management practices (BMP) or standard operating procedures (SOP).

The following are examples:

VOLUME 4: AIRCRAFT CARRIER BERTHING 17-2 Hazardous Materials and Waste

17.2.2.1 Hazardous Materials

The proposed increase in aircraft carrier berthing days would result in increased opportunities for adverse environmental consequences related to petroleum, oils, and lubricants (POL) hazardous materials. POL includes gasoline, aviation fuels, diesel, oil and grease, kerosene, and other related products... The quantity of hazardous materials generated by these activities over a cumulative total of approximately 63 days per year is estimated to be 160 pounds (lbs) (73 kilograms [kg]). Due to the projected increase in the volume of hazardous materials, Alternative 1 Polaris Point (referred to as Alternative 1) could result in an impact (i.e., to soils, surface water, groundwater, air, or biota). However, the increase in hazardous materials would be handled and disposed of per applicable regulations and best management practices (BMPs) (see Volume 7); therefore, the increase in volume would not result in significant impacts.

17.2.2.2 Toxic Substances

If existing toxic substances are encountered during Alternative 1 activities, specialty contractors would be used to dispose of these substances in accordance with applicable laws and regulations. Therefore, toxic substances would not result in significant impacts as a result of Alternative 1 activities and no potential mitigation measures would be required.

17.2.2.3 Hazardous Waste

Increased days of aircraft carrier berthing would result in an increase in the transport and/or transfer of hazardous waste. Increases in the transport/transfer of solvents, adhesives, lubricants, corrosive liquids,

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. The DoD is considering a suite of potential options for compensatory mitigation for the loss of coral in Outer Apra Harbor as identified in Volume 4, Section 11.2.2.7. 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. With implementation of the required mitigations, significant impacts to marine resources would be reduced, as would the corresponding impacts to racial/ethnic minority and low-income communities.

G-376-022

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

aerosols, and other hazardous wastes would be expected. The volume of hazardous wastes generated from Alternative 1 activities is estimated to be 1,500 lbs (680 kg) per year. Due to this projected increase in the volume of hazardous waste generated, Alternative 1 could result in significant impacts (i.e., to soils, surface water, groundwater, air, or biota). However, the increase in hazardous waste would be handled and disposed of per applicable regulations and BMPs and SOPs (see Volume 7); therefore, the increase in volume would not result in significant impacts.

17.2.2.4 Radiological Material Operation

Emergency response, emergent repair and radioactive waste management capabilities exist at Polaris Point. There would be less than significant impacts on the existing operations, and the slight increases in hazardous substances would be managed in accordance with existing BMPs and SOPs. All radioactive waste management operations would be in conformance with Naval Sea Systems Command (NAVSEA) regulations. No radioactive waste would be brought ashore on Guam, therefore, these activities would result in a less than significant impact.

As indicated, many of the actions have been cited as having “no impact” due to the best management practices (BMP) or standard operating procedures (SOP) that will theoretically be followed in order to limit the impact hazardous waste materials, toxic substances, hazardous waste, and radiological materials will have on the island. However, it is unclear whether these BMPs or SOPs are in and of themselves harmful to Guam’s limited water and land resources or whether they will affect the public health of the people.

For instance, as stated in Volume 4, Chapter 18 under Public Health and Safety, when addressing the possibility of standing water and water based vectors such as mosquitoes and related diseases due to construction activities, the DEIS describes the possibility of using pesticides as a best management practice to reduce opportunities for water-related diseases as noted below:

To limit the amount of standing water at construction sites, stagnant water pools, puddles, and ditches would be drained or filled; containers that catch/trap water (e.g., buckets, old tires, cans) would be removed; and if necessary, pesticide application (e.g., *Bacillus thuringiensis*) could be used to help control mosquitoes. Implementing these best management practices (BMPs) would reduce the opportunities for an outbreak of water-related diseases. (DEIS Vol. 4, Ch. 18, p. 3)

It is clear, and the DEIS has stated, that there are indeed risks inherently surrounding hazardous waste, toxic substances, and radioactive materials and that the increase in volume of these dangerous substances is inevitable due to the construction of a new wharf and the berthing of CVNs. It is our concern that despite the implementation of best management practices and standard operating procedures, the people of Guam and our land and water resources are at being put at *greater risk* of harm from these substances than if the wharf construction and CVN berthing were not to take place at all.

It is our belief that in our current status as a Medically Underserved Area with limited healthcare services, a struggling island economy, and an island already in great need of improvement to our public services and infrastructures in order to serve our current population, that the potential environmental dangers put us at an even greater risk of failing to maintain our people’s quality of life and failing to preserve our limited natural resources.

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). 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.

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We further note that as a local chapter of the National Association of Social Workers (NASW) we stand by the NASW's Environmental Policy, which states that as social workers we support and advocate for

* policies that reduce environmental risks to poor, minority, and disadvantaged communities who have been disproportionately affected (Social Work Speaks, p. 124.)

And in addition advocates against

* policies that allow toxic waste to be relocated or exported from wealthy industrialized areas and nations, to less economically favored areas and nations (Social Work Speaks, p. 125.)

Consequently we recommend the NO ACTION ALTERNATIVE such that there would be no increase in aircraft carrier visits and the current tempo would continue at Kilo Wharf.

G-376-023

AIR QUALITY REGARDING CONSTRUCTION AT POLARIS POINT OR THE FORMER SHIP REPAIR FACILITY

Comments and Recommendations

- The DEIS states that increased pollutants associated with construction and operational activities associated with aircraft carrier berthing would be less than significant but also states that "construction and operational activities would result in a measured increase in pollutant emissions, which could result in health impacts to individuals on Guam." (DEIS Vol. 4, Ch. 18, p. 5)

In spite of the increase in pollutant emissions, it concludes that the impact on public health is less than significant as noted:

VOLUME 4: AIRCRAFT CARRIER BERTHING 18-4 Public Health and Safety

18.2.2.1 Air Quality

Air pollution can harm individuals when it accumulates in the air in high enough concentrations. People exposed to high enough levels of certain air pollutants may experience:

- Irritation of the eyes, nose, and throat
- Wheezing, coughing, chest tightness, and breathing difficulties
- Worsening of existing lung and heart problems
- Increased risk of heart attack

In addition, long-term exposure to air pollution can cause cancer and damage to the immune, neurological, reproductive, and respiratory systems. In extreme cases, it can even cause death.

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 or lung diseases, such as asthma (Massachusetts Department of Environmental Protection [MDEP] 2009).

It is anticipated that Guam clinics and hospital would increase staffing to meet current health care service

G-376-023

Thank you for your comment. Air pollution does contribute to potential health problems. Therefore, EPA established the National Ambient Air Quality Standards (NAAQS) to protect public health. When the ambient concentration levels in the air are above the NAAQS, air quality conditions are of concern and the area is considered in nonattainment for NAAQS. For example, parts of Apra Harbor, including the area proposed for the aircraft carrier berthing, are within a SO2 nonattainment area due to emissions associated with the operation of the Piti Power Plant (see Figure 5.1-1 of Volume 2). Sensitive receptors, such as children and the elderly were considered in the air quality analyses presented in DEIS, as the primary standards of the NAAQS specifically address these receptors (see Volume 2, Chapter 5, page 5-1 and Volume 9, Appendix I, page I-30). EPA has correlated a certain level of emissions increase to potential air quality concerns, particularly for emissions increases in nonattainment areas. The Clean Air Act General Conformity Rule (GCR) established de minimis emissions levels above which the project impacts could be of concern. The DEIS followed the GCR and calculated emissions from construction and operation activities associated with Air Carrier Berthing on Guam. The predicted emissions are below the relevant de minimis levels; therefore, all project-specific air quality impacts are considered less than significant for all areas under the Preferred Alternative. Consequently the health impacts on sensitive receptors in this area are unlikely to be of concern. As documented in the DEIS, 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, 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

ratios and would 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 construction and operational activities.

It is well documented – including in the DEIS (vol. 2, ch. 16, p. 21) - that two of the three leading causes of death on the island are heart disease and cancer. For example, in 2006 the Center for Disease Control reported the number of deaths due to diseases of the heart per 100,000 population on Guam was 196.7 compared to 200.2 for the entire United States population (CDC, National Vital Statistics Report Volume 57, Number 14, April 2009, Table 29.) A recent local publication by the Guam Comprehensive Cancer Control Coalition indicates that new cases of cancer and death due to cancer have increased from 2002 to 2007. It states that “Between 2003 – 2007, a total of 1,580 Guam residents were diagnosed with cancer and 720 people died of this disease. On average, this translates to approximately 316 people diagnosed with cancer, and 144 who die annually of this disease, or 1 person every two to three days.” (Guam Cancer Facts and Figures 2003-2007, p. 7)

Our current population already faces high health risks due to present-day health and environmental factors. Our current healthcare facilities, including our local hospital that is unaccredited by national standards, face significant staffing shortages and are in serious need of infrastructure repair and expansion. For example, the local hospital does not have the staff to address cardiac care on island. Residents must seek medical attention off-island regarding heart illness. Or, the local hospital flies in a team of California-based doctors annually to provide cardiac care, including open-heart surgeries, echocardiograms and cardiac catherizations.

To merely “anticipate” that the Guam clinics and hospital will increase staffing to meet health care service ratios and will be able to handle potential increase in air quality-related illnesses as a result of construction to the wharf and operational is not enough. And it is not valid to use this anticipation as a basis to conclude that the increased pollutant emissions will have less than significant impact.

Unless the DEIS specifically states the provision of and/or source and amount of funding that will meet the staffing shortages and infrastructure deficits of Guam’s clinics and hospital to address the potential air quality-related illnesses, it should reassess the probability that air pollutants from the proposed action will have a significant impact on the people of Guam, with particular focus on the prevalence and prevention of heart disease and cancer.

Without the identification of funding to improve local healthcare services and an in-depth reassessment of the impacts the increase in pollutant emissions will have on the health and well-being of the people of Guam given our current healthcare issues, we recommend the NO ACTION ALTERNATIVE such that there will be zero risk of new construction and operational environmental hazards.

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 funding sources.

V. POLITICAL STATUS, LAND, AND CULTURE

G-376-024

Political Status

The *bilateral agreement* between the U.S. and Japan regarding relocation of the U.S.M.C. base from Okinawa to Guam was made without any meaningful dialogue and input from Guam residents, *who are most affected by this move*. This is a prime example of “top-down” decision-making and governance, which disregards the will of the people of Guam, who are only now being asked for their input via the Draft Environmental Impact Statement (DEIS). This could only happen due to Guam’s current political status as an unincorporated territory of the U.S.A., wherein we, the people of Guam, remain powerless politically to say “no” to such an agreement which will affect every aspect of our lives and lifestyles, and those of our future generations.

G-376-025

Allowing Guam residents and leadership a mere 45 days, then 90 days, to comment on the impact of military actions of this magnitude is grossly insufficient and disrespectful to the people of Guam. Such a brief comment period underlines Guam’s colonial status and denies the people of more meaningful voice and participation in deciding their future.

Residents of Guam have not been given the opportunity to voice their acceptance or rejection of this military expansion in their island, aside from “commenting” on the DEIS. Guam’s political leaders have been given only cursory consultations, and Guam’s Congressional delegate has no vote, except in committee.

Comments and Recommendations

- The DEIS Global Strategic Perspective states: “The U.S. maintains military capabilities in the Western Pacific to support U.S. and regional security; economic and political interests; and to fulfill treaty and alliance agreements.” (Vol.1, ES-3) The DEIS explains the various consultations and agreements entered into by the United States of America and the Government of Japan, beginning in December 2002, regarding changes in U.S. force posture in Japan and the Pacific. “These international commitments for funding, and locations of the repositioned forces were re-affirmed on February 17, 2009, in the document titled: *Agreement Between the Government of the U.S. and the Government of Japan Concerning the Implementation of the Relocation of the III Marine Expeditionary Force Personnel and Their Dependents from Okinawa to Guam* (Guam International Agreement), signed by the U.S. Secretary of State and the Japanese Foreign Minister. The Agreement was approved by the Japanese Diet on May 13, 2009 and transmitted to the U.S. Congress in accordance with each party’s respective legal procedures.” (Vol.1 Overview, ES-4)

G-376-026

As the local chapter of the NASW, we strongly support - as documented in our policy statement - “the right of citizens to determine the destiny of their local communities to the fullest extent possible.” (Social Work Speaks, p. 57). We also submit that “The ability to have some control over one’s environment is basic to emotional, spiritual, and physical health.” It is our position that the proposed military expansion in Guam should not take place until actions are taken to resolve long-standing indigenous rights issues such as the quest for self-determination, Guam’s political status, and WWII War reparations.

G-376-024

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.

G-376-025

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.

G-376-026

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.

G-376-027

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.
- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
 - Extend the DEIS comment period for the people of Guam and the CNMI. Address residents' concerns and provide an expanded DEIS with additional information regarding true impacts to the physical and socioeconomic environment of Guam.

G-376-028

- Involve Guam's political leaders in every aspect of these buildup proposals/process with increased transparency of information, and regular consultation. Allow Guam's Congressional delegate to vote on all matters pertaining to the proposed military expansion *and all matters affecting Guam*.

G-376-029

- Grant WWII war reparations to the people of Guam without delay to acknowledge their past sacrifices made for the welfare and security of the U.S.A.

G-376-030

- Fund an education campaign to advise the indigenous people of Guam of their right to self-determination and self-governance, different political status options including independence, and assist local leaders in scheduling a vote to resolve Guam's political status *prior to any military expansion efforts*.

G-376-031

Land

The federal government will take more land on Guam for the military buildup, including prime cliff-line properties (Harmon and Pagat, Mangilao) and coastal submerged lands. The federal government already owns and controls 1/3 of the island, which is restricted from economic development. Issues related to forced land condemnations before and after WWII, and unfair compensation for lands taken have yet to be resolved.

LAND USE

Comments and Recommendations

- DEIS Executive Summary, Table ES-4. Summary of Significant Impacts of the Preferred Alternatives refers to:
 - Federal acquisition of land for main cantonment, firing ranges, and roadway improvements on Guam. Mitigation would include long-term leases of the property instead of purchase
 - Dredging in Outer Apra Harbor that would result in significant direct impacts to the coral reef ecosystem. Potential compensatory mitigation being considered includes watershed management projects and artificial reef construction
 - Property Acquisition and Relocation

As the local chapter of the NASW, we recognize the great economic and cultural significance of land to the people of Guam, especially due to its limited availability on a

G-376-027

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 relocation on Guam.

G-376-028

Thank you for your comment. The DoD will continue to meet with agencies and elected officials.

G-376-029

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.

G-376-030

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.

G-376-031

small island, and in the context of Guam’s history of colonization by multiple outside powers. NASW fully supports “the right of citizens to determine the destiny of their local communities to the fullest extent possible. Social workers should assist communities in gaining access to information and resources, develop local and participatory organizational mechanisms, and help citizens make socially responsible decisions and contributions.” (Social Work Speaks, p.57)

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.
- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
 - No increases in federal land ownership and no condemnation of private lands for use by the military.
 - No re-acquisition of lands that have been or are in the process of being released by the federal government.
 - 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 are areas of concern.
 - Federal government would release South Finegayan and Andersen South.
 - Current public rights-of-way would be retained.
 - No further restrictions on lands (including submerged lands) for recreational use. (DEIS, Vol.2, Land and Submerged Land Use, p 528)

G-376-032

IMPACTS ON THE LAND

Comments and Recommendations

- The proposed military buildup will have a negative impact on the island environment by: a) increasing pollution (noise, *hazardous waste*, etc.); b) degrading the island’s natural beauty due to increase in concrete buildings and pavements, obstructing views, decrease in greenery and critical natural habitat; and c) destruction of coral reefs.
- **DEIS Executive Summary**, Table ES-4. Summary of Significant Impacts of the Preferred Alternatives refers to:
 - Potential fill of wetlands and indirect wetland impacts. Mitigation measures would include creation of replacement wetlands or preservation or improvement of existing wetlands.
 - Special Status Species: loss of habitat for special-status species on Guam and Tinian, including federal threatened and endangered species, from clearing of vegetation.
 - Invasive species introduction, mitigated through existing interdiction plans and policies, and new measures identified in the Micronesian Biosecurity Plan (*being developed*).
- As the local chapter of the NASW, we recognize that: “...Ethnic minority groups and rural communities in the United States and internationally are disproportionately exposed

G-376-033

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.

G-376-031

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. Dredging of Apra Harbor is discussed in Volume 3 of the DEIS. Specific concerns and issues are discussed, so the broad comments provided are noted, but cannot be attached to a specific issue of concern.

The comments provided also provide comments on the "colonization of

G-376-033

to the dangers associated with environmental degradation. Whether it is the location of a toxic waste dump [e.g. Ordot Dump which was a former military toxic waste dumpsite], the locations of storage facilities for nonbiodegradable toxic substances ... people of color and poor people are often exposed to many more environmental hazards than the rest of the population. Often, residents feel they have no power to resist either having dangerous sources of contamination in their communities or accept the argument put forth by corporate and governmental agents that these sources attract desperately needed economic development." (Social Work Speaks, p.122.)

The above is certainly true when considering that the bulk of toxic and dangerous ordinance on Guam is stored in Naval Magazine in Southern Guam, a rural area where the majority of residents are low-income and indigenous Chamorro.

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.
- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
 - Strict adherence to all U.S. and Guam environmental codes and laws.
 - Develop Micronesian Biosecurity Plan *prior to buildup*.
 - Full funding for environmental programs to protect critical habitats, restore wetlands, protect and mitigate against invasive species.
 - Full transparency and accountability regarding build-up actions and effects of military expansion/actions on the people of Guam.
 - Choose build-up alternatives with the least negative physio-socio-cultural effects on Guam's community and environment.
 - Reconsideration of alternatives for the berthing of aircraft carriers in Apra Harbor to avoid reef destruction.
 - Full disclosure of environmental effects of ocean disposal of dredged materials from Apra Harbor, with reconsideration of alternatives.
 - Full funding for extensive mitigation efforts to avoid and minimize adverse impacts to Guam's multicultural society and the beauty of Guam's island environment.

G-376-034

G-376-035

Culture

The proposed military buildup will have significant adverse impacts on the historical and cultural properties of the indigenous Chamoru people, as well as the preservation of the Chamoru language. These adverse impacts include: disturbance and destruction of historic and cultural sites, weakening and increased loss of Chamoru language, loss of and restricted access to cultural properties and historic landmarks, loss of native habitats which support endangered species of fauna and flora, and loss of critical reef habitat.

Comments and Recommendations

Guam," and land issues that are not applicable to DoD properties. While these are important issues they are not part of the proposed actions.

Social impacts are addressed in the FEIS (the socioeconomic chapters) and the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F, Volume 9 of the FEIS.

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.

G-376-032

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.

- The DEIS, Vol.2, Cultural Resources 12.2.7 Summary of Impacts states: 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.

As social workers of the local chapter of the NASW and in accordance with our national policy, we "...recognize that the effects of colonization on indigenous peoples have resulted in not only the loss of ancestral lands, the violation of the right to self-governance, and the violation of self-determination, but also extreme violation of the basic human right to health in mind, body, and spirit. *Therefore, we support all efforts of the indigenous Chamoru people of Guam, as well as the larger community of Guam, to protect and strengthen their cultural heritage, their values and vision, and the unique aspects and assets of their island community.*

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.
- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
 - DoD-secured federal funding for War Reparations;
 - DoD-secured federal funding for a Chamorro language immersion program for grades K-12;
 - DoD-secured federal funding for after-hours Language programs for Adults;
 - DoD-secured federal funding of the Guam Museum;
 - DoD-secured federal funding of a Chamorro Cultural Center;
 - DoD-secured federal funding of an Artisans-in-Training program at GCC;
 - DoD-secured federal funding for a Chamorro Studies Program at UOG;
 - DoD-secured federal funding for Chamorro language publications;
 - DoD-secured federal funding for Chamorro cultural performance organizations;
 - DoD-secured federal funding for the preservation of historic structures both on and off-base;
 - DoD application of Sumay Village as a National Historic District.
 - Federal funding for medical detoxification unit for alcoholism and other chemical addictions
 - Federal funding for an island-wide educational program regarding Guam's quest for self-determination and political status options (including unique sovereignty status as defined by Chamorus on Guam)

G-376-033

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.

G-376-034

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 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.

G-376-035

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.

G-376-035

- Federal funding for a vote to resolve Guam's political status prior to the proposed military buildup – vote restricted to those residing on Guam at the time the Organic Act was passed and their descendants.
- EXTENDED TIMEFRAME for the buildup so as to mitigate overwhelming environmental and social stressors created by “too much change in too short a time.”
- DoD-secured federal funding for continued public discussions/forums regarding military expansion/buildup activities throughout buildup process.
- DoD-secured federal funding for development and implementation of cultural curriculum for the purpose of educating and sensitizing newcomers to Guam (military personnel, their dependents, contract workers, etc) to: a) the unique history of Guam and its political status, b) cultural etiquette (dos-and-don't) and respectful social interactions with residents, c) government and other services available to help in their transition.
- DoD-secured federal funding for development and implementation of cultural curriculum for the purpose of educating and sensitizing residents of Guam (students, business people, families) to: a) the unique problems and challenges facing various immigrant and worker groups (military, non-U.S. citizens, CNMI, FSM, and other Micronesian islanders) as they transition to Guam, and b) cultural understanding (dos-and-don't) and respectful social interactions with new residents.

VI. CONCLUSION

In order to protect the human resources of Guam, the Guam Chapter of the NASW supports the “NO ACTION” Alternative for all proposed Department of Defense actions covered in the DEIS.

G-376-036

In the event that our proposed “NO ACTION” Alternative is rejected by the DoD, we assert all recommendations discussed in this response statement and reiterate the essential recommendations listed below:

1. DoD to explore alternative sites for the proposed actions to include U.S. states of Hawaii, Alaska, and 29 Palms in California;
2. Re-do this DEIS Process to include a more comprehensive review on the impact of the build-up on health and human services outside of the military footprint and with direct involvement of the affected population groups;
3. If the Guam build-up proceeds, then DoD to facilitate a Status of Forces Agreement between the United States and the Government of Guam to specifically address all the terms of the proposed relocation;
4. DoD-secured federal funding to increase the infrastructural capacity of the Department of Mental Health and Substance Abuse, the Department of Public Health and Social Services, the Department of Youth Affairs, the Department of Integrated Services for Individuals with Disabilities, and the Guam Memorial Hospital Authority;
5. DoD-secured federal funding to increase the infrastructural capacity of the island's NGO, human service organizations;

G-376-036

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. 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.

6. The provision of statistics to Guam regarding military personnel and their dependants with potential services needed in order to provide better planning for our human service agencies;
7. DoD-established Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up;
8. DoD-secured federal funding for War Reparations and to address Chamorro political status concerns;
9. DoD-secured federal funding for Chamoru language programs and publications, Chamoru cultural programs and curriculum, and Chamoru cultural institutions;
10. DoD-secured federal funding for continued public discussions/forums regarding military expansion/buildup activities throughout buildup process.

Respectfully Submitted,



Ovita Perez, BSW, MSW-S
President
NASW-Guam Chapter

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- Guam Cancer Facts and Figures 2003-2007.
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- National Association of Social Workers. (2009). *Social Work Speaks* (8th ed.). Washington DC: NASW Press.

February 16, 2010
Member, We are Guahan
DEIS Fails to Consider Secondary and Cumulative Impacts of the Proposed Actions, and Also Fails to Genuinely Consider and Objectively Evaluate All Reasonable Alternatives

G-377-001

The DEIS fails to consider the secondary and cumulative impacts of the proposed actions on the entire environment of Guam, including the human environment. Volume 7, chapter 3, provides woefully inadequate and unsubstantiated analysis on the cumulative effects of the proposed actions on the entire environment of Guam, including the human environment. Chapter 3 of Volume 7 says for example: "Most impacts on geological and soil resources are less than significant during construction and operation." Section 3.3.2.1. This is not supported, and neither is the DEIS' description of "the total impact on geological and soils for Guam" "less than" significant. *Id.* On this note, the following section, 3.3.2.2, disingenuously and very incompetently purports to analyze the impacts to geological and soil resources of the No Action alternative. It appears that the No Action alternative in this particular section and all the other sections in Volume 7, Chapter 3, "Preferred Alternatives: Summary of Impacts." **The DEIS also fails to consider cultural effects/impacts of the proposed actions.** To take but one example, in Volume 4, on berthing for the aircraft carrier, the DEIS provides some analysis on the harm to the natural environment the proposed action will cause but fails to connect this harm to the inextricable harm that this action will cause to the human environment generally and the indigenous Chamoru people specifically. Under NEPA as well as international human rights and humanitarian law, this failure to consider the impacts of the proposed action on the interconnected human environment and the indigenous people in particular, is illegal. Indeed, the same basic logic applies to many other sections in Volume 7, chapter 3, including section 3.3.7 regarding land submerged land use. The DEIS erroneously and illegally characterizes certain adverse impact due to forced land sales and similar actions as mitigable or otherwise less than significant. The discussion in this section and others willfully fails to consider a whole range of other more secondary and cumulative impacts on the human environment, in particular, the indigenous Chamoru people who will be harmed in profound psychological, socio-cultural, and spiritual ways. Much of this harm is inmitigable. The same argument can be made with regard to Vol. 7, chapter 3, section 3.3.9, on terrestrial biological resources. While the DEIS admits that the "preferred alternatives would significantly impact terrestrial biological resources on Guam and Tinian during construction activities due primarily to the removal of habitat." Yet the DEIS fails to consider in any serious way the secondary and cumulative impacts such removal of critical habitat for the various threatened special status species will have on the human environment, especially the indigenous Chamoru people. The DEIS admits that the military buildup will have significant adverse impact on the Mariana fruit bat, the Micronesian kingfisher, and the Mariana crow (in Guam), but wholly fails to consider what this means for the people of Guam generally or the indigenous Chamoru people specifically. Moreover, the DEIS admits that the proposed actions will escalate the brown tree snake problem in Guam: "Of great concern is the potential unintentional introduction of the brown tree snake (BTS) to other islands throughout the Pacific from Guam. Preferred alternatives would vastly increase the movement of personnel, aircraft, equipment, and supplies from Guam to other locations, thereby increasing the likelihood of introducing this species if no precautions are taken. This concern would be addressed using various measures." **Such measures, as summarized in**

G-377-002

G-377-003

G-377-004

G-377-005

G-377-001

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 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

G-377-005

section 7.2. of Vol. 7, is woefully inadequate, insufficient with NEPA requirements, and is herein roundly repudiated as insufficient mitigation. On this note, the DEIS also fails to thoroughly consider the impacts of the proposed actions on the green sea turtle and the hawksbill sea turtle, which are special status species and which are also inextricably linked to the cultural survival of the indigenous Chamoru people. As the DEIS acknowledges: "Fewer than 10 [green sea] turtles nest in CNMI each year and less than 10 observed on Guam . . . The hawksbill sea turtle is subject to the same threats as the green sea turtle. The population on Guam is almost extirpated [sic] There was one sighting in 1991." Vol. 7, chapter 3, page 39. Hence the situation is urgent and desperate and the proposed actions must not be allowed to proceed failing a supplemental draft EIS on this and all the legal issues implicated herein. Such a supplemental EIS must genuinely consider secondary and cumulative impacts of the proposed actions not only on the natural environment and the various species and life-forms but also the inextricable link between that and the human environment and the cultural survival of the indigenous Chamoru people.

G-377-007

Further, the DEIS also fails to genuinely consider and objectively evaluate all reasonable alternatives with regard to all three major proposed actions. To take but one example (of many), why does the DEIS not discuss other alternatives other than Guam for the first major proposed action of the military buildup on Guam (i.e., the construction of permanent facilities and infrastructure to support the full spectrum of warfare training for the relocated Marines)? The U.S. military's alternatives analysis, if indeed it can even be called analysis, is utterly insufficient and violative of NEPA. For example, why didn't the U.S. military consider relocating the Marines from Okinawa to the Marine Corps Air Ground Combat Center (MCAGCC), also known as 29 Palms, Twenty-nine Stumps, or simply the Stumps—which is the U.S. Marine Corps' largest base. Located adjacent to the southern San Bernardino County, California, the base has a rough total population of 8,413. The mission of 29 Palms is "to conduct relevant live-fire combined arms training, urban operations, and Joint/Coalition level integration training that promotes operational forces readiness as well as to provide the facilities, services, and support responsive to the needs of resident organizations, Marines, Sailors, and their families today and tomorrow." (emphasis added). While the U.S. military will point to other sections in the DEIS that state that the relocated Marines must be moved from Okinawa to Guam for national security reasons and to fulfill treaty obligations including U.S.-Japan agreements, there is no proffered explanation at all as to why Guam "had" to be the chosen site/location for the Marines. Moreover, the U.S., as a matter of law, cannot stand on this blanket assertion without more; in other words, the U.S. military can't privilege some treaties while simultaneously (and gravely) violating other treaties—many of which are actually BINDING treaties that the U.S. government has actually signed and ratified, including the International Covenant on Civil and Political Rights, which provides for the fundamental right of self-determination.

G-377-009

Because the DEIS so entirely implicates the issue of self-determination (as Guam remains a non-self-governing territory), a new supplemental draft EIS must be done before any proposed actions, or any incidental developments associated with the actions, are allowed to proceed. Indeed, the DEIS' alternatives analysis is not worth the paper it is written on and is insulting lip service to the legal requirement that the U.S. military take a "hard look" before proceeding with the proposed action. *Kleppe v. Sierra Club*, 427 U.S. 390 (1976).

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.

G-377-002

Thank you for your comment. The cultural impacts are addressed under various resource areas: socioeconomic, environmental justice and cultural resources. There is a chapter in each of the Volumes 2 through 6 that is devoted to these resource areas.

G-377-003

Thank you for your comment. Every volume of impact analysis (Volumes 2 through 6) has a chapter on environmental justice, which includes impacts to disadvantaged groups. Significant impacts are identified. The summary of those impacts is presented in Volume 7 Section 3.3.

G-377-004

Thank you for your comment. The EIS proposes mitigation measures to ensure access to natural resources of unique cultural value.

G-377-005

Thank you for your comment. A Micronesia Biosecurity Plan (MBP) is being developed to address potential non-native 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 non-native invasive species throughout Micronesia and procedures to avoid, minimize, and mitigate these risks. It is being developed in conjunction with experts within other Federal agencies

February 9, 2010
Julian Aguon
Attorney, Human Rights Scholar-Advocate
U.S. Must Specifically Address Blatant Legal Inaccuracies in the DEIS

I offer the following comment in my personal capacity and as a member of We Are Guahan. For the reasons set out below, I recommend the **No Action** alternative.

G-377-010

The DEIS in its first volume erroneously provides: "The project locations addressed in this EIS/OEIS are Guam, a territory of the U.S, and Tinian, a part of the CNMI, a commonwealth of the U.S., both are governed under Article II of the U.S. Constitution." DEIS, Vol. 1 – Overview, chapter 1, page 3. This statement is completely incorrect. As a matter of both U.S. domestic law and international law, this statement is flat-out wrong.

Article II of the U.S. Constitution governs neither Guam nor the Commonwealth of the Northern Mariana Islands. How can the U.S. government, in good faith, peddle this poorly crafted, disingenuous and unsubstantiated document around as a legitimate DEIS in conformity with the spirit and purpose of the National Environmental Policy Act? Moreover, how can the U.S. Department of Defense and its varied arms expect the people and territory of Guam to take this DEIS seriously when it fumbles along asserting one glaring inaccuracy after another? And what an inaccuracy! If the U.S. government and the various federal agencies that participated in producing this DEIS cannot even state the correct source of the U.S.' constitutional authority to govern Guam and the CNMI, this document is rubbish.

G-377-011

The final EIS must articulate the exact source of constitutional authority that allows the U.S. to proceed with the militarization of Guam and the CNMI. In addition, the final EIS must squarely address this specific legal concern: The DEIS asserts that the CNMI is a commonwealth of the U.S. that is solely governed by the domestic laws of the U.S. How is this assertion reconciled with the fact that the very premise for the removal of U.N. oversight of the CNMI (pursuant to the Trusteeship system set up by Chapters XII and XIII of the U.N. Charter) was that the U.S. reported to the U.N. that the CNMI was self-governing? Further, in light of this concern, what international legal authority does the U.S. government and U.S. federal agencies, including the U.S. Defense Department, proffer in support of the contention that its unilateral decision to militarize the CNMI is even legal? Any response to this query must be reconciled with the well-settled principle of international law that one country's so-called "national security" does not trump the right to self-determination of peoples, which is already generally accepted as a *jus cogens*, or peremptory norm from which no derogation is allowed.

G-377-012

Further still, Section 1.4 ("Global Perspective Background") of Volume 1 of the DEIS, in its 'Freedom of Action' discussion, also erroneously provides:

The military's goal is to locate forces where those forces are wanted and welcomed by the host country. Because [Philippines, Thailand, Australia, Korea, and Singapore] within the region have indicated their unwillingness and inability to host more U.S.

G-377-013

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). The plan is intended to be a comprehensive evaluation of risks in the region, including all Marine Corps and Navy actions on Guam and Tinian. The Navy will implement biosecurity measures to address non-native invasive species issues that would supplement existing practices. For additional information on the MBP and existing and interim measures for non-native invasive species control, please refer to Volume 2, Chapter 10, Section 10.2.2.6.

G-377-006

Thank you for your comment. Volume 7 has been revised to include a more thorough discussion of the over all impacts. The Navy is currently in Section 7 consultation with the resource agencies. The Navy will also implement 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 that would be dredged. The Navy would 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 would 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

G-377-013

forces on their lands, the U.S. military shifted its focus to basing on U.S. sovereign soil.

This statement is also completely incorrect, as Guam is not considered under international law to be "U.S. sovereign soil." In fact, the 1970 Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States, also known as Resolution 2625 (XXV) ("Declaration on Friendly Relations"), provides:

The territory of a colony or other Non-Self-Governing territory has, under the Charter, a status separate and distinct from the territory of the State administering it; and such separate and distinct status under the Charter shall exist until the people of the colony or Non-Self-Governing Territory have exercised their right of self-determination in accordance with the Charter, and particularly its purposes and principles.

In light of this language and in light of the particular fact that the provisions of the Declaration on Friendly Relations are considered binding customary international law, the U.S., in its final EIS, must squarely address this additional specific legal concern: How can the U.S. assert that Guam is essentially nothing other than U.S. sovereign soil when the international community has already passed on this exact issue and unequivocally pronounced that the territory of a non-self-governing territory (e.g., Guam) is not to be considered the territory of the administering Power?

lighting; and as described above, joint Navy/Guam Resource Agency monitoring of nesting beaches though out Guam.

G-377-007

Thank you for your comment. Secondary and cumulative impacts are described in Volume 7. The cultural resources, environmental justice and socioeconomic sections of EIS Volumes 2 through 7 identify potential impacts to the people of Guam, including the Chamorro population.

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.

G-377-008

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 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.

G-377-009

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.

G-377-010

Thank you for your comment. The citation has been corrected to reflect Article IV of the Constitution.

G-377-011

Thank you for your comment. Topics such as the political status of

Guam and the CNMI are important issues but are not part of the proposed action.

G-377-012

Thank you for your comment. The proposed actions are not unilaterally effectuated by the U.S. Elected officials, representing the citizens of Guam and the CNMI, have been consulted regarding the proposed actions. Further, the public comments also provide an important input to the decisions to be made in the Record of Decision.

G-377-013

Thank you for your comment. As stated earlier, topics such as the political status of Guam are important issues but are not part of the proposed action.

February 14, 2010

Member, We Are Guahan

G-378-001

DEIS Legally Insufficient and Violative of the National Environmental Policy Act

The National Environmental Policy Act (“NEPA”) requires “rigorous” exploration and objective evaluation of all reasonable alternatives. 40 C.F.R. § 1502.14. The purpose of NEPA is to put in place procedural safeguards for the environmental review process. *Marsh v. Or. Natural Res. Council*, 490 U.S. 360, 371. Despite the proposed mitigations in the EIS process, many additional biological and cultural resources are at great risk if the proposed actions proceed without proper scrutiny of its proposed impacts and a reasonable, lawful and necessary consideration of alternatives to the proposed action. In considering environmental consequences of agency action, it is the court’s role to make sure that an agency take a “hard look” before proceeding. *Kleppe v. Sierra Club*, 427 U.S. 390 (1976). Agencies are required to integrate the NEPA process with other planning “at the earliest possible time.” To do so, the Agency shall: “Study, develop and describe appropriate alternatives to recommended courses of action in any proposal” Section 102(C)(iii), 42 U.S.C. 4331, 40 C.F.R. § 1501.2. The regulations require “rigorous” exploration and objective evaluation of all reasonable alternatives and at the least a “brief description” of which alternatives have been eliminated from more detailed study. 40 C.F.R. § 1502.14

“The purpose [of considering alternatives] is not merely to force the agency to reconsider its proposed action, but, more broadly, to inform Congress, other agencies, and the general public about the environmental consequences of a certain action in order to spur all parties to rethink the wisdom of the action” *NRDC v. Hodel*, 865 F.2d 288 (D.C. Cir. 1988); *Id.* at 1734-1735. 42 U.S.C. § 4331 et seq., 40 C.F.R. § 1502.2, and 40 C.F.R. § 1506.1. 40 C.F.R. § 1502.2(f) provides that “Agencies shall not commit resources prejudicing selection of alternatives before making a final decision.” Particularly, 40 C.F.R. § 1506.1(a)(2) requires that “no action concerning the proposal shall be taken which would: Limit the choice of reasonable alternatives.”

The major proposed actions for the military buildup of Guam, as enshrined in the DEIS, are in violation of NEPA and illegal in light of the above-quoted law. Not only did the U.S. military in the DEIS fail to properly, thoroughly, or comprehensively scrutinize the proposed impacts, it also failed to engage in a reasonable, lawful and necessary consideration of alternatives to the proposed actions. To take but one example of many, the U.S. why does the DEIS not discuss other alternatives other than Guam for the first major proposed action of the military buildup on Guam (i.e., the construction of permanent facilities and infrastructure to support the full spectrum of warfare training for the relocated Marines)? **The U.S. military’s alternatives analysis, if indeed it can even be called analysis, is utterly insufficient and violative of NEPA.** For example, why didn’t the U.S. military consider relocating the Marines from Okinawa to the Marine Corps Air Ground Combat Center (MCAGCC), also known as 29 Palms, Twenty-nine Stumps, or simply the Stumps—which is the U.S. Marine Corps’ largest base. Located adjacent to the southern San Bernardino County, California, the base has a rough total population of 8,413. The mission of 29 Palms is “to conduct relevant live-fire *combined arms* training, urban operations, and Joint/Coalition level integration training that promotes operational forces readiness as well as to provide the facilities, services, and support responsive to the needs of resident organizations,

G-378-001

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 has remained 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.

Marines, Sailors, and their families today and tomorrow.” (emphasis added). While the U.S. military will point to other sections in the DEIS that state that the relocated Marines must be moved from Okinawa to Guam for national security reasons and to fulfill treaty obligations including U.S.-Japan agreements, there is no proffered explanation at all as to why Guam “had” to be the chosen site/location for the Marines. Moreover, the U.S., as a matter of law, cannot stand on this blanket assertion without more; in other words, the U.S. military can’t privilege some treaties while simultaneously (and gravely) violating other treaties—many of which are actually BINDING treaties that the U.S. government has actually signed and ratified, including the International Covenant on Civil and Political Rights, which provides for the fundamental right of self-determination. Because the DEIS so entirely implicates the issue of self-determination (as Guam remains a non-self-governing territory), **a new supplemental draft EIS must be done before any proposed actions, or any incidental developments associated with the actions, are allowed to proceed.** Indeed, the DEIS’ alternatives analysis is not worth the paper it is written on and is insulting lip service to the legal requirement that the U.S. military take a “hard look” before proceeding with the proposed action. *Kleppe v. Sierra Club*, 427 U.S. 390 (1976). With respect to the proposed actions for the military buildup of Guam, the U.S. military has failed to consider new circumstances, which, as a matter of law, trigger a Supplemental Environmental Impact Statement. Section 42 U.S.C. 4331 et seq. and 40 C.F.R. § 1502.9. To take but one illustrative example is the highly publicized, controversial, and contested nature of the U.S.-Japan agreement to relocate the U.S. Marines from Okinawa to Guam. The Japanese Diet and the recent change in administration in Japan has led to a series of events that challenge the notion that the current DEIS rests on a sure foundation. Indeed, the Japanese government’s decision whether or not to fund roughly \$6 million of the military buildup of Guam is a huge one that problematizes the validity and precision of the DEIS as a whole. Here, there is simply no question as to “Whether or not new information presents a seriously different picture of the likely environmental consequences of the proposed action” *Wisconsin v. Weinberger*, 745 F. 2d 412 (7th Cir. 1984).

In addition, under a NEPA tiering analysis, the DEIS is insufficient. Tiering refers to the coverage of general matters in broad, programmatic environmental impact statements, with narrower, site-specific statements or analysis. 40 C.F.R. § 1508.28. Tiering is appropriate when the sequence of statements or analyses is: From a program, plan, or policy environmental impact statement to a ... site-specific statement or analysis. 40 C.F.R. §1508.28(a). “A comprehensive programmatic impact statement generally obviates the need for a subsequent site-specific or project specific impact statement, unless new and significant environmental impacts arise that were not previously addressed.” *Pit River Tribe, quoting Salmon River Concerned Scientists v. Robertson*, 32 F.3d 1346, at 1356 (9th Cir. 1994). The Court in *Salmon River* held that, once a “critical decision has been made to act on site development,” prior vague programmatic EIS are no longer sufficient. *Id.* at 1357. Similarly here, with respect to the military buildup of Guam and the three major proposed actions set out in the DEIS, it is clear that under *Salmon River* and other law the DEIS is insufficient and illegal.

Dear US Military,

This portion of the DEIS review pertains directly to **Volume 4: Aircraft Carrier Berthing**. My detailed comments are enclosed.

G-379-001 For this project, the Navy proposes to construct a new deep-draft wharf with shore-side infrastructure improvements in Apra Harbor, Guam to provide for transient nuclear powered aircraft carrier visits of both the USS Nimitz Class (CVN 68) as well as the Gerald R. Ford Class (CVN 78) in 2015. Alternative 1 (Polaris Point, reduced clearance, dock parallel to shore) is the Navy's preferred alternative. Using the U.S. Environmental Protection Agency rating definitions and based on my review, I am rating the Preferred Alternative 1 as Environmental Objections – Inadequate (EO-3). I have major concerns regarding the cumulative environmental impacts of the construction, use and maintenance of the Inner Harbor channel. I also have concerns regarding the validity of estimates of ecological equivalence and importance of adjacent marine shoals and protected areas, a lack of carrying forward of the beneficial use of dredged materials, and the introduction of additional contaminations to marine ecosystems currently contaminated by military activities. Dredging encourages the spread of marine invasive species by removing competitive interactions with the surrounding ecosystems, and sediment plumes further exacerbate this problem by reducing the fitness of adjacent ecosystems.

I recommend the Navy select an alternative, and associated mitigation measures, that maximize pollution, habitat degradation and invasive species prevention opportunities in Apra Harbor, Guam. Site investigations revealed that contaminants currently exist within marine sediments, which will migrate off-site if resuspended by dredging operations. While contaminant levels at SRF (and other undisclosed sites within the study) are not yet high enough to warrant GEPA regulatory action, they do present the Navy with a valuable opportunity to slow the incremental contamination that will occur if they proceed with ACC berthing Alternatives 1 or 2.

G-379-002 Toward this end, I recommend that reevaluation of the Kilo Wharf as the aircraft berthing location and a subsequent relocation of smaller vessel munitions operations within Inner Apra harbor. Reprogramming in this way meets the stated QDR goal of an increased aircraft carrier presence in the Western Pacific. I am aware that a waiver is required from DDESB and Naval Ordnance Safety and Security Activity for ships carrying ammunition to berth in Inner Apra Harbor; however, there is no significant difference between a waiver for smaller vessels and a waiver for nuclear aircraft carriers. If the Preferred Alternative 1 is selected, I insist that this alternative be modified by dredging a channel path that avoids the Shoals within Inner Apra Harbor (Western, Jade, Eastern, etc.). Delays (due to nearly reaching EPA water quality limits) to construction of the expansion at Kilo Wharf clearly demonstrate that the SOP for suspended sediment containment is not effective. *It is important to note that although the organisms within the Inner Apra Harbor Shoal system are "suited" to the existing turbidity levels, they are only there because their "tolerance" for turbidity is greater than other marine organisms (i.e., they are there because they are better at surviving in this extreme environment). This does not, in any way, ensure that they will thrive under the impending turbidity regime.* Moreover, I argue that the turbidity will increase over time because the finest sediments (i.e., those that stay suspended the longest) will become concentrated by dredging, rather than removed in equal portions during the dredging process, *because they will take the longest to sink to the bottom again* and thus, over time, dredging operations will increase the resuspension of these sediments. Similar habitats can not be found anywhere else within the Mariana Islands, not even within the Marinas Trench National

G-379-001

Thank you for your comment. As addressed in the EIS in Volume 4, there would be environmental impacts associated with suspended sediment caused by dredging and in-water construction. The extent of these impacts would be managed through the use of best management practices and duration of these impacts would cease after the conclusion of the dredging and wharf construction.

G-379-002

Thank you for your comment. There are several reasons why Kilo Wharf is not 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 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. As described in Section 2.3.3, Volume 4, the proposed channel alignment

G-379-002 Monument. Moreover, given the Navy's opinion on the current state of environmental quality around Guam, it is likely that no amount of compensatory mitigation will be able to restore this ecological function of this unique system.

G-379-003 I also recommend that the Navy removes artificial reef projects from their potential compensatory mitigation plans. Most exotic marine species with the capacity to become invasive in Apra Harbor have been discovered on artificial structures, including the hulls of sunken vessels and concrete pilings. Dredging will provide a tabula rasa for invasive species to gain a foothold before they encounter competition from native organisms; construction of artificial reefs would provide additional substrate for these nuisance organisms, adding insult to injury. Instead, I suggest the Navy consider supporting feral animal (dogs, cats, pigs, etc.) eradication programs, which could complement the watershed rehabilitation mitigation efforts.

G-379-004 I would like to commend the Navy for a comprehensive, well-organized and well-researched document. However, I feel it is my professional and civic duty to challenge the validity of Volume 4: Section 11.1.1: Navy Coral Assessment Methodology, which could possibly be plagiarizing (p. 11-3) the conclusion section of Veihman et al. (2009) as a means to support the creation of a new Habitat Equivalency quantification method, which grossly underestimates the rugosity of the Inner Apra Harbor Shoal system and the age classes of corals within them, and does not account for rare and endangered animals that are not directly observed at the time of assessment (Minton et al. 2009: Volume 9, Appendix J, *Comparison of a Photographic and an In Situ Method to Assess the Coral Reef Benthic Community in Apra Harbor, Guam*). Even if one just simplified all of the ecological equivalency calculations to what we know about the history of Inner Apra Harbor (e.g., in Alternative 2, all 44 acres where dredged 60 years ago, and it has taken the coral all 60 years to reach the stage that they are now), then the expected result in a loss of approx. 2,460 DSAYs of coral habitat due to direct impacts alone, which is over double that estimated within this DEIS.

G-379-005 I appreciate the opportunity to comment on this DEIS. UOGML and UOG Sea Grant encourages the Navy to take a long-term stewardship approach to site management at Apra Harbor to reduce future cleanup costs and benefit the residents of Guam. By modifying the Alternatives carried forward to reduce environmental impacts of dredging operations, removing contamination hotspots at SRF, and controlling run-off from Wharf activity, the Navy will be embracing the pollution prevention pillar of its environmental strategy. The UOGML is available to provide assistance to the Navy regarding prevention of marine habitat degradation and related topics. If you have questions, please contact me or Angie Duenas, our secretary. Angie can be reached at (671) 735-2176 or aduenas@uguam.uog.edu. Please also send one copy of the Final EIS to the address below once it is released for public review.

Enclosed:
detailed comments

has already been modified to avoid coral to the extent practicable. The majority of the impacts to nearshore waters (e.g., construction and dredging) would be temporary in nature and would have no lasting effect on nearshore water quality. The use of turbidity curtains for sediment control would further reduce potential impacts to adjacent nearshore waters. The temporary nature of these activities coupled with the use of engineered controls render these impacts less than significant. A number of protective 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. Silt curtains are one example of these types of protective measures. Standard turbidity curtains are approximately 20-30 feet (6-9 meters) in length and have a weighted 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 silt curtain extending to and being anchored to the bottom of the harbor. The length of time the silt curtains will be in place will 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 will be identified and implemented following agency coordination and permitting.

G-379-003

Thank you for your comment. Additional control and eradication measures for invasive species already on Guam and Tinian are addressed in current SOPs and military requirements that are identified in the DEIS. Updates to the Military Training Handbook are also mentioned in the DEIS for this purpose. Additional measures, particularly for the BTS are being considered in connection with the continuing Section 7 consultation and as decisions are made they will be added to the EIS. Information pertaining to the MBP and biosecurity issues are

DETAILED COMMENTS ON THE VISITING AIRCRAFT CARRIER BERTHING DRAFT ENVIRONMENTAL IMPACT STATEMENT, NOV. 2009

Alternatives and Opportunities to Prevent Environmental Destruction

Project alternatives

Note: All information included as Arial 10pt font in italics is copied directly from the DEIS. Important portions within these excerpts are delineated by bold-faced type.

REFERENCE: (Volume 4, Section 1.1.3.6 Transient Berthing Capability and Operation in Guam, page 1-9).

On average, ammunition operations occur at Kilo Wharf 275 days per year. Beginning in 2014, the munitions operations are projected to increase from 275 to 315 days per year at Kilo Wharf to support the programmed Navy, Marine Corps and Air Force missions (Commander Navy Installations Command 2006). Kilo Wharf is unavailable during unfavorable weather (tropical storms) or high seas, which occur an estimated 40 to 50 non-consecutive days per year. In addition to the days the wharf is unavailable due to munitions operations (275 days) and ocean or weather conditions (average 45 days, for a total estimated 325 days when it is unavailable), there are an estimated 40 to 45 days per year that the wharf is unavailable for use by the aircraft carrier due to maintenance work aboard cargo munitions ships that are docked at Kilo Wharf. Unscheduled repairs to these ships while loaded are restricted to Kilo Wharf because of the explosive safety considerations. If they require maintenance and are carrying munitions, Kilo Wharf is the only wharf in Apra Harbor that has a DDESB approval for large quantities of munitions. A waiver is required from DDESB and Naval Ordnance Safety and Security Activity for ships carrying ammunition to berth in Inner Apra 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 (NMC-DET Guam 2009).

G-379-006 ISSUE: Scoping efforts clearly demonstrate that the loss of the Inner Apra Harbor Shoal system is culturally, economically, socially, and environmentally unacceptable to the people of Guam, and yet, both alternatives brought forth within this DEIS not only threaten the viability of these systems, but also downplay the extent of these threats AND the ecological significance of these resources.

DISCUSSION:

- The Kilo Wharf usage estimates are high. 275 days use leaves 90 days, albeit possibly weather-hindered. If "The aircraft carrier visits are managed through scheduling, but are disruptive to munitions operations and limit flexibility in carrier scheduling," this does not preclude this Wharf from being used.

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 projected cargo traffic through the Port of Guam associated with both organic growth and the military buildup.

G-379-004

Thank you for your comment. The Viehman et. al., paper, which was cited on pg. 3, was used to assist in developing the methodology for data collection to support the preparation of HEA for the proposed action in Apra Harbor. A Compensatory Mitigation Plan will be prepared by the Navy and will be reviewed by resource agencies and ultimately approved by USACE as required by the CWA. The Viehman cited text has been modified to include "quotation marks" where appropriate.

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

G-379-006

- Won't the carriers be carrying large enough amounts of explosives to require a waiver as well? The carrier has a nuclear reactor and many more features that might be better suited by being stationed at Outer Apra Harbor, including rapid deployments in response to enemy threats.
- Re-evaluation of the Kilo Wharf as the aircraft berthing location and a subsequent relocation of smaller vessel munitions operations within Inner Apra Harbor is warranted. Reprogramming operations in this way meets the stated QDR goal of an increased aircraft carrier presence in the Western Pacific.
- A waiver is required from DDESB and Naval Ordnance Safety and Security Activity for ships carrying ammunition to berth in Inner Apra Harbor, regardless of its size. Therefore, there should not be a significant difference between a waiver for smaller vessels and a waiver for nuclear aircraft carriers.

RECOMMENDATION: *Re-evaluation of the Kilo Wharf as the aircraft berthing location and a subsequent relocation of smaller vessel munitions operations within Inner Apra Harbor is warranted. Reprogramming operations in this way meets the stated QDR goal of an increased aircraft carrier presence in the Western Pacific.*

REFERENCE: (Volume 4, Section 2.3.5 Dredging, p. 2-23).

"The standard best management practices associated with in-water work (including dredging), such as silt curtains, would be implemented (see Volume 7)."

ISSUE: **Delays (due to nearly reaching EPA water quality limits) to construction of the expansion at Kilo Wharf clearly demonstrate that the SOP for suspended sediment containment is not effective.**

DISCUSSION:

- Dredging is an extremely destructive practice that is exacerbated by the presence of fine sediments within the dredged material.
- The finest sediments (i.e., those that stay suspended in the water column the longest) will become concentrated by dredging operations, rather than removed in equal portions during the dredging process, because they will take the longest to sink to the bottom again and thus, over time, increases in turbidity should be anticipated.
- Although the organisms within the Inner Apra Harbor Shoal system are "suited" to the existing turbidity levels, they only exist there because their "tolerance" for turbidity is greater than other marine organisms (i.e., they are there because they are better at surviving in this extreme environment). This does not, in any way, ensure that they will thrive under the impending turbidity regime.

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.

G-379-005

Thank you for your comment.

G-379-006

Thank you for your comment. Chapter 1, Volume 4 describes the multiple 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 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.

G-379-006 **RECOMMENDATION: Re-evaluation of the Kilo Wharf as the aircraft berthing location and a subsequent relocation of smaller vessel munitions operations within Inner Apra Harbor is warranted. Reprogramming operations in this way meets the stated QDR goal of an increased aircraft carrier presence in the Western Pacific.**

REFERENCE: (Volume 4, Section 2.3.5 Dredging, "Dredged Material Disposal" p. 2-23).

This EIS/OEIS assumes four scenarios for the placement of dredged material: 100% disposal in a proposed ocean dredged material disposal site (ODMDS), 100% disposal upland, 100% beneficial reuse, and 20-25% beneficial reuse/75-80% ocean disposal. "The 100% ODMDS and 100% upland disposal options are analyzed as the environmentally most adverse scenarios, because placing all dredged material in either location would limit the capacity of either the ODMDS or upland site(s) and does not account for some of the sediment being used for a beneficial purpose."

- (p. 2-26) *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...
...Beneficial use of portions of this total volume would be possible and several local projects have been identified. These local projects include:*
- *Support shoreline stabilization below Aircraft Carrier Wharf*
 - *Fill of berms and backstops at proposed military firing ranges on Guam*
 - *Port Authority of Guam (PAG) expansion program*

ISSUE: This DEIS suggests that there is no concrete plan for beneficial reuse of any of the dredged material.

DISCUSSION:

- *Local construction companies are currently investigating alternate sources of aggregate material.*
- *Although it is stated in the DEIS that upland disposal and use of the dredged material is "being explored," it then says that no upland site for treatment or remediation is anticipated, and I quote: "There have been no Navy dredging projects on Guam that have required designation of an upland site for the treatment or remediation of sediment. None is anticipated for this project." (Last sentence Vol. 4, p. 2-24)*

RECOMMENDATION: *The projected usage statistics for the resulting dredge material should be clarified more with careful consideration as to how these materials will be beneficially used; i.e., an action plan for providing these companies and the public with dredged material free of charge should be developed and implemented. At least 50% of all dredged material should be beneficially reused.*

REFERENCE: (Volume 4, Section 2.3.5 Dredging, "Sediment Sampling/Testing" p. 2-23).

Sediment samples near the proposed dredging areas are being analyzed according to testing criteria (40 Code of Federal Regulations [CFR] Parts 225 and 227). If the sediment meets the criteria, it can be beneficially reused, placed on land, or disposed of in an ODMDS. If the material does not meet the criteria for ocean disposal, it would not be placed in the ODMDS but potentially can still be beneficially reused, placed on land in an upland placement site or a confined disposal facility for treatment or remediation. Preliminary sediment characterization data (NAVFAC Pacific 2006) suggest most, if not all, of the material would meet the testing criteria and be suitable for disposal/dewatering on land or ODMDS disposal (NAVFAC Pacific 2006).

Previous testing for Alpha/Bravo wharf construction and maintenance dredging of Inner Apra Harbor and the approach to the inner harbor has indicated minimal contamination in the nearshore substrate.

G-379-006 DISCUSSION: When were these tests conducted? It could be that these data are so out of date as to be deemed "less than accurate."

REFERENCE: (Volume 4, Section 2.3.5 Dredging, "Sediment Sampling/Testing" p. 2-24).

The results of the physical testing indicated that, with the exception of the Composite 3 area adjacent to Charlie Wharf, the sediments were coarse-grained and comprised predominantly of gravelly sand. In the Composite 3 area and all of the Inner Apra Harbor areas, the sediment samples were predominantly finer-grained, silty clay material.

Chemical analyses were conducted according to USEPA and American Society for Testing and Materials standards. "Sediment core samples were selected from multiple locations within the dredging footprints for the three dredge areas (Figure 2.3-6)..."

"...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."

Within nine geographic areas, the core samples were composited and analyzed:

- Composite 1 (six sample locations) and Composite 2 (three sample locations) were representative of the proposed dredging for the turning basin and aircraft carrier berthing at the Former SRF location.
- Composite 1 and Composite 3 (five sample locations) were representative of the area to be dredged for the proposed turning basin and berthing at Polaris Point (see Figure 2.3-6).

With respect to chemical analyses and as noted in detail in Chapter 4, Volume 2, in general, sediment contaminant concentrations were low throughout all the areas sampled. This included results for total organic carbon, heavy metals, ammonia, sulfides, total petroleum aromatic hydrocarbons, PCBs, chlorinated pesticides, organotins, and phthalates.

Of all the composite sample chemical test results, only one result in Composite 3 (Polaris Point area) exceeded the ER-L concentration and that was for nickel (NAVFAC Pacific 2006). The ER-L concentration is 20.9 and the test result was slightly higher than the ER-L with a value of 21.50.

The results from this study would 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.

G-379-006 **ISSUE: The validity of the findings from the sediment samples is questionable, and alarming results are not addressed at all within this DEIS.**

DISCUSSION:

- Sediment samples were collected from within the harbor at multiple locations along the path that they are expecting to dredge.
- In Figure 2.3-6. Sediment Sample Locations, there are points on the map with numbers and letters (i.e., 1A through 4J), but in Table 4.1-3. Sediment Sampling Summary Table there are "composites" numbered 1-9. It is my guess that they took A-X samples in a location number (1) and COMBINED them into a single sample.
 - If one is looking at threshold levels of acceptability, combining samples (i.e., composites) increases the probability of "DILUTING" any one hotspot down to acceptable levels.
 - This is not an acceptable way to analyze sediments
- In the reporting table there are NINE numbers.
 - There are no indications of where sample Composites 5-9 were collected? Composites 8 & 9 have higher than EC-L values for ARSENIC.
- Sampling Area 2 (SRF Carrier docking site) shows 22.2 (no units given) of a substance known as "Arochlor 1260," which is a Monsanto trade name for PCBs that were marketed in the 30s-70s (http://en.wikipedia.org/wiki/Polychlorinated_biphenyl). This is a clear indicator of a potential 2ndary impact of a military dock and a threat to the environment from dredging that has not been satisfactorily addressed.

RECOMMENDATION: The sites where these aforementioned samples were taken provide an opportunity for the Navy to take a long-term stewardship approach to site management at Apra Harbor to reduce future cleanup costs and benefit the residents of Guam.

REFERENCE: Volume 4, Section 2.5 ALTERNATIVE 1: POLARIS POINT -PREFERRED ALTERNATIVE, BIOSECURITY p. 2-30)

Brown tree snake (BTS) control plans and other invasive species controls would include a quarantine and inspection area and security fencing designed for both humans/vehicles inspection and BTS control...

G-379-007 ISSUE: *None of this addresses biosecurity related to an Aircraft Carrier Berthing*

DISCUSSION:

- **The majority of biosecurity threats from this aspect of the military build-up (i.e., maritime travel) come from ballast water and biofouling of the ship's hull.**
- **Neither a quarantine and inspection area nor security fencing will mitigate these types of biological threats.**
- **One secondary impact left unaddressed is that dredging will provide a *tabula rasa* for invasive species**
 - **"Invading" species will not be restricted by competitive interactions.**
- **CUMULATIVE IMPACT: The Sasa Bay MPA and three of the most unique coral reef ecosystems in Guam will be outcompeted by invasive species.**

RECOMMENDATION: *A marine biosecurity plan will not prevent invasive marine species in dredged areas. Re-evaluation of the Kilo Wharf as the aircraft berthing location and a subsequent relocation of smaller vessel munitions operations within inner Apra Harbor is warranted. Reprogramming operations in this way meets the stated QDR goal of an increased aircraft carrier presence in the Western Pacific.*

REFERENCE: *Volume 4, Section 2.5.2.2 Utilities, Potable Water, p 2-39*

The potable water supply would be connected to the southern Navy water system, which receives its surface water supply from Fena Reservoir. Potable water demand for the aircraft carrier would have no impact on the Northern Guam Lens Aquifer. According to and following the applicable UFC documents and guidance provided in the review draft Navy Facility Planning Criteria for aircraft carriers, the daily average potable water requirements, with air wing or troops aboard, for a CVN 68 is 185,000 gpd (700,301 lpd) and for a CVN 78 is 235,000 gpd (889,572 lpd). Therefore, the existing potable water system requirements are based on the necessity to supply a minimum flow rate at the berthing location of 1,000 gpm (3,785 lpm) at 40 psi and satisfy an average daily demand of 235,000 gpd (889,572 lpd).

G-379-008 ISSUE: *The DEIS is asking for too much water.*

DISCUSSION:

- **1,000 gpm is 1,440,000 gallons per day, which is 6 times the "average daily demand" required for these vessels!**

RECOMMENDATION: *A comprehensive water usage regime needs to be developed.*

G-379-007

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 Micronesia Biosecurity Plan (MBP). This plan will address all aspects of the potential for the transport, prevention and response for all potential marine and terrestrial non-native invasive species, to other Pacific Islands and from other locations to Guam due to the military activities originating on Guam.

G-379-008

Thank you for your comment. The comparison of potable water supply and demand presented in Volume 6 indicates there will be sufficient water available in the Navy water system assuming Basic Alternative 1 or 2 is implemented to meet the projected military buildup and DoD continues to transfer water to GWA. The Volume 6 water utility study incorporated a potable water demand of 0.14 MGd for the CVN based on an earlier estimate of water demand for the carrier. Considering the water demand for the CVN 78 of 0.235 MGd would increase the estimated Navy related future water demand by 0.095 MGd. Assuming sustainability requirements are met, the Navy water system will have an excess water supply of 1.2 MGd in 2019 (Volume 6, Table 3.2-6) which is sufficient to cover the higher water demand estimate for the CVN presented in Volume 4. The estimate of excess water supply in the Navy water system shown in Volume 6 includes transfer of 3.3 MGd of water to GWA. Additionally, planned improvements to the GWA system (Volume 6, Section 3.1.2.1) such as the leak detection and repair efforts should result in increased water availability in Southern Guam. Potable water is required on board the CVN for use by the military personnel housed on the ship in addition to industrial use. The CVN will house up to 7,222 military personnel. The per capita demand is at most 33 gallons per day which is far below the average daily demand of 155

REFERENCE: *Volume 4, Section 2.5.2.2 Utilities, Stormwater, p 2-40*

Alternative 1 provides for approximately 5.8 ac (2.3 ha) of staging area adjacent to the back of the wharf. The maximum surface area of the pier would be approximately 2.7 ac (1.1 ha). Additionally, the MWR area would be situated on a 2.4 ac (0.97 ha) lot adjacent to the pier. Surface flow would be directed toward the west and south perimeters of the staging area and would be intercepted by a concrete swale. The layout of the staging area intercepts surface flow from the southeast. Therefore, a catch basin is planned to intercept this flow (however, more refined topographical and planimetric information may demonstrate that this catch basin may be eliminated and the total design flow reduced accordingly). The storm drain path would be along the same alignment as the swale, southward and then westward. A cyclonic separator would be located in the southwest corner of the staging area and the outfall located on the east end of the channel between the Apra Inner and Outer Harbors. Armor rock would be installed from the back of the wharf to about 250 ft (76 m) southward along the channel. However, additional rock cover is planned on the east side of the staging area at the west end of Griffin Beach, to protect the concrete cut-off wall return from undercutting action by waves. Chapter 4 of this Volume contains more information on potential impacts from stormwater.

G-379-009 ISSUE: This statement, in essence, is stating that storm water will be channeled directly into Apra Harbor without measures to prevent anything that has been spilled onto this 10.9 acre area.

DISCUSSION:

- There is no way to anticipate the introduction of petroleum products or other hazardous materials into the surface water within this 10.9 acre area.
- Cyclonic separation is a method of removing particulate matter (e.g., sediment, debris, and metal objects) from a water stream, without the use of filters, through the use of centrifugal force as the primary means of separation. This technology can only be used to separate mixtures of solids and fluids, NOT liquids (e.g., petroleum products and chemicals) nor anything that is less dense than water (i.e., floating things).

RECOMMENDATION: All surface flow water should be collected and TREATED as potentially hazardous waste.

REFERENCE: *Volume 4, Chapter 17 – HAZARDOUS MATERIALS & WASTE, p 17-2*

Due to the projected increase in the volume of hazardous materials, Alternative 1 Polaris Point (referred to as Alternative 1) could result in an impact (i.e., to soils, surface water,

gallons per capita per day specified in UFC guidance for unaccompanied personnel housing which would apply if housed at on base. The potable water allotment is low considering the number of transient military personnel housed on the CVN. The 1,000 gpd and 40 psi are design criteria for the berthing facilities, not the average daily demand for the CVN that is withdrawn from the DoD water supply.

G-379-009

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). 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

groundwater, air, or biota). However, the increase in hazardous materials would be handled and disposed of per applicable regulations and best management practices (BMPs) (see Volume 7); therefore, the increase in volume would not result in significant impacts.

G-379-009 **ISSUE:** There is precedence for the US Military to cover up accidents on Guam.

DISCUSSION:

- There is nothing said about notifying the public of spills of any kind.
- This is not acceptable considering that an earlier radioactive spill was not reported until 6 months after the incident occurred.

RECOMMENDATION: The public should be notified of spills of any kind within 24 hrs.

G-379-010 The following section relates directly to my professional and civic duty to challenge the validity of Volume 4: Section 11.1.1: Navy Coral Assessment Methodology, which could possibly be plagiarizing (p. 11-3) the conclusion section of Veihman *et al.* (2009) as a means to support the creation of a new Habitat Equivalency quantification method, which grossly underestimates the rugosity of the Inner Apra Harbor Shoal system and the age classes of corals within them, and does not account for rare and endangered animals that are not directly observed at the time of assessment (Minton *et al.* 2009: Volume 9, Appendix J, *Comparison of a Photographic and an In Situ Method to Assess the Coral Reef Benthic Community in Apra Harbor, Guam*). I have changed the format of these issues as they are all related. Excerpts from the DEIS are in *italic font*. A single recommendation follows this entire section.

Chapter 11 – Marine Biological Resources:

- 11.1 AFFECTED ENVIRONMENT
 - Vol. 4, p. 11-1. *"This chapter describes the potentially affected environment for marine biological resources in Outer Apra Harbor, where the proposed aircraft carrier berthing would occur."*

ISSUE: This statement is entirely inconsistent with all of the proposed Action Alternatives. The only alternative within 'Outer Apra Harbor' discussed in this DEIS is that of Kilo Wharf, which is discussed within "Section 2.2: Alternatives Considered and Dismissed."

- **Figure 11.1-1 (Bathymetric Map of the Study Area and Proposed Alternatives)**
 - *Figure 11.1-1 shows a bathymetric map of the project area and the proposed aircraft carrier berthing alternatives (Alternative 1 Polaris Point and Alternative 2 Former Ship Repair Facility [SRF]).*

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 (such as surface water runoff). 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.

G-379-010

Thank you for your comment. The Viehman *et. al.*, paper, which was cited on pg. 3, was used to assist in developing the methodology for data collection to support the preparation of HEA for the proposed action in Apra Harbor. A Compensatory Mitigation Plan will be prepared by the Navy and will be reviewed by resource agencies and ultimately approved by USACE as required by the CWA. The Viehman cited text has been modified to include "quotation marks" where appropriate.

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

ISSUE: The figure also depicts Sasa Bay Marine Preserve as “Sea Turtle and EFH MUS High Concentration Area.” This is a sea-locked & land-locked area. Sea Turtles are “sea-faring” animals. It is logical to assume that the turtles must pass through the project areas proposed.

- Vol. 4, p. 11-1. *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. The western facing slopes of Western Shoals and Big Blue Reef are almost completely covered with living corals to a depth of approximately 50 to 60 feet (ft) (15 to 18 meters [m]), where the slopes intersect the channel floor. Coral cover on the eastern slopes of these two reefs is much less compared to the western slopes.*

ISSUE: The major slope of Western Shoals that will be affected (by proximity association alone) is the NORTHERN SLOPE, which is also almost completely covered with living corals to a depth of approximately 50 to 60 feet (ft) (15 to 18 meters [m]).

- Vol. 4, p. 11-1. *Construction of the aircraft carrier wharf would involve placing fill material in approximately 3.6 acres (ac) (1.5 hectares [ha]) of nearshore and intertidal waters for either alternative.*

ISSUE: 3.6 acres of nearshore and intertidal waters will be buried to construct this wharf.

- Vol. 4, p. 11-1. *As described by Smith (2007), a substantial percentage of the coral at all depth contours off Polaris Point was growing on metallic and/or concrete debris, was of marginal quality, and showed the greatest signs of stress. This stress appeared to be due in part to high levels of total suspended solids (TSS) coming from Inner Apra Harbor.*

ISSUE: The study conducted by Smith et al., 2007, suggests that suspended solids coming from Inner Apra Harbor (i.e., the military portion of the harbor which is routinely maintained by dredging) stresses corals in ways that reduce their quality tremendously. Dredging conducted during the construction and maintenance phases of this action will increase the levels of TSS in the waters surrounding ALL of these Shoals. Similar habitats can not be found ANYWHERE else on Guam. As coral and coral habitat are extremely important resources, ALL potential threats should be avoided entirely.

the wide variety of aquatic resources present in the United States, and the evolving nature of science regarding aquatic ecosystem restoration makes 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.

G-379-010

o 11.1.1 Navy Coral Assessment Methodology

Coral reef restoration is currently an evolving field with new research methods continuously being developed. Few, if any, injuries to coral have been followed from impact to complete recovery as part of the NRDA process. Consequently, expert estimates about whether a site will recover in 30, 50, or 300 years, or not at all, are necessarily imperfect, but bear the responsibility of being the best available information at present. (Almost all of the approaches detailed in Viehman (2009) rely heavily on expert opinion, which is unlikely to be universally accepted, and consequently, contributes to the adversarial nature of determining the extent and costs of restoration. Thus, the Viehman (2009) paper also provides encouragement for coral reef NRDA's to become a process that is objective (quantitative) rather than the current, often subjective process. As more informative data emerge from research, restoration monitoring, and HEA, the application should advance the NRDA process in conjunction with coral reef restoration science.)

In its simplest form, the objective of coral reef restoration conducted through the NRDA process is to restore the services lost from the injuries caused by the responsible party. It is often difficult to know whether the trustee actions are sufficient to reach this objective given the current state of reef restoration science and NRDA practice. While the practical and measurable goals of restoration are to rapidly re-create the structure and functions of an injury habitat, the approaches for realizing this goal are continually evolving. There is a delicate balance between broad, general operating principles and site specificity. Careful selection of the theoretical NRDA approach (HEA-based using two-dimensional coral cover or composite metrics, or REA-based using size-frequency distributions) and metrics appropriate to both the degree and extent of injury and of habitat type will serve as a vital link between the damage assessment, recovery modeling, compensatory calculations, and recovery monitoring. (An immense amount of information is necessary to fully understand the type and magnitude of ecological services provided by the injured coral reef in its baseline condition, the manner in which those ecological services will recover following the injury, and the relationship of those services with those provided via compensatory restoration projects.) A nearly complete understanding of coral reef ecological services is required to objectively determine whether selected compensatory restoration projects adequately restore lost services for a given injury (Viehman 2009).

ISSUE: These are Paragraphs taken directly from Viehman, 2009. Text that is taken verbatim from Viehman 2009 is highlighted in green. Text taken but changed in order is underlined. Therefore, the second and third paragraphs of section 11.1.1 are taken almost VERBATIM from Viehman (2009)'s Conclusions Section. THIS IS PLAIGARISM and is also proof that the validity of this entire section should be in question.

G-379-011

RECOMMENDATION: *The US Navy should either proceed with the NO ACTION ALTERNATIVE, or consider very carefully a re-evaluation of the Kilo Wharf as the aircraft berthing location and a subsequent relocation of smaller vessel munitions operations within Inner Apra Harbor is warranted. REPROGRAMMING OPERATIONS IN THIS WAY MEETS THE STATED QDR GOAL OF AN INCREASED AIRCRAFT CARRIER PRESENCE IN THE WESTERN PACIFIC AND IS HIGHLY RECOMMENDED GIVEN THE QUESTIONABLE VALIDITY OF VOLUME 4.*

I, Jason Biggs, permit the organization, We Are Guahan, to adopt this comment in its entirety.

G-379-011

Thank you for your comment. 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 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.

The No Action Alternative is also not a feasible alternative because it would not support the goal of an increased aircraft carrier presence in the Western Pacific.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-001

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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

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G-380-001

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 will be updated to reflect the latest developments in this review.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-002

The Draft EIS 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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-003

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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-002

Thank you for your comment. The Navy has already overestimated the impacts to the dredged area in depth and laterally. See DEIS Section 11.2.2.5, Page 11-76. The Navy does not plan to survey deeper than 60 feet. The indirect impacts are address 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 (an adverse impact) for the duration of the dredging project within the Aircraft Carrier Fairway and Berthing Area.

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

G-380-004

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, (Page 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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-005

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, (Page 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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-006

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

under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

G-380-003

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.

G-380-004

Thank you for your comment and concern for coral reef ecosystems. Volume 7, cumulative impacts section has been revised and includes a qualitative assessment of the coral reef impacts island-wide from the increased growth.

To compensate for the loss in ecological service provided by coral reef ecosystem, a suite of mitigation measures have been identified, some focused on coastal water quality island-wide. Others, including upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination of these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources.

G-380-006 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.

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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-007 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.

Citation:
Volume 6, Chapter 3

Justification:
The increase of population will increase the amount of wastewater needing treatment. Guam's current wastewater system, as it is, cannot handle the population that is expected to live on Guam in 2014. The Draft EIS does not address how DoD would contribute to GWA to meet Guam Water Quality Standards at the sewage outfalls. The amount of wastewater needing to be processed would peak in 2014 with the combined impacts of the Marine Corps relocation, construction workforce, and civilian growth. This demand will exceed the physical capacity of the Northern Wastewater Treatment Plant. The demand would then decrease and by the year 2019, wastewater treatment demands would be back within the current physical capabilities of the wastewater treatment plant's design.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-008 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

In addition, land-based construction BMPs will be implemented to reduce run-off/sedimentation to the ocean, thus protecting the reefs. Additionally, the DoD, as part of the "build-up" on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

The final conceptual determination would not be made until the Record of Decision on this EIS. More detailed identification of potential mitigation would be done during the USACE permit process. Both artificial reefs and watershed management projects would be considered as potential compensatory mitigation, and it is possible that a combination of those potential mitigation efforts that are listed below would be appropriate. 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. Ultimately, the compensatory mitigation is subject to approval by the USACE under the CWA through the Section 404/10 permit requirements.

G-380-005

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

G-380-008 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)

G-380-009 Justification:
The DoD is proposing to be a customer of GovGuam's permitted landfill facility in Layon. The amount 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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-010 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. 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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-011 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

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.

G-380-006

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. Impacts may be both adverse and beneficial. The current level of scientific knowledge can predict trends in sea level rise based on historical 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 the proposed action and natural resources, including aquifers, is not practical.

Potentially significant impacts to recreational resources (including reefs) were identified Volume 2, Chapter 9. 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. Proposed mitigation includes preparation 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

G-380-011 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.

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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-012 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 Fena Lake, desalination 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 impacts occur "behind the fence". The Draft EIS does not address off-base impacts on the GWA water system that arise from the buildup.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-013 Comment:
G-380-014 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

and their dependents on natural resources. Ultimately, it would be the GovGuam's responsibility to manage the off-base coastal resources. The federal government would work with GovGuam to obtain grants to assist with this responsibility.

Volume 7, Chapter 3 summarizes the combined potential impacts of the preferred alternatives for the entire proposed action on Guam and Tinian. This is the aggregate analysis that you requested in your comment. 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.

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 significant 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.

G-380-007

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

G-380-014 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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-015 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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

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.

G-380-008

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

G-380-016 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.

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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-017 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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-018 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:

(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.

G-380-009

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

G-380-018 | 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 to being able to determine how useful the studies would be to the proposed action within this Draft EIS.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-019 | 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.

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 Koko bird and reef fish. These are very few of these animals remaining on Guam. The main threats to these animals is destruction of habitat, over harvesting and invasive species.

G-380-020 | 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.

G-380-021 | 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.

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

Comment:

G-380-022 | The Draft EIS must thoroughly explore the option of utilizing current DoD lands for the proposed actions.

Citation:

Volume 2, Chapter 19, Page 16

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.

G-380-010

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.

G-380-011

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

G-380-022 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 by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 15, 2010

G-380-023 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.

Citation:
Volume 2, Chapter 11, Page 28 - 34

G-380-024 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.

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.

G-380-012

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

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 16, 2010

G-380-025 Comment:
DEIS must provide a comprehensive report of all Alternative Buildup Sites for 1. Relocation of Marines; 2. Development of a Navy Transient Aircraft Capability; and 3. Development of an Army AMDTF. DEIS must provide rationale for excluding Alternative Buildup Sites in all 50 states for the 3 main actions in the DEIS as described above.

Citations:

1. Relocation of Marines

ES-3 Executive Summary:

Relocation of Marines to Guam

In response to the evolving security environment in the Pacific region, the Integrated Global Presence and Basing Strategy (IGPBS) and Quadrennial Defense Review (QDR) initiatives began to focus on posture changes in the Pacific region. These initiatives included reduction of overseas forces while striving to base forces in locations that support flexibility and speed of response to anywhere in an unpredictable environment. Based on the QDR recommendations for global repositioning and operational realignments in the Pacific Region, the Department of Defense began to identify suitable locations to relocate the Marine Corps from Okinawa that met: (1) treaty and alliance requirements; (2) response times to potential areas of conflict; and (3) freedom of action (use of base without restrictions).

2. Development of a Navy Transient Aircraft Capability

ES-5 Executive Summary

Development of a Navy Transient Aircraft Capability in Guam

The 2006 QDR states that the U.S. realignment strategy included the need for greater availability of aircraft carriers in the Pacific to support engagement, presence, and deterrence, supplementing current ship deployments, port visits in the region, and the aircraft carrier base (homeport) in Japan. Port visits are generally of short duration with limited availability for maintenance support. In contrast, a transient capable port has greater support for vessel maintenance and crew quality of life enabling longer stays in a region to meet the QDR strategy. Based upon the QDR and treaty and alliance requirements, DoD began to identify suitable locations for a new transient carrier capability in the Pacific that met: (1) treaty and alliance requirements; (2) response times to potential areas of conflict; and (3) freedom of action (use of a base without restrictions, including implementation of force protection measures to deter/avoid terrorist attacks). The QDR concept is that the U.S. should strive to position forces in locations that support flexibility and speed of response to anywhere in an unpredictable environment. The proposed action to create a transient carrier capability on Guam meets all of these requirements.

3. Development of an Army AMDTF

ES-5 Executive Summary

Development of an Army AMDTF

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.

G-380-013

Thank you for your comment. There is no regulatory or engineering requirement to design for climate change at this time. 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. A quantitative assessment of the additive or cumulative impact of climate change on the proposed action and natural resources is outside the scope of this EIS.

G-380-014

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

The proposed Army AMDTF would be placed on Guam to defend U.S. interests on Guam. Its defensive umbrella would ensure that local military assets are protected and remain available to meet their military missions.

G-380-025

Justification:

There is no mention of other Alternative Buildup Sites in the DEIS. How can a small island of Guam, which is only 212 square miles, support the largest military buildup since the Vietnam War? What are the short and long term military plans to use the lands and seas of Guam and the Marianas Islands Archipelago?

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.

G-380-015

Thank you for your comments. The information you requested is provided in the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F (Volume 9) of the DEIS. Subsection 4.4.6 of the SIAS titled Growth Permitting and Regulatory Agency Impacts specifically addresses this concern. This subsection analyzes the impact on permitting agencies resulting from the proposed action. The section details the number of new permits which will be associated with direct and indirect actions, as well as the number of new permitting agency employees that would be required.

G-380-016

Thank you for your comments. 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. At

Comment by Simeon M. Palomo, a resident of Guam and member of We Are Guahan Coalition; submitted on Feb. 16, 2010

G-380-025

Comment:

DEIS must provide a comprehensive report of all Alternative Buildup Sites for 1. Relocation of Marines; 2. Development of a Navy Transient Aircraft Capability; and 3. Development of an Army AMDTF. DEIS must provide rationale for excluding Alternative Buildup Sites in all 50 states for the 3 main actions in the DEIS as described above.

Citations:

1. Relocation of Marines

ES-3 Executive Summary:

Relocation of Marines to Guam

In response to the evolving security environment in the Pacific region, the Integrated Global Presence and Basing Strategy (IGPBS) and Quadrennial Defense Review (QDR) initiatives began to focus on posture changes in the Pacific region. These initiatives included reduction of overseas forces while striving to base forces in locations that support flexibility and speed of response to anywhere in an unpredictable environment. Based on the QDR recommendations for global repositioning and operational realignments in the Pacific Region, the Department of Defense began to identify suitable locations to relocate the Marine Corps from Okinawa that met: (1) treaty and alliance requirements; (2) response times to potential areas of conflict; and (3) freedom of action (use of base without restrictions).

2. Development of a Navy Transient Aircraft Capability

ES-5 Executive Summary

Development of a Navy Transient Aircraft Capability in Guam

The 2006 QDR states that the U.S. realignment strategy included the need for greater availability of aircraft carriers in the Pacific to support engagement, presence, and deterrence, supplementing current ship deployments, port visits in the region, and the aircraft carrier base (homeport) in Japan. Port visits are generally of short duration with limited availability for maintenance support. In contrast, a transient capable port has greater support for vessel maintenance and crew quality of life enabling longer stays in a region to meet the QDR strategy. Based upon the QDR and treaty and alliance requirements, DoD began to identify suitable locations for a new transient carrier capability in the Pacific that met: (1) treaty and alliance requirements; (2) response times to potential areas of conflict; and (3) freedom of action (use of a base without restrictions, including implementation of force protection measures to deter/avoid terrorist attacks). The QDR concept is that the U.S. should strive to position forces in locations that support flexibility and speed of response to anywhere in an unpredictable environment. The proposed action to create a transient carrier capability on Guam meets all of these requirements.

3. Development of an Army AMDTF

ES-5 Executive Summary

Development of an Army AMDTF

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 FAS) in search of jobs, in order 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.

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

The proposed Army AMDTF would be placed on Guam to defend U.S. interests on Guam. Its defensive umbrella would ensure that local military assets are protected and remain available to meet their military missions.

Justification:

G-380-025 | There is no mention of other Alternative Buildup Sites in the DEIS. How can a small island of Guam, which is only 212 square miles, support the largest military buildup since the Vietnam War? What are the short and long term military plans to use the lands and seas of Guam and the Marianas Islands Archipelago?

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."

Military dependents may seek jobs off-base. Information on the number who would seek those off-base jobs has not been estimated. The FEIS will provide an estimate, based on existing statistics, as to percentage/number who would seek jobs in the Guam community (off-base).

G-380-017

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for information on economic impacts related to the proposed action. Analysis of Labor Force Demand (which begins on page 4-147), 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.

Military dependents may seek jobs off-base. Information on the number who would seek those off-base jobs has not been estimated. The FEIS will provide an estimate, based on existing statistics, as to percentage/number who would seek jobs in the Guam community (off-base).

G-380-018

Thank you for your comment. The proposed action within Apra Harbor (an active commercial and DoD port) has been evaluated in Chapter 11, not Chapter 4, which the commenter is referring.

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 will 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.

G-380-019

Thank you for your comment. Clearing of vegetation has been avoided to the extent practicable based on all planning considerations. Specific essential habitat areas have been identified by the USFWS and are shown on maps in the EIS. The U.S. Fish and Wildlife Service (USFWS) is currently evaluating the removal of habitat that is being proposed and its impacts to threatened and endangered species on Guam and Tinian under Section 7 of the Endangered Species Act and compensation for removal of habitat for Special-Status species is currently being discussed with USFWS as part of the Section 7 consultation process. Conservation measures for terrestrial species are included in the DEIS in Volume 2, Chapter 10. USFWS is currently discussing these and other measures with the Navy and additional measures have been added to the final EIS.

G-380-020

Thank you for your comment. Clearing of vegetation has been avoided to the extent practicable based on all planning considerations. Specific recovery habitat areas have been identified by the USFWS and are shown on maps in the EIS. The U.S. Fish and Wildlife Service (USFWS) is currently evaluating the removal of habitat that is being proposed and its impacts to threatened and endangered species on Guam and Tinian under Section 7 of the Endangered Species Act and compensation for removal of habitat for Special-Status species is currently being discussed with USFWS as part of the Section 7 consultation process. Fragmentation of habitat is being minimized, for example by siting utilities in existing corridors where possible. Conservation measures for terrestrial species are included in the DEIS in Volume 2, Chapter 10. USFWS is currently discussing these and other measures with the Navy and additional measures have been added to the final EIS.

G-380-021

Thank you for your comment. Clearing of vegetation has been avoided to

the maximum extent practicable based on all planning considerations. The preferred action would not affect a large percentage of land available for endangered species. On Guam, the combined area directly and indirectly affected represents 3.3% of recovery habitat island-wide for the endangered fruit bat and kingfisher and 3.6 % island-wide for the endangered crow. Specific essential habitat areas have been identified by the USFWS and are shown on maps in the EIS. The U.S. Fish and Wildlife Service (USFWS) is currently evaluating the removal of habitat that is being proposed and its impacts to threatened and endangered species on Guam and Tinian under the Endangered Species Act. Conservation measures for terrestrial species are included in the DEIS in Volume 2, Chapter 10. USFWS is currently discussing these and other measures with the Navy and additional measures have been added to the final EIS.

G-380-022

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.

G-380-023

Thank you for your comment. A Micronesia Biosecurity Plan (MBP) is being developed to address potential non-native 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 non-native invasive species throughout Micronesia and procedures to avoid, minimize, and mitigate these risks. It 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) Biological Resources Discipline, and the Smithsonian Environmental Research Center (SERC). The plan is intended to be a comprehensive evaluation of risks in the region, including all Marine Corps and Navy actions on Guam and Tinian. The Navy will develop biosecurity measures to address non-native invasive species that will supplement existing practices. For additional information on the MBP and existing and interim measures for non-native invasive species control, please refer to Volume 2, Chapter 10, Section 10.2.2.6. Volume 2, Chapter 11, Section 11.2.2.6 contains information relevant to the MBP and potentially invasive marine species. Also, Volume 2 Chapter 14 (marine transportation) has been updated to include shipping routes to and from Guam, as well as expected cargo increases due to both organic growth and the military buildup.

G-380-024

Thank you for your comment. Mitigation and prevention measures in the FEIS appropriately address the issue of biosecurity as it relates to the marine environment. There is a Navy ballast water exchange program, and text was added to the FEIS that references the actual regulation. The Navy biosecurity plan will address marine invasive species. A biosecurity plan is not mandated, but DOD has indicated support for USDA by committing to funding USDA (and 4 other agencies) to lead the development of a biosecurity plan. DOD cannot commit to implementation of the biosecurity plan at this time because it has not yet been developed and DOD has not had an opportunity to review the proposed mitigation measures.

G-380-025

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.

February 6, 2010

Julian Aguon

Attorney, Human Rights Scholar-Advocate

Human Rights Are Not Skin Rashes:

The Illegality of the DEIS' suggestion that new U.S. arrivals to Guam can participate in a self-determination referendum in Guam

I offer the following comment in my personal capacity and as a member of We Are Guahan. For the reasons set out below, I recommend the **No Action** alternative.

The DEIS erroneously suggests that the thousands of new arrivals coming to Guam from the continental United States as part of the military buildup can, and will, participate in a self-determination referendum to determine the political status of the island, should one be had. One particularly problematic provision provides:

Guam's indigenous Chamorro population has strong concerns about whether incoming military populations would recognize them as both American by nationality and also as a unique ethnic culture worthy of respect and preservation. This could be mitigated by orientation programs designed in cooperation with the Department of Chamorro Affairs. 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.

DEIS, Vol. 7, Mitigation, Summary Impacts, Cumulative, chapter 3, page 64. The same erroneous suggestion is repeated elsewhere in the DEIS. *See, e.g.*, DEIS, Vol. 2, Marine Corps – Guam, chapter 16, page 96 (“Chamorro concerns involves 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, although at present there is little evidence that a majority would support such moves at any rate.”); *see also id.* at 91 (“Another goal of Chamorros has been political self determination, and for some Chamorros, total sovereignty. While it is by no means certain that Guam residents would ever vote for full independence even if the military buildup does not take place, the addition of more non-Chamorro voters may make efforts at sovereignty less viable.”).

This suggestion is illegal under any principled construction of international law. But because the United States, through its military mouthpiece, seems to be suffering from amnesia—the following is a brief recounting of the relevant international law applicable to Guam as a non-self-governing territory.

After the founding of the United Nations at the end of World War II, the international community recognized that colonized peoples and territories around the world deserved to be freed from colonialism. The U.N. Charter, ratified by the United States in 1945, recognizes in Article 1(2) and Article 55 the “principle of equal rights and self-determination of peoples.” Article 73 of the Charter explicitly governed non-self-governing

G-381-001

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.

G-381-002

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.

G-381-001

G-381-002

territories, like Guam, from 1946 to 1960, when it was supplemented by the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples. Article 73 states that “Members of the United Nations who administer territories whose peoples have not yet attained a full measure of self-government” have a “sacred trust obligation . . . to promote . . . the well-being of the inhabitants of these territories, and . . . to develop self-government,” taking into consideration “the political aspirations of the peoples.” Since 1946, Guam has remained on the U.N. list of non-self-governing territories; her people eligible under international law for self-government from 1946 to 1960, and thereafter for full independence.

In 1960, the U.N. General Assembly adopted two resolutions to give greater form and substance to the principles articulated in Article 73 of the Charter. The first, Resolution 1514 (XV), also known as the “Declaration on the Granting of Independence to Colonial Countries and Peoples”, declares: “[A]ll peoples have the right to self-determination” and that “immediate steps shall be taken . . . to transfer all powers to the peoples of [non-self-governing] territories . . . in accordance with their freely expressed will and desire.” The second, Resolution 1541 (XV), also known as the “Principles Which Should Guide Members in Determining Whether or not an Obligation Exists to Transmit the Information Called for in Article 73e of the Charter of the United Nations”, sets out three political status options that the United Nation recognizes as a full measure of self-government for the non-self-governing territories: independence, free association, or integration with an independent State.

Resolution 1514 proclaimed self-determination to be more than a principle, and declared it a right. It states: “All peoples have the right to self-determination.” Although the General Assembly in Resolution 1514 failed to define “peoples,” its adoption on the following day of Resolution 1541 acted to “fill in some of what Resolution 1514 left unsaid.” Resolution 1541 was intended to clarify the reporting duty of the colonial rulers of the non-self-governing territories required to report to the Secretary-General on the status of the peoples of those territories until such time as self-governance was realized. The resolution’s ninth principle states that a *prima facie* duty to submit said information exists “in respect of any territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it.” From this language emerged a legal thesis known as the “blue-water” or “salt-water” thesis, which holds that only those peoples “separated by a sea . . . from their subjugators are entitled to self-determination. In contrast, the other major decolonization thesis takes its cue from language in the earlier resolution, 1514, which identified the holders of the right to self-determination in the decolonization context as those under “alien domination.” This second theory, known as the “Belgian thesis,” holds that all peoples, including those in independent states, are entitled to the remedy of decolonization. While in theory the latter thesis reflects the more principled approach, in the case of Guam, one need not entertain the distinction, as Guam would meet the test of either thesis.

The DEIS suggests that the massive wave of U.S. expatriates coming soon to Guam can participate in a self-determination plebiscite. This is erroneous because the international law governing the decolonization of non-self-governing territories indicates that decolonization is a remedy available only to the colonized. To be sure, Resolution 1514 instructs that the right to self-determination belongs to peoples who are subjected to “alien subjugation.” Resolution 1541 further instructs that the right to self-determination in the decolonization context is a right available to the people of those territories “geographically separate” and “distinct ethnically and/or culturally from the country administering it.”

Moreover, in the 1970 Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States, or Resolution 2625 (XXV), the U.N. General Assembly unequivocally instructs:

[T]he territory of a colony or other Non-Self-Governing Territory has, under the Charter, a status separate and distinct from the territory of the State administering it; and such separate and distinct status under the Charter shall exist until the people of the colony or Non-Self-Governing Territory have exercised their right to self-determination in accordance with the Charter, and particularly its purposes and principles.

These resolutions indicate that, as far as the right to self-determination is concerned, the United States cannot treat Guam as its domestic soil, nor exploit its control over immigration into Guam to flood the territory with its own non-Chamorro expatriates. By the time a Chamorro self-determination referendum would occur, if it does in fact occur, the enormous outside settler population would have increased exponentially. As stated in Volume 2 of the DEIS, the huge demographic change incident to the buildup will necessarily result in a “reduction in Chamorro voting power.” DEIS, Vol. 2, Marine Corps – Guam, chapter 16, page 91.

Perhaps the strongest legal argument against the participation of U.S. expatriates in any future self-determination referendum in Guam is the most obvious one. A settled principle in both international and U.S. domestic law is that legal principles ought not be construed to lead to an absurd result. Indeed, this principle is so well settled that American jurists typically refer to it as the Golden Rule of statutory construction. Here, because decolonization is about curing a wrong (i.e., colonization), construing the right to self-determination in the decolonization context as belonging to those who were not harmed leads to a plainly absurd result. Arguably, to approve a conclusion to the contrary would be tantamount to a re-imposition of colonization by legal means.

To silence this position, the United States will no doubt proffer Puerto Rico as an example of how every U.S. citizen residing in a non-self-governing territory gets to vote in that territory’s self-determination referendum. There, such referendums enfranchised all in the territory—Puerto Ricans and U.S. expatriates alike. In 1953, after the United States had reported that its international obligations as Puerto Rico’s Administering Power had been in effect fulfilled by virtue of an increased measure of self-governance for Puerto Ricans, Puerto Rico was removed from the U.N. colonies list. The international community, however, has roundly rejected the U.S.’ argument: Puerto Rico was deemed wrongly removed from the colonies list and has, since 2007, enjoyed a *sui generis* legal status, being kept under “continuous review” by the General Assembly itself so as to guarantee the people of that territory their legitimate right to self-determination. Further still, the example of New Caledonia shows us that, when the fundamental right to self-determination is concerned, the international community does not let Administering Powers so easily off the hook. There, though France had unilaterally removed New Caledonia from the colonies list, the General Assembly re-inscribed the territory on the list because of a self-determination plebiscite that failed to conform to international standards for decolonization.

Finally, almost immediately after its curt analysis (if it can be called analysis) of this colossal issue (the U.S.’ taking for granted that all U.S. citizens residing in the territory of Guam can lawfully participate in a self-determination referendum for Guam when and if one is had), the DEIS then flippantly dismisses this issue as belonging to a lower order. It states:

G-381-002

“The negative interactions related to incoming new population discussed here do not rise to the level of major issues previously discussed under ‘Crime and Disorder,’ but are more likely to be *irritants* that may undermine a sense of mutual respect between groups.” (emphasis added). Adding insult to injury, the document goes on to state, absurdly: “Also, the arrival of new populations can bring positive benefits that infuse communities with opportunities for more meaningful interactions.”

Irritants? Sounds like a skin rash. Red ants, maybe?

Will someone please inform the United States (and all its agents) that the corpus of international human rights (to which self-determination not only belongs but enjoys a pre-eminent status) are principles which have crystallized into rights because as a world we have recognized that human beings are food to no one—no man, no state, no institution, no god? To be sure—to be crystal clear—self-determination is an inalienable, fundamental right of all peoples. And despite what the U.S. government imagines, makes up, wants—it is not, can never be, a thing to go gently to its grave.

G-381-003

The final EIS must address the international legal points made herein. It must articulate with specificity the international legal authority for this buildup and, in particular, address how this buildup 1) does not violate the international law(s) on decolonization, 2) is not contrary to the U.N. Charter and the more specific rules that have crystallized around the right to self-determination, and 3) does not constitute denial of the right to external self-determination of the people of Guam arising out of both the colonial context and the foreign military occupation context. Further, in light of the above-articulated points of international law, and in light of the international mandate that the U.S. ensure that the people of Guam exercise self-determination in accordance with U.N. standards for decolonization, what international legal authority does the U.S. government and U.S. federal agencies, including the U.S. Defense Department, proffer in support of the contention that this buildup is even legal? Any response to this query must be reconciled with the well-settled principle of international law that one country’s so-called “national security” does not trump the right to self-determination of peoples, which is already generally accepted as a *ius cogens*, or peremptory norm from which no derogation is allowed.

G-381-003

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.

January 12, 2010

Julian Aguon

Attorney, Human Rights Scholar-Advocate

U.S. Cannot: 1) Cherry-Pick Which Treaties It Will Bolster and Which Treaties It Will Betray; and 2) Privilege Regional Defense Agreements Over Binding International Human Rights Treaties

I offer the following comment in my personal capacity and as a member of We Are Guahan. For the reasons set out below, I recommend the **No Action** alternative.

Volume 1 of the DEIS indicates in Section 1.4 (“Global Perspective Background”) that the mainstay of the U.S. justification for the major proposed actions for Guam and the CNMI is the upholding of treaties and other international agreements wherein the U.S. essentially promises to provide security for Japan and other U.S. allies in the region. Section 1.4 states that in the Western Pacific region, there are five such U.S. mutual defense treaties containing alliance requirements. These treaties are between the U.S. and 1) Philippines, 2) Australia, 3) New Zealand, 4) Korea, 5) Japan, 6) Thailand, and 7) France. According to Section 1.4, the relocation of nearly half of the total Marine Corps units from Okinawa to Guam must meet these treaty, international cooperative defense agreements, and other alliance requirements.

What is glaring is the DEIS’ total omission of any mention of the plethora of other international agreements, treaty and otherwise, many of them binding, that directly bear on the planned military buildup of Guam. The DEIS irresponsibly omits any discussion about the whole corpus of international law that is actually relevant to Guam as a U.N.-recognized non-self-governing territory. **If the final DEIS is going to include a discussion of the U.S.’ international obligations pursuant to international cooperative defense agreements and/or mutual defense agreements (such as the discussion in Section 1.4 of Volume 1 of the DEIS), then the final EIS MUST ALSO include an equally substantive discussion of the corpus of international law—replete with binding rules of customary international law and treaty law—that pertain to the U.S.’ international obligations with respect to Guam as a non-self-governing territory. Failing a substantive discussion about the applicability of external self-determination to Guam, the final EIS used to justify or in any way legitimize the militarization of Guam marks the most illegal document ever produced by any administering Power since the founding of the United Nations.**

In addition, the final EIS must address the following international instruments: the U.N. Charter, particularly Article 73; the Declaration on the Granting of Independence to Colonial Countries and Peoples; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States; and the Declaration on the Rights of Indigenous Peoples, which U.S. President Obama recently vowed to sign.

As a U.N. member state, the U.S. is bound to protect and advance the human rights articulated in the U.N. system. Thus, the DEIS’ total omission of international human rights treaties directly relevant to the military buildup of Guam is reprehensible and outrageous. One of these treaties, the International Covenant on Civil and Political Rights, has been

G-382-001

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.

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legally binding on the U.S. as a signatory state since 1992.

February 9, 2010

Julian Aguon

Attorney, Human Rights Scholar-Advocate

On How Chapter 12 of the DEIS: 1) Inscribes Ethnocide/Cultural Genocide for the Indigenous Chamoru People of Guam; and 2) Violates Ancient Common Law Rights Long-Recognized by U.S. Courts.

I offer the following comment in my personal capacity and as a member of We Are Guahan. For the reasons set out below, I recommend the **No Action** alternative.

G-383-001

Chapter 12 of Volume 2 of the DEIS readily and repeatedly admits that the first major proposed action of the military buildup of Guam (i.e., the construction of permanent facilities and infrastructure to support the U.S. Marines and their dependents being relocated from Okinawa to Guam) will have adverse impacts on a wide array of cultural resources.

G-383-002

The following cited excerpts from Chapter 12 provide a pointed but non-exhaustive list of problematic provisions that *in toto* implicate a massive violation of human rights amounting to ethnocide/cultural genocide of the indigenous Chamoru people of Guam:

See, e.g., DEIS, Vol. 2, chapter 12, page 62 (“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.”); *see also id.* at 19 (“The proposed firing ranges for Alternatives A and B associated with the proposed action are located on the Route 15 valley and escarpment east of Andersen South. Approximately 60% of the Route 15 impact area has been surveyed. The unsurveyed areas are considered to be medium probability areas for archaeology because archaeological sites are known from the vicinity. Resource potential in the Route 15 survey area is high.”); *id.* (The Pagat Site Complex, near the coast outside the project area for the proposed firing ranges, “includes at least 20 *latte* sets, more than 50 mounds of artifacts and midden, remnants of trails, more than 30 mortars and grinding areas, an unknown number of caves and rock shelters, and other features.”); *id.* (“Route 15 impact area indicate as least three other NRHP-eligible sites are located within this area,” including sites 04-0021, 04-0024, and 04-0642, two of which are also “traditional cultural properties, including the Pagat site and Marbo Cave.”); *id.* at 28 (“NMS comprises approximately 8,800 ac (3,561 ha) and is situated within the inland volcanic hills, valleys, and mountains of southern Guam. Cultural resources identified in NMS include pre-Contact, post-Contact, and multi-component archaeological sites and buildings and structures . . . Three hundred and eighty-seven resources are listed or eligible for the NRHP or need further evaluation. At least 146 *latte* sites, containing over 350 *latte* sets, have been identified in NMS, ranging from single, isolated *latte* structures to complexes of multiple *latte* sets combined with other features. Where identifiable, *latte* sets in complexes exhibit 6, 8, 10, and 12 pillars each in two paired rows. Also found in NMS are quarries, cliff overhangs, caves, artifact scatters, and isolated objects such as sling stones, stone tools, mortars, and a grooved boulder . . . Three resources, the Bona Site, the Fena Massacre Site, and the West Bona Site are listed on the Guam Register.”); *id.* at 29 (“A traditional cultural properties study of Guam was completed in 2009 . . . Two traditional cultural properties were identified in NMS. The Fena Massacre Site has archaeological and ethnographic associations. The Fena Watershed contains numerous archaeological sites and

G-383-001

Thank you for your comment. Early identification, consultation, and predictive modeling resulted in many fewer historic properties being directly impacted. This was done 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 agencies to avoid, minimize, and mitigate adverse effects to cultural resources and to provide information necessary to protect historically important properties.

G-383-002

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.

has legendary, archaeological, and ethnographic associations. Concerns over the possible disturbance and disposition of pre-Contact human remains are likely and the presence of petroglyphs and pictographs may indicate past or present ceremonial or religious activities. Pre-Contact human remains have been recovered from caves and rockshelters as well as near *latte* sites. Specific areas known to have traditional importance to the Chamorro include Almagosa Springs area of Pena on NMS. The Pena Massacre Caves on NMS are the location of annual commemoration ceremonies by the Chamorro.”; *id.* at 37 (“Construction of the Bachelor Enlisted Quarters (BEQ) would impact areas with low, medium, and high archaeological probability. This setting would require a substantial amount of vegetation/ground excavation and soil removal, and has the potential to adversely affect archaeological resources and disturb an area with high probability for archaeological resources, which includes site 1021 (artifact scatter);”); *id.* (“Construction of Headquarters (HQ) facilities would impact areas with a medium archaeological probability. This setting would disturb an area with medium probability for archaeological resources. Construction of the BASE, DIVA and MEFA facilities would impact areas with low, medium, and high archaeological probability. This setting has the potential to adversely affect archaeological resources in an area with medium/high probability. Sites in this area include 1022 (artifact scatter) 1023 (four WWII defensive structures) and 1026 (habitation site and artifact scatter). Construction of the Marine Logistic Group (MLG) facilities would impact areas with low, medium, and high archaeological probability. This setting would adversely affect archaeological resources in areas with medium/high archaeological probability. These resources include sites 381 (ceramic scatter), 1012 (artifact scatter) and 1020 (artifact scatter). Construction of the LTC facilities would impact an area with low archaeological probability . . . Construction at Finegayan has the potential to require the removal of dukduk trees, a traditional resource used by canoe builders.”); *id.* at 41 (“Construction of Alternative B [for the proposed firing ranges near Route 15] has the potential to disturb previously unrecorded archaeological sites within medium probability areas . . . Construction of Alternatives A and B have the potential to require the removal of dukduk trees, a traditional resource used by canoe builders, and ifit trees, which are used for timber, fuel wood and craft wood.”); *id.* at 45 (Three LZs are within medium probability areas and two, NMS 4 and NMS 1, would adversely impact NRHP-eligible archaeological sites. Clearing associated with the preparation of the LZs could have an adverse impact on these NRHP-eligible sites. Construction at NMS has the potential to require the removal of da’ok trees, a traditional resource used by canoe builders.”); *id.* at 46 (“Non-firing maneuver training is planned for NMS in areas with low, medium, and high archaeological probability.”).

G-383-003

The DEIS inscribes ethnocide/cultural genocide for the indigenous Chamoru people of Guam. First, the 1948 U.N. Convention on the Prevention and Punishment of the Crime of Genocide, provides in pertinent part:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;

G-383-003

- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of one group to another group.

G-383-004

These clauses elucidate some key elements of the crime of genocide: the prohibited act must intend to destroy; the causing of mental, as well as physical, harm is genocidal; and the deliberate infliction of conditions which would bring about physical destruction is forbidden. Since 1948, the international community has also approved the conclusion that cultural genocide, or ethnocide, is also and equally forbidden. UNESCO's 1981 Declaration of San Jose serves as the standard reference for the crime of ethnocide:

Ethnocide means that an ethnic group is denied the right to enjoy, develop and transmit its own culture and its own language, whether collectively or individually. This involves an extreme form of massive violation of human rights and, in particular, the right of ethnic groups to respect for their cultural identity, as established by numerous declarations, covenants and agreements of the United Nations and its Specialized Agencies, as well as various regional intergovernmental bodies and numerous non-governmental organizations. . . . We declare that ethnocide, that is cultural genocide, is a violation of international law equivalent to genocide, which was condemned by the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 1948.

Today, the international community as a whole accepts that ethnocide/cultural genocide is forbidden, on more or less two grounds: 1) violations of the right to enjoy, develop, and transmit language and culture are inherently so extreme as to constitute the very violation of cultural identity that is already prohibited by various U.N. legal instruments; and 2) the commission of ethnocide matches, in gravity, the commission of genocide, which is unequivocally forbidden. International law expert and law professor Maivân Lâm asserts that "where . . . the effect [of an action] is the destruction, or severe disruption, of the social and material bases necessary to a people to sustain its human relations, body of knowledge, and sense of existential purpose, such that an essentially 'de-knowledged' community now looks out at a world of chaos in which it may never again find its place, the result is properly called ethnocide." See MAIVÂN C. LÂM, AT THE EDGE OF THE STATE: INDIGENOUS PEOPLES AND SELF DETERMINATION 31 (2000).

The internationally-accepted definition of ethnocide is particularly instructive here because it removed the "intent" requirement of the crime of genocide; in other words, any action that has the "aim or effect" of depriving a people of their integrity as a distinct people, or their cultural values or ethnic identities, suffices.

G-383-005

As evidenced by the cited excerpts from Chapter 12 of Volume 2 of the DEIS, the major proposed action of relocating thousands of U.S. Marines from Okinawa to Guam ("proposed action") constitutes action that *in toto* have the effect of depriving the indigenous Chamoru people of Guam of our integrity as a distinct people and our cultural values and ethnic identities. Although the burden to prove that the proposed action does not constitute

G-383-004

Thank you for your comment. 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.

G-383-005

Comment noted.

G-383-005

ethnocide rests with the U.S. military, it is clear that the proposed action threatens ethnocide for the Chamoru people, as the proposed action threatens to severely disrupt the continuation of traditional indigenous practices.

To take but one example, Chapter 12 in at least three places indicates that the proposed action will either directly or indirectly cause the removal or clearing of native trees used for canoe-building, which is necessary for the continuation of traditional sea-faring practices. *See, e.g.*, DEIS, Vol. 2, chapter 12, page 37 (“Construction at Finegayan has the potential to require the removal of dukduk trees, a traditional resource used by canoe builders.”); *id.* at 41 (“Construction of Alternatives A and B [for the proposed firing ranges near Route 15] have the potential to require the removal of dukduk trees, a traditional resource used by canoe builders, and ifit trees, which are used for timber, fuel wood and craft wood.”); *id.* at 45 (“Construction at NMS has the potential to require the removal of da’ok trees, a traditional resource used by canoe builders.”).

G-383-006

To take another example, Chapter 12 in numerous places, *see* above-cited excerpts of Chapter 12, Volume 2), indicates that, in total, hundreds of latte stones/sites will be either directly or indirectly threatened, removed, or otherwise harmed by the proposed action. *See, e.g.*, DEIS, Vol. 2, chapter 12, page 19 (“The Pagat Site Complex, near the coast outside the project area for the proposed firing ranges, “includes at least 20 *latte* sets, more than 50 mounds of artifacts and midden, remnants of trails, more than 30 mortars and grinding areas, an unknown number of caves and rock shelters, and other features.”); *id.* at 28 (“NMS comprises approximately 8,800 ac (3,561 ha) and is situated within the inland volcanic hills, valleys, and mountains of southern Guam. Cultural resources identified in NMS include pre-Contact, post-Contact, and multi-component archaeological sites and buildings and structures . . . Three hundred and eighty-seven resources are listed or eligible for the NRHP or need further evaluation. At least 146 *latte* sites, containing over 350 *latte* sets, have been identified in NMS, ranging from single, isolated *latte* structures to complexes of multiple *latte* sets combined with other features. . . . Three resources, the Bona Site, the Fena Massacre Site, and the West Bona Site are listed on the Guam Register.”); *id.* at 29 (“A traditional cultural properties study of Guam was completed in 2009 . . . Two traditional cultural properties were identified in NMS. The Fena Massacre Site has archaeological and ethnographic associations. The Fena Watershed contains numerous archaeological sites and has legendary, archaeological, and ethnographic associations. Concerns over the possible disturbance and disposition of pre-Contact human remains are likely and the presence of petroglyphs and pictographs may indicate past or present ceremonial or religious activities. Pre-Contact human remains have been recovered from caves and rockshelters as well as near *latte* sites. Specific areas known to have traditional importance to the Chamorro include Almagosa Springs area of Fena on NMS. The Fena Massacre Caves on NMS are the location of annual commemoration ceremonies by the Chamorro.”).

Particularly illegal under an ethnocide analysis, for example, is the prospective harm that will occur at the Pagat Site Complex (“Pagat”), located near the coast outside the project area for the proposed firing ranges. Pagat includes “at least 20 *latte* sets, more than 50 mounds of artifacts and midden, remnants of trails, more than 30 mortars and grinding areas, an unknown number of caves and rock shelters, and other features.” DEIS, Vol. 2, chapter 12, page 19.

G-383-006

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 and other *latte* sites on Guam. We worked closely with project planners to ensure that no direct disturbance to the Pagat site would occur from the construction or operation of the proposed firing range. DoD intend to continue public access to Pagat while also managing the resources by updating the preservation plan for this area.

Although there are many latte sites in the NMS and on other areas of Guam, no intact latte sites would be disturbed from construction associated with the Marine Relocation.

To be sure, the indigenous Chamoru people of Guam have a rich tradition of ancestor worship involving the bones of our deceased relatives, particularly skulls. See SCOTT RUSSELL, TEMPON I MANMOFO'NA: ANCIENT CHAMORRO CULTURE AND HISTORY OF THE NORTHERN MARIANA ISLANDS 152 (1998). In prehistoric times, we buried our dead beneath the family house and, after the flesh had decomposed, usually after a year, we exhumed the skulls, anointed them with coconut oil, laid them in a basket woven from young coconut leaves and placed them on the equivalent of an altar in the house. *Id.* at 153. We used these skulls to communicate with the spirits of deceased relatives, usually for the purpose of insuring the success of daily activities, particularly those related to fishing. *Id.* According to one written account, ancient Chamorus exercised great care to ensure that the skulls were not disturbed during fishing trips for fear that their disturbance would result in a poor catch, or worse, the death of the fishermen. *Id.* We also consulted them during warfare. *Id.* Our *makana*, or shaman, consulted them for deeper spiritual purposes including healing illness, foreseeing future events, and bringing on rain during periods of dry weather. *Id.* Indeed, painted images and rock carvings in caves throughout the Chamoru archipelago, some dated roughly 2,000 B.C., depict headless human forms, confirming an ancient effort to communicate with the dead.

G-383-007

Accordingly, such proposed firing ranges and training of this sort at Pagat, and other locations, will have very serious sociocultural consequences for the indigenous Chamoru people of Guam, who, as an ancestor-venerating people, will suffer great and possibly irreparable mental harm and anguish. Such harm, as articulated above, is prohibited as violative of the right of an indigenous people to not be subjected to ethnocide.

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G-383-008

Moreover, as far as ancestral human remains are concerned (here, this issue is implicated by virtue of the fact that the presence of latte sets means the presence of human remains), the proposed action also violates the ancient common law of the graveyard.

Under U.S. common law, there is an actionable right to access the graves of one's ancestors, and the corollary right to protect said graves from desecration—rights that work in tandem to protect graves and the right to visit them. See generally Alfred L. Brophy, *Grave Matters: The Ancient Rights of the Graveyard*, 2006 B.Y.U. L. REV. 1469 (2006). These are recognized by many states in this country either by statute or case law. See, e.g., *Hines v. State*, 149 S.W. 1058, 1059 (Tenn. 1911); *Davis v. May*, 135 S.W.3d 747, 750-51 (Tex. App. 2003); *Dep't of Fish & Wildlife Res. v. Garner*, 896 S.W.2d 10, 12-14 (Ky. 1995); *Mingledorff v. Crum*, 388 So. 2d 632, 635-36 (Fla. Dist. Ct. App. 1980); *Heiligman v. Chambers*, 338 P.2d 144, 147-50 (Okla. 1959). Hence, despite what the U.S. military would have us believe, U.S. common law has harmonized certain property rights such as the right to exclude with other overlapping proprietary interests such as the right to access the graves of one's ancestors.

Descendants of people buried in cemeteries on private property have a common law right to access that property to visit these graves. This right is akin to an implied easement in gross. Because an express reservation for such an easement for access is a rarity, U.S. courts employ several legal fictions to deal with the lack of explicit reservation of an easement to access cemeteries on private property. See Brophy, at 1479-82. The most recent comprehensive discussion of this ancient right of access comes from the Texas Court of

### G-383-007

Thank you for your comment. The FEIS has been revised to include more information on DoD land acquisition issues .

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.

### G-383-008

Thank you for your comment. The items identified in this comment are important but are not part of the proposed action and are therefore not addressed in the EIS.

G-383-008

Appeals case *Davis v. May*, decided in 2003. The *Davis* court interpreted the rights of Marsha May to visit her great-grandfather and a few other relatives on family land that had been sold to others without a reservation for the cemetery. Over time and after some intermediate conveyances, the property came into the hands of Emmitt and Debra Davis, who refused May access. The court held that the property owner, by permitting the burials, took on the obligation of holding the property in trust for the family members of the people buried there—an obligation that included allowing the family members access to and reasonable upkeep of the graves. The court adopted the legal conclusion of an early twentieth century Tennessee Supreme Court case, *Hines v. State*, which held that subsequent purchasers of a cemetery take it subject to the implied easement for access and further burial. Finally, the next of kin hold a quasi-property right in the body of the deceased, including the “right the law recognizes to undisturbed repose in the grave which usually prohibits acts in violation of sepulture.”

G-383-009

Another key common law right, working in conjunction with the right of access to an ancestor’s grave, is the right to protect that grave against desecration. See Brophy, at 1494-95. If the owner of land upon which a cemetery is located were allowed to destroy it, then there is little left of the right to visit a grave that no longer exists. Thus, this right is considered the other part of the affirmative easement that exists on cemeteries. That some of the latte sets are ancient (Chapter 12 notes that some of the latte sets are from the pre-European contact era) does not diminish the common law right. Indeed, courts have found liability for desecration of cemeteries more than a century old. In one 1987 case, *Whitt v. Hulsey*, 519 So. 2d 901 (Ala. 1987), the Alabama Supreme Court upheld a jury award of punitive damages for grave desecration for a cemetery that dated to at least 1853. *Whitt* provides for a private cause of action against those who destroy a cemetery as long as the cemetery is still identifiable.

One of the most recent cases to interpret the action of desecration is *Rhodes Mutual Insurance Co. v. Moore*, 586 So. 2d 866 (Ala. 1991), which permitted recovery by a remote descendant of a deceased person. *Rhodes* illustrates the generally expansive view of the right to prevent desecration and to recover for it when it occurs. Indeed, *Rhodes* may be most significant for the proposition that U.S. jurisprudence in the law of the graveyard is evolving toward an expansion of the class of those legal persons in whom standing is recognized to assert these common law rights.

Accordingly, the Chamoru people have a cognizable legal claim rooted in the ancient common law right to prevent the desecration of our ancestors’ remains, including those remains located at Pagat and NMS and all of the other sites mentioned in Chapter 12 of the DEIS. Chapter 12, then, not only inscribes cultural genocide for the Chamoru people of Guam under international law; it also violates rights long-recognized under U.S. law as well. Hence, the proposed action (i.e., the construction of permanent facilities and infrastructure to support the U.S. Marines and their dependents being relocated from Okinawa to Guam and its incidental consequences such as establishing firing ranges over the ancestral remains of the indigenous Chamoru people of Guam) is illegal under both international law and U.S. domestic law. If the U.S. military intends to proceed with this proposed action despite this dual illegality, it must articulate with specificity how the proposed action is not illegal, addressing each of the arguments made herein.

## G-383-009

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 12.1, Pagat is not only a significant archaeological site, but also a traditional cultural property because of its ties to the past and the use of the area for collecting traditional healing plants. However, 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.

January 12, 2010  
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**The Military Buildup of Guam is Illegal under International Law**

For the reasons set out below, I recommend the **No Action** alternative.

I offer the following testimony in my personal capacity, as an attorney, as a lifetime member of this community, which I love, and as a human being. The following is primarily legal commentary, so as to jog the United States' memory of its international legal obligations, which the military buildup here at issue gravely, unjustifiably, and illegally endangers.

There are certain international legal norms that enjoy pre-eminent status in international law. These are known as *jus cogens*, or peremptory norms, which are accepted and recognized by the international community as a whole as norms from which no derogation is permitted. Prohibitions against genocide, slavery, murder, torture, prolonged arbitrary detention, systematic racial discrimination, and gross violations of human rights are examples of *jus cogens* norms.

Today, the right to self-determination is generally accepted as a *jus cogens* norm from which no deviation is allowed. Although attempts have been made to parse the self-determination norm into two dimensions, i.e. "internal" and "external"—the former understood as a right to authentic self-government, particularly equal representation in national government for certain sub-state groups, namely racial groups; the latter understood as a right to reject alien subjugation, usually in the context of colonialism or foreign military occupation—these terms do not appear as qualifiers of self-determination in any international law instrument. Instead, under international law, self-determination is an inalienable right of all peoples.

Numerous international human rights instruments speak directly to the principle and/or right of self-determination, including the Charter of the United Nations; the 1966 Human Rights Covenants (International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights); the Declaration on the Granting of Independence to Colonial Countries and Peoples; the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations; and, most recently, the Declaration on the Rights of Indigenous Peoples.

The U.N. Charter, being both a political compact and an organic document, makes limited reference to human rights. Article 1 calls for the development of "friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples." Article 55 also demonstrates a commitment to self-determination by stating that the United Nations shall promote, among other values, "universal respect for, and observance of, human rights and fundamental freedoms for all . . . [.]". Article 73, which addresses the rights of peoples in non-self-governing territories such as Guam whose inhabitants have yet to attain a full measure of self-government, commands states administering them to "recognize the principle that the interests of the inhabitants are paramount." These "Administering Powers" accept as a "sacred trust" the obligation to develop self-government in the territories, taking due account of the political aspirations of the people.

The meaning and interpretation of these articles of the U.N. Charter have been set out in major declarations adopted by the U.N. General Assembly. The 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples states:

## G-384-001

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.

G-384-001

The subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

Major international conventions have lent further meaning and growth to the concept of self-determination. Both the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, enshrine it as a right. Approved by the U.N. General Assembly in 1966, and legally binding as of 1977, these international treaties bind those countries that ratify them. The first article in each covenant, which is identical in both, indicates the fundamental importance of the right of self-determination in international law:

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Today, this clause stands as the classic text of the self-determination right.

Finally, the 1970 Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States, also known as Resolution 2625 (XXV), provides:

By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter, all peoples have the right freely to determine, without external interference their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

Unlike the 1966 Covenants, which bind only those states that ratify them, Resolution 2625 is considered a "datum of customary international law," as its drafting "re-involved all states in the debate over the *who*, the *what*, and the *how* of self-determination generated by Resolutions 1514 and 1541 which also constitute manifestations of customary law."

The Declaration on the Rights of Indigenous Peoples is the most recent international human rights instrument to explicitly expand the reach of the self-determination right. In its third article, the Declaration extends the classic text of the self-determination right, as enshrined in the 1966 Human Rights Covenants, to indigenous peoples. It thereby accorded to them, for the first time in history, a legal personality and a status equal to all other "peoples" under international law.

In sum, self-determination is an inalienable political as well as human right of all peoples. It is recognized and affirmed in numerous international law instruments. As a U.N. member state, the U.S. is bound to protect and advance the human rights articulated in the U.N. system. The United States is also a signatory to the 1966 Human Rights Covenants, one of which it has already ratified. Thus, the U.S. has committed itself to the right of self-determination for all peoples.

All this to say: **The militarization of Guam now underway is illegal under any principled construction of international law.**

Indeed, the U.N. General Assembly repeatedly affirms its "strong conviction" that the militarization of Guam poses a potentially major impediment to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Moreover, U.N. Res. 2625 unequivocally declares:

The territory of a colony or other Non-Self-Governing territory has, under the Charter, a status separate and distinct from the territory of the State administering it; and such separate and distinct status under the Charter shall exist until the people of the colony or Non-Self-Governing Territory have exercised their right of self-determination in accordance with the Charter, and

particularly its purposes and principles.

Here, it should be noted that where U.N. General Assembly resolutions concern general norms of international law, their acceptance by a majority vote both constitutes *evidence* of the opinions of governments on any given subject, and provides a "basis for the progressive development of the law and the speedy consolidation of customary rules." The International Court of Justice, in an advisory opinion in the *Western Sahara* case (1975), approved this conclusion when it "relied heavily on General Assembly resolutions to establish basic legal principles concerning the right of peoples to self-determination." The General Assembly itself has recommended that the ICJ heed its declarations and resolutions as instruments in which "the development of international law may be reflected."

Given this—all this law—if the United States as Guam's Administering Power proceeds to militarize Guam in this fashion, then any attempt by the United States to cast itself as a legitimate democracy on the world stage will be indicted.

Finally, this process is absurd even in a domestic sense, even from a very basic American law perspective. In a normal, run of the mill lawsuit, two or more parties are involved (i.e., on opposite sides of the "v."). Both sides are given an equal opportunity to "brief" the issue(s) involved; that is, both sides get to build a case, make an argument. It is astonishing how the most "powerful" country on earth can get some five years to make a case, and a small "resource-poor" island population only 90 days.

But because the delicate sensibilities of jurisprudence at times must be abandoned for a feral howl, let it be known that the people of Guam are the heirs of a civilization born two thousand years before Jesus, a civilization with its own stories—its own unique, unshared, *wildly* precious version of what it means to be human on this planet. We have no intention to let down our hair, retreat to our bedrooms, and ready ourselves for bed.

**The final EIS must address the international legal points made herein. It must articulate with specificity the international legal authority for this buildup and, in particular, address how this buildup 1) does not violate the international law(s) on decolonization, 2) is not contrary to the U.N. Charter and the more specific rules that have crystallized around the right to self-determination, and 3) does not constitute denial of the right to external self-determination of the people of Guam arising out of both the colonial context and the foreign military occupation context. Further, in light of the above-articulated points of international law, and in light of the international mandate that the U.S. ensure that the people of Guam exercise self-determination in accordance with U.N. standards for decolonization, what international legal authority does the U.S. government and U.S. federal agencies, including the U.S. Defense Department, proffer in support of the contention that this buildup is even legal? Any response to this query must be reconciled with the well-settled principle of international law that one country's so-called "national security" does not trump the right to self-determination of peoples, which is already generally accepted as a *jus cogens*, or peremptory norm from which no derogation is allowed.**

February 17, 2010

Dear JGPO and Department of Defense,

G-385-001

This report, written by a coalition of University of Guam Faculty, expresses our unified opposition to the use of Pāgat Village as a firing range in the proposed military build-up on Guam. We, furthermore, reject the proposed mitigations as grossly insufficient means of ameliorating the loss of this culturally and historically irreplaceable site.

**DEIS References:**

Use of Pāgat Village for Firing Range, described in Volume 2:

“Route 15 Valley and Escarpment

“The proposed firing ranges for Alternatives A and B associated with the proposed action are located on the Route 15 valley and escarpment east of Andersen South. Approximately 60% of the Route 15 impact area has been surveyed. The unsurveyed areas are considered to be medium probability areas for archaeology because archaeological sites are known from the vicinity. Resource potential in the Route 15 survey area is high. Near the coast outside the project area, the Pagat Site Complex (Site 04-0022) is contemporary with the historically known Pagat Village, where a Spanish church was built in 1672 (Table 12.1-15). The Pagat Site Complex includes at least 20 *latte* sets, more than 50 mounds of artifacts and midden, remnants of trails, more than 30 mortars and grinding areas, an unknown number of caves and rock shelters, and other features (Carson and Tuggle 2007). Limited test excavations revealed a widespread and dense Latte Period deposit associated with the surface-visible remains, and remnants of an earlier occupation period were present in some locations (Carson and Tuggle 2007). Surveys of the Route 15 impact area indicate at least three other NRHP-eligible sites are located within this area (Dixon and Carson 2009). They include sites 04-0021, 04-0024, and 04-0642. Two of these sites are also traditional cultural properties, including the Pagat site and Marbo Cave, already identified in the Route 15 area (Griffin et al. 2009).” (Volume 2, Chapter 12, Page 12-19)

Recreational Uses of Pāgat, as described in DEIS:

“At present, there is a series of trails connected to the Pagat Trail. The trails are open to the public and feature sinkholes, caves, and rugged limestone formations. On a popular weekend, visitors comprising tourists, local boonie stomp groups, and morale, welfare, and recreation activities generating from Navy Barrigada may attract as much as 60 hikers (Andersen AFB 2009). Visitors have been known to swim at the bottom of a sinkhole where there is a fresh water source (Lotz and Lotz 2001).” (Volume 2, Chapter 9, Page 9-4)

**G-385-001**

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. While the Route 15 alternatives would not result in any adverse physical impacts to significant Pagat archeological resources, concerns regarding access to the resources have been voiced by stakeholders. The issue of site access is addressed in the Programmatic Agreement (PA). For example, the Pagat archaeological site will be generally open to the public for cultural and educational access during later afternoon hours and weekends, consistent with range requirements and training schedules. Mitigation in the PA also includes updating the Pagat Preservation Plan, and production of a Cultural Landscape Report covering the Pagat area.

## G-385-002

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 12.1, Pagat is not only a significant archaeological site, but also a traditional cultural property because of its ties to the past and the use of the area for collecting traditional healing plants. However, 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. 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.

### Significant Impact to the Pagat site:

DEIS Table 19.2-3, "Summary of Training Impacts – Firing Range Alternatives" states that there will be Significant Impact due to the "Loss of access to and use of recreational resources (Guam International Raceway, Marbo Cave (spelunking and offshore fishing), Pagat Trail and associated trails, *suruhana* activities (Volume 2, Chapter 19, page 19-22).

### Proposed Mitigation:

"Potential indirect impacts to NRHP eligible sites 04-0022 and 04-0021 (Pagat site) in the proposed firing area at Route 15 Alternatives A and B and to 04-0025 and 04-0642 (Marbo Cave and Marbo site) with Alternative B would be mitigated through implementation of a management plan. The Pagat Preservation Plan (sites 04-0021 and 04-0022) would be updated and executed. In recognition of the significance that Pagat cave has to various ethnic and historic groups, cultural access would be granted to the Pagat site when Navy procedures are followed. As stipulated in the PA, access to the Pagat site would be considered in light of military operational requirements and anti-terrorism/force protection security conditions and other pertinent circumstances as determined by the DoD at the time. Operational impacts would be mitigated through training of personnel working in the area to avoid impacts." (Volume 2, Chapter 12, Page 12-49)

### Discussion:

#### **Págat Remains The Most Archaeologically Significant Village Accessible To Civilians On Guam Today.**

The Págat Village site is irreplaceable – it is Guam's single, largest repository of ancient Chamorro artifacts open to the civilian population, and thus it uniquely affords the Chamorro people a living link to the past. To desecrate Págat would be akin to destroying Washington, D.C. It is a cultural center, whether or not all of the Chamorro people go there regularly, just as Washington, D.C. is the American political, historical, and cultural center, whether or not most Americans ever visit its quadrants.

The DEIS description of the Págat site, from the 2007 Carson and Tuggle archaeological report, identifies some of the significant features of the Village, including "at least 20 *latte* sets, more than 50 mounds of artifacts and midden, remnants of trails, more than 30 mortars and grinding areas, an unknown number of caves and rock shelters, and other features" (DEIS, v2, ch 12, p. 12-19). In fact, Págat Village contains extensive remains from both the Pre-Latte Period (1500 B.C.) and Latte Period (1000 A.D.). Its inclusion on the U.S. National Register of Historic Places (66-04-0022) reflects its archaeologically rich cultural resources.

Craib's work at the Págat site between October 1981 and May 1982 revealed that "Surface features within the site consist of two kinds, *latte* components (pillars and capstones) and mortars. Two standing *latte* are found near the center of the site. The

G-385-002

first, designated here as PGT-1, is an 8 pillar latte oriented perpendicular to the shore, cliffline, and the nearby 12 pillar latte, PGT-2. The latte is oriented along a rough east-west axis. Towards the eastern end of the site four pillars, probably from a single latte (EDL), are still erect" (Craib 1986:130). "Fifty stone mortars were located at the site, the majority (n=35) were made from basalt while the remaining 15 were made from limestone outcrops.... Most mortars are proximal to latte areas" (*Ibid*: 131).

Craib considered the possibility that the abundance of Federico palm (*Cycas circinalis*) at the site might explain the abundance of mortars. He commented on the relative "expense" of the mortars at the site, considering the fact that most are basalt and hence exotic to the locale. Craib thought that, although the artifact assemblage at the site is common, the imported lithic component made it somewhat distinctive.

Midden analysis from Reinman's work suggested that people occupied themselves with "generalized collecting and/or turtle hunting" (*Ibid*: 139). Craib's excavations revealed that there were both near shore reef fish and pelagic represented in the assemblage. Two of the pelagic species identified were Mahimahi (*Coryphaena hippurus*) and Black marlin (*Istiophoridae*). [Pelagic fishing during prehistoric times is one of the procurement strategies that separates Guam and the Northern Marianas from the rest of Micronesia. Sites that have pelagic fish bones are especially significant in Micronesia because of their possible links with sites (and hence prehistoric peoples) in Taiwan and the Philippines.]

Countering the misinformation introduced by later chronicles that suggested that latte were lived in by high status individuals, Craib states, "(I)t is my contention that we must proceed on the assumption that all latte served as supports for all residences and that it is variations in size class which reflects ranking within each village and not simply among a separate, exclusive high status group" (*Ibid*: 169). Rather, Craib proposed that status did not reflect an apical hierarchy, but instead reflected "horizontal dimensions based primarily on the principle of seniority within one's kin groups" (*Ibid*: 173). Finally, Craib offered that the Pâgat investigations revealed that the next focus for research on latte in the Marianas had to be, "larger scale, areal excavations in an around latte" in order to examine how space was utilized within the site (*Ibid*: 184).

Thus both past and current archaeological research at Pâgat raises still-unanswered questions about our Chamorro ancestors and the environment they once inhabited. The apparent depositional and preservation characteristics of Pâgat Cave may be the best opportunity to find older archaeological deposits if indeed they exist here, and future excavations may be designed to accommodate this possibility. The possibility of submerged artifacts in the cave waters should also be considered, including potentially rare and well preserved materials that would be perishable in other contexts.

**Pâgat Is A Significant Religious, Cultural, And Historic Site, Both In Ancient And Contemporary Times.**

G-385-002

In contemporary Guam society, Pãgat continues to be a place of religious, cultural, and historical significance, as it was in ancient times.

G-385-003

#### Religious Significance

While there are many reasons for delineating the area's spiritual importance, one reason stands out in particular: the taotaomo'na of Pãgat. Translated loosely, taotaomo'na can mean "ancestors," "people of before," or "spirits." Ancient Chamorros believed that the spirits of their ancestors remained in the world to assist and protect them and therefore one had to treat their remains with great care and respect. Many Chamorros today continue to practice the ancient belief system, with an on-going respect for taotaomo'na and the places in which their spirits dwell. These spirit dwelling places can be found everywhere in Guam, and throughout the entire Mariana Islands as well, but are known to have an especially strong presence in Pãgat.

One testimony of the spiritual power at Pãgat, comes from Dr. Keith Lujan Camacho, assistant professor of Asian American Studies at UCLA, formerly a professor of Pacific History at the University of Guam.

Dr. Camacho states, "As a Chamorro, I, too, have experienced an encounter with the taotaomo'na in Pagat during the late 1980s, as have many others who have visited the site. For the sake of brevity, the taotaomo'na communicated to me by sprinkling pebbles on my face while I was asleep on the bed of a truck and while my elders were fishing in and beyond the reefs. Awoken by this flurry of activity, I immediately relayed my encounter to those of us who remained on the beach. Upon the return of my elder fishers, and upon our shared realization of the taotaomo'na's presence, we quickly distributed the catch of reef fish and lobsters, packed our belongings, and left the area. As a historian with interdisciplinary training in the humanities, and as a faculty member of two world-renowned universities (e.g., UCLA and UIUC), I can attest to the validity of these and related taotaomo'na experiences. In this respect, four points warrant both our attention and intervention: (1) the taotaomo'na in the Mariana Islands exist as a unique cultural phenomena; (2) a rich archive of familial histories verify the large presence of taotaomo'na in Pagat, Guam; (3) Pagat remains an integral site for the practice of Chamorro cultural beliefs; and (4) any material destruction of Pagat's landscape and seascape infringes upon the vitality of Chamorro cultural survival."

As a place of religious significance, Chamorros treat Pãgat with great respect, and our generation's responsibility is to protect and nurture the site so that it is treated with the respect paid to the world's great cathedrals and temples.

#### Cultural Significance

The Pãgat area is a symbolic place for contemporary Chamorros and the maintenance of their identity and spirituality. It holds this status for a number of reasons, relating in part to the presence of artifacts there and the site's natural beauty, combined with the fact that

### **G-385-003**

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 and Marbo areas. As part of the early planning process the ranges were sited so that the physical footprint would not affect the Pagat site. We intend to preserve the Pagat site and acknowledge that maintaining access to these sites is important. Although plans concerning access have not been developed, it is the intent of DoD to continue public 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.

it is one of the few places on Guam today where that combination can be experienced by Chamorro civilians without requiring a military pass or serving in the United States military.

In contrast to many historic sites on the island that have been looted or destroyed by development, Pãgat still contains a great number of historic artifacts. Chamorros who visit there can see artifacts, pottery shards, mortars and *latte* several hundreds of years old, lying around, and thereby experience the feeling of literally walking in the footsteps of their ancestors. It is for this reason that Pãgat has become a favored site amongst Chamorros who wish to reconnect with their ancient roots and become more in touch with their culture. Kie Susuico, a Chamorro artist and poet has become noted for taking weekly trips to Pãgat with groups of people of all ages, observes that group members love to hear the history of the area and see the artifacts there. It has become common for groups of Chamorros to visit the site and either meditate or chant around certain areas where there are concentrations of artifacts in order to show honor and respect to the spirits of their ancestors. Pãgat is a village alive with opportunities for Guam's youth to learn about and connect with their past – a past informed by both the traumas of violent colonization and the pride of a people who have survived numerous invasions.

Pãgat also plays a key role in the instilling of an environmental consciousness in people on Guam today, especially amongst the youth. As a site that can help illustrate Ancient Chamorro lifeways and settlement patterns, and as an ideal hike for showcasing a number of different island ecosystems, Pãgat is a popular location for high school and college field trips. Students who go there learn not only about the Guam's environment, but also, when contrasting that location with other public sites, it helps exemplify the need to preserve existing natural and historic areas, so as not to be lost like so many others.

Pãgat plays a role in maintaining Chamorro physical and mental health, endangered by the proposed build-up through the denial of access to native plants used by Chamorro healers (*suruhanu* and *suruhana*) to produce herbal medicines. The cessation of this cultural practice not only endangers Chamorro access to health care and medicine, but also violates the indigenous right to traditional intellectual property – in this case, to the production and dissemination of traditional herbal remedies. Pagat Village, for example, is one important site accessed by herbal healers. The DEIS states, "Potentially affected resources include: Guam International Raceway, Marbo Cave, Pagat Trail and associated trails in the vicinity, 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" (Volume 2, Chapter 19, page 19-11).

As a village where ancestral remains of the indigenous Chamorro people are buried, the defilement of Pãgat due to its use in the firing range complex threatens the psychological health of the Chamorro people. This proposed action will exact immitigable psychological injury to the Chamorro people and is incompatible with the cherished notion of allowing our ancestors to rest in peace.

G-385-003

Pågat's cultural significance also accrues from its importance as a fishing grounds for Chamorros. A statement from University of Guam Associate Professor Rick Castro shares the following relevant information and insight about Pågat:

In the early 1990s, when I was newly back from Hawaii and was getting into free diving/spear fishing, my friends and I would go to the east side of the island periodically, especially in the mid-late summer months when the winds would turn around (the period of turning-around winds is called "bendibat") or, at other times, altogether cease to blow, and the oceans would be dead calm for hours at a time. The Pågat region of coast was legendary for its fishing, as well as its difficulty and forbidding nature. When it was calm there, being in the ocean at night was otherworldly beautiful and eerie. I also went fishing there from the cliffs and tables as a teenager in the early 1970s. The ocean was terrible in its wild ferocity during the windy, stormy times... During those times, the fishing was dicey and very difficult, very treacherous, but the prospect of bountiful catches that came hard and fast, without any warning, were astounding and rewarding.

I think it is safe to say that the Pågat region is a vital stretch in the overall Guam east coast fishing scene.... It is popular among a core group of seasoned, experienced spear fishermen (both free and scuba divers), as well as a core group of cliff/slide bait fishermen.

For these reasons, the idea of Pågat being lost to the people of Guam and the Chamorros in particular for military use would be considered offensive by most. The idea that the natural beauty or the artifacts there will be destroyed or disturbed to be used for a firing range will be detrimental in both a symbolic and a very concrete sense.

G-385-004

**Land Dispossession at Pågat Perpetuates the Unresolved and Unsettling History of U.S. Military Land-Takings on Guam.**

Authors of the DEIS have shown little understanding of the value of land to the Chamorro people and the enormity of the imposition that additional land takings place on future opportunities for the people of Guam. Guam is the only homeland that the Chamorro people of Guam have and they have seen the island become increasingly crowded with outsiders who have, over the last 65 years, arrived on island largely due to opportunities that stem from the American military presence here. While Chamorros have welcomed outsiders and have welcomed the military, there is simply not enough land on the island and monetary compensation is no equivalent for the loss of this ever-shrinking land base.

During World War II, the Chamorro people of Guam had little choice but to surrender their lands to the needs of the U.S. military and most did so willingly because they believed in the goodness of the United States. They also believed that much of this land would be returned one day. Some of this land was eventually returned, but much of it

**G-385-004**

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.

G-385-004

environmentally ruined, the long term impact being that Chamorros have lost much of their agricultural land base and now are dependent on imported food for survival. Nevertheless, Chamorros have shown their willingness and ability to accommodate the military presence and have adapted to the new way of life that the bases brought. While there are many unresolved issues regarding the process of post-war land takings and compensation for these land takings, the Federal Government has in the years since 1950 steadily returned lands to the Government of Guam.

Prior to this proposed build-up, the only major attempt to expand the military's footprint on the island was during the Vietnam War when the Navy attempted to acquire 3,920 acres at Sella Bay for an ammunition wharf that would serve as a port for Naval Magazine, Guam. In this process, the Navy learned that, despite tremendous support for the Vietnam War, the public rose up against this proposed land acquisition. In the name of civilian-military relations, the Navy backed down and figured out a way to fit the ammunition wharf on property it already owned.

In the current plans for the Marine relocation to Guam, it appears that the lessons of history have been forgotten. Despite excess lands at Tarague, Naval Magazine and Admiral Nimitz Golf Course the military seems convinced that more land acquisition on Guam's northeast coastline is the only way to accommodate a firing range. This area, if acquired, will disrupt both the quality of life in Guam's civilian population center and will restrict access to some of Guam's most pristine and culturally significant wilderness and coastline.

The DEIS presents alternatives that require a choice between private lands and culturally significant land and water resources of Pāgat and the privately owned lands of Sasayan. However, there needs to be greater consideration of land already owned by the federal government. The reality of the Chamorro people's finite land base needs to be taken into greater consideration and the military's priorities need to be adjusted accordingly. This may mean taking a harder look at lands currently designated for military recreational purposes and a greater recognition of the sacrifices Chamorros have gone through to accommodate the military presence on the island since World War II.

G-385-005

Sites like Double Reef, Haputo, Spanish Steps, Ritidian, Luminao Reef (and even parts of Naval Magazine until the 1970s) are military owned lands that locals have had access to but we have learned that whatever program for access the military sets up can be changed at their convenience and there needs to be some kind of guarantee to protect access to such sites. There is also the issue of access to Jinapsan, Urunao and, of course, the demise of Star Sand Beach resort. Based on historical practices, the military has not gained the trust of the public when it comes to making sites accessible.

Recommendation:

G-385-006

Pāgat is an irreplaceable Village of historical, cultural, and spiritual significance to Chamorros past and present, and the proposed firing range represents a gross desecration of a sacred site.

**G-385-005**

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.

**G-385-006**

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. 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.

**Preferred Alternative:** In order to protect the human and natural resources of Pāgat, as well in the interest of preserving the Chamorro people's cultural, historical, and religious heritage, we, the undersigned University of Guam Faculty, support the "NO ACTION" Alternative.

This report has been prepared by and is endorsed by the following University of Guam faculty:

Anne Perez Hattori, History  
Dominica Tolentino, Anthropology  
Peter Onedera, Chamorro Language  
Richard Olmo, Geography  
Michael Clement, History  
Douglas Farrer, Anthropology  
Michael Lujan Bevacqua, English/History  
Rita Sharma Gopinath, Psychology  
Lisa Natividad, Social Work  
Victoria Leon Guerrero, English  
Hope Cristobal, History  
Rick Castro, Library Sciences  
Therese Terlaje, Legal Studies  
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Any correspondence regarding this statement should be sent to:

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**GUAM FISHERMEN'S  
COOPERATIVE ASSOCIATION**

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***Comments of the Guam Fishermen's Cooperative  
Association on the Draft Environmental Impact Statement on  
the Military Re-location:***

***Part I:***

***MILITARY BUILD-UP DEIS PROCESS CONCERNS:***

**G-386-001**

1. Scoping process meetings was not accessible to the community. The meeting should have been held at Village Community Centers where better public access. Refer to #2 for specific issues or concerns on this matter.
2. DEIS process meetings was not accessible to the community. The Public (People of Guam) could have been afforded the following to ensure proper compliance of the NEPA Process:

**G-386-002**

- a. The meeting should have been held at the various Village Community Centers. The Proposed Actions will adversely affect the entire Island therefore there is a clear need for JGPO to develop and provide a comprehensive Outreach and Informational Program.
- b. JGPO failed to clearly define the purpose and objectives for initiating a Public dialog on the Military Build-Up. The JGPO top-down process contradicts the basic tenets of the NEPA Process.
- c. JGPO failed to identify the affected Public and major stakeholder groups whereby a meaningful engagement process could occur. Given that Special interest groups (supporters of the Proposed Action) and the Government of Guam were formally engaged.

**G-386-003**

- d. JGPO failed to engage the Guam fishermen's Cooperative Association, a major stakeholder group impacted the greatest and impacts not addressed in the DEIS or scoping except for the mention of artificial reefs. The direct impacts to the 4,000 year old fishing community by the Military Build-up exceed the impacts caused by the re-capture of Guam in WWII.

**G-386-001**

Thank you for your comment. Outreach for scoping and on the Draft EIS was extensive. For the Draft EIS, DoD held meetings in four different geographic areas on Guam to ensure the public had an opportunity to participate, ask questions and make public statements. Public hearings were also held on Tinian and on Saipan. In addition, DoD make copies of the Draft EIS available at Agana Mall, in libraries and on a website. Details on each hearing follows:

Meeting 1 was held on Thursday, 7 January 2010 at Southern High School in Santa Rita, Guam from 5:00 p.m. to 7:00 p.m. (Open House) and 7:00 p.m. to 9:00 p.m. (Formal Hearing).

Meeting 2 was held on Saturday 9 January 2010 at the Field House, University of Guam in Mangilao, Guam from 1:00 p.m. to 3:00 p.m. (Open House) and 3:00 p.m. to 5:00 p.m. (Formal Hearing).

Meeting 3 was held on Monday 11 January 2010 at Yigo Gymnasium in Yigo, Guam from 5:00 p.m. to 7:00 p.m. (Open House) and 7:00 p.m. to 9:00 p.m. (Formal Hearing).

Meeting 4 was held on Tuesday 12 January 2010 at Okkodo High School in Dededo, Guam from 5:00 p.m. to 7:00 p.m. (Open House) and 7:00 p.m. to 9:00 p.m. (Formal Hearing).

Meeting 5 was held on Thursday 14 January 2010 at Tinian Elementary School in San Jose, Tinian from 5:00 p.m. to 7:00 p.m. (Open House) and 7:00 p.m. to 9:00 p.m. (Formal Hearing).

Meeting 6 was held on Friday 15 January 2010 at Multi Purpose Center in Susupe, Saipan from 5:00 p.m. to 7:00 p.m. (Open House) and 7:00 p.m. to 9:00 p.m. (Formal Hearing).

G-386-004

3. The techniques utilized by JGPO for engaging the Public during the Process was not culturally sensitive or geographically conducive to foster Public interaction. The techniques used by JGPO failed to:

G-386-005

a. Recognize the cultural diversity of the Island and consider approaches to address the unique differences from mainstream America. A not so easily recognized example is the three minute comment allocation. Culturally the speaker must first legitimize why he is allowed to speak by defining who he or she is in respect to the clan and only then is the person's opinion would be considered in the discussion, this in itself would take three minutes.

G-386-006

b. Provide information in a style whereby the information could be disseminated to a larger audience in a forum. Instead the forum was developed to provide for the least amount of information in a segmented format to a segregated audience, which resulted in unresolved and unanswered community concerns. A station to station approach reaches a few individuals at a time and provides the least information to the general public. A formal presentation for each Action and then a question and answer session on the Action Item would have been the preferred method as is customary in the NEPA.

G-386-007

4. JGPO failed to develop a Media Outreach Programs in order to afforded the public more information on the DEIS. Upon the release of the DEIS the information on the Proposed Actions should have been broken down into segments and released in a media campaign.

G-386-008

5.. The Process developed by JGPO was Culturally insensitive and was a blatant disregard for Minority Cultural practices:

a. Culturally, one can expect a Pacific Islander to be passive in a one to one forum, especially among strangers which is often construed as apathy but culturally is perceived as common courtesy.

b. Culturally, one can expect a Pacific Islander to feel comfortable among friends and neighbors in a village setting facilitated by the Village Mayors. Such range of comfort fosters greater Public interaction.

c. JGPO failed to thoroughly engage the various segments of the minority population. There seems to be a complete disregard to the fact that Guam's population is comprised of minority ethnic groups and construed by JGPO as Middle America.

d. JGPO failed to recognize this cultural difference and did not establish Office of Pacific Islander affairs to assist in bridging

Please see Volume 10 of the Final EIS for a summary of public input on the Draft EIS and a complete response to comments received.

### G-386-002

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 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.

### G-386-003

Thank you for your comment. The Guam Fishermen's Cooperative Association was contacted by the EIS team on February, 11 2009. Please see page 94 of Appendix D of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for notes from the meeting.

Please see Volume 2, Chapter 9, Recreational Resources, for discussion of impacts on fishing as a recreational resource.

G-386-008

the communication gaps and to assist in addressing the concerns from these minority groups. The military in Hawaii formally established a Hawaiian outreach program mentored by Native Hawaiians.

e. JGPO failed to establish a presence on Guam. The idea that the entire DEIS actually addresses all Impacts to Guam and is able to determine the levels of impacts despite the fact that the JGPO Headquarters is in Honolulu is ludicrous. JGPO is far removed from the concerns or the pulse of the Guam Public.

G-386-009

4. The Venue for the Forums did not allow for true stakeholder or community involvement:

- a. The venues were not accessible to the Public due to distance from villages. The southern meeting venue was located outside the confines of the main village of Santa Rita.
- b. Forums were held at an unfamiliar location to the general populace. The location had inadequate street lighting coupled with the remoteness proved to be a poor venue choice. Another venue, Okkodo High School was newly constructed and location largely unknown. Maps to the venue location were not part of the Public/media announcements
- c. A large number of people of Guam are without transportation. The Guam Public Transportation does not service the meeting venues and the availability of special transportation services to the venues was limited. JGPO failed to provide transportation for the communities adjacent or outside the venue village.
- d. The lack of transportation assistance to the respective venues did not encourage Public participation from Guam's Economically Disadvantaged, Minority Groups or most especially the disabled.
- e. Personal time constraints along with the distance and scheduling discouraged greater Public participation. The Public Meeting scheduling was fast tracked, limited and did not provide adequate or accommodating multiple meeting opportunities for even the four selected Geographical locations.

5. Federal NEPA Mandates were not followed in the Process:

- a. The Public Meetings did not provide for transportation to the venue site for disabled individuals. The ADA requirement may allow for the military NEPA Process to be exempt but there are many retirees who fall under this category, as well as the community who will be affected by the cumulative impact.

Please see Volume 2, Chapter 12, Cultural Resources, for discussion of the cultural significance of fishing on Guam.

In addition, a more detailed discussion on fishing is provided in the socioeconomic chapter (16) in Volume 2 of the FEIS.

#### G-386-004

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.

Scoping meetings and Draft EIS public hearings were held in different geographic areas on Guam to ensure widest participation/input from the citizens. The Draft EIS public hearings were designed such that citizens could come get questions answered from DoD experts and provide written or verbal comments on the Draft EIS. Citizens were limited to three minutes to ensure all who wanted to speak had a chance to do so.

#### G-386-005

Thank you for your comment. There were several ways to submit comments on this project during the public comment period. Comments could be made on the project website, in writing at the public hearings, as verbal comments at the public hearings or by mail. Speakers at public

G-386-010

b. The Process failed to develop strategies to encourage participation by individuals of minority and low-income populations as prescribed by E.O. 12898; however, the Chamber of Commerce was fully engaged and obviously the CoC does not qualify for special consideration on both counts.

c. In Hawaii, the military entered into a contract with native Hawaiians to assist with the outreach and communications. Despite the dire importance of the Build-up and the larger Minority Population; JGPO did not afford Minority Communities the same opportunities.

G-386-011

6. DEIS Document too large and had multiple EIS actions proposed as a single Action. The assumption that the entire Action hinges on the Marine relocation is ludicrous, the issue is moot and only the "How" should have been the focus. The use of the Alternative whereby the Marines remain in Japan is not an Alternative. Each Action and the array of Alternatives are independent of each other. Other Proposed actions such as the Dredge Material Ocean Disposal site and the Ocean Range Complex were developed independent of each other to include the Build-up DEIS. The Alternatives for the aforementioned Action is focused and a single issue and somewhat easier to navigate. However, such is not the case with the Military Build-up DEIS. One could construe this document designed to create confusion and establish the illusion of meeting the NEPA requirements.

G-386-012

7. The inconceivable notion that Mr. Joe Public is able to dedicate the time to read, research and comment on a document with 11,000 pages in 90 days;

- a. In essence, read 90 plus pages per day.
- b. Analyze the information, to include research.
- c. Prepare articulate and well focused comments.
- d. While preparing for Thanksgiving, Celebrating the Feast of Our Lady of Camarin, Christmas shopping, celebrating Christmas, Christmas Novenas, celebrating Three Kings and all while to holding a job and caring for family.
- e. Even the JGPO Public Meetings occurred past the halfway mark for the DEIS review and comment period.
- f. A Matrix of Action and Impacts would have assisted the Public in understanding the DEIS.
- g. The President's Council on Environmental Quality (CEQ) outlined that EIS documents should be approximately 150 pages. The DEIS using this Guideline should have made into at least fifty separate EIS documents.

G-386-013

8. The 45 day comment period extension which allowed for the community more time to review and comment on the DEIS was actually not an extension. The comment period began during the most festive and significant period on Guam both religiously and culturally. The festive events on Guam reinforce the family bond and consistently receive the highest priority. The timing of the release of the DEIS is unconscionable; as, even offices of the Federal

hearings who exceeded their 3 minute limit were able to continue providing their comments off-stage with the assistance of a comment recorder at the comment station. Speakers were also able to speak at the microphone a second time if time allowed during the public hearing. DoD limited the amount of time each person spoke at the microphone in order to ensure that every member of the community who wanted to provide a verbal comment had an opportunity to do so.

#### G-386-006

Thank you for your comment. The Draft EIS public hearings combined two separate formats to ensure citizens had ample opportunity to ask questions and get answers from DoD experts, review information and provide comments either in writing or verbally. Information booths were prepared by topic so that citizens only interested in one or two aspects of the Draft EIS could talk to DoD subject matter experts on those topics. The format used for the Guam EIS public hearings is widely used by DoD and other Federal agencies.

#### G-386-007

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.

G-386-013

Government, Congress and the Military recognizes the same events. This is evident since the Public Informational Meetings were held over forty five days after the release of the document and a little over a month from the comment period ending. As a final note; the DEIS Comment period deadline is on Ash Wednesday, a day of significant religious and cultural importance. In summary, the timing of the Comment Period is suspect and appears the Build-up is not the only Action to have been strategically placed.

G-386-014

9. The information provide by JGPO during the Scoping Process failed to provide the Public with information as presented in the DEIS. The population increase impact was changed from 40,000 to nearly 80,000. The military personnel increased from 10,000 to 20,000 plus to include a larger contingent of transient vessels and personnel. The fact that even the Transient Carrier accommodation during scoping was deemed as transient but in the DEIS the Carrier is slated to visit 63 times a year and somewhere between 3-21 days per visit. In attempting to compute the actual time the carrier will be in Port one could take the low mean of 9 days per visit at 63 visits per year; one could believe the Carrier is not transient. The Carrier does not travel alone and either they are designated CVBG Minus (Friendly area) or CVBG Plus (Forward Theater) with the latter over six support vessels.

G-386-015

10. JGPO in the DEIS failed to fully comply with application of Environmental Justice Assessment which are:

G-386-016

a. JGPO should consider the composition of the affected area to determine whether minority populations and low-income populations are present in the area affected by the proposed action and, if so, whether there may be disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. These populations were not identified but it was noted they existed.

G-386-017

b. JGPO should consider relevant public health data and industry data concerning the potential for multiple or cumulative exposure to human health or environmental hazards in the affected population and historical patterns of exposure to environmental hazards, to the extent such information is reasonably available. For example, data may suggest there are disproportionately high and adverse human healths or environmental effects on a minority population and low income population, from the military action. JGPO should have better consider these multiple, or cumulative effects, even if certain effects are not within the control or subject to the discretion of the entity proposing the action. An example is hospital services needed to support the increase population.

G-386-018

c. JGPO should recognize the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the agency's proposed action. These factors should include the physical sensitivity of the community or population to particular impacts; the effect of any disruption on the

### G-386-008

Thank you for your comment. JGPO has an office on Guam.

The DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of 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 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 with elected officials and community leaders.

### G-386-009

Thank you for your comment. The DoD held public hearings in 4 villages on Guam, 1 village on Tinian and 1 village on Saipan.

### G-386-010

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 with elected officials and community leaders.

G-386-018

community structure associated with the proposed action; and the nature and degree of impact on the physical and social structure of the community. The cultural value of the terrestrial and marine environment with the community was not assessed.

G-386-019

G-386-020

d. JGPO should develop effective public participation strategies. JGPO should, as appropriate, acknowledge and seek to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation, and should incorporate active outreach to affected groups. This issue was raised in Part I of this comment paper.

G-386-021

11. JGPO should assure meaningful community representation in the process. Agencies should be aware of the diverse constituencies within any particular community when they seek community representation and should endeavor to have complete representation of the community as a whole. Agencies also should be aware that community participation must occur as early as possible if it is to be meaningful.

a. JGPO failed to engage the fishing community or the Guam Fishermen's Cooperative Association on the impacts the military will have on the fisheries.

b. JGPO failed to engage the Western Pacific Regional Fisheries Management Council the federal body responsible for the stewardship of the marine resources in federal waters (3-200 miles) surrounding Guam.

c. JGPO failed to follow the initiatives set forth by two preceding DEIS. The Ocean Dredged Material Dump Site DEIS did engage the Fishing Community on an informal and formal setting but failed to engage the Fishery Council. The Ocean Range Complex engaged the Fishery Council but failed to engage the Fishing Community. Again, sadly and incomprehensible, JGPO failed on both counts.

G-386-022

12. JGPO should have seek minority representation out of courtesy and respect for the native culture in a manner that is consistent with current procedures and protocols between the U.S. and tribal governments, the federal government's trust responsibility to federally-recognized tribes, and any treaty rights. CEQ (1979) states that the identification of a disproportionately high and adverse human health or environmental effect on a low-income or minority population does not preclude a proposed agency action from going forward, or compel a finding that a proposed project is environmentally unacceptable. Instead, the identification of such effects is expected to encourage agency consideration of alternatives, mitigation measures, and preferences expressed by the affected community or population.

G-386-023

13. Consistent with CEQ guidance (1979), which defines a racial minority according to the definition used in the 2000 U.S. Census (U.S. Census Bureau 2000a): a racial minority includes American Indian or Alaskan Native; Asian or Pacific Islander; Black; or Hispanic. The 2000 Census (U.S. Census Bureau

### G-386-011

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 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.

### G-386-012

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 of the proposed actions to facilitate readability. The Draft EIS was developed with the intent to balance readability with sufficient technical information.

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.

### G-386-013

Thank you for your comment. The timing of the release of the DEIS and the closing of the public comment period was not intentionally planned to coincide with any religious or culturally significant dates.

G-386-023

2000a) allowed individuals to choose more than one race. For this analysis, consistent with guidance from the CEQ as well as USEPA (CEQ 1979; USEPA 1998, 1999), —minority refers to people who are Pacific Islander, as well as those who are non-Pacific Islander of a race other than White or European-American.

a. This is an important process issue given much credence and seemingly ignore in the DEIS.

b. The individuals qualified under this initiative were not properly identified.

G-386-024

14. Also consistent with CEQ guidance (1979), this chapter bases the definition of low-income on the official poverty line according to the U.S. Census (U.S. Census Bureau 2000b) (\$17,603). However, because U.S. Census Bureau (2000b) data is collected in increments, the closest increment to the poverty line (\$19,999) is used to determine low-income.

a. The Northern area may hold a large population of economically disadvantage individuals and families to include children based on an assessment survey. The northern area has a large amount of homeless or residents who live in substandard homes whose impacts was not addressed in the DEIS.

G-386-025

b. The DEIS does recognize the disadvantages present on Guam as compared to the Main Stream America but seems to place this issue as a norm for the Islands and does not address the exacerbated conditions which may increase as a result of the Build-up.

G-386-026

In summary, due to the multitude of obvious flaws in the development of the DEIS, the entire process should be re-initiated and the scoping be more accurate in the proposed Actions or more time should be allowed for public comment, perhaps another 180 days, along with a better outreach plan coupled with community based meetings and media dissemination of the information.

#### G-386-014

Thank you for your comment. The proposed actions presented at the scoping meetings were fairly encompassed such as to allow the public to provide input regarding what the scope of the EIS was to consider.

The EIS states that the transient visits could be up to a total of 63 days per year. Please see, e.g., Volume 1, Section 2.4.1.

#### G-386-015

Thank you for your comment. DoD evaluated all natural, physical, cultural and social aspects of the affected communities in each DEIS resource section. The impact analysis for each of these resources formed the basis for analyzing potential adverse impacts that may disproportionately affect minority and low-income populations or children. Volume 2 Sections 19.1.2 and 19.2.1 describe the racial/ethnic minority and low-income populations and the criteria, as defined by the NEPA regulations, used to determine the significance of the effects on these communities.

The FEIS has been updated as follows to ensure all potential impacts have been included. Potential health care impacts associated with potable water and wastewater systems resulting from induced population growth that may disproportionately affect EJ populations and children are discussed in Volume 6 Chapter 20. Significant indirect public health, safety, and sociocultural impacts to minority and low-income populations and children are discussed in Volumes 2 and 4 Chapter 19 and Volume 6 Chapter 20. Potential cumulative impacts relating to environmental justice are addressed in Volume 7 Chapter 4 of the EIS. Community sensitivity and structure were factors considered as part of the environmental justice analysis relative to the context within which impacts would occur.

DoD implemented public outreach measures for effective public participation including locating meetings in accessible areas; sending

**Part II:**

**General Comments on the DEIS Document and procedural issues:**

G-386-027

1. DEIS Document is voluminous and the CD version is not user friendly since reference maps were vertically displayed when the document was horizontal in form. It also demonstrates JGPO's failure to understand and recognize the technological challenges within each minority household. The US Department of Agriculture recognizes Guam as a rural community which should have been used as a basis by which JGPO develops its Action Plan; with this in mind the great amount of emphasis on Web Based interaction in itself is discriminatory. Is rural American technologically equal to Washington DC? The information and comparisons used throughout the DEIS portrays the community as metropolitan, where laptops are everywhere. The reality is that not every household has a computer and if there is one available it is often shared with other members of the household to perform homework, work, communicate, etc.

2. The DEIS Document was overlapping the information from the various Volumes which created a maze and did not address impacts as each section ends. The DEIS consistently regurgitates the same information throughout the DEIS adding to the increase in pages which further compounds the frustration as important information is found buried in the redundancy.

G-386-028

3. DEIS Document should have been broken down in several DEIS for each of the particular areas of concern:

- a. Marine relocation
- b. Marine Cantonment
- c. Marine Firing Range
- d. Marine Training Range
- e. Missile Defense
- f. Transient Carrier Accommodation
- g. Air Force Personnel
- h. Transient Military Vessels and Troops
- i. Cumulative Civilian Impacts

G-386-029

4. The DEIS document is flawed as it does not provide sufficient alternatives or impacts. An example is the three alternatives presented for the Carrier accommodation there could have possibly been four or five:

Suggested Alternatives for the Transient Carrier Pier:

Alternative 1: The Military Kilo Pier, the expansion was justified to accommodate the Carrier visits to Guam.

Alternative 2: Saipan Harbor.

scoping notices to 130 elected officials, agencies and organizations; encouraging the public to submit comments on the proposed action alternatives; providing written materials in the Chamorro language; and providing an interpreter at meetings. Additional public outreach mitigation measures to be implemented are listed in Volume 2 Chapter 16 and are summarized in Volume 7 Chapter 2. A range of topics that were identified in the 990 scoping comments received (refer to Table 1.8-1) and the 10,000 comments received on the DEIS (Volume 10) are addressed in each specific resource impact section of the FEIS. DoD fully understands and acknowledges all the concerns of Guam's people with regard to social, cultural, economic and environmental impacts of the proposed military relocation that could disproportionately affect minority and low-income populations on 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, and to fulfill its obligations to uphold environmental justice.

**G-386-016**

Thank you for your comment. Volume 2 Section 19.1.2 describes the composition and location of the racial/ethnic minority and low-income populations considered in the environmental justice analysis and the criteria, as defined by the NEPA regulations, used to determine the significance of the effects on these communities.

**G-386-017**

Thank you for your comment. Incidents of notifiable diseases (including AIDS) for Guam were collected from the Government of Guam, Department of Public Health and Human Services, Office of Epidemiology and Research. Statistical information collected from this agency were used to determine the per capita rate for the diseases and calculate the potential increase in disease incidents due to the buildup on Guam (military, construction worker, and natural population

G-386-029

Alternative 3 (My Preferred): The berthing area across the PAG Cargo Pier commonly known as Delta and Echo Pier, for the following reasons:

- The channel is deep enough to accommodate the Carrier.
- A maintenance dredging plan developed for continued use.
- The site has been recently dredged to nearly fifty feet.
- Dry-dock Island provides ample land area to provide for the construction of support facilities.
- Minimal impacts on corals and other marine life.
- No significant impact to a federal listed MPA (Sasa Mangrove Preserve).
- The site is isolated where security would not be difficult.
- The Port Authority of Guam is a designated as a Strategic Port with TWIC requirements (greater security measures than military bases), Port Security developed with Homeland Security Criteria and under the auspices of the U.S. Coast Guard who is responsible for domestic Maritime Security.
- Project cost, ecological impacts and cumulative effects greatly reduced.
- The DoD funds allocated for the dredging of the Polaris Point alternative could be allocated to the PAG for the F-7 expansion in the neighborhood of one hundred fifty million dollars (\$150,000,000.00).
- The ecological impact of the F-7 expansion would be minimal since the area has already been majorly impacted ecologically.
- The distance between the PAG F-6 Pier and the Echo Pier has ample distance to provide for a seaside security zone.
- There would be need for the establishment of a corridor for non-military vessels to pass through the zone. This corridor could be established along the F-6 Pier and minimize the intrusion into the secure zone.
- The construction of the F-7 Pier would be used as an alternative site for discharging commercial cargo vessels, outside the security zone when the carrier or other large military vessels are docked Echo Pier.

G-386-030

5. The DEIS document failed to address the direct impact to the largest local beneficiary of a military program which is the Military Retirees and their dependents, Military Veterans, Disabled service members and so forth. This

increase). This information is presented in the public health and safety and socioeconomic chapters of the DEIS.

#### G-386-018

Thank you for your comment. Section 19.2.1.2 describes the criteria (as defined by the NEPA regulations) used to determine the significance of the effects on the community. Community sensitivity and structure were factors considered as part of the environmental justice analysis relative to the context within which impacts would occur. The intensity and severity of the impacts were determined based on the unique characteristics of the community. These characteristics include the sentiments of the people and current economic conditions, which are discussed in detail in the socioeconomic analysis provided in Chapter 16 and Appendix F.

#### G-386-019

Thank you for your comment. Uses of traditional resources was discussed in Section 12.1. This section has been expanded to include fish and medicinal and other plants.

#### G-386-020

Thank you for your comment. Please see the response to similar comments made in Part I of this comment paper.

#### G-386-021

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

G-386-030

user group is entitled to consideration as to the impacts, most especially pertaining to benefits.

G-386-031

6. The document is filled with statements which reflects a two distinct populace one the military and the People of Guam in general statements. These statements could be easily construed as discriminatory; resulting in the treatment of the citizens of the USA residing on Guam as foreign. The following statements should not be used in a document which is designed to address impacts to the environment to include the cumulative effects to the community:

- To protect the Homeland and US Territories.
- Have a strong local command and control structure.
- Missile defense-to protect US interest on Guam.

This demonstrates another major flaw in the development of the DEIS document which by design is to consider all the alternatives, cumulative impacts, ecological impacts and other federal mandates and provide alternatives to minimize these impacts.

G-386-032

7. The apparent urgency of the Action does not justify circumventing the NEPA Process.

G-386-033

8. The Web based comment submission does not allow for attachments and only allows 2,500 characters to comment on a 11,000 page document. This document had to be re-typed for submission exacerbating the frustration with the process. Special drop boxes should have been made available since it would be difficult to ensure proper Post Marking. The People of Guam were short changed a day since the comment period actually ended at 2pm on the 18<sup>th</sup> of February, Guam time; this was not made evident in the FR Notice or the DEIS Public Meetings, another example of JGPO's failure to properly inform the public.

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 with elected officials and community leaders.

#### G-386-022

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 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.

#### G-386-023

Thank you for your comment. The EIS environmental justice analysis is consistent with the guidance of President's Council of Environmental

**PART III:**

**Specific Comments on the DEIS:**

Volume 2: Marines:

1. The DEIS States:

In response to the evolving security environment in the Pacific region, the DoD the Integrated Global Presence and Basing Strategy (IGPBS) and Quadrennial Defense Review (QDR) initiatives began to focus on posture changes in the Pacific region. These initiatives included reduction of overseas forces while striving to base forces in locations that support flexibility and speed of response to anywhere in an unpredictable environment. Based on the QDR recommendations for global repositioning and operational realignments in the Pacific Region, the Department of Defense began to identify suitable locations to relocate the Marine Corps from Okinawa that met: (1) treaty and alliance requirements; (2) response times to potential areas of conflict; and (3) freedom of action (use of base without restrictions).

G-386-034

a. This statement is false, the Japanese Government demanded the down-sizing of the Marine presence in Okinawa for many years and the proposed Action in the DEIS has nothing to do with any re-alignment strategy. The DEIS also states the following contradiction:

G-386-035

b. The DEIS Also States on this issue which contradicts the earlier statement: The military's goal is to locate forces where those forces are wanted and welcomed by the host country. Because these countries within the region have indicated their unwillingness and inability to host more U.S. forces on their lands, the U.S. military has shifted its focus to basing on U.S. sovereign soil.

2. The DEIS States:

*Agreement between the Government of the U.S. and the Government of Japan Concerning the Implementation of the Relocation of the III Marine Expeditionary Force Personnel and Their Dependents from Okinawa to Guam.* The Agreement was approved by the Japanese Diet on May 13, 2009 and transmitted to the U.S. Congress in accordance with each party's respective legal procedures.

G-386-036

a. This International Agreement has not been approved by Congress nor was Guam consulted. The fact that the people of Guam are already impacted by the Buildup through increases in Government of Guam services whereby Guam became the silent partner in funding this International Agreement.

3. The DEIS States:

Quality (CEQ)(1979) and the U.S. Environmental Protection Agency (EPA) (1998, 1999) and the 2000 U.S. Census in defining racial minority populations.

**G-386-024**

Thank you for your comment. EIS Volume 2 Section 19.1.2.1 identifies the Northern area of Guam as having a low-income population, and impacts were assessed accordingly.

**G-386-025**

Thank you for your comment. Community sensitivity and structure were factors considered as part of the environmental justice analysis relative to the context within which impacts would occur. The intensity and severity of the impacts were determined based on the unique characteristics of the community. These characteristics are discussed in detail in the socioeconomic analysis provided in Chapter 16 and Appendix F.

**G-386-026**

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.

**G-386-027**

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

G-386-037

Freedom of action is the ability of the U.S. to use bases and training facilities freely and without restriction at a particular locale, as well as affording the U.S. the ability to engage in rapid force posture movements and contingency response from those locations. Freedom of action is variable based on the location of the action with the most flexibility being available at facilities and bases located on sovereign U.S. soil. Guam, Hawaii, Alaska, and California are preferred over foreign countries because they provide the most flexibility for the troops during times of maximum threat.

4. This may be concern but the DEIS Preferred Alternatives seem to attempt operate under the Freedom of Action to establish the Bases on Guam. The proposed preferred alternatives seem to support this Action. Is this a blatant disregard for the basic tenets of the Constitutional declaration for its citizens to have the right to life, liberty and the pursuit of happiness? It seems to be the obvious need to establish a desired quality of life for the military personnel at the expense of the civilian community. The DEIS should have considered other areas in the re-location alternatives and provide information as to why it was rejected through the NEPA process.

G-386-038

5. The DEIS States:  
There would be four relocating military elements and then mentions a fifth:

The main relocating marines total; 8,552 personnel with 2,000 personnel on transient vessels with an undetermined frequency.  
The possible addition of the Military Rapid Deployment Catamarans appear to be another addition to the build-up, this may be a sixth element.

6. The DEIS States:  
*Main Cantonment Area functions.* Main cantonment military support functions (also known as base operations and support) include headquarters and administrative support, bachelor housing, family housing, supply, maintenance, open storage, community support (e.g., retail, education, recreation, medical, day care, etc.), some site-specific training functions, and open space (e.g. parade grounds, open training areas, open green space in communities, etc), as well as the utilities and infrastructure required to support the cantonment area.

G-386-039

a. The Main Cantonment area would include a spacious housing area with greater than ground coverage than any average residential village housing to include GHURA urban developments.

G-386-040

b. Community support amenities larger and better than the surrounding civilian communities constructed through the acquisition of non-federal property is unconscionable.

G-386-041

c. The construction of a military educational facility would result in the establishment of a separate but equal school system reminiscent of the pre-civil rights era.

included in the Draft EIS. The Draft EIS was broken down by Volumes for each major action, and the Executive Summary provides an overview of the proposed actions to facilitate readability. The Draft EIS was developed with the intent to balance readability with sufficient technical information.

Because DoD recognized that some households do not have computers or internet access, hardcopies of the DEIS were made available in libraries, village mayors' offices and a DoD reading room at Agana Shopping Center.

#### G-386-028

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 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.

#### G-386-029

Thank you for your comment. Additional text has been added to the EIS to clarify why locations in nearby islands and Delta/Echo wharves are not practicable. As noted in Volume 4, Chapter 2, Section 2.3, use of the Delta/Echo pier was rejected as an alternative because of operational and navigational concerns. The security buffer zone associated with the use of Delta/Echo pier would effectively close harbor access to commercial piers for up to 63 days per year, causing severe economic impact on Guam. Further, use of this pier as a transient CVN wharf would preclude its use as a fueling pier for the Department of Defense (DoD), adversely impacting the DoD mission on Guam. Additionally,

G-386-042

d. These are prime examples for the military to acquire Public and Private Property in order to create a Cantonment Area similar to foreign base requirements when in reality the bases on Guam should not be treated as such.

G-386-043

e. There is no rhyme or reason for the military to spend DoD funds to construct amenities available in the adjacent US civilian communities.

7. The DEIS States:

*Training functions.* There are three subclasses of training support functions required by Marine Corps units that would be stationed on Guam:

a. *Firing ranges* are required for live and inert munitions practice, which generates the need for safety buffers called Surface Danger Zones (SDZs), and special use airspace (SUA) for certain weapons.:

G-386-044

b. The establishment of SDZs and SUA brings to light the concern as to the type the types of weapons and the frequency of usage (i.e. number of events when a M203 or 50 caliber Machine gun will be used both by stationed and transient personnel. What types of weapons will be fired and will all the munitions be training type ammunitions? Most firing ranges fire into a hillside, as the one on AAFB; is there a special need to fire toward the ocean at the two proposed ranges? Ironically, all ranges except the two range on Guam (Orote Pt. and Eastern proposed ranges) fire towards the ocean. The Tinian ranges fire inland and the AAFB fires inland as do private outdoor ranges.

G-386-045

c. The impacts to the environment both terrestrial and marine has not been quantified except the expressed comment that the due the restricted use of the areas of impact a conservation benefit will be realized. The issue at this point would the ecological impact to a pristine coastal terrestrial and marine environment. Would the use of live and inert munitions and the accumulation of the spent munitions impact the environment? The familiarization or qualification firing of the 50 caliber machine gun would place approximately 40 pounds of metal in the environment in a sustained rate of fire for one minute. The effective range of this weapon is 1.2 miles and a range of 4.5 miles. Have the possible impacts to the marine life and the threatened and endangered species such as seabirds and sea turtles which are in larger numbers in the eastern part of Guam been determined?

G-386-046

d. The toxic residue of the consistent firing of weapons will have an impact on Air Quality, most especially since the range is slated to be used daily. Will there be a monitoring of the air quality similar to a radiation detector to shut down all activities after a certain value?

G-386-047

G-386-048

e. The run-off from the access roads, buildings and other amenities needed to orchestrate a functional Firing Range; since ranges do not place

depth requirements associated with a turning basin for a nuclear powered aircraft carrier would dictate the need for turning basin dredging to support a transient CVN wharf at Delta/Echo pier. Such dredging would be equally extensive as that currently contemplated for the Former SRF and Polaris Point alternatives.

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 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.

**G-386-030**

Thank you for your comment. Topics such as veterans benefits are important issues but are not part of the proposed action.

G-386-048

asphalt to cover flat open areas towards the target with the ocean beyond where would the ground water be allowed to dissipate further in creating a special accumulation point would severely impact the marine environment by the infusion of fresh water.

8. The impacts to terrestrial concerns are not limited the obvious but also the not so obvious but recognized by Guam Law:

G-386-049

a. The management of wildlife through harvesting restrictions. The use of either proposed Firing Ranges would impact the terrestrial wildlife such as the Guam deer, Coconut crabs, as well as other threatened or endangered wildlife, flora and fauna.

G-386-050

b. The fact that the fisheries on Guam is a surface troll fishery, bottom fish and coastal fishery and the DEIS does not address the impact to any of these fisheries. The emphasis of the DEIS was place on determining the effects on fishing but mentions conservation.

G-386-051

c. The enforceability of the SDZs off the Firing Range would be difficult since it would be difficult to dispatch military vessels to provide security for the Zone. The proposed SDZ would be severely impact all marine users and would effectually place mariners in harms way. Concerns are:

d. Boundaries of the SDZs will have to be established and visible to mariners. The boundaries will need at sea monitoring to ensure the safety of civilian mariners.

e. The outward distance from the shoreline will place the mariners in harms way by forcing the mariner to travel further out from the coast to avoid the SDZ. The additional expense incurred by the mariner will greatly impact any use of the marine resources on the Eastern seaboard.

G-386-052

9. Environmental damage has also been cited. Reports claim that highly carcinogenic materials (fuels, oils, solvents, and heavy metals) are regularly released (Okinawa Prefecture 2004). Training exercises using live ammunition have caused forest fires, soil erosion, earth tremors, and accidents. Among the results, soil runoff has polluted the coral reef (Okinawa Prefecture 2004). Would the impacts be the same since historically the military have been great stewards of the environment?

G-386-053,  
G-386-054,  
G-386-055

10. The DEIS States:  
Military munitions that are used for their —intended purposes are not considered waste per the MMR (40 CFR 266.202). In general, military munitions become subject to RCRA transportation, storage, and disposal requirements (i.e., judged not to have been used for their —intended purposes) when:

- Transported off-range for storage
- Reclaimed and/or treated for disposal

G-386-056

**G-386-031**

Thank you for your comment. Wording was chosen to most accurately reflect the issues being addressed.

**G-386-032**

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.

**G-386-033**

Thank you for your comment. There were several ways to submit comments on this project during the public comment period. Comments could be made on the project website, in writing at the public hearings, as verbal comments at the public hearings or by mail. The DoD provided a webform on the project website where people could easily leave their comments without the limitation of having an email account. While each webform comment was limited to 2,500 characters, there was no limit to the number of comments an individual could submit via webform.

The DoD recognized that there may be some confusion regarding the exact dates and times of the public comment period. As a result, comments submitted via the website or postmarked up to two days beyond the close of the public comment period were accepted, responded to and are included in this EIS.

G-386-056

- Buried or land filled on- or off-range or
- Munitions land off-range and are not immediately rendered safe or retrieved.

11. The DEIS States:

Three criteria were identified as necessary to make an alternative reasonable:

- (1) environmental,
- (2) political/public concerns, and (3) mission compatibility.

Each alternative was classified as —meets  or

—does not meet  for each of the criteria (JGPO Main Cantonment Info Brief Inputs v3 [draft] 2008 [JGPO 2008]):

1. Environmental. Alternative does not meet criteria if there are overwhelming negative environmental impacts, particularly in relationship to essential habitat as determined by informal consultations with environmental regulatory agencies. In this case, the alternative would be modified to reduce these impacts as much as possible.

2. Political/public concerns. Alternative does not meet criteria if there are issues that would cause overwhelming and inescapable lack of public support that would prevent program execution and harmonious relations between DoD and the community, as determined through ongoing discussions with representatives from the GovGuam and/or with Congresswoman Madeline Bordallo and her senior staff and other members of the Guam community.

3. Mission compatibility. Alternative does not meet criteria if it would be significantly detrimental to Marine Corps operations, readiness and mission. This evaluation was based on a Marine Corps evaluation of effects of the alternative on Marine Corps readiness as evaluated by leadership and operational commanders' professional judgment.

a. Based on the aforementioned criteria two out of three failed to pass the muster. The existing Firing Range on AAFB could be adapted to meet most weapons training and Tinian used for the heavier training.

G-386-057

G-386-058

12. Some Okinawa residents perceive military bases as hindering regional economic development. Since 1972, three sets of plans have been set forth to improve the prefecture's infrastructure and incorporated plans for roadways, harbors, airports, and educational facilities. However, the locations and size of U.S. military bases have impeded the planned urban redevelopment. Military bases occupy approximately 10.4% of prefectural land and 18.8% of the main island of Okinawa where most of the population and industries are concentrated (Okinawa Prefecture 2004).

a. The same situation could be realized on Guam as the military seeks to acquire additional land for development. Will the people of Guam be

G-386-059 |  
G-386-060 |

**G-386-034**

Thank you for your comment. Comment noted.

**G-386-035**

Thank you for your comment. Comment noted.

**G-386-036**

Thank you for your comment. As discussed in the EIS, the referenced agreement was forwarded to Congress. However, it was not a formal treaty requiring the advice and consent of the U.S. Senate. 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.

Volume 7 discusses mitigation proposed to be implemented to reduce the effects of the proposed actions, including assisting Guam in seeking funds for mitigation when mitigation and funding authority is not within the purview of the Department of Defense.

**G-386-037**

Thank you for your comments. Various locations were considered throughout the Western Pacific 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 details of this analysis are discussed in Volume 1,

G-386-060

restricted in the use of private and government property should the military cover the aquifer lens with all the needed development, thus limiting the percolation of the ground water process?

13. *Non-fire maneuver ranges* are required for vehicle and foot maneuver training, including urban warfare training. Urban warfare training is conducted in buildings that simulate a city or town. These buildings would be arranged close together so that Marines can practice entering and maneuvering in tight spaces.

G-386-061

a. The increased use of the Andy South would have a negative impact to adjacent civilian property and residences through depreciated land values.

G-386-062

b. Noise and air quality impacts not thoroughly addressed by the DEIS for adjacent civilian communities and wildlife.

G-386-063

G-386-064

G-386-065

c. Military maneuvers are situated near populated areas and not affecting military cantonment areas. Used daily with 40-800 personnel with 15% occurring in the evening:

G-386-071

14. Use of simulation during dry season may be an area of concern. Noise levels affecting nearby residential neighborhood to include the constant possible use of heavy equipment.

a. The increased traffic on Guam's roads and aerial support exercises not addressed.

15. *Aviation training areas* are either improved (paved runway) or unimproved (unpaved landing sites) used to practice landing/takeoff and air field support (including loading/unloading of fuel, munitions, cargo, and personnel). Aviation training includes use of both international airspace and U.S. controlled airspace within the Mariana Islands.

G-386-066

a. Additional concerns include noise pollution. In —A Report on the Aircraft Noise as a Public Health Problem in Okinawa, studies showed that aircraft noise exposure resulted in a wide range of physical and mental consequences that included sleep disorders, hearing loss, higher rates of low birth weight infants, fatigue, neurosis, and negative effects on children (Asahikawa Medical College 2000).

G-386-067

b. The safety of Civilian population is a major concern due the three major air accidents in recent years at AAFB or aircraft mishaps while in flight.

G-386-068

G-386-069

G-386-070

G-386-072

c. The establishment of SUAs may affect commercial airline activity and may add to the increase cost of travel and noise pollution over civilian areas.

d. Military-related accidents and incidents, including helicopter and aircraft crashes, have also been a source of concern. Between Okinawa's reversion and the end of December 2003, 275 U.S. military aircraft related accidents were recorded (40 of these were aircraft crashes) (Okinawa Prefecture 2004).

Section 1.4. Guam was the only location for the relocation that met all the criteria.

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.

**G-386-038**

Thank you for your comment. The main components of the proposed Guam and CNMI military relocation are to develop and construct facilities and infrastructure to support approximately 8,600 Marines and their 9,000 dependents relocated from Okinawa to Guam.

**G-386-039**

Thank you for your comment. DoD facility and space requirements follow the unified facilities criteria (Section 2.1.2.2). This ensures consistency among military bases. The density of family housing is 4-6 units per acre. Planned community development outside the military base is governed by the government of Guam land use plans and zoning codes. These developments are approved by local government and vary in land use density.

**G-386-040**

Thank you for your comment. The proposed base contains required facilities and uses that other bases in the U.S. include. The military base, in itself, is a community. It includes military personnel, housing for

16. The DEIS States:

16.1.6.2 Land Issues

Guam's land issues have included debate over the large areas of military land on the island restricted from public access and concerns over nonpayment or perceived inadequate payment for land used as military bases during and after WWII. More recently, tighter national security measures following the attacks of September 11, 2001 resulted in the Air Force restricting access to tour groups that had previously accessed to two beaches (Tarague and Jinapsan) on the shores below Andersen AFB. Landowners themselves now must access these properties using all-terrain vehicles along the coastline rather than having direct access through Andersen AFB.

a. This statement is partially true which is the land owners must access their property using all terrain vehicles. However, this practice has been occurring for many years, long before 9/11. The incident of 9/11 only restricted the use by the land owners by tightening the privilege of who may access via AAFB where they still maintain direct access. Indication of another flaw in the DEIS.

17. The DEIS States:

**No-Action Alternative:**

Under the no-action alternative, Marine Corps units would remain in Japan and would not relocate to Guam, though they may continue to train on Guam as is the present practice. No additional training capabilities (beyond what is proposed in the MIRC EIS/OEIS) would be implemented for Guam to support the proposed action. There would be no land acquisition or long term leasing, dredging, new construction or infrastructure upgrades associated with Marine Corps forces stationed on Guam. The no action alternative would fail to satisfy the purpose and need for the proposed action; however, as required by NEPA, the no-action alternative is carried forward for analysis in this EIS/OEIS.

a. This alternative is moot. The No Action alternative is not comparable to the slew of alternatives presented. The other alternatives address the actual action of where to base the Marines on Guam with logistical and land acquisition concerns. The No Action addresses the issue of whether the Marines should be relocated to Guam. Should the Action evolve around whether the Marines stay in Japan as a No Action then the Proposed Action should other options which may include Guam as a possible relocation site. For example, based on the Action the following alternatives should have been developed:

- No action, Marines would stay in Japan.
- Alternative Action, Marines relocate to Guam.
- Alternative Action, Marines relocate to Palau.
- Alternative Action, Marines relocate to Hawaii.
- Alternative Action, Marines relocate to Philippines.

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. The cohesion of the military base, like any social group, is based on the similarity of their jobs and duties, objectives, age, situation, and military lifestyle. The military personnel and the sacrifices of their families are provided with these facilities and uses in a safe and comfortable environment. The military and Guam communities, while separate in some respects, can nurture a social environment to create mutual respect and understanding when these populations interact.

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.

**G-386-041**

Your comments and opinions are acknowledged. The separate educational systems on Guam (public schools and DoD schools) were based on a determination in the early 1990s that the Guam public schools neither met the educational instruction goals or the physical facilities standards that DoD required. Currently, the Guam public schools would likely still not meet the DoD requirements. When Guam public schools meet DoD requirements, a re-evaluation can be undertaken to determine if DoD needs to maintain their own school

G-386-073

G-386-074

G-386-075

G-386-076

b. The correct slew of alternatives should be stated as follows after preferred alternative has been identified but broken down by each Action and impacts of such action: An example for Marine Cantonment Area to meet the Quality of Life and Training needs of the Marine Unit is as follows:

- No Action, Marines utilize existing military facilities.
- Alternative Action, construct facilities in Naval Station.
- Alternative Action, construct facilities in NCTM and Naval Station.
- Alternative Action, construct facilities in AAFB and NCTM
- Alternative Action, construct facilities on other Military Properties.
- Alternative Action, construct facilities in an identified Military Base plus additional non-federal properties.

G-386-077

In essence, the use of the Marines not relocating to Guam as Alternative is ludicrous for this decision has been predetermined and the only the How and the ensuing Impacts should have been the focus of the DEIS.

G-386-078

18. The DEIS States:

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.

a. This strategy is faulty is does not provide for a plausible working model for the obvious reason based on Congressman Abercrombie's (HI) Congressional Legislative Proposal based on the Hawaii Based Economy would have doubled the cost of the Build-up according to JGPO and other military concerns. Why was this not taken into account in the Economic Analysis in the DEIS?

19. The DEIS States:

Andersen AFB is one of the largest Air Force airfields comprising approximately 15,423 ac (6,242 ha) of federal government land on Guam. There is one primary access point to Andersen AFB, located at the intersection of Routes 1 and 9 near the eastern portion of the installation (Figure 8.1-6). A secondary gate, referred to as the Santa Rosa Gate, is on Route 15. *Navy submerged lands are located along the entire northern Guam coastline adjacent to Andersen AFB.* The Air Force does not operate a harbor or a marina; however, there are military recreational beaches designated along the northern coast at the western end of the Pati Point Marine Protected Area (Figure 8.1-6).

system or if the Guam public schools can adequately meet DoD requirements.

#### G-386-042

Thank you for your comment. Military bases exist in all areas of the U.S as well as in different parts of the world. Unless the base is in an area of conflict, DoD has provided standard housing, training, and facilities requirements. The importance of trying to keep the housing, facilities, training, and base headquarters in one contiguous area was found to be advantageous because it would keep traffic within the DoD properties rather than creating traffic on public thoroughfares during the operational period. Additionally, less time and fuel would need to be used because travel would basically be in one area. Impacts would also be lessened because specific areas would be affected and not scattered through Guam. Strategically, given the objectives of the military, including the protection of the U.S., defending and securing military assets and resources, the base provides for the immediate availability of personnel should a national or local emergency occur. For those principal reasons, a contiguous base was found to be optimal.

#### G-386-043

Thank you for your comment. Base housing, facilities, and amenities follow standard requirements. As such, these are equivalent to other bases that the Marines have in the continental U.S.

#### G-386-044

Thank you for your comment. Information on the types of weapons used for the training (including the firing ranges), the frequency of use, and munitions spent are provided in the proposed action portion of Volume

G-386-079

a. The Navy seems to make fact that the submerged lands adjacent to AAFB is under their jurisdiction. This issue has not been raised over the years and the justification to ownership of this property has not been reviewed. Most especially since the submerged lands in question are not adjacent to Navy controlled lands and all documents such as the Marine Protected Area at Pati Point has been a joint effort by the Department of Agriculture and the Air Force.

20. The DEIS States:

Tarague CATM Range, also known as the Pati Point Range, generates an SDZ to the northeast that lies partially within Navy submerged land. The range consists of 21 ac (8.5 ha) and is used for the small arms range. The range supports training with pistols, rifles, machine guns up to 7.62 mm, and inert mortars up to 60 mm. Training is also conducted with the M203 40mm grenade launcher using inert training projectiles only. An Explosives Ordnance Disposal (EOD) site is located northeast of the small arms range.

G-386-080

a. The current use of the AAFB Firing Range and adjacent areas already allows for ordinance usage which is far more damaging than the large personnel weapons including the 50 caliber machine gun.

G-386-081

b. It seems the military would need additional land to establish recreational areas for the increase in military personnel. The acquisition of either the two government or private lands to accommodate the Firing Range to provide more beach front areas for the exclusive recreational use by the military is unconscionable. Again, the quality of life for military personnel exceeds the needs of the people of Guam. Ironically, the base amenities are reserved for the use of military personnel and yet all off-based amenities are free for all.

G-386-082

c. The current Firing Range aforementioned could accommodate the increase in military presence as the area has been already ecologically impacted by the years of use.

G-386-083

d. The firing of the weapons into the limestone cliffs will eliminate a need to establish a SDZ but may give rise to a SUA since the range is below the Runway.

G-386-084

e. A small arms (side arms or pistols) range could be constructed on the northeastern most plateau above the cliff line where the current General's Golf Course is located and minimizing the congestion at the main firing range and not requiring a SDZ.

G-386-085

f. The expansion of the AAFB Firing Range would alleviate traffic congestion as the Marines can travel from their Cantonment area through military property to the AAFB Range. This would limit

2. Supplemental information on training is included in the appendix (Volume 9) of this Final EIS.

#### G-386-045

Thank you for your comment. Impacts to the terrestrial and marine environments have been quantified. Please see Volume 2, Chapters 10 and 11.

#### G-386-046

Thank you for your comment. As identified in the EIS and referenced documentation, an impact analysis identifying effects the proposed action and alternatives may have on 16 resources was performed. Potential threats to aquatic life, habitat, marine communities and ecosystems are described in detail in Volume 2, Section 11.2.2.2 Non-DoD Land. In summary, the potential for range training activities to lead to Level B harassment as defined by the Marine Mammal Protection Act (Section 11.2.1.2), or impact the Endangered Species Act-listed sea turtle would be negligible. There would be limited potential for ingestion with implementation of avoidance and minimization measures (see Section 11.2.1.1), including the potential use of "green bullets" and periodic benthic cleanup, to decrease potential impacts. Due to the inert quality and quantity of munitions anticipated to make it to the ocean from berm ricochets, there would be negligible effects to marine aquatic life, habitat, and marine communities and ecosystems.

#### G-386-047

Thank you for your comment. The majority of the munitions proposed at the ranges are fired from small arms that are carried and fired by one person. These include rifles, handguns (pistols and revolvers), shotguns, submachine guns and machine guns with munitions of .50 calibers or less. Other munitions that are proposed for use on the range include hand grenades, smoke canisters, and flares.

G-386-085

the need to travel through free west to east to utilize the Firing Ranges.

G-386-086

21. The Construction of improvements to Naval Station is not part of the Marine re-location and therefore should have been in a separate section or a volume in itself. The inclusion of other facets of the Build-up raises concerns of circumventing the impact analysis by lumping multiple Actions as a single Action. Since the Marine Cantonment Area is located up the North and the improvements were slated to support the personnel in the Naval Base the issue should have been addressed elsewhere.

- a. The proposed action would also include the relocation of 8,600 Marines, 1,700 civilian personnel, 2,000 transient Marines, and an estimated 9,000 dependents to Guam. These numbers were not used in the Scoping process and should not be used in the DEIS. Additional changes to the operational scoping information should not have been used in the DEIS.

22. Firing Range Impact on Guam, V-2, 829

G-386-087

LSI, Less than a Significant Impact...Statement appears to be flawed or untrue due the direction by which the weapons will be fired, which is towards the ocean. This measure is justified as needed since the types of weapons needed to fulfill the qualification of the military personnel. However it is interesting to note that the firing ranges on Tinian are located on center of the Island and are firing inland. In the case of the Tinian Range, the DEIS statement is that there will be no Impacts to the Marine environment can be assumed to be true. Beneficial impact is the restricted use of coastal resources...quasi MPA? However there other factors that will adversely affect the environment will be not addressed:

1. A 50 caliber machine gun fires 575 rounds per minute or a sustained rate of 400 rounds per minute with the projectile weighing 1.6 ounces. The amount of metal from this training exercise may possibly be in the neighborhood of 40 lbs. per personnel performing familiarization, qualification or other military requirements; possibly in the thousands per year.
2. One could argue that the projectiles will be fired at targets and an earth mound behind aforementioned target to prevent the projectiles from entering the water. However, the effective range of a 50 caliber machine gun is two miles and maximum range is over four miles. How will these projectiles accumulating in the earth barrier and the strays impact the environment over the years?
3. There will exercises conducted with weapons with an explosive projectile, not to mention anti-personnel devices.
4. The ranges are located near the marine environment and the impacts caused by the noise and activities were not addressed.
5. The impact to the near shore environment is immeasurable since the projectiles embedded in the earth mounds are not filtered to remove the spent projectiles coupled with the rainy season metal contaminants will enter the ground water and a the marine shoreline. This concern must be fully addressed since metal particles will be entering the ecosystem and its impacts detrimental to environment not fully assessed. There are many Case Studies which have demonstrated these adverse effects. The recovery

G-386-088

G-386-089

The primary constituent of concern from small arms munitions is lead. Volume 9, Appendix D describes the munitions that are proposed for use at the ranges, and provides information on the makeup of the munitions and the constituents that occur after firing. The main concern related to small arms and lead relates to where the spent bullet lands versus what may be released into the air. This is because the bullet is primarily a solid metal that may release a small amount of dust at the firing point because the bullet gets scoured in the gun barrel upon firing. Airborne lead dust will typically fall within the confines of the range itself, and is not a concern for outlying communities. DoD has numerous technical manuals that discuss control of pollutants at indoor and outdoor ranges, and only indoor ranges have a concern for airborne dust. EPA also has information on outdoor ranges in their guidance document, "Best Management Practices for Outdoor Shooting Ranges, US EPA Region II, January 2001, Document Number EPA-902-B-01-001." This document states, "On ranges, inhalation is one pathway for lead exposure since shooters are exposed to lead dust during the firing of their guns. Because wind is unlikely to move heavy lead particles very far, airborne dust is generally considered a potential threat only when there are significant structures that block air flow on the firing line."

Range management plans would be developed to ensure proper health and safety measurements are maintained during operations, including air emissions. These range management procedures would be followed during training exercises. Training would not include levels of firing that could result in air quality risks to individuals at the range, and would be well below levels that could affect individuals outside of the surface danger zones (SDZ) safety buffers. Because airborne dust from firing ranges is not a concern, this was not included in the air impact analysis of the FEIS.

- G-386-089** | efforts to address these impacts have been in the hundreds of millions of dollars, if not billions.
- G-386-090** | 6. Fires caused by these live fire exercises during dry season. The damage to the terrestrial environment would be catastrophic.
- G-386-091** | 7. Air Quality issues caused by the Firing Exercises to include the training areas shall be emitting sulfur and other toxic by product gases into the environment. These areas are adjacent to densely populated areas. The prevailing winds are easterly and would blow all emissions towards densely populated areas.
- G-386-092** | 8. The adverse affect on terrestrial resources will foster the development of legislation will dramatically affect the cultural uses of these resources.
- G-386-093** | 9. Noise Pollution generated from these exercises, through the use of simulated and actual weaponry, heavy equipment, military vehicles, military aircraft air to ground support exercises.
- G-386-094** | 10. The safety of the general population surrounded by the military bases whereby there have been three publicly known accidents and in two incidents there was a loss of Aircraft and Life.
- G-386-095** | 11. The constant amount of military vehicles travelling through civilian roads further compounds the heavy civilian traffic. One must be aware that military convoys do not separate and will be constant annoyance, most especially since they will be conducting exercises daily and to include evenings (15%).
- G-386-096** | 12. The Military Training needs will adversely affect the two largest and densely populated villages of Guam; Yigo and Dededo. The Air Force Base to the North, Marine Air Base to the Northwest, the Marine Cantonment Area to the West and then the Training and Firing Range to the East and then the Radio Barrigada to the South.

The above impacts will adversely affect the following areas of concern:

- G-386-097** | 1. Quality of Life for Minority Populations.
- G-386-098** | 2. Quality of Life for Economically Disadvantaged.
3. Quality of Life for Children.
4. Air Quality will be greatly affected as the sulfur and other by products plumes blow towards densely populated areas to include additional carbon monoxide fumes from the increase in civilian and military traffic. Especially during military exercises conducted at Andy South which is slated to more common than uncommon.

22. Military Airfields:

The impacts caused by both noise and air emissions from both stationed and increases caused by transient aircraft. The following are areas of concern:

- G-386-099** | 1. FAA provided funds for mitigating civilian air traffic noise impacts. Since the amount of activity on the military airfields will be greater than a civilian airfield and the noise levels will be above acceptable levels in the civilian areas will there be mitigation for such impacts.
- G-386-100** | 2. The Impacts on Seabirds from the aforementioned impacts were not fully assessed. The Wildlife Refuge is located right below the re-constructed airfield.
- G-386-101** | 3. The Impact to protected or managed species such as the Guam Deer, the Coconut Crab, Green Sea Turtle, Hawks Bill Turtle, transiting Cetaceans, seasonal reef fish, pelagic fish which are found along the coast.
- G-386-102** |

**G-386-048**

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 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.

**Part III**

**Carrier Accommodations and Apra Harbor:**

1. The DEIS States:

Three sites were considered in the Step 2 site selection process (Figure 2.5-9): Big Blue, Reserve Craft Beach on Dry Dock Island, and the Oscar and Papa Wharves (Ship Repair Facility). The first two of these were dismissed from further consideration in this EIS/OEIS due to a number of functional concerns. These included such mission requirements as AT/FP capability; quality of access; existence of waterfront facilities or capability to development such facilities; relationship to Apra Harbor; environmental concerns, particularly site contamination concerns; physical size and layout; and others. This is an area of concern addressed earlier in this document and the environmental concerns would be greater should the Preferred Alternative be carried out for the following reasons:

- G-386-103** | a. The dredging of the harbor to the proposed site will be an ecological disaster for a multitude of reasons:
- G-386-104** |  
**G-386-105** | b. There has been no ecological assessment study in the Harbor area as to its value to the entire Island's marine and terrestrial ecosystem.
- G-386-106** | c. The damages to corals adjacent to the proposed dredging site by sedimentation and NTU values of the plume not established to include a baseline monitoring.
- G-386-107** | d. Since the project to dredge will be done over a period of 18 months the concern over control measures to control sedimentation will be ineffective during tidal surges or increased wind and surface current conditions.
- G-386-108** | e. The ecological damages caused by metals, chemicals or other toxic materials which may separate from the dredged material during the process, it has been documented that not all metals adhere to any surface and a disturbance will further contamination.
- G-386-109** | f. The ecological impact to the Sasa Marine Preserve was not addressed in the impacts. This preserve contains flora, fauna and creatures which make up the biodiversity of the ecosystem which contributes to both the wildlife composition of both the land and sea.
- G-386-110** | g. It is documented that upon removal of this environment biodiversity is reduced by as much as 70% such an action will gradually occur once the protective barriers are removed. The dredging of the coral reef at the outer threshold of the mangrove area will cause the natural

**G-386-049**

Thank you for your comment. Impacts to wildlife and threatened and endangered species have been evaluated, for example see Volume 2, Chapter 10.

**G-386-050**

Thank you for your comment. The location of the new Navy wharf was chosen as the least environmentally damaging alternative, in efforts to avoid the least amount of live coral in the area. The proposed area to be dredged is mainly a sand and rubble zone, which was dredged 60 years ago. Based on analysis provided in the EIS, impacts to fisheries from the proposed action would be minimal; returning to baseline conditions after construction is complete. Since the new wharf is located in a relatively devoid area, the proposed construction may provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. The Navy will implement mitigation measures and Best Management Practices during in-water activities (i.e., dredging, wharf construction) to help lessen impacts to the marine environment and fisheries.

**G-386-051**

Thank you for your comment. As discussed in the FEIS, there will be a "notice to mariners" issued when the range is in use. DoD anticipates there would be minimal impacts on recreational and commercial boating.

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 FEIS 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

G-386-110 | barriers that protect this area to be insufficient to hold the mud flats from being washed into the newly dredged area especially during monsoon rain conditions.

G-386-111 | h. The turbidity level at the on-going Kilo Wharf expansion is adversely affecting the marine environment at the mouth of the Harbor. Recent reports by fishermen and other users have found that clarity has been reduced by as much as 60%. This is a clear message that any Action past and present must be monitored and a baseline established before any Action is adopted.

i. Further, any Action that exceeds the safe levels should have cease and desist order until such impacts evaluated and whereby a notice to proceed be approved by a consortium of experts.

G-386-112 | j. The marine ecosystem benefit at the proposed Firing Range was recognized that due to the SDZ there will be little human activity in the area thus giving the semblance of an MPA. This measure same consideration will not be afforded the largest lagoon protected on Guam.

G-386-113 | k. The Marine Environment value to fisheries and tourism at over two hundred million a year. What would be the annual replacement value of the largest lagoon in the US.

G-386-114 | l. It is interesting but both Kilo and Echo Piers had been used to accommodate the visiting Carriers. Echo Wharf was recently dredged to meet the requirements. This issue was raised earlier in this document and was not considered as an alternative which demonstrates JGPO's failure to follow NEPA by reviewing all plausible alternatives.

2. **Dredged Material:**

G-386-115 | a. Dredged material testing is dredge site specific and not inclusive of a shipboard secondary testing in order to verify contamination levels.

b. Core test samples should be taken from below the surface to ten feet past the dredge depth in order to ascertain the true contamination levels.

c. The testing of the core samples should be all inclusive and not reference other testing conducted which may be limited in scope.

d. Dredged material once on board the dredge vessel may contain contaminates. A secondary testing should be required in order to ascertain the true state of the dredged material. The containment vessel may not be able to control any spill-over of any contaminates during heavy rain conditions which occurs 5-6

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 FEIS, 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.

**G-386-052**

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),

G-386-115

months a year or possible impacts to the near-shore environment due to climatic changes such as typhoons.

- e. The concern of Air borne toxins which may separate from the dredged matter was not discussed.
- f. The process of transporting the material from the dredge site to the disposal site lacks a monitoring process. There is a need to further develop protocols such as a ship rider observer process to verify that the disposal site is located and oceanographic conditions are excellent to begin disposal operations.
- g. The observer shall be able to provide authorization for the vessel to begin at sea operations after visually observing that the disposal site area does not have the presence of seabirds, schooling fish, cetaceans, marine mammals and so forth. Pre, during and post observation should be required.
- h. The observation shall include a view of the underwater environment through the use of fish finding depth sounders which shall be able to read the depths of the ODMDS and other technology to assess an area twice the size of the proposed ODMDS prior to the start of dumping process.
- i. One million cubic yards of dredged material per year would be at a minimum of 333 disposals events per year at 3,000 cubic yards per event. This would mean either a multiple event per day given that at least 120 days per year severe weather conditions would not permit an event to occur. The repeated event occurrence in a single day may compound environment impacts to marine life on the surface.
- j. The DEIS does not address other seasonal runs of marine life to include spawning cycles of marine creatures who will be affected by the turbidity, noise and activities generated by all the construction and dredging. The resident green sea turtle population has not also addressed by the DEIS.

G-386-116

G-386-117

3. The impact of the Kilo Wharf expansion has demonstrated the military's impact to Guam's small fishing community as well as the recreational marine users by closing off Glass Breakwater to these U.S. civilian user groups and yet the military operated beach adjacent to Kilo Wharf remains open to the military personnel and their dependents.

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.

#### G-386-053

Thank you for your comment. Wildland fire impacts have been assessed in a Wildfire Management Plan for Guam prepared for the U.S. Navy by the U.S. Forest Service. Fire prevention and management for training on Guam will occur as described within the Mariana Islands Range Complex (MIRC) biological opinion by the U.S Fish and Wildlife Service

**Part IV:**  
**General Comments:**

1. All impacts termed as less than significant impact which is untrue:

**G-386-118**

Construction during dry season may be manageable but during rainy season it will be significant to both terrestrial and marine life. This is evident by the construction over the year above the area known as double reef where mitigation measures failed to control the sediment impact to the marine area below. The enormous amount of rapid construction from the Northwest Field down to the Main Cantonment and other military properties would cover a large area and dramatically alter the landscape resulting in:

2. Ground water direction changes would lead to greater run-off issues.

**G-386-119**

The northern aquifer with over fifty percent of open land area to be covered thus reducing ground water percolation and increasing free water intrusion in the coastal areas.

**G-386-120**

3. Habitat loss to managed species such as the deer, birds and other life forms which may not be listed as endangered by federal standards but deemed worthy of protection by the Laws of Guam due to the cultural relevance. Habitat loss for other species to include Internationally Protected Seabirds, the mere fact that the Wildlife refuge is located less than a mile from the re-activated airstrip for the Marine Aircrafts and the active movement of these crafts is unfathomable.

**G-386-121**

4. The Northwest Field and parts of the Cantonment area were deemed by the US Fish and Wildlife Service as an area of particular concern emphasizing the need to protect essential wildlife habitat included the Northwest Airfield.

**G-386-122**

5. Several private properties were used as military dump sites which contained contaminated material, how many areas are located on military lands that have affected wildlife and their habitat. There are native crabs that depend on the native fauna and flora to meet their nutritional needs and native population who place a cultural significance on the wildlife.

**G-386-123**

6. The increased ground cover and removal of valuable flora and fauna resources in southern Guam to accommodate military vehicles and equipment would alter the landscape and cause irreparable harm to the environment. Many environmental entities place concern on the use of civilian all terrain vehicles and their impact what would be the impact when a larger and more frequent user group materializes.

**G-386-124**

7. The callous slaughter of the water buffalo at Naval Magazine is a prime example of how the military is concerned about the environment. The culling of these majestic creatures because they were accused of causing erosion around the area (was unfounded) but to what extent would the use of all terrain military

biological opinion. In addition, a new Fire Management Plan will be prepared to address the potential for fires on Guam as the result of live-fire training activities on the proposed ranges. Though the plan developed due to MIRC will cover all planned training on Guam, except the new live-fire ranges, the new Fire Management Plan will address the existing training, the increased training, and the new live-fire ranges on Guam in one comprehensive Fire Management Plan. The Fire Management Plan will include protocols for monitoring fire conditions and adjusting training as needed (e.g., firing or tracers may be disallowed under certain fire conditions), location and management of fuels reductions, fire breaks, fire fighting roads, fire fighting water systems, burn hazard assessment response, on-call helicopter fire suppression, protocols for using units to be briefed by range control on requirements suitable to the conditions of the day, and protocols that will be implemented should a fire occur (e.g., specifying how the range will be shut down and fire suppression actions will be taken). In particular, the Fire Management Plan will provide guidance and direction to ensure fires do not encroach into recovery habitats for any listed species. The New Fire Management Plan will be prepared and ready for implementation DoN-wide for the first training day scheduled at the new live-fire, Route 15 Range Complex.

**G-386-054**

Thank you for your comment.

The DoD is committed to minimizing erosion and other adverse impacts to geological and soil resources, details can be found in the geological and soil resources chapters of the Final EIS.

**G-386-055**

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

**G-386-124** | vehicles in a greater area cause? Will there be culling scheme developed to lessen the impacts?

**G-386-125** | 8. The use of the Naval Magazine area for military maneuvers would lead to the contamination of the Fena Reservoir. The exercise ally will be located up stream from the water containment with the amount of personnel needing restroom facilities, the inert weapons being discharged and the equipment and their contaminants roaming the hill side will the water continue to be potable.

**G-386-126** | 9. Monitoring of endangered and threatened species:  
The areas of northern Guam are documented to have the largest nesting sites for sea turtles. The DEIS Alternatives extends over these known as well as unknown areas. Our concern is the military activity during seasonal fish arrivals both the in-shore and off-shore species. It is scientifically accepted that water quality plays a major factor on fish aggregation. Seasonal examples are as follows:

| In-shore:            | Months:           |
|----------------------|-------------------|
| Species:             |                   |
| Juvenile rabbit fish | April and August  |
| Juvenile Skipjacks   | June to September |
| Big eye Scad         | Year round        |

| Off-shore:    | Months:                    |
|---------------|----------------------------|
| Species:      |                            |
| Mahi-Mahi     | November-April             |
| Skipjack Tuna | Year round (July-November) |
| Marlin        | Year round (June-October)  |
| Wahoo         | Year Round (Full Moon)     |

**G-386-127** | a. Minimizing or avoiding exercises around the island and most especially traditional fishing areas during fishing seasons:

**G-386-128** | b. Areas surrounding the island up to 15 nautical miles and 15 nautical miles around seamounts should be excluded from the designated Marine Training or Firing Ranges. The area on the eastern side of Guam past 30 nautical miles would minimize user conflicts.

**G-386-129** | c. The seasonality of off-shore and inshore species coupled with environmental factors (water temperature and currents) make it difficult to ascertain the exact time and favorable location. One week the fish may be found up north this week south and another week around the island itself.

**G-386-130** | d. Factor of equal importance but often over-looked is the recruitment of the fish's food fish otherwise known as bait fish.

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 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.

**G-386-056**

Thank you for your comment. The text you cited describes the conditions whereby munitions are not considered waste under RCRA.

G-386-130

The military exercises may highly impact the migratory travels. The issue that the military exercises would be occurring in areas (sandy bottoms) where allegedly impacts are minimized does not address the upper layers of the habitat where the migratory fish travel. The belief that reef fish exist only in areas understood to be Essential Fish Habitat (EFH) is false. The reef fish larval distribution extends to the all parts of the ocean for 30 to 60 days and then return (currents permitting) to occupy these EFH areas (reefs). Will the changes in the configuration of the marine environment in Apra Harbor affect the return of these reef species to continue the next phase in the life cycle?

G-386-131

e. What will the measurable cause and effect of the removal of the 25 acres of Coral and Coral cover on the rest of the Islands fish supply? It has been long recognized that lagoons provide refuge and a nursery for juvenile fish, yet there has been no study or inventory done.

G-386-132

f. There must be an evaluation of the importance of the Apra Harbor ecosystem to include holistic ecosystem properties. The importance of the critical habitat for juvenile fish used for consumption by the people of Guam who use these coral reefs as critical habitat.

g. In order for a proper assessment to occur, the Ecopath Model should be used to determine mass-balance values between groups. The value of micro-organisms and the fish groups throughout the Harbor should be assessed, including the trophic flow.

G-386-133

h. Lagoons are highly recognized for their marine diversity, value to the ecosystem and the enhancement of fish stocks. The removal of the corals cannot be substituted by mitigation strategies. The ecological value of lagoons and wetlands has been recognized internationally, by the UN Ramsar and Biodiversity Conventions. The intent to destroy or impact the biodiversity of the Apra Harbor Lagoon is not an option.

G-386-134

10. The concern over the Aquifer goes beyond what is currently available but what will be available for future use. If the average time for water percolation to reach the aquifer is 20 years and the Build-up over this system will cover nearly fifty percent of open ground thus reducing the replenishment levels by 50%; what will be the available supply be in twenty years?

G-386-135

i. The Military has plans for a desalination plant which they could realistically afford but can the civilian community afford

### G-386-057

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.

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.

### G-386-058

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.

### G-386-059

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 land uses, economy, natural resources and infrastructure. The EIS process identifies ways to

G-386-135

such an expensive operation once the fresh water is gone or the Fena Reservoir is contaminated by a freak accident?

G-386-136

ii. Would the construction of the military reduce the civilian community's ability to develop the non-federal lands if the more ground cover affects the percolation process?

G-386-137

iii. Would there be measures to prevent contamination of the aquifer by hazardous material since the storage areas are directly above the aquifer?

In closing:

G-386-138

The military historically are not good stewards of the environment and some would argue that times have changed but should one be gullible just read the DEIS for it exemplifies the truest form of disregard. The concerns raised by this section remain unaddressed by the DEIS. There remains an obvious need to address the impacts to traditional uses of the resource prior to any designation.

Respectfully submitted on behalf of the Guam Fishermen's Cooperative Association and the nearly two hundred members and their families.

Sincerely,



Manuel P. Duenas II  
President,  
Guam Fishermen's Cooperative Association

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.

**G-386-060**

Thank you for your comment.

DoD is pursuing efforts to incorporate sustainability into all of the projects related to the military buildup. Each project is targeted to meet LEED Silver and efforts are underway to evaluate infrastructure from the standpoint of good, better or best wherein good meets LEED Silver and better and best exceed that standard and provide the opportunity to determine the affordability of exceeding the minimum. This effort is being accomplished using a trademark system "SSIM". With respect to water usage the SSIM process evaluates: low impact landscaping, Intelligent irrigation (with the exception of key limited areas no irrigation will be incorporated), high efficiency water fixtures, reuse of rainwater, and detain, retain and treat techniques for stormwater. It is DoD's intent to incorporate many of these requirements into its facilities and site infrastructure. By applying low impact development (LID) initiatives, DoD will focus on precluding and/or minimizing runoff and maximizing the infiltration of quality water to recharge the aquifer. So a conscious effort is being undertaken to reduce water demand, maximize infiltration of quality water and reuse water resources wherever possible to minimize demand for water from the NGLA.

Water conservation and LID initiatives would be good for the civilian side of Guam to also embrace. Maintaining infiltration of quality water into the aquifer is the only long-term option to keep the aquifer productive, so perhaps the answer to your question is yes, the civilian side should also endorse LID in any new development and in any remodeling efforts.

Water conservation is also something the civilian side should do along with the DoD.

**G-386-061**

Thank you for your comment.

**G-386-062**

Thank you for your comment. The noise generated from non live-fire exercises would be minimal and located well within the exercise areas away from sensitive receptors. The EIS addressed the two non live-fire training exercises that have the potential for increased noise; the Engineering Equipment and Decontamination Training at Finegayan (Section 6.2.2.1) and the Advanced Motor Vehicle Operator's Course at Andersen South (Section 6.2.2.2). The Engineering Equipment and Decontamination Training would utilize construction equipment as part of the training, but the area proposed for this training is located well within the borders of the cantonment area. Similarly, the Advanced Motor Vehicle Operator's Course at Andersen South is located well within the training area and noise levels would not be increased at the training area boundary.

**G-386-063**

Thank you for your comment. Air quality impacts on civilians are addressed throughout the DEIS. Air quality impacts on wildlife were not specifically evaluated, as people are considered to be sensitive receptors and were used to evaluate air quality impacts of the proposed actions. However, DoD is conducting an Endangered Species Act (ESA) consultation with the US Fish and Wildlife Service to address all issues that may result in impacts to threatened or endangered species. No potential impacts to threatened or endangered species from air pollutants have been identified during this consultation.

**G-386-064**

Thank you for your comment. Impacts to wildlife from noise have been addressed in Volume 2, Chapter 10. As addressed in Chapter 6, Volume 2 of the DEIS, noise levels will not be above ambient.

**G-386-065**

Thank you for your comment.

**G-386-066**

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.

**G-386-067**

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 Federal Aviation Administration (FAA) to define permissible uses of designated airspace. These regulations are intended to accommodate the various categories of aviation, whether military, commercial, or private aviation enthusiasts. Under the proposed action, existing air traffic control procedures would continue. Some flight activities would be accomplished under the visual flight rules 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. The increase in aircraft operations is not anticipated to significantly increase the flight mishap rate and Air Installation Compatible Use Zone land use restrictions would remain in place to limit public exposure to aircraft mishaps.

**G-386-068**

Thank you for your comment. The EIS discusses the location of the proposed SUA and its relationship to existing commercial and general aviation activities (Jet Routes, VFR routes, and arrival and departure flight paths for airfields). The proposed SUA does not require any changes to the existing flight tracks and therefore there would be no impact or added costs for commercial or general aviation flying in the Guam and Tinian/Saipan airspace.

**G-386-069**

Thank you for your comment. The FAA has the final authority to establish new Special Use Airspace (SUA) with procedures to insure all impacts are addressed. The proposed new SUA for the firing range on Guam would create no significant impacts to commercial or general aviation and would not increase the cost of travel. Minor changes to the arrival and departure routes at Won Pat International Airport would be required with no impacts to aircraft using the airfield. No changes to current airspace management would occur. Areas that are currently being overflown by arriving and departing aircraft would continue to be subject to existing noise, and there would be no new civilian areas impacted.

**G-386-070**

Thank you for your comment. The noise generated from non live-fire exercises would be minimal and located well within the exercise areas away from sensitive receptors. The EIS addressed the two non live-fire training exercises that have the potential for increased noise; the Engineering Equipment and Decontamination Training at Finegayan (Section 6.2.2.1) and the Advanced Motor Vehicle Operator's Course at Andersen South (Section 6.2.2.2). The Engineering Equipment and Decontamination Training would utilize construction equipment as part of the training, but the area proposed for this training is located well within the borders of the cantonment area. Similarly, the Advanced Motor Vehicle Operator's Course at Andersen South is located well within the training area and noise levels would not be increased at the training area boundary.

**G-386-071**

Thank you for your comment. Please refer to Volume 2, Chapter 6 for detailed discussion about aviation training noise. Also refer to Volume 6, Chapter 8 for roadway noise on Guam.

**G-386-072**

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 Federal Aviation Administration (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 in order to minimize overflight complaints.

**G-386-073**

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.

**G-386-074**

Thank you for your comment and suggested clarification.

**G-386-075**

Thank you for your comment. It 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.

**G-386-076**

Thank you for your comment. It 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. 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.

**G-386-077**

Thank you for your comment.

**G-386-078**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F, Volume 9 of the DEIS for information related to economic impacts that would be associated with the proposed action. The economic impact analysis did not use Hawaii data in the development of direct economic impacts. Direct economic impacts were developed by adjusting primary, project related, data to reflect the economy of Guam, using Guam source data and generally conservative assumptions. A range was provided in the presentation of indirect and total impacts; the high end of the range did use Hawaii multipliers while the low end of the range used multipliers that were adjusted downward from Hawaii levels to reflect the possibility that the Guam economy would produce lower multiplier effects than Hawaii.

Conservative adjustments at the direct impact level and the use of downwardly adjusted multipliers at the indirect level provided for the development of a range of impacts in which it is expected that the true economic impacts of the project, on Guam, would fall.

**G-386-079**

Thank you for your comment. The submerged lands ownership is as described in Volume 2, Chapter 8. Disputes and disagreements on ownership are not addressed in the EIS.

**G-386-080**

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 resource sites would be impacted.

**G-386-081**

Thank you for your comment. No additional coastal land bordering Andersen Air Force Base would be acquired. The existing landowners would continue to have access to their coastal property. Although land may be acquired on the west side of the island, the acquisitions would not include the beaches and there would be no additional restrictions on beach access. Land acquisition on the east coast is proposed to support new training ranges. Access to the coastal and interior areas would be prohibited during training. 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.

**G-386-082**

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.

**G-386-083**

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. 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. Firing into the limestone cliffs would create many more environmental impacts than the creation of SDZs (surface danger zones).

**G-386-084**

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. 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. Splitting aspects of the firing ranges into separate locations would not allow the required safety distances and effective management provided by an integrated firing range.

**G-386-085**

Thank you for your comment. The discussion of alternatives for the proposed location of the proposed firing range has been expanded in Volume 2 of this Final EIS.

**G-386-086**

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 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.

General numbers of Marines and dependents were presented at the scoping meetings. More detailed information became available during preparation of the EIS, so the Draft EIS was updated accordingly.

**G-386-087**

Thank you for your comment. As identified in the EIS and referenced documentation, an impact analysis identifying effects the proposed action and alternatives may have on 16 resources was performed.

Potential threats to aquatic life, habitat, marine communities and ecosystems are described in detail in Volume 2, Section 11.2.2.2 Non-DoD Land. In summary, the potential for range training activities to lead to Level B harassment as defined by the Marine Mammal Protection Act (Section 11.2.1.2), or impact the Endangered Species Act-listed sea turtle would be negligible. There would be limited potential for ingestion with implementation of avoidance and minimization measures (see Section 11.2.1.1), including the potential use of “green bullets” and periodic benthic cleanup, to decrease potential impacts. Due to the inert quality of the munitions, and quantity that actually make it to the water, there would be negligible effects on marine aquatic life, habitat, and marine communities and ecosystems.

**G-386-088**

Thank you for your comment. As identified in the EIS and referenced documentation, an impact analysis identifying effects the proposed action and alternatives may have on 16 resources was performed, including those listed by the commenter. In regards to "threats to aquatic life, habitat, marine communities and ecosystems" this also is described in detail in Volume 2, Section 11.2.2.2 Non-DoD Land. In summary, the potential for range training activities to lead to Level B harassment as defined by the Marine Mammal Protection Act (Section 11.2.1.2), or impact the Endangered Species Act-listed sea turtle would be negligible. There would be limited potential for ingestion with implementation of avoidance and minimization measures (see Section 11.2.1.1), including the use of “green bullets” and periodic benthic cleanup, to decrease potential impacts. Due to the inert quality of the munitions, there would be negligible effects to “marine aquatic life, habitat, and marine communities and ecosystems”. Noise is not an issue to marine receptors due to the distance from the firing range.

**G-386-089**

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. Range designs include targets with physical barriers behind the target, such as an earthen berm, that are designed to stop and contain the spent round. Best Management Practices (BMPs) are used to further contain spent rounds, fragments and materials from weapons firing, and reduce any impacts to the environment. 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 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 (such as groundwater) and are largely contained within the berm or physical barrier where they can be recovered and disposed. 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. Furthermore, the Final EIS explains how volcanic basement rock protrudes up through the limestone of the NGLA, thus separating nearly all of the proposed ranges from groundwater supply wells. The low permeability of the volcanic rock acts as a barrier to groundwater movement. A new figure in the Final EIS supports this text description. However, there are two ranges where leaching contaminants would have the potential to impact the groundwater within the capture zone of water supply wells. The northwestern most grenade range proposed under Alternative B overlies the capture zone of the Marbo Wells. In addition, leachate from the southwest most small arms range under Alternative B may have the potential to reach the NGLA inside of the capture zone of wells M08 and M09. Alternative B is not part of the Preferred Alternative considered in the EIS.

**G-386-090**

Thank you for your comment. Fire prevention and management for training on Guam will occur as described within the Mariana Islands Range Complex (MIRC) biological opinion by the U.S. Fish and Wildlife Service. In addition, a new Fire Management Plan will be prepared to address the potential for fires on Guam as the result of live-fire training activities on the proposed ranges. Though the plan developed due to MIRC will cover all planned training on Guam, except the new live-fire ranges, the new Fire Management Plan will address the existing training,

the increased training, and the new live-fire ranges on Guam in one comprehensive Fire Management Plan. The Fire Management Plan will include protocols for monitoring fire conditions and adjusting training as needed (e.g., firing or tracers may be disallowed under certain fire conditions), location and management of fuels reductions, fire breaks, fire fighting roads, fire fighting water systems, burn hazard assessment response, on-call helicopter fire suppression, protocols for using units to be briefed by range control on requirements suitable to the conditions of the day, and protocols that will be implemented should a fire occur (e.g., specifying how the range will shut down and fire suppression actions will be taken). In particular, the Fire Management Plan will provide guidance and direction to ensure fires do not encroach into recovery habitats for any listed species. The New Fire Management Plan will be prepared and ready for implementation DoN-wide for the first training day scheduled at the new live-fire, Route 15 Range Complex. Fire prevention and management for training on Tinian will occur as described within the MIRC biological opinion. In addition, a new Fire Management Plan will be prepared to address the potential for fires on Tinian as the result of live-fire training activities on the proposed ranges. Though the plan developed due to MIRC will cover all planned training on Tinian, except the new live-fire ranges, the new Fire Management Plan will address the existing training, the increased training, and the new live-fire ranges on Tinian in one comprehensive Fire Management Plan. The Fire Management Plan will include protocols for monitoring fire conditions and adjusting training as needed (e.g., firing may be disallowed under certain fire conditions), location and management of fuels reductions, fire breaks, fire fighting roads, fire fighting water systems, burn hazard assessment response, on-call helicopter fire suppression, protocols for using units to be briefed by range control on requirements suitable to the conditions of the day, and protocols that will be implemented should a fire occur (e.g., specifying how the range will shut down and fire suppression actions will be taken). In particular, the Fire Management Plan will provide guidance and direction to ensure fires do not encroach

into vegetated areas that can be used by the bat, megapode, or moorhen. The new Fire Management Plan will be completed and fully operational on the first day of training at the new firing ranges on Tinian. No tracers or fire igniting devices will be used on Tinian ranges.

**G-386-091**

Thank you for your comment. The majority of the munitions proposed at the ranges are fired from small arms that are carried and fired by one person. These include rifles, handguns (pistols and revolvers), shotguns, submachine guns and machine guns with munitions of .50 calibers or less. Other munitions that are proposed for use on the range include hand grenades, smoke canisters, and flares.

The primary constituent of concern from small arms munitions is lead. Volume 9, Appendix D describes the munitions that are proposed for use at the ranges, and provides information on the makeup of the munitions and the constituents that occur after firing. The main concern related to small arms and lead relates to where the spent bullet lands versus what may be released into the air. This is because the bullet is primarily a solid metal that may release a small amount of dust at the firing point because the bullet gets scoured in the gun barrel upon firing. Airborne lead dust will typically fall within the confines of the range itself, and is not a concern for outlying communities. DoD has numerous technical manuals that discuss control of pollutants at indoor and outdoor ranges, and only indoor ranges have a concern for airborne dust. EPA also has information on outdoor ranges in their guidance document, "Best Management Practices for Outdoor Shooting Ranges, US EPA Region II, January 2001, Document Number EPA-902-B-01-001." This document states, "On ranges, inhalation is one pathway for lead exposure since shooters are exposed to lead dust during the firing of their guns. Because wind is unlikely to move heavy lead particles very far, airborne dust is generally considered a potential threat only when there are significant structures that block air flow on the firing line."

Range management plans would be developed to ensure proper health

and safety measurements are maintained during operations, including air emissions. These range management procedures would be followed during training exercises. Training would not include levels of firing that could result in air quality risks to individuals at the ranges, and would be well below levels that could affect individuals outside of the surface danger zone (SDZ) safety buffers.

Because airborne dust from firing ranges is not a concern, this was not included in the air impact analysis of the FEIS.

**G-386-092**

Thank you for your comment. Natural Resources that have cultural significance, such as nunu, ifit, dukduk, and da'ok trees, were taken into account in the planning process prior to developing plans for construction. Heavily forested areas were set aside for natural and cultural resources preservation. A mitigation measure is identified in the FEIS to provide opportunity to traditional artisans to collect these resources within cleared areas (Volume 2, Chapter 12).

**G-386-093**

Thank you for your comment. Noise levels at Andersen South due to the proposed action would be as shown on Figures 6.2-4 and 6.2-5 and in some areas generate high noise complaints. Application of mitigation measures identified in the EIS would reduce sound levels 10-5 dB and below annoyance levels.

Mitigation measures of foliage and barrier attenuation would reduce noise impacts associated with the Route 15 firing ranges. Volume 2, Section 6.2.8 has been revised to include these mitigation measures and presents the effect of the mitigations.

**G-386-094**

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 Federal Aviation Administration (FAA) to define permissible uses of designated airspace. These regulations are intended to accommodate the various categories of aviation, whether military, commercial, or private aviation enthusiasts. Under the proposed action, existing air traffic control procedures would continue. Some flight activities would be accomplished under VFR (Visual Flight Rules) 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. The increase in aircraft operations is not anticipated to significantly increase the flight mishap rate and Air Installatin Compatible Use Zone land use restrictions would remain in place to limit public exposure to aircraft mishaps.

**G-386-095**

Thank you for your comment. It is recognized that military vehicles, when travelling on public roads from one military installatlion to the other, will contribute to traffic congestion, when conducted during peak hours. The DoD will schedule movement of military vehicles on public roads to the extent possible during non-peak hours. It should be noted, however, that military training exercises will be conducted within the confines of military installations and will not involve the use of public roads.

**G-386-096**

Thank you for your comment. These issues, alternatives and

impacts are consistent with those identified in the public meetings held on Guam and are addressed in the FEIS.

**G-386-097**

Thank you for your comment. DoD has proposed mitigation measures to reduce or avoid environmental impacts of the proposed military relocation that would disproportionately affect minority or low-income communities or children. DoD recognizes the importance of reducing adverse effects on the people of Guam and will continue to work with the people and Government of Guam to ensure that the effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**G-386-098**

Thank you for your comment. The majority of the munitions proposed at the ranges are fired from small arms that are carried and fired by one person. These include rifles, handguns (pistols and revolvers), shotguns, submachine guns and machine guns with munitions of .50 calibers or less. Other munitions that are proposed for use on the range include hand grenades, smoke canisters, and flares. The primary constituent of concern from small arms munitions is lead. Volume 9, Appendix D describes the munitions that are proposed for use at the ranges, and provides information on the makeup of the munitions and the constituents that occur after firing. The main concern related to small arms and lead relates to where the spent bullet lands versus what may be released into the air. This is because the bullet is primarily a solid metal that may release a small amount of dust at the firing point because the bullet gets scoured in the gun barrel upon firing. Airborne lead dust will typically fall within the confines of the range itself, and is not a concern for outlying communities. DoD has numerous technical manuals that discuss control of pollutants at indoor and outdoor ranges, and only indoor ranges have a concern for airborne dust. EPA also has information on outdoor ranges in their guidance document, "Best

Management Practices for Outdoor Shooting Ranges, US EPA Region II, January 2001, Document Number EPA-902-B-01-001." This document states, "On ranges, inhalation is one pathway for lead exposure since shooters are exposed to lead dust during the firing of their guns. Because wind is unlikely to move heavy lead particles very far, airborne dust is generally considered a potential threat only when there are significant structures that block air flow on the firing line." Range management plans would be developed to ensure proper health and safety measurements are maintained during operations, including air emissions. These range management procedures would be followed during training exercises. Training would not include levels of firing that could result in air quality risks to individuals at the range, and would be well below levels that could affect individuals outside of the surface danger zones (SDZ) safety buffers. Because airborne dust from firing ranges is not a concern, this was not included in the air impact analysis of the FEIS.

**G-386-099**

Thank you for your comment. 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. These unique characteristics also dictate the type of additional noise reduction methods that would be required, if any, to meet indoor noise standards.

**G-386-100**

Thank you for your comment. Few seabirds were identified as present in

proposed project areas. As a result, the analysis in Volume 2, Chapter 10 identified no seabird impacts.

**G-386-101**

Thank you for your comment. Impacts to sensitive species from changes in noise were addressed in Volume 2, Chapter 10. No impacts are expected from changes in air quality.

**G-386-102**

Thank you for your comment. Text has been revised as appropriate to address negligible impacts to marine-related species from increased military airfield operations.

**G-386-103**

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. 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. 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 in dredging activities during potential coral spawning months, and compensatory mitigation projects. 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.

**G-386-104**

Thank you for your comment. Impact assessment for the Harbor area is in Volume 2, Chapter 11 and in Volume 4, Chapter 11.

**G-386-105**

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.

**G-386-106**

Thank you for your comment. Coral impact methodology and impacts are discussed in detail in Chapter 11, Marine Biological Resources. Specific dredge monitoring requirements would be identified and implemented following agency coordination and permitting.

**G-386-107**

Thank you for your comment. Although dredging could occur over a period of 8-18 months, dredging activity itself would not occur at any one location for the entire duration of the project. Standard turbidity curtains are approximately 20-30 feet (6-9 meters) in length and have a weighted bottom to maintain the effectiveness of the curtain against the movement of currents within the water body. 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.

**G-386-108**

Thank you for your comment. 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. 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.

**G-386-109**

Thank you for your comment. Sasa Bay (and associated mangroves), and its importance as a nursery and proximity to the proposed action, is described in Volume 2 and 4, Chapter 4, 10, and 11. Both Volumes 2 and 4, Chapter 11 also address potential effects on finfish species, and other associated EFH species, in regards to the Sasa Bay MPA and the proposed action in Apra Harbor.

In summary, Figure 11.2-3 in Volume 4, shows the dredged footprint and estimated limits of sediment accumulation. Sasa Bay ranges from 70 m to 280 m outside of the dredged footprint and the estimated sediment accumulation area. Sasa Bay's waters are generally extremely turbid because of rivers emptying fine sediments into the bay, and flow is generally to the west. Turbidity levels in Sasa Bay from dredging activities are not anticipated to increase above existing conditions from in-water construction activities. Although some adverse effects to eggs and larva may be seen from at the surface, increased vessel traffic would be short-term and localized during construction and operations activities. A less than significant impact – no adverse effect on essential fish habitat – is expected based on the significance determination identified in Section 11.2.1.2.

**G-386-110**

Thank you for your comment. Sasa Bay (and associated mangroves), and its importance as a nursery and proximity to the proposed action, is described in Volumes 2 and 4, Chapters 4, 10, and 11. Both Volumes 2 and 4, Chapter 11 also address potential effects on finfish species, and other associated EFH species, in regards to the Sasa Bay MPA and the proposed action in Apra Harbor.

In summary, Figure 11.2-3 in Volume 4, shows the dredged footprint and estimated limits of sediment accumulation. Sasa Bay ranges from 70 m to 280 m outside of the dredged footprint and the estimated sediment accumulation area. Sasa Bay's waters are generally extremely turbid because of rivers emptying fine sediments into the bay, and flow is generally to the west. Turbidity levels in Sasa Bay from dredging activities are not anticipated to increase above existing conditions from in-water construction activities. Although some adverse effects to eggs and larva may be seen from at the surface, increased vessel traffic would be short-term and localized during construction and operations activities. A less than significant impact – no adverse effect on essential fish habitat – is expected based on the significance determination identified in Section 11.2.1.2.

**G-386-111**

Thank you for your comment. A number of protective 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. Silt curtains are one example of these types of protective measures. Standard turbidity curtains are approximately 20-30 feet (6-9 meters) in length and have a weighted 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 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.

**G-386-112**

Thank you for your comment. DoD does not have jurisdiction over the protection of resources outside of federally-controlled land.

**G-386-113**

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.

**G-386-114**

Thank you for your comment. While it is true that Kilo Wharf and Echo Wharf have accommodated a visiting carrier in the past, there are specific reasons why neither location can be used to accommodate the transient berth that is proposed in this EIS. Both of these locations were in fact considered as possible alternatives but were dismissed from further analysis, as described in Chapter 1 and 2 of Volume 4. 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 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. Echo Wharf was dismissed because the required security buffer zones around the aircraft carrier would obstruct harbor traffic. The suggested alternative would involve carving out an area on Dry Dock Island peninsula to move the existing wharves inland to allow sufficient space to accommodate aircraft carrier buffer zones and vessel traffic using the Commercial Port. To accomplish this, extensive dredging and fill would be required along with additional dredging needed for a turning basin that could further impact the coral reefs. This rationale is provided in Section 2.3, Volume 4.

**G-386-115**

Thank you for your comment.

a. The commenter is correct that the dredge material testing is site specific as is consistent with EPA and USACE protocols for such sampling. The test results are intended to determine the potential for the

release of contaminants from the areas to be dredged. There is no data available for inclusion of “shipboard secondary testing in order to verify contamination levels.” The representative samples were analyzed for a wide range of potential contaminants in order to determine whether or not the sediments to be dredged could potentially release such contaminants into the environment. Whether the materials would be dredged by mechanical or hydraulic means, the contaminants would appear in the test results prior to dredging and not be introduced either onboard a barge transporting the material or in the pipelines if hydraulic dredging is used. Additionally, since testing for the parameters of concern are not field tested, it is impractical to take samples while on a vessel or pipeline and have them laboratory tested as required by EPA testing methodologies while awaiting disposal.

b. With regard to the depth that the sediment core samples should be taken, EPA’s “Evaluation of Dredged Material for Ocean Disposal,” also known as the “Green Book” specifically states that sediment core samples should be taken down to the project depth plus two allowable feet for overdredge which was done for the aircraft carrier berthing area alternatives.

c. The sediment testing included in the EIS was an inclusive study taking seventy two total samples both in Outer Apra Harbor in the vicinity of Alternatives 1 and 2 and also within Inner Apra Harbor in the vicinity of the proposed dredging at Sierra Wharf. The testing as noted in the EIS involved both chemical and geophysical analysis. If determined during the permitting process that additional testing is needed, such testing will be done as part of the permitting review.

d. The testing onboard a vessel used to transport the material would not be possible or necessary. However, the analysis did use a tiered approach in that there was both bulk chemistry analysis as well as elutriate testing which is a sophisticated chemical analysis developed by

the USACE to simulate and thus determine in advance what contaminants may be released during dredging operations. Details of the testing methodologies, including the sampling protocols, have been added to Volume 9, Appendix D. The results of this testing indicated that Guam water quality standards could be met. It is unlikely that rain events would have any impact to the chemical nature of the sediments being transported. If upland dewatering sites are used, it may be necessary to release stormwater from the surface of the diked areas to keep them from overtopping in such an extreme weather event such as a typhoon. During normal operations for dewatering, the planned operation is not to have any discharge of dewatering from the confined disposal facility.

- e. The sediment characterization study did not result in the identification of contaminants that would exceed Guam water quality standards or indicate the potential for airborne toxins.
- f. Ocean disposal vessels are equipped with tracking equipment and radar to ensure that the materials are disposed in only the designated ocean disposal site. As noted in Appendix D, Volume 9 and as part of the management and approval of the ODMDs, the resource and regulatory agencies will have remote access to tracking devices that tracks vessel movements to ensure that the contractor is in fact not “short-hauling” the transport of the dredged material while being paid to transfer to materials to the proper location. Alarms will be set that warn agency personnel in any unwarranted diversion of the vessel or unexpected vessel weight changes while transporting the materials.
- g. See response to “f” above. As part of the management plan noted in Appendix D, Volume 9, monitoring of the ODMDs is monitored pre-, during, and post-disposal events.
- h. As noted in Appendix D, Volume 9, there would be continuous observation of the conditions of the ODMDs before, during , and after the

disposal events.

i. As noted in Appendix D, Volume 9, it is anticipated that two 4,000 cubic yard vessels would be used to transport the material to the ODMDS so that one can be filled while the other is in route to the disposal area. Repeated disposal events are anticipated for this proposed action as normally occurs with other ODMDS sites. The monitoring plan both during the events and in between events is in place to ensure that unexpected adverse environmental impacts do not go unobserved and would be investigated. As noted in Chapter 4, Volume 4 and Appendix D, Volume 9, it is likely that there would be a combination of ocean disposal/upland placement and beneficial reuse options used to perform the dredging for the proposed action.

**G-386-116**

Thank you for your comment. The proposed action within Apra Harbor (an active commercial and DoD port) has been evaluated for all species potentially impacted, including the federally protected green or hawksbill sea turtles in Volumes 2, 4, and 6, Chapters 10 and 11. It is not clear what other "seasonal runs and spawning cycles of marine creatures" are referred to by the commenter. 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 FEIS has also been revised with additional information and data.

**G-386-117**

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.

**G-386-118**

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. LID's 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.

**G-386-119**

Thank you for your comment. DoD shares your concern over aquifer recharge. That is why they are studying low impact development features for the proposed new Marine base at Finegayan. By applying low impact development (LID) initiatives, DoD will focus on precluding and/or minimizing runoff and maximizing the infiltration of quality water to recharge the NGLA. So a conscious effort is being undertaken to reduce water demand, maximize infiltration of quality water and reuse water resources wherever possible to minimize demand for water from the NGLA. DoD encourages the Guam civilian side to do likewise.

**G-386-120**

Thank you for your comment. Impacts to threatened and endangered species and other wildlife from the proposed aircraft operations are evaluated in Volume 2, Chapter 10.

**G-386-121**

Thank you for your comment. Specific recovery habitat areas identified by the USFWS are shown on maps in the EIS. The U.S. Fish and Wildlife Service (USFWS) is currently evaluating the removal of habitat that is being proposed and its impacts to threatened and endangered species on Guam and Tinian under the Endangered Species Act.

**G-386-122**

Thank you for your comment. Impacts from contaminated areas have been evaluated in the EIS. No impacts to wildlife from contaminated areas were identified in proposed project areas.

**G-386-123**

Thank you for your comment. Impacts to plants and wildlife from military operations were evaluated for each proposed project area. See Volume 2, Chapter 10.

**G-386-124**

Thank you for your comment. The EIS provides a detailed description of the anticipated erosion impacts that would result from the proposed action, along with measures and policies that would be implemented to avoid or minimize erosion impacts resulting from the proposed action.

**G-386-125**

Thank you for your comment. As stated in the EIS, the proposed action "...would be implemented in accordance with all applicable orders, laws, and regulations, including the preparation and implementation of a SWPPP, SWMP, and SPCC Plans that would control runoff and minimize potential leaks and spills." In addition, the Navy plans to conduct a Watershed Assessment of Fena Reservoir, which would include a follow-on watershed management plan.

Explosives will not be used during training in the NMS and the EIS has been updated. Pyrotechnics (i.e., flares, smoke) will be used in the NMS training area. Beyond the proposed access road no additional roads will be established in the training area. The training will consist of up to company level maneuver training on foot. The training area will be utilized approximately 12 weeks per year. The proposed training at the NMS will have minimal effect on sediment runoff into Fena Reservoir.

**G-386-126**

Thank you for your comment and seasonal information. FEIS text has been revised as appropriate to account for these species.

**G-386-127**

Thank you for your comment. Information on this topic is included in Chapter 11 of Volume 2 of this Final EIS.

**G-386-128**

Thank you for your comment.

**G-386-129**

Thank you for your comment. The information regarding the difficulty of assessing off-shore and in-shore species has been noted.

**G-386-130**

Thank you for your comment and information regarding "bait fish" planktonic and juvenile migration. The whole island of Guam, out to 1000m for some species, in designated EFH and potential impacts to all marine species by the proposed DoD actions have been assessed and may be found in Volumes 2 and 4, Chapter 11. Specific text is devoted to planktonic forms of FEP EFH species.

The long-term configuration changes in Apra Harbor (or around the island) would be considered negligible in regards to impacting these species returning to their juvenile/adult habitats. Some long-term and short-term, however localized adverse impacts will be seen in Apra Harbor during construction-related activities. The Navy will provide compensatory mitigation for the ecological loss. The MIRC EIS addresses potential off-shore impacts to EFH.

**G-386-131**

Thank you for your comment. See previous comment and response

regarding EFH impacts, as well as Volumes 2 and 4, Chapter 11 which include an Essential Fish Habitat Assessment (EFHA). In summary, the proposed action may have an adverse effect on EFH. Also, the Navy would compensate for any ecological services lost by preparing a detailed compensatory mitigation plan. This 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.

**G-386-132**

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.

**G-386-133**

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.

**G-386-134**

Thank you for your comment. DoD shares your concern over the aquifer. With respect to water usage, the proposed new Marine base at Finegayan would incorporate water conservation and low impact development (LID). The following attributes would be utilized: low impact landscaping, Intelligent irrigation (with the exception of key limited areas

no irrigation will be incorporated), high efficiency water fixtures, reuse of rainwater, and detain, retain and treat techniques for stormwater. It is DoD's intent to incorporate many of these requirements into its facilities and site infrastructure. By applying LID initiatives, DoD will focus on precluding and/or minimizing runoff and maximizing the infiltration of quality water to recharge the NGLA. So a conscious effort is being undertaken to reduce water demand, maximize infiltration of quality water and reuse water resources wherever possible to minimize demand for water from the NGLA.

**G-386-135**

Thank you for your comment. DoD and Guam Waterworks Association both must take proper security measures and use prudent operation and maintenance methods to prevent unexpected accidents. It is not within the scope of the EIS to examine the results of unknown disasters.

**G-386-136**

Thank you for your comment. With respect to water usage, the DoD would utilize water conservation techniques and low impact development (LID) for the proposed new Marine base at Finegayan. These techniques would include low impact landscaping, Intelligent irrigation (with the exception of key limited areas no irrigation would be incorporated), high efficiency water fixtures, reuse of rainwater, and detain, retain and treat techniques for stormwater. It is DoD's intent to incorporate many of these requirements into its facilities and site infrastructure. By applying LID initiatives, DoD will focus on precluding and/or minimizing runoff and maximizing the infiltration of quality water to recharge the NGLA. So a conscious effort is being undertaken to reduce water demand, maximize infiltration of quality water and reuse water resources wherever possible to minimize demand for water from the NGLA. DoD encourages the civilian side of Guam to do likewise for its developments and thus avoid any need to constrain development of non-

DoD land. There is no expectation that such constraint would be required.

**G-386-137**

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. These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment (including drinking water aquifers) from adverse impacts associated with the use of hazardous substances.

**G-386-138**

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.

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On behalf of myself, my daughter, my island community, and WE ARE GUAHAN:

Marine Corps Relocation - Guam

Inadequate Information, Studies, and Analysis

G-387-001

In Vol.2, Section 16.2.2.4, Sociocultural Impacts, the D-EIS states that "the military operational component would have little impact on overall crime rates...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", exhibits the precise lack of information to make such a claim as "little impact" or, so far as, "would not be significant".

There is inadequate information regarding the crime statistics to conclude that in the section Crime and Serious Social Disorder, Increase in Sexual Assaults, "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...conveys the impression that the impact of sexual assaults by any branch of the military **would not be significant.**"

As a Chamorro woman, resident of Guam, and citizen of the US, I demand that my safety as well as my family and my community's safety, not dare be placed in harms way due to "limited data".

We demand that there be more information, studies, and evaluations of the following (not limited to Okinawan SOFA status people, but all SOFA status peoples, or people in this category):

1. The sex and ages of all SOFA (Status of Arms Agreement) status people, military, or people in this same category.\*
2. The number of Crimes involving SOFA status people, military, or people in this same category.\*
3. The number of SOFA status people, military, or people in this same category, who have been arrested, convicted, and sentencing information.\*
4. The number of crimes involving SOFA status people, military, or people in this same category, in relation to the communities they live amongst.\*
5. The number of rapes and sexual assaults brought against military personnel of all branches, convictions, and sentencing information - in both the civil and military courts.\*

**G-387-001**

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.

G-387-001

Additionally, the D-EIS has not addressed the average age, nor the sex, of the in-migrating civilian workers. As a more youthful male migrant population will add additional stress to the criminal court system.

G-387-002

There should be studies, information, and critical evaluations of the following, in direct relation to the Guam demographic and population:

1. The sex and ages of in-migrating civilian workers that will be entering Guam.\*
2. The numbers of Crimes involving in-migrating civilian workers.\*
3. The number of in-migrating civilian workers who have been arrested, convicted, and sentencing information.\*
4. The number of rapes and sexual assaults brought against in-migrating civilian workers in relation to the communities they live amongst.\*
5. The number of rapes and sexual assaults brought against in-migrating civilian workers.\*

\*All studies, numbers, and analyses should be done in direct-relation for the population and demographics *of Guam* due to the specific increase in these types of population.

#### The Alternative

G-387-003

In criminology studies, the most significant finding about crimes is that they are primarily committed by the young. Individuals between ages 15 and 24 account for 53 percent of those arrested for all offenses but they only account for 20 percent of the population as a whole.

Criminal activity peaks near age 18 (Bureau of Justice Statistics 2003; Hirschi and Gottfredson 1983). The relative youth of the expected new population of Guam will be the result of the influx of Marines, whose average age is 25. Thirty-seven percent of Marines are between ages of 18 and 21 (Department of Defense 2009). In addition, the somewhat older Marines will be bringing partners and children, some of whom will be in high-risk teen years as well.

Another very prominent finding of criminologists is that males commit most crimes, with 77 percent of all crimes (83 percent of violent crime and 70 percent of property crime) committed by men (Pastore and Maguire 2003). In-migrants to Guam, both military and civilian, are expected to be much more often male than female. The Marines tend not to be female, even more so than the military as a whole: 94 percent of the Marines are male (Department of Defense 2009).

The US Bureau of Justice Statistics (1999) estimated that 91 percent of US rape victims are female, with 99 percent of the offenders being male. While 60 percent of rape crimes go unreported according to the Rape, Abuse & Incest National Network (2005). In conjunction with these statistics, according to the Military Domestic and Sexual Violence Response Act established by Congress in February 2009, Rep. Slaughter

#### **G-387-002**

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. The detailed information you are requesting is unavailable and an estimate would not be appropriate.

#### **G-387-003**

Thank you for your comment. Please see response to G-387-001.

G-387-003

writes, "Sexual assault and domestic violence are pervasive and serious problems throughout all branches of the military".

We believe that in order to PREVENT the obvious rise in sexual assaults due to the increase in population from the buildup, we support the **NO ACTION ALTERNATIVE** for the transfer of military personnel and their dependents and the subsequent increase in population from in-migrant civilian workers. It is the ONLY alternative because the D-EIS marginalizes the impact of crime with the huge population increase supported by the lack of information, studies, analysis and solutions blatantly **NOT** provided in their document with an increase in a specific population such as the Marines (military), their dependents, and in-migrant civilian workers.

Not **ONE** sexual assault that could occur in my island community of Guam, due to the increase in population, is acceptable.

In response to the DOD's proposed actions in the DEIS for Guam (and the entire Marianas Island Chain) I demand the NO ACTION ALTERNATIVE. There are a multitude of reasons for this, in fact the list is quite possibly infinite - it would take more pages than the DEIS document to explain. Of course, I intend for someone to actually read this so I'll keep it as lucid and brief as possible.

G-388-001

1. The NEPA process as applied to this region is flawed. As a region of indigenous people, we are not a state of the United States of America nor are we an international ally. In fact, though the United States of America claims us to be an "Unincorporated Territory" we have not claimed to be such ourselves. We bare the rights of an Indigenous People as stated by the United Nations, with which the United States of America participates heavily and remains active -- except in regards to the Marianas Island Chain and with the indigenous Chamoru People. As stated in the United Nations Declaration on the Rights of Indigenous Peoples:

"Article 1: Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights(4) and international human rights law." ;

"Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." ;

"Article 8: 1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture. 2. States shall provide effective mechanisms for prevention of, and redress for: (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities; (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources; (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights; (d) Any form of forced assimilation or integration; (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them." also,

"Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions."

In dealing with the indigenous Chamoru people of Guam, The NEPA process interferes with or ignores completely our inherent human rights to: 1. exercise self-determination, 2. possess lands and resources, 3. be THE decision-makers in matters which would affect our rights, through representatives chosen by ourselves in accordance with our own procedures, as well as to maintain and develop our own indigenous decision-making institutions.

G-388-002

2. The NEPA process, defined by the DOD in reference to the DEIS for Guam and the CNMI, was crafted, it seems, specifically to deter any participation in the delay of the proposed plans. The length (over 11,000 pages) and complexity of the document itself along with the limited response time allowed (only 90 days which includes an extension) and coupled with the restrictive review of comments has made any challenge or action to halt the proposed actions almost impossible. The NEPA process was created to encourage better informed decisions and to foster citizen involvement. How, in this instance, is the NEPA process successfully providing for either of those effects with such restrictions defined by the DOD?

G-388-003

3. Lastly, the NEPA process "applies when a Federal agency has the discretion to choose among one or more alternative means of accomplishing a particular goal"(A citizen's Guide to the NEPA). The NEPA process is defined, implemented, and overseen by federal agencies, among federal agencies. The process was not created for dealings with independant nations or indigenous peoples.

Therefore, the NEPA process, in this instance, is flawed and moot. Such proposed actions need to be proposed to the indigenous Chamoru people of the Marianas Island Chain and reviewed within our framework. The "record of decision" is ours to make.

Maria Cristobal  
on behalf of Guahan Coalition for Peace and Justice



### G-388-001

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.

### G-388-002

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.

### G-388-003

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.

**G-388-004** None of the alternatives, except for the NO ACTION ALTERNATIVE, listed in vol.4 regarding the air craft berthing / destruction of the reef system at Apra Harbor fully evaluate or attend to the issues of the endangered or threatened species that inhabit that area nor their cultural importance.

**G-388-005** The Western and Jade Shoals, prime snorkeling areas in Apra Harbor's Cabras Island are among healthy and thriving reef in the proposed area for the air craft berthing. The harbor is the only protected, deep-water lagoon environment on Guam, and hosts unique reef organisms as well as unique assemblages - or groupings - of corals, and other reef organisms. Many species of corals, sponges, and other reef organisms have been found that are rarely - if ever - found outside the harbor.

**G-388-006** The Green Sea Turtle and the Hawksbill Turtle (both species are endangered and therefore protected under the Federal Endangered Species Act of 1973), or "Haggan" in Chamoru, is known to migrate and reproduce in Sasa Bay, adjacent to Apra Harbor, sharing a common mouth. The proposed dredging itself and as well as the increased traffic and activities in and around Apra Harbor would greatly disrupt the Green Sea Turtle's and the Hawksbill Turtle's activities and reproductive patterns -- even existence in the area.

Also, the Humphead Wrasse, or "Lagua" (for juveniles) & "Tanguisson" (for large adults) in Chamoru, are commonly found in the Apra Harbor. The Humphead Wrasse is a U.S. National Marine Fisheries Service Species of Concern because though it is long lived (Individuals become sexually mature at 5 to 7 years and females are known to live for around 30 years whereas males live a slightly shorter 25 years.), it has a very slow breeding rate and because it faces extinction due to habitat loss and degradation. The Humphead Wrasse is also a natural predator of the crown-of-thorns starfish, an aggressive and invasive species to the local area which literally eats away at the reefs surrounding the island. The Humphead Wrasse is on the IUCN Red List of Threatened Species, identified as endangered; the International Union for the Conservation of Nature and Natural Resources (IUCN) is the world's main authority on the conservation status of species.

These species, the Green Sea Turtle, the Hawksbill Turtle and the Humphead Wrasse are very important to the Chamoru culture both as a food source and as animals of Chamoru mythology - they, and the entire Apra Harbor (as well as the entire Marianas Island Chain) are indigenous resources. The military's proposed action in Apra Harbor would be detrimental to the survival and reproduction of these endangered species as well as many other species that are yet to be studied closely. Therefore, there is no other acceptable alternative but the NO ACTION ALTERNATIVE.

**G-388-007** I would like to add that the "mitigation" of creating an artificial reef is irresponsible, to say the least. The theories of artificial reef systems for the purpose of "mitigating" extensive reef damage have not been adequately studied and are still the topic of sore debate.

Many marine biologists dispute it's effectiveness in such a situation as DOD's proposed action, stating "Artificial reefs are no replacement for natural reefs or for proper fisheries management, and we don't want people to view the oceans as a dumping ground for our wastes" (Jack Sobel, director of Ecosystem Programs for the non-profit Ocean Conservancy). "The Alabama Department of Conservation and Natural Resources, which sunk 100 obsolete combat tanks in 1994, agree. The agency now estimates that most of the artificial reefs they created in doing so will probably last no longer than 50 years. Sobel believes that such short-lived structures threaten fragile marine ecosystems as they break up and scatter." (<http://www.artificialreefs.org/Articles/Pocono>)

Maria Cristobal  
on behalf of Guahan Coalition for Peace and Justice



#### **G-388-004**

Thank you for your comment. Volumes 2-6, Chapters 10 & 11, discuss potential impacts on endangered species. Additionally, a summary of impacts and mitigation measures is included in volume 7.

#### **G-388-005**

Thank you for your comment. This information is included in the DEIS and will be carried forward into the FEIS.

#### **G-388-006**

Thank you for your comment. Chapter 11 of Volumes 2 and 4 discusses potential impacts to these species. These Chapters also address mitigation measures and BMPs to lessen any potential impacts from the proposed action.

#### **G-388-007**

Thank you for your comment. As addressed in Volume 4, the potential use of artificial reefs is only one of many potential mitigation options under consideration. DoD will continue to work cooperatively with the public and public resource agencies on this important issue including during the USACE permitting phase of the proposed project.



**GUAM HOUSING CORPORATION**

*Kotporasion Ginima' Guåhan*

*P.O. Box 3457, Hagåtña, Guam 96932*

Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lt. Governor

February 17, 2010

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

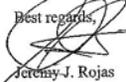
Dear Sirs:

Please be advised the attached document contains the comments of the Guam Housing Corporation.

Additionally, I would like to note that the Guam Housing Corporation is a government entity that is focused primarily on first time homebuyer financing. In relation to public housing, I would like to request that particular attention be paid to the comments made by the Guam Housing and Urban Renewal Authority (GHURA) as their public assistance housing programs and housing inventory will be heavily impacted by this build-up of military forces on our island.

**G-389-001**

If you should have any questions, comments or notices you may forward them to the address listed at the bottom of this page.

Best regards,  
  
Jeremy J. Rojas  
President

CC: GHC Board Chairwoman

*590 S. Marine Corps Drive, Ste. 514 ITC Building, Tamuning, Guam 96931  
Telephone Number (671) 647-4143/46 • Fax Number (671) 649-4144*

### **G-389-001**

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).

**Guam Housing Corporation**

**DEIS REVIEW COMMENTS SHEET**

**G-389-002**

| NO. | WORK ORDER | CHIEF | PG. | Line To/From           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Comments (last name) | Agency/Org. |
|-----|------------|-------|-----|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------|
|     |            |       |     | Appendix F             | Disaster related mass sheltering not addressed in DEIS. Increase in population will further stress the current disaster related mass sheltering systems 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Rojas                | GHC         |
| g   |            |       | 16  | Appendix F Paragraph 1 | FAS citizen in migration to Guam will increase as they will seek employment opportunities brought forth by the build-up. 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 as a result of the military buildup will create an increased burden on the public assistance programs such as assistance for food, medical care and housing. The federal government provides Compact Impact funding to Guam to service these FAS citizens. Recommend DOD work with the Department of the Interior to evaluate and increase Guam's annual Compact impact funding to meet the increased funding requirements that will be a direct result of the military buildup so that proper funding is available to service this anticipated increase in FAS citizens. | Rojas                | GHC         |

**G-389-002**

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.

Impacts to Guam public service agencies are addressed in Section 4.4 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.



**The Guam Psychological Association**

PO Box 12061  
Tamuning, Guam 96931-2061

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

February 15, 2010

**Re: Response to the Draft of the Environment Impact Statement (DEIS) and Recommended Action**

The Guam Psychological Association (GPA) is a professional organization committed to the best practices of psychological research and mental health services in Guam. The members of GPA are doctoral level psychologists and prospective psychologists who provide psychological and behavioral assessment, evidence based treatment, research, training and education in the field of psychology. After careful review of the DEIS, the members of GPA have reached a general consensus regarding issues of social impact and public services as outlined in Section 7, Chapter 3.. In this letter, we highlight our primary concerns and provide our professional recommendations for addressing the psychological needs of Guam's residents at present and in the years ahead.

One of the current problems with public agencies providing mental and behavioral health services in Guam has been a dearth of qualified and trained licensed professionals. The shortage of clinical psychologists is particularly problematic, since clinical psychologists are the only trained professionals under the Board of Allied Health who provide psychological and behavioral assessments and treatment of severe or chronic psychopathology for adults and children. Psychologists licensed in Guam are not always located in Guam to provide direct services. At present, there are 11 licensed psychologists under the Guam Board of Allied Health Professionals, with only 6 clinical psychologists actively providing mental and behavioral health services to both the civilian and military population making Guam an "underserved" population. In general, Guam has been declared an "underserved" region by SAMHSA for all health services.

**G-390-001**

By the year 2017, the population in Guam will see an increment of 15 to 17%. The number of additional Allied Health Care Providers needed, according to the DEIS, will be 121 in the year 2014, and 13 in 2017 as a result of "significant impact" on social services (EIS Tables 3.3-48 & 3.3-55). One primary concern is that there is no clear definition in the DEIS of what constitutes an "Allied Health Professional".

**G-390-001**

Thank you for your comment. Appropriate changes have been made to the FEIS.

G-390-002

An increase of 121 personnel has been recommended in the DEIS. However, the Allied Health Board include nurses, massage therapists, veterinarians, and other licensed practitioners. It is imperative to provide clarification for what types of practitioners under "Allied Health Professionals" are being recommended. Furthermore, how will these requirements be met? It is important to develop a strategic hierarchy to appropriate staffing requirements for each profession. There are no mechanisms in place for addressing this increased need. A strategy for active recruitment has not been addressed. The ambiguity and vagueness of this section is of particular concern to the Guam licensed psychologists in practice who are currently overwhelmed with the number of clients often waitlisted for psychological services.

The Guam Psychological Association recommends that special attention be given to addressing the mental health needs associated with the anticipated increase in population as a result of the military build-up. For comparative purposes, we point out that the city of Honolulu has approximately one psychologist for every 10,000 persons in the population whereas Guam has one for every 30,000. Guam has an existing shortage of licensed psychologists to serve adults and children. Currently, military families are directly competing for services with local and indigenous families. For a stable population of more than 200,000 in year 2017, Guam will need approximately 20 psychologists to serve both civilian and military population. This number is a conservative estimate based on the projected population and comparable to the number of additional medical doctors recommended by the DEIS.

Furthermore, the DEIS has suggested that there will be an increase in social problems and disorder as a mere artifact of population surge. Our major concern is that Guam will not be equipped to provide psychological services without plans for appropriate allocation of funds for salaries of new psychologists, service facilities, and treatment programs. While \$423 million in revenue from taxes is anticipated in year 2014, we recommend that at least \$1.5 million be allocated for mental and behavioral health services. It is crucial that we provide competitive salaries to new psychologists and begin the recruitment process. In addition, recruitment of support staff, counselors, chemical dependency specialists, equipment and facilities will be needed. We also recommend that the government utilize and consult with psychologists and other social scientists to conduct empirical research to address issues of psycho-social impact and in development of evidence based prevention and treatment programs.

In conclusion, the members of the Guam Psychological Association thank you for your attention to issues of mental health and social welfare of all Guam residents. We hope that you will make the psychological and social well being of all citizens a priority in your action plans to address the military buildup in Guam.

Sincerely,



Rita Sharma Gopinath  
PhD Candidate  
Clinical Psychology  
President, Guam Psychological Association

## G-390-002

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

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. However, the existence of such 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. Thus, 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.



Archbishop's Office

ARCHDIOCESE OF AGAÑA  
196 B Cuesta San Ramon  
Agana, Guam 96910  
Tel. (671) 472-6116  
Fax. (671) 477-3519

February 18, 2010

Archdiocese of Agaña's Statement  
On the Draft Environmental Impact Statement on the Military Buildup on Guam

May the peace of our Lord Jesus Christ be with you!

As the Archbishop of Agaña, I have been asked what is the Catholic Church on Guam's position with regard to the military buildup and most especially with the Draft Environmental Impact Statement (DEIS). The Archdiocese has been an observer and engages with different groups and has been present at the different forums with regard to the DEIS. Normally the Catholic Church will not be involve in this matter, but there are significant impacts that will potentially affect the laity where there are at least close to 80 percent who are Catholics. Therefore, I would like to submit a response to the DEIS from a pastoral and stewardship perspective.

G-391-001

The Archdiocese of Agaña has worked closely with the Archdiocese for the Military Services U.S.A. The Catholic Chaplains from the Navy and Air Force Bases on Guam have an open dialogue with the Archdiocese and are openly welcomed to participate and work with the local clergy and parishes.

As Guam faces the eventual transfer of the third Marine Division from Okinawa and other military buildup, there are opportunities and threats that come as a result of the movement. The DEIS report that was distributed for public review have caused tremendous engagement of the People of Guam with regard to the military buildup.

G-391-002

Guam has tremendous resources and beauty in its people, culture, and environment. This beauty is a resource that has been relied upon for many generations and needs to be protected for future generations. As the United States begins to implement its policies with regard to the military buildup, the People of Guam must be protected from harmful policies and proposed plans that affect the land, water, air, ocean, its people and culture.

G-391-003

At the same time, the Catholic Church recognizes that the military buildup can bring great benefits that impact the economic, local workforce, social, and even political conditions on Guam. However, this can occur only when the military buildup is undertaken with due respect

**G-391-001**

Thank you for your comment.

**G-391-002**

Thank you for your comment. DoD agrees with your comments. The EIS contains much information about the existing natural resources and cultural heritage of the island of Guam. The EIS process has included many meetings with the citizens of Guam including the public scoping meetings, open house meetings and public hearings held on the DEIS in January 2009. DoD intends to continue to be good neighbors with the citizens of Guam to minimize any adverse impacts created by the implementation of the proposed action.

**G-391-003**

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 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.

Through the process of public involvement that has accompanied this proposed action, the Chamorro people of Guam 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 will focus on mutual respect and

G-391-003

for the rights and culture of the local population and for the integrity of the environment. If this is not followed, then there are implications that will negatively affect the very being of the people and most especially its culture, language, economic, social, political, and spiritual conditions.

G-391-004

As a conscious advice, it is best to work together with politicians, businessmen and women, community leaders, and church leaders who can offer valuable assistance in establishing ethical guidelines on issues affecting the common good and ensuring that they are put into practice. This approach leads to the keen approach to the respect for the human person for it entails respect for the inviolable right that flows from a person's dignity. Failure to respect the human dignity or even the rights of the People of Guam is contrary to the Gospel and leads to the demise of a society.

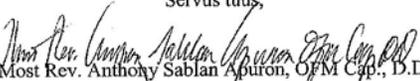
G-391-005

There is a need for the application of just policies for economic, social, and military to benefit the People of Guam. If the policies are unjustly applied it can negatively affect the Chamorro people who are the indigenous people and its culture. It becomes the Catholic Church and most specifically the Archdiocese of Agaña's task to help the indigenous people who are the Chamorro people preserve their identity and maintain their culture and traditions.

G-391-006

I trust the Government of Guam and key stakeholders from various sectors on Guam will respond to the various issues and proposed plans. I ask that the Department of Defense and the United States Federal Government seriously consider the implications and perspectives that are offered and its alternative and make the necessary mitigations that are just and rational. Also, that the common good of the People of Guam will be considered and further dialogue will be continuous so that there are good outcomes and benefits that will be realized for the People of Guam and at the same time meet the security issues of the Department of Defense and the United States Federal Government.

If there are further input and clarifications needed, please contact Deacon Jeff D.T. Barcinas at 671-472-6116 or at [jdbarcinas@archagana.org](mailto:jdbarcinas@archagana.org). Thank you for receiving and taking into considerations these comments.

Servus tuus,  
  
Most Rev. Anthony Sablan Apuron, OFM Cap., D.D.  
Metropolitan Archbishop of Agaña

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. Additionally, 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.

**G-391-004**

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.

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.

**G-391-005**

Thank you for your comment.

**G-391-006**

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.

COMMENT SHEET

Draft Environmental Impact Statement/Overseas  
Environmental Impact Statement  
Guam and CNMI Military Relocation



Please Circle Meeting Location: University of Guam Southern High School  
Okkodo High School Yigo Tinian Saipan

The Department of the Navy (DoN) and the Joint Guam Program Office (JGPO) invites your comments on the Draft EIS/OEIS for the Guam and CNMI Military Relocation. Please provide your comments below. Comment forms, or your own letter, will be accepted at the public hearings, or may be mailed to: JGPO, c/o MAVFAC Pacific, 258 Makalapa Drive Suite 100, Pearl Harbor, HI 96860-3134, Attention: GMP/O. You can also visit [www.guambuildups.us](http://www.guambuildups.us) to comment. Comments must be postmarked by February 17, 2010 Eastern Standard Time. Copies of the Draft EIS/OEIS are available for review at Nieves M. Flores Memorial Public Library, University of Guam Robert F. Kennedy Memorial Library, Joesten-Kiyu Public Library, Northern Marianas College Olympio T. Borja Memorial Library, and the Tinian Public Library. A DoN sponsored reading room has also been set up at Agana Shopping Center for Draft EIS/OEIS review.

Please provide your comments below:

My NAME is Kelly-Ann Roberts and I am a Resident of sinajana. My concerns of the building would have to be bitter sweet. Not only that there would be extra revenue being put into our Island, but many other residents land will be taken away. To the Military land is just a piece of an object that they feel they have the "right" to take. To the people that currently own the land. Have gain many memories during their ~~at~~ occupation. The land can never be given a flat price, that can be compared to one's sentimental value. It is ~~devising~~ to go through many generations in a certain area, place, ~~an~~ area of LAND and all of a sudden have it taken from you.

The Chamorro population ~~are~~ very religious and holds many traditions. One of which is Good Friday. (The Death of Jesus) Mount LAM LAM is an area where we spend this sacred holiday. To have the Military take over this sacred symbolic Area. is like a slap in our face. IT is not right to attempt and move what we hold sacred and clearly. The Military is slowly killing our culture. IT is like a genocide waiting to happen and us Chamorro's will be hidden behind ~~their~~ shadow.

Comments must be postmarked by:  
February 17, 2010 Eastern Standard Time

G-392-001

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.

G-392-002

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.

**G-392-003**

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.

**COMMENT SHEET**

**Draft Environmental Impact Statement/Overseas  
Environmental Impact Statement  
Guam and CNMI Military Relocation**

Please Circle Meeting Location: University of Guam Southern High School  
Okkodo High School Yigo Tinian Saipan

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Please provide your comments below:

*Francis N. Cruz*

I feel that with the military coming to Guam it will impact us in a negative way. Guam is my home but I can honestly say that I see our culture slowly deteriorating. We remember our language and some Chamorro phrases, but some people my age don't really understand our grandparents conversing with others in Chamorro. Guam is becoming too "Americanized" and with the military coming to our island we can expect to decline even faster. And with most of the military being young men Guam's crime rate will raise.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by:  
February 17, 2010 Eastern Standard Time

**G-393-001**

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.

G-393-001



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Please provide your comments below:

**G-394-001** Sovereignty Over Lands, Waters and Natural Resources

~~In September 2007 the United Nations General Assembly approved and accepted the Declaration of Indigenous Rights which states that Indigenous peoples would maintain sovereignty over their lands, waters and natural resources. The United States was one of four nations who did not approve of the Declaration.~~

~~However, the Declaration was formulated with the knowledge and with the council of indigenous Chamoru people from Guam. Even though Guam is contained within the nation State of the United States, we the Chamoru People do not forfeit our sovereignty over our lands, waters and natural resources. As such, the physical cultural, psychological and environmental destruction proposed in this Draft EIS should not be allowed to occur.~~

~~Please refer to the UN ECOSOC Declaration of Indigenous Peoples of September 13, 2007.~~

Blank lines for providing comments.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by:  
February 17, 2010 Eastern Standard Time

**G-394-001**

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.

Jelanch Memo 2/12/10 (Fri)



COMMENTS SHEET

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Please provide your comments below:

G-395-001

Well from my point of view. According to the Military build-up they are taking at least half of the island. I can't have them do that. And then what's going to happen after that. We don't want are family moving. We want them to stay with us. I don't want the families of Guam to separate, not under my palms. I've been on Guam for 17 years. And i'm not planning on leaving Guam. It's like their kicking us out, and there moving in. I'm not trying to be mean. But can't these people see already see that Guam's full. What more does these people need from us. We have a small island, but they still want it. My Gosh there are other place bigger than Guam, why do they have to take Guam. So please if you Military Guam people really want more space instead of a full island. We still don't want the Military here in Guam. I like what they've offered us. But I hate what they're doing to Guam. They are messing up Guam's culture. They should think about how hard we the people of Guam are struggling. I know their bringing goods to Guam, but there also about to bring war. I am a Guam / Chamorro student and always will be a Guam / Chamorro girl...

G-395-002

G-395-003

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by:  
February 17, 2010 Eastern Standard Time

G-395-001

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.

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G-395-002

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.

**G-395-003**

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.



COMMENT SHEET

Draft Environmental Impact Statement/Overseas Environmental Impact Statement Guam and CNMI Military Relocation

Reading Room

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Please provide your comments below:

G-396-001

My name is Joshua Reyes. I am a 16 year old from the village of Agat. I am a proud Chamorro from the island of Guam. I am completely against the military build up mainly because of the fact that land will be taken without any say from the local people. Our government is already messed up.

G-396-002

Bringing Marines to Guam, to me, would not help the government, island, and the people. The only way it would help is by money. So if that is what are leaders are saying, that money is what are island and people really need, then I guess our culture and ancient Chamorro ways don't really matter because we have money.

G-396-003

At the top of this draft 'environmental impact statement' is put in the meeting. I don't think that should have been put there unless what I and other people really does make an impact. So if it does mail me a response.

Once again, my name is Joshua P. Reyes. I am a 16 year old from the village of Agat - better yet from the island of Guam. I am an American citizen. I am a Chamorro. I am a person and I do have a voice.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-396-001

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.

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G-396-002

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.

**G-396-003**

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

All comments made during the public comment period and their associated responses are presented in Volume 10 of the Final EIS.

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Please provide your comments below:

*Women for Genuine Security is a US-based group which comprises an international network of women from Guam, Hawaii, Okinawa, mainland Japan, the Philippines, Puerto Rico and South Korea. Our mission is to safeguard women's and children's rights and welfare in the face of economic, environmental and social problems caused in large part by militarization of our societies by the presence of U.S. military bases and facilities. Our members from Guam include university professors, teachers, students, social service providers and concerned community members who wrote a letter to President Obama as his administration requested last year at the time of his inauguration: "We have witnessed so many changes taking place that have interrupted our ability to pass down our cultural knowledge, language and wisdom; we have seen the contamination of our environment related to the military toxics that has caused an increase of cancers, diabetes, thyroid, and kidney diseases; we have witnessed the loss of our native animal and plant life... Moreover, we are witnessing the development of modern-day segregation with the highly subsidized base life versus the increasingly high cost of living for the native population due to these rapid changes... With the current population at 167,000, the influx will radically alter the demography of the island, further marginalizing Chamorros, who have been advocating for over twenty years for the right to exercise self-determination."*

*Our hope is to re-open the dialogue under the Obama presidency and the impending visit of President and Mrs. Obama.*

*Two specific items are: 1) extension of the public comment period for the 10,000 pp EIS administered by the dozens of staff in EPA's Region 9 offices in San Francisco, and 2) establishment of a RAB residents advisory board, which should be standard operating procedure in the type of major military buildup* \*

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-397-001

G-397-002

G-397-003

G-397-001

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 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 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 with elected officials and community leaders.

G-397-002

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.

G-397-003

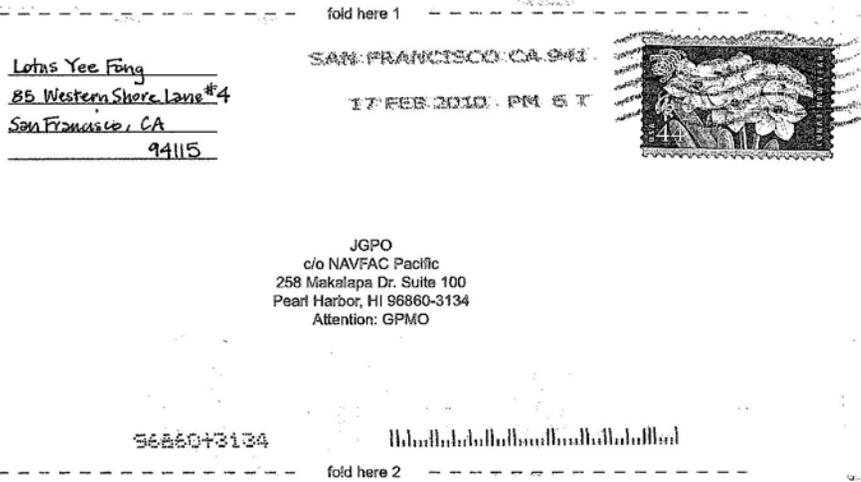
Thank you for your comment. The DoD's Restoration Advisory Board (RAB) meetings are required under the Comprehensive Environmental

Please provide your mailing address to receive further notices about the Guam and CNMI Military Relocation.

Name: Lotus Yee Fong

Address: 85 Western Shore Lane #4  
San Francisco, CA 94115

Response, Compensation, and Liability Act of 1980 (CERCLA). These meetings are the forum to engage the public on the military's on-going cleanup efforts for past hazardous waste cleanup sites. Due to the importance and commitment the military has with the cleanup program, the RAB meetings will remain focused on engaging the public on the military's cleanup efforts.



\* as that being proposed for Guam.

G-397-003 supporting evidence of the need to slow down and include community input is the recent developments with the government of Japan, which has pushed back to May any decision regarding funding for this move. Our Japanese members in Okinawa and mainland Japan are equally adamant that considerations of the community, families, women and children must be taken seriously, as Japan and Okinawa have suffered adverse consequences from U.S. military personnel, policies and procedures which have been less than inclusive and transparent. Bring us to the table (RAB) !!!

G-398-001

Thank you for your comment.

(WeareGuahan.com)

Jan. 20, 2010

TO: whom it may concern

From: Vincent Quintanilla Student - EWHS

Subject: Military Build-up on Guam

G-398-001

I feel that this military build-up should not happen. I can't think of anything good about it, only the bad. Like, space: Guam will be over populated, soon the island will sink! Violence: more violence will break loose; due to territory, defending others, bar fights, etc. Jobs: It'll be hard to find jobs. Less job offerings and more people jobless. It's locals vs. the military build-up.

Vincent M.P. Quintanilla  
Vincent M.P. Quintanilla

G-399-001

Thank you for your comment.

TO: Whom it may concern

From: Student # 200617230 GUVHS.

Subject:

The U.S. military build-up on Guam would really help our island in so many ways, but we got to think about our culture. I mean you guys are planning to break down land that was around by our native people. The build-up would help, but it would also bring a lot of problems between the military and the Chamorro people. We Chamorro people are really thankful for the help you ~~are~~ are trying to give us, but we would be even more thankful if the build-up doesn't happen.

G-399-001

Peace  
Matthew Charfurd

✓

To: Whom it may concern  
From: Cassandra Cruz, student - GNHS  
Subject: The U.S. Military Build-up on Guam

I'm a 17-year-old girl, the next generation up for jobs, and a resident of Guam. Everyday for the past month or two I've heard people over and over voice their opinions on the military build-up on Guam. I haven't actually voiced my opinion out loud, but now I have the opportunity to do so.

G-400-001

As far as I know, the only benefit we will get out of this is the two thousand something jobs out of the eighteen thousand jobs that will be benefitted from this build-up. For me, that is not enough. The military already owns

G-400-002

the part of the north and south of our island. Our island is only thirty something miles long and eight miles wide. They are taking most of our land.

G-400-003

As Chamorros we should have a say in what they will do with our island. I feel like the military keeps taking and taking and not giving back. The government will have to find ways to accommodate about a thousand new children, when they can't even accommodate the ones they already have. I feel like Guam will have to bend over and back again for the military, and it will all go unappreciated. We are giving them a part of our island, and there's no way two thousand some jobs could make up for that.

- Cassandra Cruz

#### G-400-001

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.

#### G-400-002

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.

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**G-400-003**

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 16, 2010

Dear JGPO and Department of Defense,

The undersigned cultural organizations present this unified comment, focusing on issues raised in the DEIS relevant to the livelihood and existence of the indigenous Chamorro people and their land.

G-401-001

**1. Issue: Proposed Build-Up Undermines Chamorro Survival**

DEIS References:

The DEIS states, "Guam's indigenous Chamorro population has strong concerns about whether incoming military populations would recognize them as both American by nationality and also as a unique ethnic culture worthy of respect and preservation. This could be mitigated by orientation programs designed in cooperation with the Department of Chamorro Affairs. 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." (Volume 7, Chapter 3, page 3-64)

The DEIS further states, "Overall, the analysis indicates a sustained increase of approximately 33,500 people on Guam. Most of these people would have political rights as U.S. citizens. Therefore, their sustained presence could affect Chamorro culture in a number of ways, politically and culturally." (Volume 2, Chapter 16, Page 16-91)

"A reduction in Chamorro voting power may also be felt on the policy level. For example, it is commonly agreed among Chamorro politicians that public funds should be spent to support funeral and wake activities. However, non-Chamorro elected officials may not appreciate this cultural tradition and support such things." (Volume 2, Chapter 16, Page 16-91)

The DEIS states in Volume 3, chapter 16, page 18, that "Restriction to certain sites during construction and operation would cause significant adverse impact to Tinian's economy, particularly: tourism, ranching, and the collection and selling of wild chili peppers. While Tinian's tourism may benefit from an increase in visitors from Guam due to the population growth there, restricted access to popular sites would negatively affect the island's tourism economy[.]" The same section goes on to state that "Tinian ranchers would also be impacted by closure of the land required to build the proposed training ranges. Ranchers have historically exercised grazing rights in the military lease area, through a lease-

**G-401-001**

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 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.

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

The Navy has re-evaluated the need to terminate all subleases in the leaseback area and will only propose to terminate subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone of the proposed firing ranges.

As to possible sites for the relocation of any leases, such actions would

back agreement. This agreement required the municipal government to pay a dollar per acre per year to lease back particular areas. Because the municipal government has been behind on payment for several years, grazing rights have been allowed on a month-to-month basis. The military would terminate the grazing rights to build the proposed ranges, causing significant adverse economic impact. Tinian ranchers would have to utilize a diminished amount of available grazing land in the southern third of the island. Finally, loss of access to training areas would mean loss of local gathering access to the wild chili peppers (*Capsicum annum*) locally known as *donnisali*, a Tinian export. Many residents earn money by collecting these peppers, nearly all grown in the military lease area.”

## 2. Issue: Proposed Build-Up Threatens Chamorro Language

### DEIS Reference:

The DEIS states, “while the loss of the Chamorro language has been occurring for years on Guam, it may be accelerated with the military build-up.” (Volume 2, Chapter 16, Page 16-91)

## 3. Issue: Build-Up Threatens Important Chamorro Cultural Sites

### DEIS References:

The DEIS states, “During construction on Guam there are potential significant adverse direct impacts to approximately 34 NRHP-eligible or listed archaeological resources on Guam and 10 on Tinian, all of which would be mitigated to less than significant through mitigation. Six architectural resources sites would be impacted.” (Volume 7, Chapter 3, page 3-41)

The DEIS states, “The proposed firing ranges for Alternatives A and B associated with the proposed action are located on the Route 15 valley and escarpment east of Andersen South. . . . The Pagat Site Complex includes at least 20 *latte* sets, more than 50 mounds of artifacts and midden, remnants of trails, more than 30 mortars and grinding areas, an unknown number of caves and rock shelters, and other features (Carson and Tuggle 2007).” (Volume 2, Chapter 12, page 12-19)

The DEIS further states, in Volume 5, Chapter 12, that for areas that have not been inventoried for historic properties, the DoD would record surface sites and, when possible, such areas would also be archeologically sampled for subsurface sites when easily obtainable (i.e. without having to demolish existing facilities or infrastructure).

be under the control of CNMI officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for ESA listed species are taken into account in any relocation effort.

**4. Issue: Build-Up Threatens the Chamorro Natural Habitat**

DEIS References:

G-401-002

The DEIS documents the extensive damage to Guam's reefs, wetlands, and other natural habitat. Volume 4: Aircraft Carrier Berthing proposes a host of destructive environmental activities, including dredging, disposal of dredged material, shoreline stabilization, marine life threats and biosecurity threats. The cumulative and multiplicative impacts of these specific actions represent a threat to the ecosystem of the entire Marianas archipelago.

G-401-003

The DEIS states in Volume 6, chapter 6 (section 6.2.3.1) that 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." The same section goes on to state that under Basic Alternative 1, "proposed well construction activities would result in the potential for a temporary increase in stormwater runoff, erosion, and sedimentation. Construction would involve land disturbing activities greater than an acre in size that would trigger the requirement for a construction stormwater permit. Therefore, this portion of the alternative would result in impacts on water resources. These impacts would be minimized through the use of BMPs as required through the construction stormwater permit. General construction BMPs (Volume 2 Chapter 4 Table 4.2.1) would be implemented to reduce the potential for erosion, runoff, sedimentation, and associated surface water quality impacts, which would also reduce potential impacts to groundwater and nearshore water resources. Proposed construction activities would not occur within the 100-year flood zone." It states further that based on a preliminary review of GIS data, "the proposed water main construction footprint associated with Alternative 1 appears to occur through and/or adjacent to several delineated and NWI-indicated wetlands (Figure 6.2-1). Specifically, based on GIS analysis, the proposed water main line construction corridor (for the purposes of this analysis, we assumed a 24 ft [7.3 m]-wide corridor) would overlap approximately 1.27 acres (0.51 ha) of NWI-indicated wetlands. Upon discovering this potential area of direct impact, a TEC biologist surveyed the entire proposed water main course to ground truth the GIS data. Upon inspection, it was determined that the proposed water main line construction footprint would occur in previously disturbed areas within the existing utility easement, outside of the identified potential wetland areas. No direct impacts to delineated or NWI-indicated wetlands would occur." It states further that "The Navy would strive to avoid directly impacting, to the greatest extent possible, the delineated and NWI-indicated wetland areas adjacent to the water main footprint in the design and construction phases of the water main; however, for the purposes of this analysis at this time, it is assumed indirect, temporary impacts would occur. During construction, indirect impacts to nearby wetland areas would be minimized by incorporating site-specific appropriate BMPs (Volume 2 Chapter 4 Table 4.2.1)

G-401-004

**G-401-002**

Thank you for your comment and concern for coral reef ecosystems. The location of the new Navy wharf was chosen as the least environmentally damaging alternative in efforts to impact the least amount of live coral in the area.

The proposed dredged area within the active commercial harbor was previously dredged over 60 years ago and maintenance dredging continues. The proposed dredged area consists mainly of a sand, rubble, and algae zone. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. Direct impacts of dredging to the shoal areas within Apra Harbor (Western Shoals, Middle Shoals, Jade Shoals, and Big Blue Reef) will be avoided. The indirect impacts (from sedimentation) to these areas from in-water activities will also be avoided based on computer tide/current modeling performed within the project area (see Figure 11.2-3).

Although the Navy has made every effort to minimize adverse impacts, as identified in the EIS the Navy will prepare a compensatory mitigation plan through USACE review under the CWA to compensate for ecological services lost by dredging activities.

**G-401-003**

Thank you for your comments. The Final EIS contains an analysis of individual and cumulative actions and their potential impacts to water resources.

**G-401-004**

Thank you for your comment. The Final EIS contains updated information reflecting the additional investigation of potential wetland

G-401-004

that would reduce the potential for indirect construction impacts to these wetland areas. Therefore, construction activities associated with Alternative 1 would result in less than significant impacts to water resources.”

G-401-005

Numerous native trees and plants will also be destroyed in the proposed build-up. The DEIS states in Volume 2, chapter 12 that traditional natural resources such as the “nunu tree, dukduk tree, ifit tree, and da’ok tree” are in danger of destruction (Volume 2, Chapter 12, page 12-57 and passim). The trees identified in the DEIS are culturally significant, used by canoe builders, artisans, and respected by the indigenous Chamorros.

G-401-006

Guam’s endangered species and other biological species would also be threatened in the proposed build-up. As the DEIS states, “The preferred alternatives would significantly impact terrestrial biological resources on Guam and Tinian during construction activities due primarily to the removal of habitat” (Volume 7, Chapter 3, Page 3-27). Endangered species such as the Mariana fruit bat, Micronesian kingfisher, Mariana crow, Green Sea Turtle, and Hawksbill Sea Turtle, among others, would experience significant, adverse effects (Volume 7, Chapter 3, Pages 3-27 to 3-28).

G-401-007

**5. Issue: Build-Up Threatens Chamorro Economic Stability**

DEIS Reference:

The DEIS states, “According to Chapter 16 of this EIS/OEIS, the proposed action [the build-up] would have several adverse socioeconomic impacts. Implementation of the proposed action would result in a “boom then bust” effect where the population on Guam would increase rapidly through 2014 during the construction phase, and then decrease rapidly after 2014 before leveling off. This cycle would lead to a construction downturn and the creation of an economic environment that meets standard definitions of an economic recession (e.g. decrease in jobs and civilian labor force income). With implementation of the proposed action, the cost of goods and services would rise with the increase in population, but may not be matched by an increase in income. Further, high housing costs, crowding, and/or homelessness may occur if the construction phase housing demand is not met at the construction peak.” (Volume 2, Chapter 19, Page 19-14)

**6. Issue: Build-Up Threatens Chamorro Physical and Mental Health**

DEIS Reference:

The DEIS explicitly identifies threats to Chamorro health and life that will likely occur as a result of the proposed build-up. For example, in Volume 2, Chapter

areas and potential compensatory mitigation measures. The project design will avoid wetlands.

**G-401-005**

Thank you for your comment. Surveys for medicinal or otherwise culturally important plant species have not been conducted because the focus of the EIS is on species protected by laws, regulations, or policies or otherwise identified as important by government agencies. For example, the terrestrial biology analysis focused on plants identified as listed species or species identified in the Guam Comprehensive Wildlife Conservation Strategy. The FEIS has been updated to note that a salvage and re-use plan for plants would be developed or required of contractors before clearing began. In addition, the cultural resources section of the FEIS has been updated to include a description of culturally important plant species.

**G-401-006**

Thank you for your comment. In accordance with section 7 of the Endangered Species Act, the Navy has prepared Biological Assessments to assess the potential impacts to federally listed terrestrial and marine species occurring within the area of the proposed activities, and is in consultation with the USFWS and NMFS. The BA’s present conservation measures to avoid, minimize and compensate for potential impacts to listed species. As part of the consultation process, the Navy will work with the USFWS and NMFS to refine these conservation measures or include additional conservation measures. The implementation of these conservation measures, and those mitigation measures listed in the Final EIS, would avoid or minimize adverse effects to listed species.

**G-401-007**

Thank you for your comment. As you noted, there would be an expected

G-401-007

18, the DEIS states, "Without corresponding increases in health care providers, potential health and safety impacts could include:

- o Longer wait/response times for patients
- o Fewer or no available providers on island for chronic or acute issues
- o Complications or death from delayed treatment and/or
- o Requirements for patients to travel off-island to receive adequate treatment" (Volume 2, Chapter 18, Page 18-16).

G-401-008

Threats to human health due to increased noise levels are also identified in the DEIS. Volume 2, chapter 16 states, "In 'A Report on the Aircraft Noise as a Public Health Problem in Okinawa,' studies showed that aircraft noise exposure resulted in a wide range of physical and mental consequences that included sleep disorders, hearing loss, higher rates of low birth weight infants, fatigue, neurosis, and negative effects on children (Asahikawa Medical College 2000)." (Vol 2, chap 16, page 16-34). Despite the noted ill effects of noise exposure, the DEIS enshrines discrimination between on-base and off-base communities in Guam by providing for sound-proofing but only for those homes located on the bases, with no proposed mitigation for adverse noise effects outside the military bases.

G-401-009

Chamorro physical and mental health is further endangered by the proposed build-up as the DEIS states that access to native plants used by Chamorro healers (*suruhanu* and *suruhana*) to produce herbal medicines will cease in particular areas. The cessation of this cultural practice not only endangers Chamorro access to health care and medicine, but also violates the indigenous right to traditional intellectual property – in this case, to the production and dissemination of traditional herbal remedies. Pagat Village, for example, is one important site accessed by herbal healers. The DEIS states, "Potentially affected resources include: Guam International Raceway, Marbo Cave, Pagat Trail and associated trails in the vicinity, 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" (Volume 2, Chapter 19, page 19-11).

G-401-010

Further, DEIS Table 19.2-3, "Summary of Training Impacts – Firing Range Alternatives" states that there will be Significant Impact due to the "Loss of access to and use of recreational resources (Guam International Raceway, Marbo Cave (spelunking and offshore fishing), Pagat Trail and associated trails, *suruhana* activities" (Volume 2, Chapter 19, page 19-22).

G-401-011

The proposed build-up also poses threats to the psychological health of the Chamorro people, in one part through the DEIS proposal to construct firing ranges in the vicinity of Pagat, a village where ancestral human remains of the indigenous Chamorro people are presently located. This proposed action will

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, Volume 9 of the DEIS) 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.

Impacts to the Chamorro people are also addressed in the SIAS. 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 DEIS, specifically, chapters 19 in volumes 2, 3, 4, 5, and chapter 20 in volume 6, and under cumulative impacts (chapter 4) of Volume 7.

Social impacts are discussed in the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F, Volume 9 of the Draft EIS. It discusses the impacts of the proposed action to the social services, facilities, and other resources. There is an Executive Summary in the SIAS that identifies the impacts to the social services. If the maximal population increase is assumed to occur, a number of social services (e.g., public schools, health care, police, fire) would need to be improved and supported for the increased population. On the other hand, there would be an increase in taxes collected, license and user fees that would increase revenue to the government of Guam. The increase in revenue to Guam would likely offset some of the needed services. The Final EIS will include additional mitigation measures that could be taken to minimize impacts. The DoD will continue to pursue mitigation measures to ensure that adverse impacts can be avoided and/or reduced.

G-401-011

exact immitigable psychological injury to the Chamorro people. Such firing ranges are incompatible with the cherished notion of resting in peace.

G-401-012

**7. Issue: Build-Up DEIS Process Failed to Seek Input from Indigenous Cultural Practitioners**

DEIS Volume 9: Socioeconomic Impact Assessment Study, Appendix F, pages 463-580, contains transcripts of "February 2009 Guam Interviews," identifying many organizational representatives on Guam whose input was sought in the process of preparing the DEIS. This section of the DEIS incontrovertibly demonstrates that JGPO failed to include the perspectives of Guam's many indigenous practitioners, although numerous other government and civic organizations were consulted. JGPO's failure to consult with organizations representing the indigenous community constitutes a significant breach of established procedure.

**Discussion:**

G-401-013

Together these passages from the DEIS indicate that the proposed Department of Defense actions will result in highly significant negative impacts on the Chamorro people. These include, as the DEIS asserts, a rapid and intense minoritization of Chamorros that will threaten the demographic integrity of the Chamorro population of Guam, endangering culturally significant issues and programs, including Chamorro language and cultural programs, and historic preservation and restoration programs. Irreparable damage will be inflicted upon Guam's natural habitat, further adversely affecting already endangered species, encroaching upon the Chamorro people's right to a clean, healthy environment, and survival in their homeland.

Resolving Guam's on-going colonial status would also be threatened, as the increased minoritization of Chamorros would subvert any real movement towards the fulfillment of Chamorro self-determination, their right to decolonization, and the holding of a plebiscite in which they alone would determine the next political status of Guam. This directly violates United Nations' mandates concerning the rights of the peoples of non-self-governing territories.

The DEIS-predicted economic recession on Guam will be potentially catastrophic for many Chamorro families, especially those living near or below the poverty line. Limited access to fishing, hunting, and foraging grounds due to environmental destruction caused by the build-up will further restrict Chamorro opportunities to obtain any real level of subsistence, an aspect of sustainability inextricably linked to the fundamental right of self-determination.

The DEIS documents that access to health care will be jeopardized, and, as the DEIS points out, with rates of dialysis five times higher than the U.S. mainland (and having increased by 540% in the last 10 years), health care access is more critical than ever.

**G-401-008**

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.

**G-401-009**

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.

**G-401-010**

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.

Guam's increased population as a result of the proposed build-up will cause certain crises at the Guam Memorial Hospital, the Department of Mental Health and Substance Abuse, and the Department of Public Health and Social Services. The DEIS states that there will be 54,649 more patients relying upon GMH services and nearly 30,000 additional clients at Public Health and Social Services and Mental Health and Substance Abuse (Vol. 9, Appendix K, Pg. 61, Table 4.4-29). To mitigate against the extreme duress this will place upon Guam's health care system, the DEIS proposes to increase the number of physicians on Guam by 15, still be substandard to the national average of 29.5 physicians for every 10,000 people. This is but one example of DEIS mitigations that trivialize the diminishing quality of life for Guam's people that will result from the proposed build-up.

Indeed, the DEIS points to numerous negative effects of the proposed build-up – literally every aspect of life will be adversely affected and the very livelihood of the Chamorro people is at risk. **Because of the devastating effects on the Chamorro people, land, culture, and natural resources that will occur as a result of the proposed build-up, the US DoD must take aggressive, responsible actions to mitigate against these many effects, which amount to physical and cultural genocide. The mitigation measures included in the DEIS are grossly insufficient to prevent the cultural and physical genocide that the proposed build-up projects, and instead offer only superficial palliatives for what should be a critical concern.**

**In conclusion, the DEIS statements highlighted above reflect JGPO's explicit awareness that the proposed build-up will have a significant, negative impact on the Chamorro people's continued existence as an indigenous group. As such the Department of Defense is required by law to seek reasonable forms of mitigation or seek appropriate alternatives, including a genuine "NO ACTION" alternative.**

**Preferred Alternative:** In order to protect the human and natural resources of our homeland, we support the "NO ACTION" Alternative for all proposed Department of Defense actions covered in the DEIS. In other words, the signatories to this document posit that there be NO MILITARY BUILDUP on Guam.

**Mitigations:** In the event that our proposed "NO ACTION" Alternative is rejected by the DoD, we DEMAND the following mitigations:

1. Engage in UN-sanctioned decolonization process on Guam, to include federal funding for an island-wide educational campaign, as well as plebiscites for self-determination and decolonization, the outcomes of which must be explicitly, unequivocally recognized by the US and the UN;
2. Full and sustained federal funding for War Reparations;
3. Full and sustained federal funding for Chamorro language immersion schools and charter schools for grades K-12, located in the south, central, and northern Guam;
4. Full and sustained federal funding for after-hours language programs for Adults;

## G-401-011

Thank you for your comments. Your comments have multiple issues. First, that there are ancestral human remains (of indigenous Chamorro people) are located in Pagat; second, that these human remains would be disturbed (by the firing ranges); and thirdly, that disturbing the human remains would cause (psychological) distress to the Chamorro people.

The DoD recognizes the sensitivity and importance of historic properties and cultural sites to the Chamorro people. Under the National Historic Preservation Act, a process is in place to identify these sites, preserve important sites and artifacts, and provide measures to conserve, protect, and maintain their integrity. This process includes consultations with the public, interested parties, and various other local and federal government agencies. Based on these consultations, a Programmatic Agreement will solidify the DoD's commitment to being good stewards of the resources. The Programmatic Agreement will identify the measures that will be taken to protect, preserve, and maintain historic properties within our jurisdiction. In addition, DoD will be providing access to areas of particular concern for cultural, educational, and recreational purposes. The specific details regarding public access still needs to be worked out with further discussions with stakeholders regarding public safety, security concerns, and other logistics. However, once these issues are resolved, the DoD will provide public access.

The affect of stress on an individual or group is not typically included in the DEIS primarily because of the difficulty is measuring stress or its effects based on one action (for example, the military buildup). Additionally, individual perceptions of the proposed action can affect their level of stress and anxieties. However, given the potential that individuals and groups would anticipate upcoming levels of stress and anxieties caused by the proposed action, the FEIS has included a qualitative discussion on this issue.

5. Full and sustained federal funding of the Guam Museum;
6. Full and sustained federal funding of a Chamorro Cultural Center;
7. Full and sustained federal funding of an Artisans-in-Training program at GCC;
8. Full and sustained federal funding for a Chamorro Studies Programs at DOE, GCC and UOG;
9. Full and sustained federal funding for Chamorro language publications;
10. Full and sustained federal funding for Chamorro cultural practitioners and organizations;
11. Full and sustained federal funding for the educational website Guampedia;
12. Full and sustained federal funding for the preservation of historic structures both on and off-base;
13. DoD application of Sumay Village as a National Historic District, as well as the 134 other historical sites on DoD property that qualify for registry on the NRHP;
14. Begin development of a Status of Forces Agreement (SOFA) with Guam with relevant US Federal agencies;
15. Full use of US Naval hospital for all related military build-up in-migrants to Guam, since the island's existing health care facilities are not equipped;
16. Full and appropriate restitution for persons afflicted with diseases from toxic chemicals or radiation, in the past and future. To this end, RECA compensation must include all people on Guam and their descendants who have been affected by downwind exposure;
17. Department of Defense must implement a comprehensive cleanup program of all sites in Guam's land and water which have become contaminated as a result of US military activities;
18. Cessation of nuclear testing or development activities in or around the Marianas archipelago and the wider Micronesian region;
19. Prohibition of all military personnel declared as sex offenders to reside in civilian properties;
20. Guam legal jurisdiction over all military personnel who violate Guam laws;
21. Reimbursement of compact-impact monies to the Government of Guam, appropriate to the actual costs incurred;
22. Adherence by the U.S. government to the long-established body of international laws of decolonization and assurance that transient and new arrivals to Guam as a result of the military buildup will not participate in any self-determination referendums vouchsafed to the people of Guam under United Nations General Assembly resolutions;
23. Adherence by the U.S. government to the corpus of international human rights laws, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the Declaration on the Rights of Indigenous Peoples; and
24. Protection of the attached list of 75 indigenous medicinal plants that are integral to the culture and health of the Chamorro people. None of these plants should be harmed or destroyed in the proposed buildup.

**G-401-012**

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.

**G-401-013**

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.

**G-401-014**

Thank you for your comment. The majority of the items identified in this

G-401-015

We recognize that the DoD may not have the authority to implement all of these mitigation options, but we expect that they will take all necessary actions to assure that the responsible federal agencies will see through their implementations.

A single representative from each organization which has endorsed this unified statement is listed below. Any correspondence regarding this unified statement can be sent to either of the following:

Professor Anne Perez Hattori  
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Division of Humanities  
UOG Station  
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[mlbasquiat@hotmail.com](mailto:mlbasquiat@hotmail.com)

comment are not part of the proposed action and are therefore not addressed in the EIS.

**G-401-015**

Thank you for your comment.

| Name                   | Organization                                                                            | Email |
|------------------------|-----------------------------------------------------------------------------------------|-------|
| Frank Cruz             | TASI                                                                                    |       |
| Frank Rabon            | Pa'a Taotao Tāno'                                                                       |       |
| Ronald T. Laguana      | Young Men's League of<br>Guam/ Department of<br>Education: Chamorro<br>Studies Division |       |
| Cathleen Cruz          | Rasan Acho' Latte                                                                       |       |
| Eileen R. Meno         | Irensian Taotao Tano'                                                                   |       |
| Adam Paul Diego        | Hale' I Taotao-Ta                                                                       |       |
| Barbara Tainatongo     | Katon I Tano' Cultural<br>Dance Group                                                   |       |
| Trini Torres           | Taotaomo'na Native Rights                                                               |       |
| Darnell Lujan          | Taotao Tāno'                                                                            |       |
| Hope Cristobal         | Chamorro Studies<br>Association                                                         |       |
| Vivian Dames           | Fuetsan Famalao'an                                                                      |       |
| Michael Lujan Bevacqua | Famoksaiyan (Guam)                                                                      |       |
| Melvin Won Pat Borja   | We Are Guahān                                                                           |       |
| Vince Reyes            | Inetnon Gefpāgo                                                                         |       |
| Dana Cruz-Kim          | Taotao Lāgu                                                                             |       |
| Lisa Natividad         | Guahān Coalition for Peace                                                              |       |



Medicinal Plants of Northern Guam Limestone & Ravine Forests and Beach Strand Communities

| CHAMORRO NAME               | SCIENTIFIC NAME                               | COMMON NAME            |
|-----------------------------|-----------------------------------------------|------------------------|
| 1. Alalak abubu             | <i>Stictocardia tiliifolia</i>                | Crimson morning glory  |
| 2. Amot haga'               | <i>Crataeva speciosa</i>                      | Crataeva (caper)       |
| 3. Agaga                    | <i>Melothria guamensis</i>                    | None                   |
| 4. Agate'lang               | <i>Eugenia palumbis</i>                       | None                   |
| 5. Ahgao manila             | <i>Premna obtusifolia</i>                     | False elder            |
| 6. Akangkang                | <i>Caesalpinia major</i>                      | Hawaii pearls          |
| 7. Alaihai                  | <i>Ipomoea pes-caprae subsp. brasiliensis</i> | Beach morning glory    |
| 8. Ilangilang               | <i>Cananga odorata</i>                        | Ylang Ylang            |
| 9. Atmahayan                | <i>Pipturus argenteus</i>                     | Silvery pipturus       |
| 10. Anonas                  | <i>Annona reticulata</i>                      | Custard apple          |
| 11. Apasoti                 | <i>Chenopodium ambrosioides</i>               | Wormseed               |
| 12. Aplokateng              | <i>Psychotria mariana</i>                     | Psychotria             |
| 13. Atmagosun halomtano'    | <i>Momordica charantia</i>                    | Bitter melon           |
| 14. Alum                    | <i>Melanolepsi multiglandulosa</i>            | None                   |
| 15. Amot tumaga'            | <i>Cassia occidentalis</i>                    | Ant bush               |
| 16. Banalo                  | <i>Thespesia populnea</i>                     | Pacific rosewood       |
| 17. Batbena                 | <i>Heliotropium indicum</i>                   | Wild clary             |
| 18. Bayoggon dangkulu       | <i>Entada phaseoloides</i>                    | St. Thomas bean        |
| 19. Bayoggon dikiki', gaye' | <i>Mucuna gigantea</i>                        | Small sea bean         |
| 20. Botdologas              | <i>Portulaca oleracea</i>                     | Purslane               |
| 21. Chachakchak             | <i>Mariscus javanicus</i>                     | Sedge                  |
| 22. Da'ok                   | <i>Calophyllum inophyllum</i>                 | Palomaria              |
| 23. Dadangse'               | <i>Urena lobata</i>                           | Cesar weed             |
| 24. Derris                  | <i>Derris elliptica</i>                       | Derris                 |
| 25. Eskobiya                | <i>Sida rhombifolia</i>                       | Broomweed              |
| 26. Fofgo                   | <i>Ipomoea hederacea</i>                      | Ivy leaf morning-glory |
| 27. Gaogao Uchan            | <i>Phyllanthus marianus</i>                   | Phyllanthus            |
| 28. Gagap                   | <i>Tacca leontopetaloides</i>                 | Polynesian arrowroot   |
| 29. Gaso'so'                | <i>Colubrina asiatica</i>                     | Asian nakedwood        |
| 30. Galak fedda'            | <i>Asplenium nidus</i>                        | Bird's nest fern       |
| 31. Hamlak                  | <i>Callicarpa candicans</i>                   | Beautyberry            |
| 32. Hunek                   | <i>Tournefortia argentea</i>                  | Tree heliotrope        |
| 33. Ka'mang tasi            | <i>Abelmoschus sp.</i>                        | Muskmallow             |
| 34. Katson                  | <i>Stachytarpheta cayennensis</i>             | Blue rat's tail        |
| 35. Kahlao                  | <i>Phymatodes scolopendria</i>                | Wart fern              |
| 36. Kulales                 | <i>Abrus precatorius</i>                      | Coral bead plant       |
| 37. Ladda                   | <i>Morinda citrifolia</i>                     | Indian mulberry        |
| 38. Laso' katu              | <i>Achyranthes aspera</i>                     | Pricky chaff-flower    |
| 39. Dokdok                  | <i>Artocarpus marianensis</i>                 | Seeded breadfruit      |
| 40. Lemmai                  | <i>Artocarpus altilis</i>                     | Breadfruit             |
| 41. Lodogao                 | <i>Clerodendrum inerme</i>                    | Garden quinine         |
| 42. Luluhot                 | <i>Maytenus thompsonii</i>                    | None                   |
| 43. Mai'agas                | <i>Cassytha filiformis</i>                    | Love vine              |
| 44. Maigo' lalo'            | <i>Phyllanthus amarus</i>                     | Chanca peidra          |
| 45. Mango'                  | <i>Curcuma longa</i>                          | Turmeric               |

|                         |                                           |                   |
|-------------------------|-------------------------------------------|-------------------|
| 46. Masiksik            | <i>Chromolaena odorata</i>                | Bitter bush       |
| 47. Masiksik tasi       | <i>Wollastonia biflora</i>                | None              |
| 48. Matbas              | <i>Abutilon indicum</i>                   | Monkeybush        |
| 49. Mumutung palao'an   | <i>Hyptis pectinata</i>                   | Comb bushmint     |
| 50. Nanason gaifigo'    | <i>Scaevola sericae (taccada)</i>         | Half flower       |
| 51. Tupun ayuyu         | <i>Elastostema calcareum</i>              | Elastostema       |
| 52. Nonnak              | <i>Hernandia Sonora</i>                   | Lantern tree      |
| 53. Nunu                | <i>Ficus prolixa</i>                      | Pacific banyan    |
| 54. Pakao               | <i>Caesalpinia major</i>                  | Hawaii pearls     |
| 55. Pano                | <i>Guettarda speciosa</i>                 | Beach gardenia    |
| 56. Pao de'do'          | <i>Hedyotis foetida var. mariannensis</i> | Hedyotis          |
| 57. Pao de'do' lahi     | <i>Hedyotis sp.</i>                       | Hedyotis          |
| 58. Papayan lahi        | <i>Carica papaya</i>                      | Male papaya       |
| 59. Pago                | <i>Hibiscus tiliaceus</i>                 | Hibiscus tree     |
| 60. Petchalan           | <i>Deeringia amarantoides</i>             | None              |
| 61. Piga'               | <i>Alocasia indica</i>                    | Giant taro        |
| 62. Potpupot            | <i>Peperomia mariannensis</i>             | None              |
| 63. Pugua' matchena     | <i>Davallia solida</i>                    | Solida fern       |
| 64. Pupulun aniti       | <i>Piper guamensis</i>                    | Wild pepper       |
| 65. Puting              | <i>Barringtonia asiatica</i>              | Fish Kill tree    |
| 66. Sanye'ye'           | <i>Taeniophyllum mariannense</i>          | Worm orchid       |
| 67. Sensen hale' hanom  | <i>Nervilia sp.</i>                       | Water-root orchid |
| 68. Sibukao             | <i>Caesalpinia sappan</i>                 | Brazilwood        |
| 69. Sumak               | <i>Aidia cochinchinensis</i>              | None              |
| 70. Take'biha           | <i>Senna alata (Cassia alata)</i>         | Candlebush        |
| 71. Titimu              | <i>Eclipta prostrata</i>                  | False daisy       |
| 72. Tronkon donne' Sali | <i>Capsicum annuum</i>                    | Hot pepper        |
| 73. Tuba Tuba           | <i>Jatropha curcas</i>                    | Physic-nut        |
| 74. Tumates cha'ka      | <i>Physalis minima</i>                    | Sunberry          |
| 75. Yetbas Santa Maria  | <i>Artemisia vulgaris</i>                 | Mugwort           |
| 76. Yetbas babue        | <i>Blechnum brownie fo. Puberulum</i>     | Blackweed         |

References:

1. Borja, Manuel Flores and Roppul, Jose Somorang. (2009). *Directory of Traditional Healers and Medicinal Plants in the Commonwealth of the Northern Mariana Islands*: Inetnon Amot Natibu, Saipan.
2. Moore, Philip H. and McMakin, Patrick D. (1979). *Plants of Guam*. Cooperative Extension Service, University of Guam.
3. Moore, Philip H. and Krizman, Richard D. (1981). *Field and Garden Plants of Guam*. Cooperative Extension Service, University of Guam.
4. Raulerson, Lynn and Rinehart, Agnes F. (1992). *Ferns and Orchids of the Mariana Islands*. Lynn Raulerson and Agnes Rinehart, Guam.
5. Cruz, Juanita Tan. (2010). Personal Interview. Astumbo, Guam.

**G-402-001**

Thank you for your comment. The DoD understands the importance of agricultural activities on Tinian. The descriptions and analysis of agriculture in Chapters 8 (Land Use) and 16 (Socioeconomics) of Volume 3 are based on available information.

Additionally, the DoD has re-evaluated the need to terminate all subleases in the leaseback area and will only propose to terminate subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone of the proposed firing ranges.

Comment Sheet:

**Must Protect Cattle Ranches and Prime Agriculture lands within the Military leaseback area at all costs.**

Draft Environmental Impact Statement/Overseas Environmental Impact Statement Guam and CNMI Military Relocation

Send comments to:

JGPO c/o NAVFAC Pacific Or comment online at: <http://www.guambuildupeis.us/>  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134

Attention: GPMO

Please provide your comments below regarding the DRAFT EIS:

Name: Ron S. Pascua

Address P.O. Box 358, Marpo Valley - Tinian

G-402-001

I am an (Indigenous Chamorro, ~~Filipino~~ Caucasian, or other \_\_\_\_\_), a United States Citizen, and a resident of Tinian, Commonwealth of the Northern Marianas Islands.

After reviewing the Draft Environmental Impact Statement as it pertains to the development of range Facilities on Tinian, it has come to my attention that the Draft EIS is inaccurate in its assessment as to the quality of soils, Agriculture potential, and does not consider the historical, current, and future of Agriculture in the Military Leaseback Area as Critical for Economic Diversity, Food Security and Human Health.

The Draft EIS downplays the value of the lands within and around (within the Danger Zones) the suggested site for range developments on Tinian as "Not Prime for Agriculture". Furthermore, the Draft EIS suggests that current and future agriculture activities within these areas as insignificant. Nothing could be farther from the truth. Farmers, citizens, and Agriculture professionals all agree that these areas are Prime for farming, especially for the highly sustainable practice of grazing livestock (beef cattle). The continued use of these areas by local ranchers is critical to establishing minimum levels of food security that will benefit locals and the military alike. In fact, local citizens refer to the area suggested for range development as the "Old Village" because this was the first place in which the people of Tinian re-inhabited after being displaced by the events in WW2. The reason for this was because this was and still is considered the best land in the entire Micronesian region for Agriculture Production and crops and livestock were cultivated in these and surrounding areas until the 1970's until the Military Leased the property, making it impossible to farm these areas.

The people of Tinian demand that due consideration be given as to the importance of the Tinian Leaseback area for subsistence and commercial farming (Agriculture Grazing Permits) as critical to the existence and well-being of the people of Tinian. With Proper consideration as to the location of the ranges- Tourism, Agriculture, and Military operations can co-exist on Tinian. Thank you for your consideration.

Signature:  Date: 2/16/10

Comment Sheet:

**Must Protect Cattle Ranches and Prime Agriculture lands within the Military leaseback area at all costs.**

Draft Environmental Impact Statement/Overseas Environmental Impact Statement Guam and CNMI Military Relocation

Send comments to:

JGPO c/o NAVFAC Pacific Or comment online at: <http://www.guambuildupeis.us/>

258 Makalapa Drive, Suite 100

Pearl Harbor, HI 96860-3134

Attention: GPMO

Please provide your comments below regarding the DRAFT EIS:

Name: Frankie Diaz

Address: Tinian

I am an (Indigenous Chamorro, Filipino, Caucasian, or other Chamorro), a United States Citizen, and a resident of Tinian, Commonwealth of the Northern Marianas Islands.

After reviewing the Draft Environmental Impact Statement as it pertains to the development of range Facilities on Tinian, it has come to my attention that the Draft EIS is inaccurate in its assessment as to the quality of soils, Agriculture potential, and does not consider the historical, current, and future of Agriculture in the Military Leaseback Area as Critical for Economic Diversity, Food Security and Human Health.

The Draft EIS downplays the value of the lands within and around (within the Danger Zones) the suggested site for range developments on Tinian as "Not Prime for Agriculture". Furthermore, the Draft EIS suggests that current and future agriculture activities within these areas as insignificant. Nothing could be farther from the truth. Farmers, citizens, and Agriculture professionals all agree that these areas are Prime for farming, especially for the highly sustainable practice of grazing livestock (beef cattle). The continued use of these areas by local ranchers is critical to establishing minimum levels of food security that will benefit locals and the military alike. In fact, local citizens refer to the area suggested for range development as the "Old Village" because this was the first place in which the people of Tinian re-inhabited after being displaced by the events in WW2. The reason for this was because this was and still is considered the best land in the entire Micronesian region for Agriculture Production and crops and livestock were cultivated in these and surrounding areas until the 1970's until the Military Leased the property, making it impossible to farm these areas.

The people of Tinian demand that due consideration be given as to the importance of the Tinian Leaseback area for subsistence and commercial farming (Agriculture Grazing Permits) as critical to the existence and well-being of the people of Tinian. With Proper consideration as to the location of the ranges- Tourism, Agriculture, and Military operations can co-exist on Tinian. Thank you for your consideration.

Signature: Frankie Diaz

Date: 02/14/2010

**G-403-001**

Thank you for your comment. The Navy has re-evaluated the need to terminate all subleases in the leaseback area and will only propose to terminate subleases in the leaseback area that are within the range footprint and associated Surface Danger Zone (SDZ) of the proposed firing ranges. Also, the Final EIS states that access will be provided to the SDZs during non-training periods. The Final EIS is revised to identify the location of Prime farmland soils as defined by the US Department of Agriculture. The prime farmland soils classification is not necessarily related to actual farming experience, as you point out. The Draft EIS identified a significant impact on agricultural use in the Lease Back Area in Volume 3, Chapter 8, Land Use. A significant socioeconomic impact on agricultural was also identified in Volume 3, Chapter 16.

As to possible sites for the relocation of any leases, such actions would be under the control of CNMI officials as they are responsible for non-federal land use decisions on Tinian. DoD will work with CNMI land use and natural resource officials to ensure that native forest habitat concerns for ESA listed species are taken into account in any relocation effort.

Comment Sheet: **More Time Needed.**  
Draft Environmental Impact Statement/Overseas Environmental Impact  
StatementGuam and CNMI Military Relocation

Send comments to:  
JGPO c/o NAVFAC Pacific Or comment online at: <http://www.guambuildupeis.us/>  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

Please provide your comments below regarding the DRAFT EIS:

Name: Ron S. Pascua  
Address: P.O. Box 358, Marpo Valley - Tinian

I am an (Indigenous Chamorro, Filipino, Caucasian, or other \_\_\_\_\_), a United States  
Citizen, and resident of Tinian, Commonwealth of the Northern Marianas Islands.

I am aware that there are many inaccuracies, mistakes, and false information contained in the  
current Draft of the Environmental Impact Statement, especially volume three as it pertains to the  
Development of Tinian for Military Training Purposes. For this reason, the EIS in its current  
state does an injustice to the people of Tinian as it does not provide military planners and local  
citizens with a clear understanding of the issues that are most important and critical to the  
residents in terms of short term and long term impacts of training facilities on livelihood, health,  
well-being, commerce, agriculture, food security, and so on.

Furthermore, The DRAFT EIS has many missing sections that are not complete or available, such  
as the Bio-security plan for the Micronesia region, so it is impossible to comment on these and  
other portions of the DRAFT EIS before the deadline of Tuesday, February 17, 2010.

Lastly, there has not been adequate time allowed, nor information shared with the many  
stakeholders (farmers, citizens, youth, elderly, and others) leaving the people of Tinian in a state  
of ignorance as to the contents, implications, and even the existence of the EIS Document.

I believe that more time should be made available to the people of Tinian to comment and correct  
the DRAFT EIS so that it is a worthy document that will support the sustainable development of  
Tinian. Also, greater emphasis should be made to involve the stakeholders here on Tinian, not  
only on the internet and at one (1) public forum.

Thank you for your consideration.

Signature:  Date: 2/16/10

#### G-404-001

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.

G-404-001

**Josephine B. Ramirez**  
**P.O. Box 3271**  
**Hagatna, Guam**

February 14, 2009

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

**Comments on the proposed Military Build Up On Guam**  
**Draft EIS/OEIS (DEIS)**

I am writing to submit comments on the DEIS for the proposed military build up on Guam. I am a lifelong Guam resident living in the village of Ordot, next to the Ordot Landfill. I am submitting these comments on behalf of We Are Guahan. Because of my experience living next to the Ordot Landfill, my comments are first and foremost focused on the impacts of increased Hazardous and Solid Waste as mentioned in this DEIS and the proposed mitigation for it. I will also make comments on the proposed impacts on our utilities and water sources as well as greenhouse emissions.

G-405-001

I am writing because I am **extremely concerned** that the proposals for this build up will further devastate the health and well being of our environment and our families, and that the proposed mitigation is inadequate and insufficient.

For the sake of referencing in later comments, I would like to start out by stating the following:

As you probably know, the Ordot Landfill is a **Nationally recognized Superfund Site** that started out as a dumping ground for US Naval forces in the 1940's. During the 1950's, the landfill was transferred from the US Navy to the Government of Guam and has served as the island's only municipal waste disposal site ever since. The landfill does not have a base liner system to prevent subsurface migration of infiltrating rain water. In general, minimal, if any, control systems have been applied in the form of management systems for landfill gas, leachate, surface water, and erosion of the landfill area. Additionally, few controls are in place for vectors, e.g., flies, wild pigs etc. (Duenas & Associates [D&A] and URS 2005a). The site has been in operation beginning in the 1940s, serving as an industrial and municipal landfill for a variety of uncontrolled wastes, including spent industrial and commercial chemicals, polychlorinated biphenyl (PCB)-contaminated oils from transformers, and munitions. Historically, records documenting the nature and quantity of hazardous wastes disposed at the site were

**G-405-001**

Thank you for your comment. Regarding your questions associated with the Military Munitions Rule (MMR), essentially as long as a military munitions are used for their "intended purpose" (as discussed in Volume 2, Chapter 17, Section 17.1.2.1) then the munitions and explosives of concern (MEC) are not considered waste (either solid waste or hazardous waste). However per the MMR, once the MEC is not being used for their "intended purposes", then the MEC is classified at a minimum as a solid waste [and possibly a hazardous waste if it meets the definition of a RCRA hazardous waste (see Volume 2, Chapter 17, Section 17.1.2.1)]. Conditions whereby MEC would not be judged as being used for their "intended purpose" includes: 1) If located on a "closed" range (i.e., a range that has been taken out of service and put to a new use "incompatible" with range activities); 2) Transported off-range for storage;- Reclaimed and/or treated for disposal; 3) Buried or land filled on- or off-range; or 4)Munitions land off-range and are not immediately rendered safe or retrieved.

Regarding your concern about the use of hazardous substances, 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, 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

G-405-001

not maintained. Potentially responsible parties that could be identified as contributing to the contamination at the site include the United States Navy and the Government of Guam (USEPA 1988). A study by the EPA (Dorado Landfill Leachate Streams, 1980-1998) identified **17 Toxic Chemicals** in the Ordot Dump. All of them belong to the EPA's 2002 list of Priority Toxic Pollutants, including: Arsenic, Lead; Aluminum; Barium, Antimony, Cadmium, Chromium, Manganese, Pesticides, PCBs, Toluene, Ethylbenzene, Xylenes, Zinc, and Cyanide, that **obviously was stored in Ordot when it belonged to the Navy.**

Some examples of the most common diseases associated with these chemicals include but are not limited to: Cancer, Parkinson's Disease, Multiple Sclerosis, Alzheimer's disease, Amyotrophic Lateral Sclerosis Renal Dysfunction, Cardiovascular Disease, Liver Dysfunction, Deafness, Blindness, Epilepsy, Seizures, Attention Deficit Disorder, Emotional Instability, Depression, Learning Disability, Arthritis, Joint Pain, Anemia, Hypothyroidism, Stillbirths, Infertility, Multiple Sclerosis, Immune Suppression, and Dementia. In the 39 landfills at the Andersen Air Force Base, Yigo, the studies of shallow subsurface soil and groundwater from downgradient wells of each site, found all the same 17 Priority Toxic Pollutants. (<http://bluewaternavy.org/illness/ordotlandfill.pdf>)

1) For your clarification, this insert comes from Military Munitions Rule under RCRA which is a federal regulation. In an EIS, the applicant is required to disclose every regulation that their project could come under scrutiny.

"MEC located on closed ranges & would at some point become a solid waste potentially subject to RCRA and also may include hazardous substances, pollutants or contaminants subject to CERCLA &. In summary, MEC at closed ranges are classified as solid waste and would likely be subject to RCRA Subtitle C hazardous waste handling and disposal requirements as well (USEPA 2005)." V2-17-317.1.2.1

- Clarify at what point exactly will the eventual solid waste be subject to RCRA hazardous waste handling and disposal requirements.
- Please provide the document from USEPA 2005 that describes the process of hazardous waste handling and disposal requirements.
- Please provide a diagram or map that points to the exact locations where RCRA Subtitle C hazardous waste handling and disposal requirements will take place.

2) "Included in the Apra-Harbor Naval Complex IRP and designated as a Solid Waste Management Unit. The March 2009 site visit identified a possible disposal site at or near this site. Documentation suggests likely soil and/or groundwater contamination." V2 Chapter 17 Page 3

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.

G-405-001

- Please specify the location of the possible alternative disposal site
- Please provide a map that points to its exact location.
- If we do not know its location, we cannot know the potential impacts the "likely soil and or/groundwater" contamination will have!
- If the disposal site is located near schools or homes near the location, how will the applicant address impacts to the affected population?
- Please clarify the potential impacts this contamination will have and how the applicant plans to mitigate.

3) "MEC at closed ranges are classified as solid waste and would likely be subject to RCRA Subtitle C hazardous waste disposal requirements as well." V2 Chapter 17 Page 49

- Please clarify at what point exactly would the solid waste be subject to RCRA Subtitle C hazardous waste disposal requirements.
- Please explain the process of hazardous waste disposal requirements as written in the RCRA Subtitle C.
- Please provide a hard copy of this document RCRA Subtitle C hazardous waste disposal requirements.
- Please provide a map that points to the exact areas RCRA Subtitle C hazardous waste handling and disposal requirements will take place.

G-405-002

4) "In summary, the proposed solid waste alternatives could result in increased environmental impacts." V6 Chapter 18 Page 19

- Please clarify, will the proposed solid waste alternatives result in increased environmental impacts or not? I understand it is the purpose of an EIS Report to know such things with certainty. Using the words "could result" leaves me confused.
- How can the applicant mitigate potential, future, and cumulative environmental impacts if we do not know for certain what and if they will be?

G-405-003

5) "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. Impacts to the visual environment from the preferred alternatives would primarily be considered less than significant and in cases where impacts were deemed to be significant, mitigation measures would reduce their impacts to less than significant. Mitigation measures would include compliance with design guidelines for all buildings, in keeping with the Guam archetype, by implementing a landscape plan focused on retention of mature specimen trees during construction; establishing a full suite of vegetation in keeping with Guam's native flora; and using

## G-405-002

Thank you for your comment, the text has been modified as appropriate.

## G-405-003

Thank you for your comments relating to the visual impacts of the Apra Harbor landfill (preferred action). The height of the 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. By "Guam archetype," we mean architectures and landscape plans that are inherently Guam and commonly found in Guam. Again, the design and landscape plans associated with the proposed actions would be prepared subsequent to the ROD. Our aim is to use native flora indigenous to Guam-- plants and flowers that have been originated, grown, living, or occurring naturally in Guam, where mitigation measures are proposed. Any impacts associated with buying, planting, and perhaps re-planting the flora is considered to be negligible. 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

G-405-003

native flora to create a natural-appearing "screen" between public roadways and buildup areas." V7 Chapter 3 Page 44

- Please specify the exact height the DOD landfill at Apra Harbor will get to.
  - How does grading and revegetation mitigate impacts to public viewpoints? Grading does not remove the obstruction and height of the proposed landfill. Revegetating could, furthermore, obstruct public views.
  - Please explain the details of the proposed mitigation measure "design guidelines for buildings"? Where is the landscape plan? Deferring mitigation to a plan the public cannot review and comment on is illegal.
  - What does the applicant mean exactly by the "Guam archetype"? Please explain this in detail.
  - Will the "native flora" be indigenous to Guam? Where will the "native flora" come from? What are the impacts of removing/transferring enough flora to make a screen?
  - Please provide maps and diagrams that show the exact height that DoD landfill will get to. Please provide maps and diagrams that show the plans for future design guidelines for buildings in detail. How exactly will our buildings be designed to fit in with these new proposed guidelines?
  - Please provide a diagram/simulation that shows what Apra Harbor will eventually look like, as well as its "nearby and distant viewpoints" as affected by future "design guidelines for buildings". Please provide a picture of what this area will look like, the size of the dump, the proposed "screen" and the nearby and distant areas.
  - What will the impact be on one of the islands largest industries, tourism? Will tourists still want to come to Guam when there is so much trash that we have to build a "screen" around it? This is an island, people do not come here to look at huge piles of trash with a "screen" around it! People come here to see the beauty of our lands and ocean. How will the "nearly doubled" height of the dump affect the view of the ocean from nearby and distant areas? How will the applicant mitigate future impacts on our economy if our tourism industry declines due to increased trash and destruction of natural views?
- G-405-004
- Will there be any additional federal funding to our waste management systems on Guam? Our waste management services are insufficient as is!
  - Please consider this alternative, instead of building a "screen" around the dump, please take your trash and properly dispose it off our island.
  - Please consider another alternative, such as mandating that every ship that comes into Guams harbors with materials for the build up be required to take as much trash off the island as materials they bring in.
  - Please consider another alternative, such as funding Biodynamic farming projects around current dump sites to detoxify the land that the military has contributed in contaminating.

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.

**G-405-004**

Thank you for your comment. 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.

G-405-005

My family has a ranch near the Lonfit River and Ordot Landfill. As I mentioned earlier, the leachate from the Ordot Landfill has carried considerable amounts of toxic chemicals into the area and into our fresh water sources.

- What does the applicant propose to do to clean-up these already-existing toxins from their previous (and unresolved) polluting of our lands? What are the cumulative impacts of constructing a new landfill? This analysis was not conducted.
- How can it be sufficient to mitigate future environmental pollution on our island from this build-up, when past pollution has still yet to be resolved?
- Please consider this as a reasonable alternative for mitigation: Reduce the amount of non-biodegradable trash that the applicant (military) brings in by mandating that environmentally-friendly and biodegradable products be used by the military (anything from food service items, trash bags, packaging materials, etc.) and that composting of all trash be mandated as well. Plastic, which is one of the most toxic products and will never biodegrade (and which was invented by the military!) should not be allowed to be brought in during this build-up, as well as other products that will not biodegrade or be composted or be removed from our island and properly disposed elsewhere. We have no more room for your trash or toxins here! Our communities suffer high enough cancer rates as is, and the military has brought more than enough toxins to this land already (see the first statement on the Ordot Landfill). Our environment and the health of our communities cannot afford to absorb anymore trash or toxins.
- These sites may provide further assistance.
  - <http://www.bpiworld.org/>
  - <http://www.ecoproducts.com/va-cms/index.php>

G-405-006

6) "Radon could seep into the facilities and/or structures. However, radon resistant construction techniques would be used and DoD would periodically test facilities constructed in known radon zones to verify that no unacceptable radon gas buildup occurs. As appropriate, radon mitigation measures would be installed." V6 Chapter 18 Page 16

- Please clarify what "radon resistant construction techniques" are and the impacts they have on the environment.
- How do radon resistant construction techniques prevent radon from seeping into facilities and structures?
- If they are only "resistant" (as in water-resistant), than that means that it is possible and likely that some radon will seep into facilities and structures. What are the applicants proposed mitigation measures for impacts of even small amounts of radon that seep into facilities or structures?
- When exactly will DoD periodically test facilities in known radon zones?
- When is it "appropriate" for radon mitigation measures be installed?

**G-405-005**

Thank you for your comment. Regarding your concern about the use of hazardous substances, 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

G-405-007

7) "Solid waste from DoD lands is presently disposed of at the Navy sanitary landfill or the Air Force landfill at Andersen AFB. Solid waste from non-DoD sources is disposed of at GovGuam facilities. The GovGuam Ordot landfill will be closed and a new landfill will be constructed." V7 Chapter 3 Page 52

- As mentioned at the beginning of this letter the Ordot Landfill is a nationally recognized Superfund Site that the US Navy has contributed in contaminating with 17 toxic chemicals that have major health affects on the surrounding area. As a resident of Ordot I propose that the Ordot Landfill be closed and proper cleaning measures installed before any build up begins. What is the timeline for the closing and cleanup of this landfill? How will the federal government assist GovGuam in the closing and proper cleanup and restoration of lands in the surrounding area? Considering the history of heavy use of the Ordot Landfill by the US Military, it is only fair that the Federal Government assume a large portion of financial responsibility in the proper closing of Ordot Landfill.
- What is the estimated remaining capacity of the Navy sanitary landfill and can it accommodate the massive amount of solid waste being generated by the proposed project?

G-405-008

8) To elaborate on question 7 above see V6-18- 18.2.5.1 which states, "The Preferred Alternative for solid waste would be the continued use of Navy Landfill at Apra Harbor until Layon Landfill is opened, which is scheduled for July 2011".

- What if Layon Landfill does not open in July 2011?
- Does the applicant have an alternative landfill to use which can accommodate the tons of waste being generated by the proposed project?
- Will the new landfill be able to accommodate all this waste?
- What is the carrying capacity of the new landfill?
- Will the new landfill be base-lined to prevent subsurface migration of infiltrating rain water the islands aquifer?

G-405-009

8) Section V7-(Table 17.2-3) states, "Due to the projected increase in hazardous materials, Alternative 1 could result in adverse impacts to human health and the environment (i.e., soils, surface water, groundwater, air, and biota). However, the increase in hazardous materials would be handled and disposed per applicable BMPs and SOPs and therefore, the increase in volume would not result in significant impacts" (Table 17.2-3).

- Hazardous waste is a primary concern to the Guam population. How is it possible that no significant impacts would occur!
- Mitigation measures are inadequate and defers mitigation to BMPs and SOPs. These BMPs and SOPs mention several plans to be implemented, however, none

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.

**G-405-006**

Thank you for your comment. Radon resistant construction techniques include measures to prevent the seepage of radon gas from entering a structure and/or to ensure the structure has regular exchanges of outside air into the structure. In general, radon does not become a health hazard unless it is allowed to enter and build up within a particular structure over time. These construction techniques could include, but are not limited to: 1) Using vapor barriers to prevent the seepage of radon gas into structures; 2) Minimizing exterior and/or foundation cracks of structures when constructed and using various construction techniques to prevent cracks from developing over time that could allow radon gas seepage into the structure; 3) Ensuring the HVAC system deploys regular outside air exchanges within the structure.

The USEPA recommended action level for radon is 4 picocuries per liter. This action level was established as a means to recommend corrective action or mitigation measures if and when radon levels within a particular structure reach or exceed this action level. Appropriate mitigation measures could be as simple as enhancing the outside air exchanges within a structure such that any radon gas that may seep into

G-405-009

of these plans are available for public review. Please provide copies of all plans included in the BMP and SOP.

- The EIS does not disclose the SPCC (spill containment and control procedures) plans anywhere. Please provide a copy of the plan for public review.
- The EIS does not disclose the SPCC Facility Response Plans anywhere. Please provide a copy of the plan for public review.
- Where are the HMMPs and HWMPs? Please provide a copy of the plan for public review.
- Are the current hazardous waste facilities able to accommodate the massive amounts of hazardous waste being brought to Guam? According to the EIS “It is estimated that the proposed transfer of Marines to Guam would result in an increase to the Guam hazardous materials disposal volume of 50% of the known Okinawa DRMO disposal rate, or approximately 16,000 lbs (7,257 kg) annually (DRMO Okinawa 2009).” Disclose the current capacity of these hazardous waste sites being used on Guam.
- No where in the EIS did the applicant address hazardous waste impacts on surface water, ground water, soils, air, biota, and human health. These areas need to be analyzed. Deferring mitigation to BMPs and SOPs is inadequate mitigation.
- Please analyze and address impacts of hazardous waste on the water, soils, air, biota, and human health in the event of accidental spill, explosion or fire in hazardous storage areas, and undetected leakage of these harmful materials.

G-405-010

#### 9) Utilities/Potable water Volume 6, Chapter 3

- This chapter states, “The projected water demand for the Guam civilian population throughout 2010-2019, not including the effects of the military buildup, exceeds the current GWA water system capacity. To meet the projected demand on the GWA water system, it is imperative that the GWA begin planned expansions by 2010. What if EIS is not approved by 2010, how will the proponent compensate for exceeding water demands?”
- This chapter states, “Significant rate relief is anticipated. It is assumed that water supply expansions would be funded through collection of user fees from GWA customers. This would include user fees to be paid by contractors funded by the DoD that would be providing housing for construction workers.” This would impact low income populations. How does the applicant plan to mitigate for those who cannot afford the fee increase?”
- This chapter states, “GWA has indicated that they do not possess the financial resources to drill new wells in time to meet the early demands expected as a result of the buildup. In the CIP, well construction is identified in 2012. By applying adaptive management methodology the Navy would monitor the impacts of its actions and evaluate the need to adjust its plan to implement the selected alternative plans to avoid and/or minimize environmental impacts. Avoidance of environmental impacts, where possible, is the Navy’s preferred method of

the structure does not have a chance to build up within the structure.

The frequency by which DoD tests structures for radon gas is determined on a case-by-case basis with many factors being considered, including the likelihood that the region where the structure is located may have naturally occurring elevated radon levels.

#### G-405-007

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

G-405-010

mitigation . Adaptive management defers mitigation based on project needs. Monitoring the impacts of their actions does not mitigate for a shortage of water, because by then, impacts would already be significant and the population would be starved for water.“ Please provide adequate mitigation for water shortages and not defer mitigation to monitoring. Mitigation measures consisting of monitoring and future studies not tied to performance standards and contingency plans are considered deferred (Sundstrom v. County of Mendocino, supra). We have not seen precise mitigation outlined in this chapter and therefore we do not have enough information to make an informed decision.

- This chapter states, “Reaching an action point would trigger the need to implement one or more mitigation measures.” EIS doesn’t state precise mitigation for impacts to exceeding potable water demands and defers mitigation to adaptive management. Where is this post-ROD Monitoring Plan that outlines the mitigation? We have not seen the adaptive management plan or precise mitigation outlined in a plan and therefore we do not have enough information to make an informed decision.
- This chapter states, “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. Mitigation offered by the applicant does not mitigate direct effects to population! Please provide adequate mitigation to protect the population from injury or mortality.
- This chapter states, “If enough new planned GWA wells are not brought online by 2010, the proposed project has the potential to result in significant impacts on the Guam water supply. To mitigate those impacts, DoD could transfer excess water production capacity to GWA, if requested. GWA would need to formally request this support through the Navy Region Marianas Utilities Department, who would determine water availability and appropriate rates reimbursement . The DoD expects that GWA or the developer requesting additional water would install the necessary piping to make the interconnections with DoD water systems. GWA stated they do not have the finances for such upgrades.“ Why is the applicant deferring mitigation again to future action without any contingency plan? Please provide adequate mitigation to address this impact.
- This chapter states, “Use of temporary small self contained desalination plants (reverse osmosis) to augment water supply, provided regulatory approvals would be received.” The applicant must evaluate the significant environmental impacts associated with the construction of desalination plants and disclose those impacts in this EIS.

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. The established RABs provide the best forum for the general public and interested stakeholders to obtain specific information regarding the status of various existing hazardous waste site clean up efforts.

#### **G-405-008**

Thank you for your comment. The new Layon Landfill is designed to accommodate 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.

The Layon Landfill will have a double liner as required by Federal and Guam regulations for solid waste landfills.

If the Layon Landfill does not open on schedule, then the military will

G-405-011

10) Greenhouse Emissions

- This EIS fails to properly examine the contribution of greenhouse gas emissions to global warming, a severe threat to Guam's natural resources, climate, and economy. Please analyze and disclose impacts and mitigation.
- The EIS Does Not Adequately Consider the Cumulative/Reasonably Foreseeable Significant Adverse Impacts of the Military on Global Warming. Please analyze and disclose impacts and mitigation. ([http://ag.ca.gov/globalwarming/pdf/comments\\_Black\\_Mesa\\_Project.pdf](http://ag.ca.gov/globalwarming/pdf/comments_Black_Mesa_Project.pdf))

G-405-012

11) Please provide hard copies for all references used in preparing this EIS.

It is important to address and respond to all issues, questions and concerns outlined above. I look forward to reading the answers and looking over diagrams, maps, and hard copies that have been requested.

Sincerely,

Josephine B. Ramirez

The following are members of my family (of legal voting age) and fellow residents of Ordot who would like their names attached in support of these comments:

- Ashae Chargalauf
- Eddie Chargalauf
- Melinda Chargalauf
- Anthony Ramirez
- Camella Ramirez
- Cristiana Ramirez
- Elizabeth Ramirez
- Florencio Ramirez, Jr.
- Jessica Ramirez
- Jesus L.G. Ramirez
- Tammy Ramirez
- Naomi Ramirez Debevoise
- Fina Ramirez Leon Guerrero

continue to use the Navy Sanitary Landfill at Apra Harbor, and extend the landfill at Andersen AFB.

**G-405-009**

Thank you for your comment. Please see response to G-405-007.

**G-405-010**

Thank you for your comment. Please see the response to G-405-007.

First Bullet: If the EIS is not approved in 2010, then the increase in demand would be delayed. Guam Waterworks Authority (GWA) has many areas requiring repair without the proposed DoD buildup and should concentrate on those projects (see EPA stipulated order on water and wastewater systems), which will position their system to be better prepared for any future increase in demand. DoD is legally restricted on how it can spend its budget. Those restrictions limit expenditures to items required for DoD personnel or facilities. DoD cannot spend its budget fixing civilian systems. In recognition of GWA's inability to be ready in time for the proposed buildup, 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.

Second Bullet: The GWA water system requires a lot of work even without the proposed DoD buildup. It would appear that water rates must rise to fund those required improvements. Recently the CCU approved development fees. Since most of the near term development would be from the DoD buildup (if approved), those fees would be indirectly paid

for by DoD. Also, by broadening the user base, the rate increases to fix the current system inadequacies should be reduced for current customers. Existing social programs, water conservation, and an enhanced job market should help mitigate increased fees for low income customers.

Third Bullet: Adaptive management is described in Volume 7 Chapter 2, not in Volume 6. This approach would forecast water demand with adequate time to adjust the construction needs for off island workers thus limiting population growth and prevent water shortages. Several methods of limiting population growth exist, such as construction delays, revising construction sequence to areas not as labor intensive, and performing prefabrication techniques off island.

Fourth Bullet: See responses to the first and third bullets. The post ROD monitoring plan would be prepared in the near future.

Fifth Bullet: See responses to the first and third bullets for mitigating water shortages.

Sixth Bullet: See response to the first bullet.

Seventh Bullet: The reference to portable desalination plants is presented as a potential mitigation for small water shortages. Should this mitigation be needed, all environmental laws and requirements would be followed at that time.

**G-405-011**

Thank you for your comment. The change in climate conditions caused by greenhouse gas emissions resulting from the burning of fossil fuels from both stationary and mobile sources is a global effect, and requires that the emissions be assessed on a global scale. The proposed action mostly involves the relocation of the military operations already occurring

in the West Pacific region; therefore, fossil fuel burning activities in the region are unlikely to change significantly. Consequently, overall global greenhouse gas emissions are likely to remain near the current levels on a regional or global scale under the proposed action, resulting in an insignificant impact to global climate change. The DEIS predicted greenhouse gas emissions on Guam resulting from the preferred alternatives and compared it with the most recent U.S. emissions inventory as part of NEPA process.

The FEIS includes an expanded discussion of greenhouse gas emissions and the potential impact of global warming on Guam (Volume 7, Chapter 4). It should be noted that the 12 million tons per year of carbon dioxide that would be released by the coal-burning Mojave generation plant in the Black Mesa Project cited by the commenter is not comparable (i.e., several orders of magnitude greater) to the maximum annual emission rate per year of CO<sub>2</sub> equivalents predicted for the proposed action.

**G-405-012**

Thank you for your comment. A list of references is available for each Volume: Chapter 4 of Volume 1, Chapter 20 of Volumes 2, 3, 4, and 5, Chapter 22 of Volume 6, Chapter 5 of Volume 7, and Chapter 9 of Volume 8. Many of the references listed are public documents and can be obtained by the public. References which would not be available to the public through other means were included as part of Volume 9.

Juan C Benavente  
P.O. Box 9375  
Dededu, Guahan 96912  
February 19, 20010

**I opposed the buildup for the following reasons.**

- G-406-001 | 1. The built up will create an intolerable burden on the people of Guahan and will further erode what is left of the indigenous Chamoru culture, language and traditions. The increased population projected by the buildup will placed the mannamoru at risk to becoming the smallest minority in the new population mix, a situation that we can not allow to happen. We will be face with ethnic conflicts, the likes we have not yet experience. When resources are limited, ethnic conflict will result between ethnic groups, as they compete for those resources. Violence and armed conflict will inevitably be introduced by competing groups. This we must avoid and prevent from happening. The Chamoru people have been victimized too many times by outside forces and we have suffered from that painful experience, our tolerance and patience is very close to its tipping point.
- G-406-002 | 2. Water is our most precious resource and we must protect our northern water lens and in insure that we do not over pump the aquifer. The increased population of eighty thousand as projected will require many millions of gallons, per day that must come out of our water wells. No one can assure us that this pumping is sustainable for a along period of time. **If the system should fail you will run away like you did six months prior to the invasion of Guahan by the Japanese Imperial Army in December 10, 1941. I was here you, you took your dependents back to the US but left me and my people behind to be captured, tortured and killed**
- G-406-003 | 3. Sewage: our system is over loaded and can not handle any additional load.
- G-406-004 | 4. Power: Our power system can not support the demands of the Increased population growth.
- G-406-005 | 5. Roads and Bridges: The network of roads and bridges as designed can not accommodate the increased traffic demands of the eighty thousands people and their vehicles. This is unacceptable for the people of Guahan.

**G-406-001**

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

**G-406-002**

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

G-406-006

**6. Health care and social services: They are in very poor condition and can not support any additional demands for services.**

G-406-007

**7. Guahan Public schools: The public schools are in poor condition and over crowded. It can not support the many school age children that will come to Guahan in the projected population increased. Increasing the DODEA capacity will further highlight the current segregated school system that has been created, it is a mirror image of Southern States in the early sixties. Segregated public schools was abolished in the land mark case Brown VS Board of Education.**

G-406-008

**8. Land: WE do not have to the land area required for billeting eight thousand marines, housing for military dependents, the training areas for rifle companies, Infantry battalions and known distance (KD) rifle ranges for small arms and indirect weapons systems. The Marines need to be move to some place where they will have all the land needed for large unit training, in life firing, both small's arms and indirect weapons system. Guahan does not have the land mass necessary for such training activities.**

G-406-009

**In order to protect the human and natural resources of our homeland, we support the "NO ACTION" Alternative for all proposed Department of Defense action covered in the DEIS**



Juan C Benavente

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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.

**G-406-003**

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 has been stated in the final EIS.

**G-406-004**

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.

**G-406-005**

Thank you for your comment. Overall traffic congestion and resulting travel times will increase as organic (non-military) population increases on Guam. The increase in population associated with the military build-up will also add traffic and increase congestion. The Draft EIS identifies a number of roadway improvement projects for the 2030 planning horizon, that if implemented, will offset the increased congestion attributable to the military at many locations.

**G-406-006**

Thank you for your comments. 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.

It should also be noted that a portion of the military population (accounting for about 60% of the 33,500 population in the operational period) would seek almost all medical and health care services within the DoD health care system. The remaining new population could use the Guam health care services. These public health care services could then be funded by the additional taxes, user fees and licenses captured by Guam into its general revenue funds. Additional discussions of impacts to the public health care and medical services are discussed in the socioeconomic chapters of the DEIS and the Socioeconomic Impact

Assessment Study (SIAS) that is Appendix F, Volume 9 of the DEIS. 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.

**G-406-007**

Thank you for your comment. The Department of Defense Educational Activity (DODEA) does have schools on other bases in the U.S. in addition to Guam. The separate educational systems on Guam (public schools and DoD schools) were based on a determination in the early 1990s that the Guam public schools neither met the educational instruction goals or the physical facilities standards that DoD required. When Guam public schools meet DoD requirements, a re-evaluation can be undertaken to determine if DoD needs to maintain their own school system or if the Guam public schools can adequately meet DoD requirements.

**G-406-008**

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.

**G-406-009**

Thank you for your comment.

As a loyal American and Chamorro woman, I have numerous concerns related to the military build-up and in principal am not in favor of the build-up as it had been developed (without input from the people of Guam), its plan, and although there are many excellent points made, there are areas of grave concern.

**G-407-001** The process of presenting a Draft EIS to the public for comment when the wheels are turning and decisions are made without consent and agreement of the people of Guam and more specifically, the Chamorro people of Guam is unacceptable. My family (siblings and children) have served in the military and these comments are in no way intended to suggest that I have any negative feelings about the military personnel and their families here on Guam.

In a meeting held in Piti, the mayor spoke about the importance of supporting the military build-up for national security. Who was he referring to? Did the people of the United States cry or worry about us when the Japanese forces invaded or occupied our land and killed our people? We grieved when the terrorists struck the Twin Towers. We can relate, we shook, we cried, we grieved, and we supported the nation's need for heightened security. How many Americans can fully appreciate our situation or sacrifice past and present? Our debt to the USA has been paid and continues to be paid by the service of our people and the people of this region. When will the USA accept us as full citizens of the United States and treat us as equals? Before taking more of Guam, the US needs to right a history of wrongs.

At one time, I thought perhaps supporting some aspect of the build-up was possible, but after reviewing the Draft EIS, I cannot support the Draft EIS. My position is overwhelmingly NO ACTION. Find another island, territory or country that is interested in the great deal

**G-407-002** the Draft offers. If the US plans to continue with their plans, they need to use the land they already have and not additional land should be taken or used. General Bice's repeated words were that the money would be used "behind the fence," therefore, the build-up needs to

**G-407-003** be place behind the fence. All the personnel brought to Guam should use the Naval Hospital and all the services offered to military personnel and their families. This includes contractors and contract workers.

|                  | Volume/page | Section | Issue                                | Comment                                                                                                                                                                                                                                                                                                                                                                     | Question/Recommendation                                                                                      |
|------------------|-------------|---------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>G-407-004</b> | 1-17        | 1.4.1   | Evolving Global Security Environment | <p><u>Text:</u> On the second bullet: "aim to help our allies and friends modernize their forces... reduce friction with host nations, and respect local sensitivities. A critical ... will place forces only where those forces are wanted and welcomed by the host government."</p> <p><u>Comment:</u> The Chamorro people and the people of Guam need to have a say.</p> | Do not the host island and territory of Guam have a true say about whether these forces are welcomed or not? |

### G-407-001

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.

### G-407-002

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

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| G-407-004 |      |         |                                                                     | The fact that Japan, the U.S. and other countries have been planning without our consent is problematic. Our forefathers of the United States of America would not have accept the process at which has been presented.                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                      |
| G-407-005 | 1-19 | 1.4.2.1 | Defense Policy Review Initiative<br>Top of page 1-19<br>Fourth line | Text: "consolidation of remaining Marine forces in Okinawa into less land area, enabling the return of valuable real estate."<br><br>Comment: land on islands are valuable. The land on Guam is not only valuable monetarily but also for the relationship the people have had with this land, more specifically dating back 4,000 years.                                                                                                                                                                                                   | Why would the US be more concerned with Japan's need for land to be returned and on Guam there are acres of unused land held by the federal government that has yet to be returned.<br><br>Our relationship with the US dates back to 1898 and we have been loyal to the US. Why are our interests less of a concern than those of a foreign nation? |
| G-407-006 | 1-19 | 1.4.2.1 | Alliance Transformation & Realignment Agreement<br>Last paragraph.  | Text: "Guam would place them on the furthest forward element of sovereign U.S. territory in the Pacific capable of supporting..."<br><br>Comment: the word sovereign is not acceptable to me. Guam is a colony and the indigenous people of Guam and those made citizens have a right to self-determine. The United Nations is supportive of this process. When we chose to maintain a close relationship with the US then, it is sovrciegn. Until the right to self-determine is completed, we are not true citizens of the U.S. as we are |                                                                                                                                                                                                                                                                                                                                                      |

was identified that could support all the land use and operational requirements of the action.

**G-407-003**

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.

The increased population would pay taxes, licenses, and other fees that would provide revenue to the government of Guam. With this revenue, Guam leaders can fund programs and services to offset the cost of the new population.

**G-407-004**

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. DoD encouraged participation in the EIS process. Approximately 2,000 people attended the six public hearings held in January 2010 on Guam, Tinian and Saipan. Each and every comment received on the Draft EIS was received and considered during preparation of the Final EIS.

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| G-407-007 | 1-20 | 1.4.2.1 | Alliance Transformation & Realignment Agreement<br>Last paragraph | <p>constantly reminded.</p> <p><u>Text:</u> the top paragraph discusses negotiations.</p> <p><u>Comment:</u> In meetings with General Bice, Congresswomen from Guam and the Virgin Islands, the women's group tried to state their concerns.</p>                                                                                                                                          | <p>How was Guam involved in the negotiations? Did our government sell us out?</p> <p>Did the United States negotiate on their own behalf without consideration to the people of Guam?</p>                                                                                                                                                                                                                                                     |
| G-407-008 | 1-21 | 1.4.2.3 | Freedom of Action                                                 | <p><u>Comment:</u> this suggests the perceived threat is in Asia.</p>                                                                                                                                                                                                                                                                                                                     | <p>Isn't going north over Alaska another possible plan? Particularly when it comes from the East Coast?</p>                                                                                                                                                                                                                                                                                                                                   |
| I:        | 1-23 | 1.4.2.4 | Summary of Global Background for Proposed Marine Relocation       | <p><u>Text:</u> "... no consulted allied countries in the Pacific region were willing to host a large additional contingent of the U.S. forces on a permanent base.</p> <p><u>Comment:</u> Go to the Philippines or Palau has a relationship with the United States albeit independent. Perhaps they are more willing.</p>                                                                | <p>Were the people of Guam willing? Who said? Were we given a chance to say? What does this say about the reputation in this region?</p>                                                                                                                                                                                                                                                                                                      |
| G-407-009 | 1-24 | 1.4.2.5 | Potential locations...                                            | <p><u>Text:</u> "... in contrast DoD has many facilities on Guam and owns 40,000 acres; approximately 29% of the land mass."</p> <p><u>Comment:</u> This number suggests that there is 71 % of the island is available for use by the general public. Of the land that is not DoD, approx. 33.3% is not developed. This suggests that the developed area will be even more populated.</p> | <p>There is a large area considered buffer between the main base and the areas deemed as public. Why the need for so much buffer.</p> <p>I suggest that the build-up take place in areas already owned and used by DoD. As most of the money is slated for projects behind the fence, then it seems reasonable that the facilities necessary to support the Marines and other forces take place on land that is already owned by the DoD.</p> |

**G-407-005**

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. The impacts of land use changes in Okinawa are not addressed in this EIS.

**G-407-006**

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.

**G-407-007**

Thank you for your comment. The negotiations were conducted by the U.S. government and the Government of Japan.

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| G-407-010          | 2-4         | 2.1.3                                       | Proposed Personnel Changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>Text:</b> ... "the proposed analysis it is assumed that of the DoD civilian workforce: 75% ... It is also assumed that 25% will live on base (because they are military dependents) and 75% will live off base."</p> <p><b>Comment:</b> Even more people including the projected 75% of military and dependents will likely live off base.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| I: 2-6             | Table 2.1-2 | Estimated Total Population Increase on Guam | <p><b>Text:</b> highlights the various categories of people and increased population.</p> <p><b>Comment:</b> Of the numbers shown, how many are expected to utilize services off base. More specifically, of the numbers, how many will be eligible for DoD school, use of the Naval Hospital and related services.</p> <p>The most important percentage is the number of people who will utilize medical, mental health, social services, public health services, and other public assistance.</p> | <p><b>Suggestion:</b> keep active duty military and their dependents on base. This will minimize the numbers off base. Again, I do not have anything against active duty military and their dependents. However, the local population will be competing with the civilian population (75% off-island) already. The local population will not have financial support to help pay for rent. Expanding the have and have not.</p> <p>An overwhelming segment of the population will most likely not be eligible for social services offered to active duty personnel and their family. How is the local government expected to identify funding, identify and hire personnel, and provide necessary services?</p> <p>Where will the additional funding for such services come from?</p> |
| II Ch. 16 page 107 |             |                                             | <p>"Guam workers will likely continue to see the cost of good and services rise faster than their incomes."</p>                                                                                                                                                                                                                                                                                                                                                                                     | <p>How is this acceptable?<br/>How can any sane person support a cause that will lead to hardship?<br/>The people of Guam are not ignorant. This plan is offensive and suggests that the people will not respond.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**G-407-008**

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.

**G-407-009**

Thank you for your comment. Please see response to G-407-002.

**G-407-010**

Thank you for your comment. The FEIS anticipates that military housing will be built within the main cantonment area. It is the intent 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

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| G-407-010 | 17-4  | Table 17.2-4 | Estimated Origin of Workers Connected to Utilities Construction | The percentage of personnel projected from Guam is such a small segment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Again, my recommendation is NO ACTION!<br>Why not more from Guam?                                                                                                                                                                                      |
| G-407-011 | 17-7  | 17.2.2       | Utility Rates-Water                                             | <u>Text:</u> Current water customers ... the proposed action would be impacted as GWA embarks on a major capital improvement project that it is financing partly through rate increases.<br><br><u>Comment:</u> While it is true, there is a need to upgrade water facilities, however, how much of the upgrade is expected to include the projected use caused by the build-up.                                                                                                                                                                                  | <u>Question:</u> Why should rate payers shoulder the cost?<br><br>If the upgrade includes the projected needs based on the build-up, the cost should not come solely from the rate payers. DoD should shoulder some of the burden based on their need. |
| G-407-012 | 17-10 | 17.2.2.3     | Public Education                                                | The schools are already overcrowded and there are not enough schools to support the numbers of students. There are also not enough certified teachers to staff those positions.<br><br>Dependents of military personnel and DoD personnel will utilize the DoD schools. Of the numbers of others coming to Guam, will they be informed that they cannot bring their children and families to Guam? If they bring their children and families to Guam, there should be a monetary benefit to support the increased numbers of all educational and social services. | <u>Question:</u> Is the military continuing to restrict the personnel and families from coming to Guam who have severe medical, mental health, and educational needs?                                                                                  |
| VII: 3-60 |       | Table        | Additional                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Where do these numbers come from?                                                                                                                                                                                                                      |

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 (SIAS, Table ES-3, page v).

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

G-407-012

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|           | 3.3-45<br>Table<br>3.3-46          | Combined Public<br>Education<br>Professional                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | How do the authors of the Draft EIS know the demographics of the people coming to Guam enough to project the numbers at the elementary, middle, or high school?                                                                                                                                                                                                                                                                                                                        |
| VI: 17-11 | Table<br>17.2-13                   | Additional Public<br>Health and Human<br>Service Key<br>Professionals<br>Required.                                                | <p><u>Comment:</u> The numbers listed are significantly depressed. Does 1 = 100? If 1 = 1 then the numbers were calculated based on no real knowledge of the current state of affairs.</p> <p>The numbers of doctors, nurses, psychologists, mental health professionals, and other allied health professionals are not adequate to meet the needs of the current population.</p> <p>Again, as long as the large numbers of people coming to Guam are not eligible to utilize Naval Hospital, DoDea, and other services (on base); they will have to utilize the services available to the public. This will overwhelm the existing service providers and services.</p> | <p>Is there a plan to build more hospitals? Bring in more psychiatrists especially for pediatrics? Psychologists? Increased family support services?</p> <p>If not, this poses a significant problem. To just say that it is projected to have an adverse impact is not adequate.</p> <p>Suggestion: All additional personnel brought to Guam including 11-2 workers should use services on base. Otherwise, funding and support needs to be provided to develop all the services.</p> |
| VII: 3-61 | Table<br>3.3-47<br>Table<br>3.3-48 | Additional<br>Combined Public<br>Health and Social<br>Service Professional<br>Staff<br><br>Total Additional<br>Professional Staff |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Where do these numbers come from? How about service providers serving the general public?</p> <p>Who will DoD personnel and their dependents be referred to for care by specialists?</p>                                                                                                                                                                                                                                                                                            |

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 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.

Anticipated impacts on employment are discussed in detail in Section 4.3.1 of the Socioeconomic Impact Assessment Study (SIAS) that is in Appendix F in Volume 9 of the EIS. Subsection 4.3.1.2, entitled Probable Labor Supply Sources, discusses the available Guam construction labor supply and the need for foreign workers for construction. The amount of jobs going to Guam residents is discussed in this subsection and states:

"Current Guam Residents: As of 2007, Guam had a total employed construction workforce of approximately 5,600 people, although only 4,600 were "production workers" and about 1,000 of these were temporary foreign workers (Guam Department of Labor, 2008)."

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| G-407-013 | 17-12 | 17.2.2.5      | Requirements for Individual Public Health and SSA<br>Summary of Utilities Impact | <p>In previous sections, this was established as a significant (adverse) impact then in the last paragraph on public service agencies it stated that "GovGuam's public service agencies would need to make <b>small</b> but significant increases to service new population associated with roadway construction. Most of the agencies would need to expand their services and staff by more than 2%.</p> <p>Question: How does a population increase of 79,000 people calculate to only an increase of 2%? This suggests that the current services are be adequate to service the current population. How these figures were calculated sounds flawed.</p> <p>This would make sense if the additional personnel brought to Guam only use a small fraction of the services offered to the public.</p> <p>It is understandable that H-2 workers may not bring live with their families but their families can come to Guam if sponsored by others. This happened in the past. What then?</p> |
| G-407-014 | 17-13 | Table 17.2-17 | Summary of Potential Socioeconomic Impacts-Utilities                             | <p><u>Comment:</u> Standard of Living. The minimum wage on Guam can barely support living expenses of a single person with no children. Competition for goods and services will drive up the costs of everything. The Draft EIS indicates that rate payers will be responsible for projected improvements.</p> <p>The array of services for medical and mental health services are limited. The local population will be in direct competition for services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

The Guam Contractors Association (GCA), in late 2006, established a nonprofit "Trades Academy" to train residents for employment at all levels of the construction industry. Also, the Center for Micronesian Empowerment (CME) has obtained seed funding, and is seeking additional funds, to implement a program of both social assistance and job training (Appendix D of the SIAS - CME Interview). The GCA Trades Academy would make part of its 8,000-square-foot training facility available to the CME if the program is able to move forward.

The SIAS estimated the amount of qualified Guam construction workers that would likely fill these construction jobs. Because of the limited supply of Guam construction workers, the on-island workers were determined to be relatively small during the construction years.

**G-407-011**

Thank you for your comment. DoD is legally limited to how they can spend their budget. Spending can be only for things needed for DoD personnel and facilities. The DoD water system would be expanded to meet those needs and be fully paid for by DoD funds. The Guam Waterworks Authority system would need to be funded by other means. DoD is an advocate for grants and low cost loans to assist GWA in repairs and upgrades to their system. In addition, the CCU has allowed development fees to be assessed starting 3/1/10. In the short term, most of those fees would be paid indirectly by DoD since most of the development would be for the DoD buildup. This enhanced income stream should also bolster the borrowing capability of GWA. In recognition that GWA would have difficulty being ready for the proposed DoD buildup, 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

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| G-407-014 |       |          |                       | The chasm of the haves and the have nots will be even greater. This is not acceptable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| G-407-015 | 17-15 | 17.2.2.6 | Sociocultural Impacts | <p>Text: The political importance of some Chamorro issues would likely recede as the militarization of Guam is stabilized at something close to present levels... The incentives for increased in-migration from the Freely Associated States of Micronesia would decrease, reducing sociocultural issues associated with assimilating that population."</p> <p>Comment: The awareness that Chamorro issues is at risk may be honest but appalling nevertheless. There is a large segment of the population but Chamorro and others who support righting the wrongs of the past. To come here and reduce our numbers to a minority is unacceptable. Those who have come to Guam over the years; self-determined their political destiny. My parents and siblings did not choose to be Americans; this was granted to us, so land could be taken from us.</p> <p>The comment on the people from FAS sounds racist. It is the United States in its infinite wisdom that opened up the doors to the people of the FAS. They had limited education and support from the US to transition to living on an island that is so unlike their islands. Then they are faulted for their challenges. This is also true for Hawaii.</p> |

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 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 have worked on these solutions and they have been included in the final EIS.

**G-407-012**

Thank you for your comments. 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.

Estimates were based on the best available information on Marine demographics, and characteristics of the likely off-island (direct and indirect) labor force.

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

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| G-407-010 | 17-15 | Table 17.2    | Potential Utilities Mitigation Measures             | Comments: I like the items outlined on the mitigation measures under Public Service Agencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                              |
| G-407-011 | 17-27 | Table 17.2-34 | Summary of Potential Socioeconomic Impacts-Roadways | <p>Comment: section on Tourism</p> <p>Guam's primary private-sector industry is TOURISM of which the people from Japan represent the largest visitor source. The GVB surveys regarding what the visitors want more of is: More Culture. The action taken by the Japanese government leading to the relocation of the Marine Base in Okinawa suggests the possibility that the increased presence (particularly during the period identified in Section 3.3.15.1 as impact of sudden activity that peak during the 2013-2015) could severely affect Guam's one income generating industry. This increased presence of so many people is not what many people go on vacation for.</p> <p>I disagree that there is likely to have no significant impact. Tourists do not spend money to travel to an island that has roads torn up by construction. They also do not want to see more military, that is the very reason they are trying to expel the Marines from Japan. I can't imagine why they would want to come to Guam if there is a greater presence.</p> | Should the Tourism industry tank, what is your plan? What is the projected plan? Is there no responsibility? |
| G-407-012 | 1-6   | 1.3.1         | Location and Brief Social History                   | Comment: the point that Guam remains one of the few remaining colonies in the world needs to be highlighted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Point: If Guam is going to be responsible for so much, why doesn't the United States accept some             |

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.

**G-407-013**

Thank you for your comment. The 2% increase is related to population growth stemming from Volume 6 (utilities and transportation) actions only; the 79,000 figure (represents the maximal population peak [2014]) which you mention is related all actions. For more information on impacts to service agencies as related to all actions, please see Section 4.4 of the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F in Volume 9 of the DEIS).

**G-407-014**

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

G-407-018

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|  |  |  | <p>Early contact Spanish resulted in near genocide.</p> <p>Spain surrendered Guam to the United States without consent or consultation with the people of Guam.</p> <p>The only American-held island in the region: is that how Guam was viewed? The people had no political identity. Their quest for political status (pre-WWII), citizenship (pre-WWII) and statehood (post-WWII) was dismissed or denied.</p> <p>This section needs to be fleshed out. A lot of things happened on Guam. This is not the first build-up, the Vietnam Era is likely to be similar.</p> <p>Notations need to include land taking, land holding, war reparations, radiation exposure (down-winders and direct), Jones Act, toxic waste that was left and to date not cleaned up.</p> <p>Our veteran's need a more expedient way of determining disability rating. The process they go through is not acceptable. If they lived in the continental US, their determination would be made much quicker. It almost seems that the Hawaii Regional office may be discriminatory. Why does the Philippines have a regional office and a wider</p> | <p>responsibility?</p> <p>Make things right before you ask for more.</p> |
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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."

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.

**G-407-015**

Thank you for your comment. The Final EIS has been revised to add more discussion on socio-cultural impacts. The conclusions reached

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| G-407-018 |          |              |                                                        | array of services but Guam has so few services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| G-407-019 | MI: 1-4  | Figure 1.1-1 | Overview of Preferred Alternatives on Guam             | <p>Comment: I am greatly opposed to increased land taking. I am also opposed to land taking of all areas noted on the figure. There is only so much land left on Guam. To take land especially land of cultural significance such as Pagat is not acceptable. Our relationship with this land date back 4000. If any of you had such a relationship would you give it up so easily? The artifacts littered in the Pagat region is priceless. It represents a vibrant community of the past.</p> <p>The plans for that area is so unacceptable given its significance to us, the indigenous people of Guam.</p> <p>I am also opposed to waterfront plans that include a gateway into and out of our island. It will require the tearing up of our land and coral reef. I was raised on the land and sea. To imagine what is being proposed is not acceptable.</p> | <p>How will the coming and going of military personnel be monitored? It is possible that someone can commit a crime and leave Guam and not come back ever or at a much later time.</p> <p>Why can't DoD use the land they already own?</p> <p>The plans noted on this Figure is expansive and frightening. I see CCTS Fincgayan, Former FAA, South Finegayan, Harmon Area, Anderson South, Route 15 lands, Navy Barrigada, Navy Barrigada, Air Force Barrigada, Naval Magazine, and expansion of Naval Base.</p> <p>Very ambitious and it represents more land taking or land holding with little or no benefit to the people of Guam.</p> |
| G-407-020 | MI: 1-13 | 1.3.3.2      | Key Anthropogenic Events Affecting the Ecology of Guam | <p><u>Second paragraph:</u> Guam did not fall to invading Japanese forces. Guam was sacrificed or in my view abandoned. In 1941 a month or two prior to the attack on Guam, a large contingent of military personnel and all but one military dependent was evacuated. The remaining dependent was a pregnant woman. There were a few Chamorro women</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>This point highlights what the people of Guam meant to the US back then and it is not so different today. We do not vote in national elections and so forth.</p> <p>Does the United States have an exit or evacuation plan? Who gets to be</p>                                                                                                                                                                                                                                                                                                                                                                                          |

were based on the best available information.

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.

**G-407-016**

Thank you for your comment.

**G-407-017**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F in Volume 9 of the DEIS), 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.

**G-407-018**

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

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| G-407-020 |     |       |                 | <p>who were married (with the military officer's blessing) to military personnel and had children. These women and children and their mothers were not evacuated because they were not dependents.</p>                                                                                                                                                                                                                                                                              | <p>included? I am certain it does not include the general public.</p> <p>If this build-up is so important for national security, what nation are we talking about? The people in the US do not respect us, care about us, or even care to learn more about us. Just ask the leaders of this wonderful country of ours. If you surveyed the congresspersons and senators, most would likely not even read a survey.</p> <p>So, who are we giving up so much for and sacrificing our way of life for? Do the military personnel on Guam respect the people of Guam? Most do not and most do not care about us, our needs, or our concerns. Many of them see us as nationals.</p> |
| G-407-021 | 3-5 | 3.3.3 | Water Resources | <p>The calculations projected on population does not account for the numbers of tourists on Guam.</p> <p>Water stores on Guam need to be viewed as finite. It takes years upon years for water to filter to through the water lens. This water belongs to the people of Guam. I am not in agreement with digging more wells.</p> <p>Without water, an island is a dead island. If there is any notation of a de-salinization plant in this Draft EIS, there should be a plan to</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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.

**G-407-019**

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. Impacts to Apra Harbor are primarily discussed in Volume 4 of the DEIS. Adverse environmental impacts are discussed and mitigation measures (including compensation) are anticipated.

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| G-407-021 |      |        |                        | fund and build one or more for the local population.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| G-407-022 | 3-22 | 3.3.38 | Recreational Resources | <p>DoD lands already hold the most beautiful places on Guam (Anderson and Naval Station). The dependents and active duty personnel have access to and use both those recreational areas and those of the public.</p> <p>Table 3.3-19 highlight reduction of recreational opportunities (more competition for access); conflict between different recreational users; and substantial deterioration to recreational resources.</p> <p>Either we have equal access or DoD needs to fund or add to the development of recreational facilities. While I understand that the current government has not done a good or even a fair job in creating and maintaining (poor), facilities, bringing people into Guam comes with responsibility.</p> <p>To not do more to develop and participate will only heighten dissention between the have and have nots.</p> <p>While the document outlines the public areas, it makes no mention of the range of recreational areas on base. Nor does it identify the areas that are of significance to the Chamorro people of Guam and of which there is no access such as Sumay, GapGap Beach, and Taragi.</p> | <p>The position presented as I understand it, is; "What's mine is mine and what's yours is mine too."</p> <p>Status Quo is divisive and I expect that when the bicycle is broken, you can buy a new bicycle. We may not be in the position to do so. The competition for the available recreational opportunity, conflict between users, and increased deterioration for recreational resources highlighted needs to be examined and ameliorated.</p> |

**G-407-020**

Thank you for your comment.

**G-407-021**

Thank you for your comment. 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.

Desalination (removal of salt) of brackish water by reverse osmosis is a long-term alternative to meet projected DoD water demands in the event that the supply from freshwater wells is insufficient to meet DoD demand. Desalination of brackish water would replace the development of up to 31 new potable water supply wells at Andersen AFB and Barrigada.

**G-407-022**

Thank you for your comment. To alleviate potentially significant impacts to the existing recreational resources on non-DoD lands (public and Federal properties), the Marine Corps is proposing a quality of life (QOL) facilities at the Main Cantonment. It is believed that providing comparable recreational resources on-base would help to keep the number of recreational users on non-DoD lands lower than would if the QOL facilities were not proposed.

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| G-407-023 | II: 3-24 | 3.3.8.2  | No Action | I agree with the recommendations listed in this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                     |
|           |          |          |           | <p>This can be attributed to a growing population of people who live on Guam who do not feel responsible for the island. It can also be attributed to what psychologist call, diffusion of responsibility. It is certainly someone else's responsibility so I do not need to do anything.</p> <p>This is not indicative of the Chamorro people's practice. We were taught to care for our property and land. If you drive down south, you will see how we care for our land and homes. The central and northern areas of Guam are populated by a mixed group of people. The control of immigration was requested by the elders in the early 60s and their requests had been denied.</p> |                                                                                                                                                                                                                                                                                                                                                                                                     |
| G-407-024 | II: 3-24 | 3.3.15.2 | No Action | <p>Sociocultural Impacts: "the political importance of some Chamorro issues would likely recede as the "militarization" of Guam is stabilized at something close to present levels.</p> <p>The primary focus of "militarization" is the need of the military. All ways of life are secondary, or even eradicated to address and cater to what the military needs to operate optimally. Military culture and values take precedence above all other concerns.</p>                                                                                                                                                                                                                        | <p>As militarization increase, Chamorro issues will eradicated by the sheer numbers of outsiders living on Guam, particularly if the focus is not on respect and perseverance of the indigenous culture.</p> <p>I view the Build-Up of the Marines as smoke screen. The build up that has been developing over the last two or three years at Anderson Air Force Base escapes the radar of most</p> |

**G-407-023**

Thank you for your comment.

**G-407-024**

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.

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| G-407-024 |          |          |                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | citizens. Regardless, AAFB has been increasing exponentially.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| G-407-025 | VI: 3-59 | 3.3.15.3 | Comparison of Preferred Alternatives to No Action | There is no section that discusses how the build-up will affect local businesses.<br><br>There are numerous businesses that have had to relocate as the increase in rental space has increased by 100 to 300%.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | What protection does local business, especially small businesses have to compete with multi-million dollar off island companies?<br><br>This is already happening. Companies are being displaced in anticipation of the build-up.                                                                                                                                                                                                                                                                                                                                                                                                             |
| G-407-026 | VI: 3-63 | 3.3.15.3 | Comparison of Preferred Alternatives to No Action | Crime and Serious Social Disorder: A major concern is how military personnel and their dependents view the people of Guam. The history that precedes them is one of violence and blatant disregard for women and children (rape). A review of Facebook Group of Marines emphasize the bigotry, hatred for people who are from a different culture and ancestry. The ethnocentric (white middle class) European American superiority or superiority of Americans when compared to others in the world,<br><br>Currently, many military personnel and dependents make public, loud statements about how "these people" etc... negative statements without regard to who may hear. I cannot imagine they would act like that in Anywhere USA.<br><br>A large number of Chamorro people and the people of Guam have advanced degrees. They | How are the incoming families and personnel going to be briefed on how to behave?<br><br>When they go to a fine restaurant, hopefully, they respect the other patrons and not yell, chant and shout out profanity as if they were at a BBQ or a bar. (a wonderful evening ruined by a large group of loud patrons.<br><br>With regard to Crime, the people of Guam (of any background) are not likely to look away if crime is committed against a local. What is military protocols are in place if someone commits a crime? If they crime takes place off base, will the individual be surrendered to the local government for prosecution? |
| G-407-027 |          |          |                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**G-407-025**

Thank you for your comment. Volume 7 addresses the potential mitigations, preferred alternatives' impacts and the cumulative impacts. The Socioeconomic Impact Assessment Study (SIAS) that is in Appendix F, Volume 9 of the DEIS also includes discussion on impacts to businesses and business opportunities.

The proposed Marine base, like others in the U.S. provide for on-base stores offering discounted prices; similarly, the medical clinics would be located on-base near the population it services. These are businesses that are part of the benefits provided to the military and their dependents. While these are part of the base, other local business opportunities would arise from military expenditures and individual spending. The Final EIS Volume 2, Chapter 16 provides a jobs analysis related to the issue of business opportunities. It also provides qualitative information on local business contract opportunities.

**G-407-026**

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

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| G-407-026 |          |          |                                                   | are not ignorant nor are they disrespectful as a group.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                            |
| G-407-028 | II: 3-63 | 3.3.15.3 | Comparison of Preferred Alternatives to No Action | <p>Chamorro Issues: I am appalled by this entire section.</p> <p>The soul wound (Duran &amp; Duran) is the multiple wounds/traumas caused to indigenous people. Unresolved and silenced. The psychological health of the people is at grave risk. The Chamorro population is already overrepresented with regard to suicide. Further silencing them, dismissing their voice, and disregard to their integrity as a people may result in helplessness, confusion, feelings of inadequacy, feelings of inferiority, apathy, anger, indifference, maladaptive behavior, maladaptive identity formation, increased risk behavior, increase maladaptive behaviors.</p> | <p>How can this be acceptable? Of all the section of this Draft, this is not acceptable in any community or any people. The Draft is written with open knowledge that it will further displace and disregard the indigenous people of Guam.</p> <p>On this point alone, I do not support the build-up.</p> |
| G-407-029 | II: 3-64 | 3.3.15.3 | Comparison of Preferred Alternatives to No Action | <p>Community Cohesion: The concerns will not be between the long time residents and Micronesians. It is likely to be between the military and non-military especially if the disparity between the two groups is great. It will also be likely if the military personnel and their families convey superiority to all others.</p>                                                                                                                                                                                                                                                                                                                                 | <p>The work of Outreach groups is a wonderful idea. But the people are not ignorant. They will appreciate the good will of others but they will also be able to see the acts of individuals and small groups.</p> <p>Recommendation: All visitors need to behave appropriately in public.</p>              |
| G-407-030 |          |          | Dredging of the harbor                            | <p>This is not acceptable on three points. First that the people cannot be further limited from access to the harbor. If anyone can go to GabGab Beach, then maybe dredging the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>How can destroying biodiversity of this scope be acceptable?</p>                                                                                                                                                                                                                                        |

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.

**G-407-027**

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

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| G-407-030 |  |       |  | harbor may be possible. As the former is not likely, then no action on dredging. Second, the abundant reef life cannot be destroyed to bring in carriers or major cities on ships. The reef life is unlike any other found in the Marianas. It also has diversity of species that should not be destroyed. Third, the history of the harbor was recorded over time. Fourth, harbor will be an entry point for so cities of people coming and going into and out of Guam. |                                                                   |
| G-407-031 |  | Noise |  | The research on noise is well documented. It is even used by the U.S. to disarm the people in middle east. Noise is closely associated with anxiety. Military build-up, planes, machinery, large transporters traveling on common roads, are likely to induce fear. Fear leads to paranoia, defensiveness and mistrust.                                                                                                                                                  | How can something not tolerated in the U.S. be tolerated on Guam. |

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.

**G-407-028**

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.

**G-407-029**

Thank you for your comment. Although the military and their dependents will have activities off the base, the significant "numbers" may not be highly visible. It is noted that 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. In many cases, there would be a tendency to remain within this military community because they find friendship and camaraderie in these similarities. It is necessary to understand this (both by the Guam resident population and the military population). This would create mutual respect and understanding when these populations interact. 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.

**G-407-030**

Thank you for your comment. Numerous criteria were used to develop alternative sites within Apra Harbor for the proposed aircraft carrier berthing, as described in Chapter 2 of Volume 4 of the Draft EIS. These criteria included issues related to practicability, feasibility, and cost as well as minimizing environmental impacts to the extent practicable. The DoD acknowledges that there would be some impacts associated with locating the proposed wharf at Polaris Point, which is the preferred wharf location. However, Polaris Point represents the "least environmentally damaging practicable alternative" in efforts to affect the least amount of live coral in the area, which is why it is the preferred location, as explained in greater detail in Chapter 4 of Volume 4. There are no anticipated affects on GabGab Beach.

The proposed area to be dredged is mainly a sand and rubble zone. Based on analysis provided in the EIS, impacts to subsistence

fishing/collecting from the proposed action would be minimal; returning to baseline conditions after construction is complete. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. The Navy will implement mitigation measures and Best Management Practices during in-water activities (i.e. dredging, wharf construction) to help lessen impacts to the marine environment. The U.S. Army Corps of Engineers permits will likely contain requirements for silt curtains, biological monitoring, restrictions in dredging activities during potential coral spawning months, and compensatory mitigation projects. To compensate for the loss in ecological service provided by coral reef ecosystem, upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources.

Additionally, the DoD, as part of the "build-up" on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

**G-407-031**

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.

USMC installations across the U.S. have coexisted positively with neighboring communities for many years. USMC intends to continue its tradition to maintain similar relations with neighboring communities on Guam.

G-408-001

Thank you for your comment.

## GUAM DRAFT EIS

My name is Roque G. Blas a 57 year old Chamorro American citizen of Guam and a resident from the village of Dededo located on the northern part of the Island.

A brief history of our Island:

In the beginning the Chamorro people are the inhabitant of this island call Guahan. Then we were occupied by the Spaniards and what these Soldiers did to the indigenous people was raped our women and kill our men. Then we were occupied by the Japanese and what these Soldiers did was raped our women and tortured and kill our men & women. Then we were occupied by the American Military and what the military did was they bomb our island kill some of the Indigenous people and the Japanese occupier surrender after that the US became the occupier then took our land and in order to legitimize the land taken the US Federal Government made the Chamorro people become a US citizen. The military buildup future for Guam is the US Federal Government will take our lands indiscriminately and when the few good Marines finally arrived they will continue their rape crime indiscriminately here in Guam.

The Draft EIS is an application from the Japanese Government and the United States Government to relocate the US Marines to Guam due to the US Military crimes in Japan and without the people of Guam consent. This Draft EIS threatens our **Air, Land & Sea**. Our Indigenous rights and freedom in our homeland are in constant jeopardy with the Federal Government. We will stand up and protest the Japanese people that visit our Island and all the foreign workers that arrived here to do the construction build up and when the Military Marines arrived we shall protest their arrival as an unwelcome occupation. We will unite and we will not rest until our rights, freedom and liberty are recognized by the US Government here in our homeland.

G-408-001

G-408-002

The Draft EIS is a submission of the US Government of its proposal to our Homeland.

1. The most populated area in Guam
2. Our most precious water aquifer resources that are available.
3. Our most endangered species are located.
4. Our ancestral burial sites
5. The coastal fishing ground that we cherish

All of the above mention would be destroy and deplete our freedom and tradition. The ocean that surrounds this Island is our **food chain supply** that kept us alive for thousand of years. The movement of the Marines from Japan to our Paradise Island of Guam is not acceptable especially in the northern part of this Island. I am perplex that the Air Force & Navy in which they own a very large portion of this Island won't give up their land that they own for the movement of the US Marines to Guam. So what makes you think that we will want you to occupy any land you wish & for us to give up our private and Chamorro Land Trust for your purpose. Your action happens only on a Communist country, we are not a Communist Country we are Chamorro Americans and the indigenous people of this Island, have some respect!

G-408-003

G-408-004

As you well know and for your own purpose the US Government own the water in the South of this Island so why don't you go their and build that part of the Island since the Feds own the water resources and also it is close to the new dump site that the Feds impose on the people of Guam. When you the US Military pollute that water for the very least you can be responsible meanwhile you are not harming the northern aquifer. Also what happen to the idea of acquiring The Leo Palace Estate the Bush administration first came up with that idea for the purchase? Besides it belongs to the Japanese investors. Leo Palace has all of the building in place and there is no need for all this buildup and the destruction of our Air, Land & Sea that is so precious to our livelihood.

2

**G-408-002**

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.

**G-408-003**

Thank you for your comment.

**G-408-004**

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 (GWA) plan to jointly manage the production of water. Also DoD is an advocate for grants and low cost loans to GWA so they can improve their distribution system and reduce water loss due to leaks. The 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-

G-408-004

Your target range is to close to our most populated area and the Marines with their guns blasting away would be detrimental to our environment in the most populated area. These areas are homes of wild black and white goats that are flourishing in the cliff sides. Also our coconut crabs that lives their will be destroy and our endangered fruit bats are homes on these areas. Our senior citizens will be traumatized again remembering the war that happens years ago. I really believe that this military buildup would not only be detrimental to our Island but also detrimental to our environment. We here in Guam like our peace & quite, noise pollution won't be acceptable. What US Cities would allow Black Hawk helicopters and the firing of guns around their most populated areas? We see what you are doing to us and but it is not for us. Remember there are only a FEW GOOD MARINES!

G-408-005

Let us face some facts about the movement of these US Marines in Okinawa Japan. They weren't being move to Guam because the Marines want to, they were being move because the Japanese people are fed up with the crimes that are being committed on their Island by those few good Marines and those crimes are not acceptable to the Japanese people and they are literally being booted out just like what Philippines did to the US Military on their country. The Japanese people should learn from the German people on how to handle the US Military in their Country; instead the Japanese and Americans pass their problems to us. If the Marines would have a choice between Guam, Hawaii or elsewhere I don't think Guam would be a favorable choice. This movement is the **sarcasm** in Washington when you are **unwanted** Washington always says and I quote "Send Them to Guam" because Guam is so far away that no one in the **WORLD** will ever take notice. When the Gov. of Alaska Sarah Palin was selected by the Senator John MaCain for his running mate, what did President Bush said and I quote "Who is she the Governor of Guam?" These insults are just a few that Washington delivers to Guam. You only need us when you want something this time thank you but no thanks we are

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.

Volume 2, Chapter 2 describes the alternative selection process for the live fire range complex. Leo Palace was considered as a location for the firing range complex but was not large enough to accomodate all of the co-located ranges.

G-408-005

Thank you for your comment.

G-408-005

sorry but you won't be welcome by the Indigenous people of Guam. We here on Guam have had enough of the military attitude and Washington's arrogant on how they treat us here on Guam. Our Medical necessities have been ignored. Our Veterans have been severely ignored, our Land Owners has been grossly mistreated and our military retirees have been grossly discriminated and to top it all our schools are segregated. These are all base on facts of your own doing.

G-408-006

This military buildup is a progressive movement and no matter what we say you won't care. It reminds me of Congress with their health care bill they will try to ram it down the American people's throat and the American people will have no choice and the only opposition is the so call Tea Party, in our case we are the Tea Party and you better listen because we are mad.

G-408-007

What are you all thinking that we will accept your progressive demands? You are going to come into our Island and destroy our environment, ruin our lives, make us miserable because of your progressive demands! When you settle in your base and you start your training on land an accident will eventually happen with the civilian population and when it does what would we say? GET OUT! First you are going to Rape our lands and when the Few Good Marines arrives here they are going to Rape our Women's because that is what you're known to do. Will the build up include prostitute women to accommodate the Marines? Would you be accommodating and providing these services along the fence that you would be erecting as part of the military buildup. Would you be demanding police clearance for all the foreign workers from their country? Would you be demanding for health certificate for every individual that are entering the ports of Guam. Would you be able to know who is coming here into Guam and not be the soft spot for terrorist to infiltrate? The state of Hawaii has been known to send homeless people to Guam and because of their high unemployment they said that their interested in sending workers to

#### G-408-006

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.

#### G-408-007

Thank you for your comment.

G-408-007

Guam can you give us the assurance that they are not sending Homeless People? Would you be providing health care for this entire people coming into Guam at Navel Hospital?

Future effects of the Marines Present on Guam.

1. Over crowding of class rooms
2. Demands for legalize prostitution
3. Demands for more land occupation.
4. More power outage
5. Low water pressure
6. GMH overwhelm
7. No Specialize Doctors
8. More crimes
9. Less jobs for the indigenous
10. More welfare

G-408-008

We see what you are doing to us and we know that it is not for us! The military are here only because we are the front line for the security of our nation's defense. This jobs that you are creating for the build up is not for us it is for the foreign workers and all the unemployed in the States. You are absolutely right that freedom isn't free so don't forget to pay up for all of your endeavors or don't start what you can't finish.

G-408-009

The Commander and Chief when around apologizing to the world about the arrogant of the US Federal Government I think this committee should brief him about his military here in Guam and apologize to the people of Guam. Let him know that we are not satisfied with their progressive demands and the movement of the marines and its content won't be welcome without our consent, we also resent their exclusive demands of our lands even when we say NO WAY! Just remember the Spaniards once call us the land of the ladrones and it means land of the thieves we will steal from you just like when you steal from us. We learn from the best!

**G-408-008**

Thank you for your comment.

**G-408-009**

Thank you for your comment.

G-408-009

I also have a dream that one day a sitting President of the United States of America Name Barack Obama an African American who their ancestors were also oppressed and treated as slaves by the white man and until President Abraham Lincon free them. The anointed one will come to our Island of Guam and apologizes to the indigenou people for the land taking by the same government that he represents. And to make good for his words forgive Guam for all his dept that the US Federal Government impose on our Local Government.

PS: Freedom isn't free as well as the land you occupy in Guam.

4

February 17, 2010

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

G-409-001

As a native of Guam and a member of the We Are Guahan Coalition, the DEIS for the Guam and CNMI military relocation of U.S. Marines from Okinawa, the Apra Harbor dredging and construction associated for the Visiting Aircraft Carrier Berthing, and the Army Air and Missile Defense Task Force is troubling to the future survival of our people because it threatens the ecosystem and resources upon which we depend. Specifically, it does not adequately address the mitigation plans for our endangered species and the cumulative impacts to our reefs, in Apra Harbor and all those surrounding our island. Please address the following questions:

G-409-002

- 1) Will the proposed military buildup destroy habitat that contains our endangered species?
- 2) Will the proposed military buildup on Guam destroy habitat, which potentially our endangered species can be reintroduced when their population reaches an adequate number?
- 3) Will any of the mitigation plans involve regional mitigation, in which our endangered species will be introduced into habitats in our neighboring islands or in marine environment surrounding them?
- 4) In the case of our endangered species that are endemic only to Guam, such as the Marianas kingfisher, and in which regional mitigation is planned for, have there been many studies that have been completed that ensures their survival in these new habitats? What is the survival rate of these endangered species? Have these studies been published in a peer-reviewed journal? What are the limitations of these studies? Please provide copies of these studies.

G-409-003

- 5) Do recent studies exist that investigates the possible impacts of increased volcanic activity on plant and animal species on land and in the surrounding waters? What are the limitations of these studies? Have these studies been published in a peer-reviewed journal? Please provide copies of these studies.

G-409-004

- 6) Will the habitat equivalency assessment of our coral reefs take into account the age, biodiversity, and volume of the coral reef slated for destruction? Please state in specific terms the methodology that will be used in addressing how the HEA will incorporate these attributes.

### G-409-001

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 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.

### G-409-002

Thank you for your comments. 1 & 2) There will be impacts to endangered species habitat with the proposed construction activities associated with the military relocation to Guam. However, the proposed activities would impact less than 6% of the total habitat available on Guam for the Mariana crow, Mariana fruit bat, and Guam Micronesian kingfisher, and less than 3% of the total available habitat on Guam for the Guam rail. Although approximately 1,600 acres of endangered species habitat will be impacted by the proposed action, more than 75,000 acres of suitable habitat will still remain on Guam to support Mariana crows and Mariana fruit bats and the potential reintroduction of the kingfisher and rail. 3 & 4) Yes, there are potential plans to potentially introduce some listed species to other islands of the CNMI to ensure that there are a number of populations occurring in the wild. The idea of introducing listed species to other areas in the vicinity of their native range is not new and has been used as an effective conservation and management strategy for many rare and vulnerable species around the world including New Zealand, the US Mainland, and Australia. And the Guam rail was introduced to Rota in the hopes of starting a wild, breeding, self-sustaining population.

G-409-005

7) Have there been any studies that show the cumulative impacts of the Kilo Wharf and other activities in Apra Harbor? What are the findings? Has increased sedimentation impacted surrounding reefs? What are the limitations of the procedures used to study the cumulative impacts? Have these studies been reviewed in a peer-reviewed journal? Please provide copies of the studies.

G-409-006

8) What sampling techniques will be used to determine the level of toxins in material slated for dredging? What are the limitations to the sampling technique? Please state in specific terms the sampling technique to be used.

G-409-007

9) How much of the dredging material will be used in the construction of buildings? What laws will be followed to ensure that these materials are tested for safety? What will these materials be tested for and what are the levels at which it will be considered safe for habitation by humans? What methodologies will be used to test toxins? What are the limitations of these methodologies?

G-409-008

10) Do scientific studies exist that show the current impacts of global warming on the rate of growth of coral and other marine species? What are the limitations of these studies? Have these studies been published in a peer-reviewed journal? What does the bulk of the scientific studies show, regarding the impacts of global warming and ocean acidification?

Sincerely,

Sabina Perez  
C/O We Are Guahan Coalition at core@weareguahan.com

**G-409-003**

Thank you for your comment.

The Guam and CNMI Military Relocation DEIS (Chapter 3, Volume 2) does not include studies on the possible impacts of increased volcanic activity. "Guam is not volcanically active." (Source: Geography of Guam website - <http://ns.gov.gu/geography.html>)

It is highly unlikely that the proposed relocation would be the cause of any increase in volcanic activity.

**G-409-004**

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.

**G-409-005**

Thank you for your comment. Volume 7 contains a discussion of potential cumulative impacts from dredging in Apra Harbor. Additional

detail (and citations to references used) is provided in Volume 4, Chapter 4, Nearshore Waters.

**G-409-006**

Thank you for your comment. The Water Resources sections in Volumes 2 and 4, Chapter 4, detail the sampling efforts for sediments within the proposed dredging area. Standard sediment collection and analysis methods were used, and results are presented.

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 of the resuspended sediment.

**G-409-007**

Thank you for your comment. 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.

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 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.

**G-409-008**

Thank you for your comment. The Navy acknowledges there is potential for marine resources (and aquifers) to be affected by global warming, sea level rise, ocean acidification, 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 global warming/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 limitations and peer-reviewed aspects of these studies are outside the scope of this EIS.

As a note, 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.

February 17, 2010

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

As a native of Guam and a member of the We Are Guahan Coalition, the DEIS for the Guam and CNMI military relocation of U.S. Marines from Okinawa, the Apra Harbor dredging and construction associated for the Visiting Aircraft Carrier Berthing, and the Army Air and Missile Defense Task Force is troubling to the future survival of our people because it threatens the ecosystem and resources upon which we depend. Specifically, it does not adequately address the mitigation plans for our endangered species and the cumulative impacts to our reefs, in Apra Harbor and all those surrounding our island. Please address the following questions:

G-410-001

- 1) Will the proposed military buildup destroy habitat that contains our endangered species?
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- 3) Will any of the mitigation plans involve regional mitigation, in which our endangered species will be introduced into habitats in our neighboring islands or in marine environment surrounding them?
- 4) In the case of our endangered species that are endemic only to Guam, such as the Marianas kingfisher, and in which regional mitigation is planned for, have there been many studies that have been completed that ensures their survival in these new habitats? What is the survival rate of these endangered species? Have these studies been published in a peer-reviewed journal? What are the limitations of these studies? Please provide copies of these studies.

G-410-002

- 5) Do recent studies exist that investigates the possible impacts of increased volcanic activity on plant and animal species on land and in the surrounding waters? What are the limitations of these studies? Have these studies been published in a peer-reviewed journal? Please provide copies of these studies.

G-410-003

- 6) Will the habitat equivalency assessment of our coral reefs take into account the age, biodiversity, and volume of the coral reef slated for destruction? Please state in specific terms the methodology that will be used in addressing how the HEA will incorporate these attributes.

### G-410-001

Thank you for your comments.

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### G-410-002

Thank you for your comment. Volcanic activity does not have an effect on the actions proposed in this EIS therefore it was not evaluated.

### G-410-003

Thank you for your comment. A Habitat Equivalency Analysis (HEA) model was conducted for both aircraft carrier alternatives and a report entitled Habitat Equivalency Analysis Mitigation of Coral Habitat Losses was prepared. It is included in Volume 9, Appendix E, Section F of this EIS. The scientific basis for the affected environment description and

G-410-004

7) Have there been any studies that show the cumulative impacts of the Kilo Wharf and other activities in Apra Harbor? What are the findings? Has increased sedimentation impacted surrounding reefs? What are the limitations of the procedures used to study the cumulative impacts? Have these studies been reviewed in a peer-reviewed journal? Please provide copies of the studies.

G-410-005

8) What sampling techniques will be used to determine the level of toxins in material slated for dredging? What are the limitations to the sampling technique? Please state in specific terms the sampling technique to be used.

9) How much of the dredging material will be used in the construction of buildings? What laws will be followed to ensure that these materials are tested for safety? What will these materials be tested for and what are the levels at which it will be considered safe for habitation by humans? What methodologies will be used to test toxins? What are the limitations of these methodologies?

G-410-006

10) Do scientific studies exist that show the current impacts of global warming on the rate of growth of coral and other marine species? What are the limitations of these studies? Have these studies been published in a peer-reviewed journal? What does the bulk of the scientific studies show, regarding the impacts of global warming and ocean acidification?

Sincerely,

Sabina Perez  
C/O We Are Guahan Coalition at core@weareguahan.com

many of the HEA assumptions is described in Assessment of Benthic Community Structure in the Vicinity of the Proposed Turning Basin and Berthing Area for Carrier Vessels Nuclear (CVN), which is also included in Volume 9, Appendix J of this EIS.

NOAA is tasked with providing the Navy a list of data to be included within the HEA. These data will be negotiated between parties before establishing the methodology of the HEA for coral loss at Apra Harbor and prior to development of the Compensatory Mitigation Plan.

**G-410-004**

Thank you for your comment. In the cumulative impacts section, DoD has addressed past projects in Apra Harbor. The cumulative impacts analysis has been further expanded in the FEIS. The EIS identifies historical projects' impacts to coral. Compensatory mitigation is required for coral community loss due to Navy and private dredging projects that occur within waters of the U.S. The compensatory mitigation is designed to replace the coral community loss so that there would be no cumulative impact. The Army Corps of Engineers (ACOE) is the regulatory authority that reviews and approves the compensatory mitigation plan for each project within their jurisdiction and issues the related permits. Other regulatory agencies are given opportunity to comment on the mitigation plan. Long-term monitoring is generally a condition of the ACOE permit to verify the success of the mitigation. The compensatory mitigation requirement for individual projects is designed to avoid the cumulative impact of the multiple projects over time.

Sediment discharge from land into marine environment contributes to the decline of coral health as described in Volume 7, Chapter 1.

Due to the complexity of the project, there are two parts of the cumulative impact analysis: the summary of combined impacts for all components of the preferred alternatives (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 that was often necessarily qualitative.

Volume 7, Chapter 3 summarizes the combined potential impacts of the preferred alternatives for the entire proposed action on Guam and Tinian. This is the aggregate analysis requested. The impacts of proposed actions described in 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.

Volume 7, Chapter 4, Cumulative Impacts, assesses the potential additive impact of the preferred alternatives when combined with potential impacts of past, present and reasonably foreseeable future actions. The period of consideration for specific actions 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.

Public and agency comments on the DEIS are provided in this volume (10) of this FEIS.

**G-410-005**

Thank you for your comment. DoD is committed to conducting its mission in an environmentally sound manner. 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, then additional characterization work may be required. Therefore, any dredged material to be reused would have to be appropriate for reuse (i.e., not contaminated to levels that would pose an unacceptable risk to human health or the environment).

**G-410-006**

Thank you for your comment. The EPA recently issued a Technical Support Document for Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act in December 2009. This report is available at <http://www.epa.gov/climatechange/endangerment.html> and includes a discussion of impacts such as ocean acidification, which affects corals and other marine calcifiers. Based on current trends, ocean acidification is projected to continue, resulting in the reduced biological production of marine calcifiers, including corals.



**SENT VIA CERTIFIED MAIL**

February 18, 2010

JGPO, c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GMPO  
Online comment form: <http://www.guambuildupeis.us/comments/new>

**Re: Draft Environmental Impact Statement/Overseas Environmental Impact Statement  
Guam and CNMI Military Relocation**

Dear GMPO Officer:

On February 16, 2010, the Center for Biological Diversity sent the Navy its comments on the draft environmental impact statement. We request that you accept the enclosed comments in lieu of the comments submitted on February 16, 2010.

Thank you for your understanding.

Sincerely,

Jacklyn Lopez, Staff Attorney  
Center for Biological Diversity  
415-436-9682 x. 305  
[jlopez@biologicaldiversity.org](mailto:jlopez@biologicaldiversity.org)



SENT VIA ON-LINE COMMENT FORM AND CERTIFIED MAIL

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Re: Draft Environmental Impact Statement/Overseas Environmental Impact Statement
Guam and CNMI Military Relocation

Dear GMPO Officer:

I am pleased to submit the following comments on behalf of the staff and members of the Center
for Biological Diversity ("Center"). The Center is a national, nonprofit organization whose
mission is to protect and restore endangered species and wild places through science, policy,
education, advocacy, and environmental law. The Center has over 255,000 members and on-line
activists, some of whom reside and recreate in Guam. We have reviewed the Draft
Environmental Impact Statement/Overseas Environmental Impact Statement Guam and CNMI
Military Relocation ("DEIS") and have the following comments.

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The proposed action would have considerable effects to the natural environmental of Guam,
affecting imperiled species and water quality, and would likely have profound and lasting effects
on the culture of the residents of Guam. The Navy has a mandatory duty to evaluate the direct,
indirect, and cumulative impacts of the proposed action and determine whether there will be
unavoidable significant impacts. The Navy has failed to meet the statutory requirements of the
National Environmental Policy Act ("NEPA") and regulations of the Council on Environmental
Quality ("CEQ") because it improperly limited the scope of the DEIS and failed to include
sufficient information on alternatives, impacts to cultural resources and social justice issues, and
GHG emissions. We are also concerned that the DEIS did not demonstrate the Navy's ability to
come into compliance with the Endangered Species Act and Clean Water Act with regard to the
proposed project.

I. The Navy Improperly Limited the Scope of the DEIS

CEQ has promulgated regulations to implement NEPA,<sup>1</sup> and they are binding on all federal
agencies.<sup>2</sup> NEPA requires agencies to use the criteria for "scope" that is set forth in the CEQ

<sup>1</sup> 40 C.F.R. Part 1500.
<sup>2</sup> 40 C.F.R. § 1507.1.

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Thank you for your comment. The Navy has met requirements of NEPA
and CEQ Regulations implementing NEPA. With respect to the scope of
the EIS, DoD included all components of the proposed military
relocation. The proposed actions are complex, multi-service proposals.
As this EIS shows, the proposed actions are having effects on the same
resource areas and should 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.

As discussed in both the Draft and Final EISs, DoD will comply with all
requirements of the Endangered Species Act and Clean Water Act.
Although discussion associated with compliance with these laws is
usually included in NEPA documents to provide a comprehensive picture
of potential environmental impacts associated with an action, these
laws have separate and distinct compliance requirements that DoD
would meet prior to implementing any action.

The relocation of the base in Okinawa is being undertaken by the
Government of Japan and is not subject to NEPA.

DoD recognizes that there would be indirect and induced short and long-
term growth impacts on Guam and in surrounding waters. These
impacts were fully discussed in the Draft EIS and supplemented, as
necessary, in the Final EIS. As an example, in response to agency
comments on the Draft EIS, the discussion of potential impacts from
workforce housing and other induced growth was expanded in the Final
EIS.

Future training projects are those that are not required to meet the
purpose and need for the proposed action and/or that are not ripe for
decision making at the current time. Those projects are identified and

analyzed in the cumulative impact analysis to provide all available information to the decision maker.

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regulations in order to determine “which proposal(s) shall be the subject of a particular statement.”<sup>3</sup> Proposals which are related to each other closely enough to be, in effect, a single course of action, must be evaluated together in a single EIS.

NEPA regulations further define the proper scope of an EIS, and mandate that connected, cumulative, and similar actions be assessed together in a single EIS.<sup>4</sup> Actions are connected if they automatically trigger other actions which may require EISs, they cannot or will not proceed unless other actions are taken previously or simultaneously, or they are interdependent parts of a larger action and depend on the larger action for their justification.<sup>5</sup> Actions are cumulative if they will have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography.<sup>6</sup> Therefore, the DEIS should have included some discussion about the contingency of the proposed project on a series of events taking place outside U.S. jurisdiction, in the western Pacific region, namely the relocation of the military base in Okinawa.

NEPA regulations define “direct effects” as those that “are caused by the action and occur at the same time and place.”<sup>7</sup> In this case, “direct effects” include: the taking of endangered species; the destruction of their habitat; the potential destruction of wetlands; the disruption and alterations to the local hydrology; increased sedimentation and runoff effecting local water quality and corals; and direct impacts to the Guam community.

NEPA regulations define “indirect effects” as those that

are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.<sup>8</sup>

In this case, “indirect effects” include the growth-inducing effects of the proposed project, the precedent it sets for future development and destruction of Guam, and the species that rely on habitat there, the longterm affects to already imperiled corals, and the untold affect to water quality. These longterm effects were not sufficiently addressed in the DEIS.

For future projects, only “reasonably foreseeable” projects must be discussed.<sup>9</sup> For the purposes of cumulative impacts, potential projects are reasonably foreseeable if they are “proposed actions.”<sup>10</sup> The DEIS should have treated the development of future training ranges as a

<sup>3</sup> 40 C.F.R. § 1502.4(a).

<sup>4</sup> 40 C.F.R. § 1508.25.

<sup>5</sup> 40 C.F.R. § 1508.25(a)(1).

<sup>6</sup> 40 C.F.R. § 1508.25(a)(3).

<sup>7</sup> 40 C.F.R. § 1508.8(a).

<sup>8</sup> 40 C.F.R. 1508.8(b).

<sup>9</sup> 40 C.F.R. § 1508.7.

<sup>10</sup> *Or. Natural Res. Council v. Marsh*, 832 F.2d 1489, 1497-98, (9th cir. 1987), *rev'd on other grounds*, *Marsh v. Or. Natural Res. Council*, 490 U.S. 360 (1989).

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reasonably foreseeable project and included them in the DEIS. It also should have included an analysis of the military flight corridor over southern Guam.

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## II. The DEIS Failed to Include Sufficient Information to Satisfy NEPA

A primary purpose of NEPA is to “guarantee that the relevant information will be made available to the larger audience that may also play a role in both the decisionmaking process and implementation of that decision.”<sup>11</sup> “[T]he broad dissemination of information mandated by NEPA permits the public and other government agencies to react to the effects of a proposed action at a meaningful time.”<sup>12</sup> Agencies must make all information regarding environmental consequences available to the public. If the agency fails to circulate this information, then the EIS is insufficient. CEQ regulations state:<sup>13</sup>

The draft statement must fulfill and satisfy to the fullest extent possible the requirements established for final statements in section 102(2)(C) of the Act. If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion.

The DEIS does not provide all available information. For example, the stated purpose of the proposed project lacks specificity with regard to why Guam, rather than Hawaii, California, or some other location, is appropriate. Therefore, there is no basis to determine whether the proposed project would meet the project’s purpose. Another example of not including sufficient information is that the DEIS estimates that the proposed project will generate eight tons of hazardous waste per year, however, the Navy refuses to disclose all of the toxic materials that will be generated and stored by the proposed project.

The CEQ regulations further require:<sup>14</sup>

To the fullest extent possible, agencies shall prepare draft environmental impact statement concurrently with and integrated with environmental impact analyses and related surveys and studies required by the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other environmental review laws and executive orders.

In this case, the Center contacted the Environmental Protection Agency (“EPA”) about its concerns regarding the proposed project. We were informed that the EPA had dozens of experts reviewing the DEIS and that it would not have comments ready for review until the deadline for comment submission. Therefore, it was unable to share its concerns.<sup>15</sup> Similarly, the Navy had not already undergone consultation with the Fish and Wildlife Service (“FWS”) or the National

<sup>11</sup> *Robertson v. Methow Valley Citizens*, 490 U.S. 332, 349 (1989).

<sup>12</sup> *Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, 371 (1989).

<sup>13</sup> 40 C.F.R. 1502.9(a).

<sup>14</sup> 40 C.F.R. 1502.25(a); see also 42 U.S.C. § 4332 (“Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved.”)

<sup>15</sup> Personal Communication with Michael Wolfgram Jan. 26, 2010.

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Thank you for your comment. All available information about the proposed actions is included in the project descriptions (Chapter 2 of each volume).

With respect to "Why Guam," Volume 1 at Section 1.4 in the DEIS 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 DEIS explains the background analysis of strategic military capability locations within the Pacific, it will remain the same for the FEIS. 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.

Management of hazardous materials would be handled in accordance with all applicable Federal requirements.

Consultations with USFWS and NMFS are ongoing, including preparation and submittal of Biological Assessments.

Analysis of effects on Guam's infrastructure is presented in Volume 6; this information has been updated for the Final EIS based on public comments and additional input from the Government of Guam. As

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Marine Fisheries Service (“NMFS”) so relevant information on impacts to species was not fully available in the DEIS.

The DEIS also does not fully address several concerns raised by the Government Accountability Office (“GAO”). The GAO points out that Guam’s infrastructure is not likely able to meet increased use resulting from the military buildup – including use of roads, fresh water, and sewage treatment – as well as its electric power generation and solid waste collection.<sup>16</sup> Additionally, in May 2008, the Governor of Guam testified before the Senate Committee on Energy and Natural resources that Guam required \$6.1 billion to support the military buildup. Therefore, many of the mitigation measures, and elements of the proposed project itself, are not truly viable options as it is highly unlikely that Guam will be able to cover even a modest portion of these proposed improvements. The DEIS should have provided more information on these issues in order to both provide the reader with information to comment on as well as demonstrate that the decisionmaker will have all the relevant information in making the decision.

The DEIS’ Alternatives Section is Inadequate

The alternatives section is the heart of an environmental impact statement.<sup>17</sup> Agencies must therefore rigorously explore and evaluate all reasonable alternatives.<sup>18</sup> An agency may not define a project so narrowly that it forecloses a reasonable consideration of alternatives. The alternatives analysis requires a full examination of a no-action alternative and examination of a spectrum of real options. Section 102 requires agencies to “study, develop, and describe” appropriate alternatives to recommended courses of action. This requirement ensures that the decisionmaker “has before him and takes into proper account all possible approaches to a particular project (including total abandonment of the project) . . . only in that fashion is it likely that the most intelligent, optimally beneficial decision will ultimately be made.”<sup>19</sup>

The DEIS does not adequately explore alternatives. For example, the DEIS contemplates limiting training ranges. An alternative of no training ranges on Guam should have been analyzed. Also, in the discussion on noise impacts and mitigation, alternatives should have included limiting training to Monday-Friday from 8am-5pm, as well as building earth berms and other noise blocking devices. Finally, the impacts from Hazardous Materials and Waste for all but the no-action alternative are identical. Providing an alternative with identical impacts defeats the purpose of providing alternatives at all.

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The DEIS’ Analysis of Impacts to Cultural Resources is Inadequate

The National Historic Preservation Act (“NHPA”) includes provisions that apply to Native American Tribes.<sup>20</sup> Under the NHPA, properties of traditional religious and cultural importance to a Tribe may be determined to be eligible for inclusion on the National Register, and in

<sup>16</sup> Letter from Brian Leporte, GAO, to Hon. Jeff Bingaman, Subject: Defense Infrastructure: Guam Needs Timely Information from DOD to Meet Challenges in Planning and Financing Off-Base Projects and Programs to Support a Larger Military Presence. GAO-10-90R Defense Infrastructure.

<sup>17</sup> 40 C.F.R. 1502.14.

<sup>18</sup> 40 C.F.R. 1504.14(a); see also *Muckleshoot Indian Tribe v. U.S. Forest Service*, 177 F.3d 800, 812-13 (9th Cir. 1999).

<sup>19</sup> *Calvert Cliffs Coordinating Committee v. United States Atomic Energy Commission*, 449 F.2d 1109 (D.C. Cir. 1971).

<sup>20</sup> 16 U.S.C. § 470(a)(d)(6).

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.

A thorough screening of alternatives was conducted for the Draft EIS. Elimination of training ranges and limitations on training range hours do not meet the purpose and need for the Marine Corps action. However, noise reduction strategies (such as noise berms for the firing ranges) have been incorporated as mitigation measures into the Final EIS.

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Thank you for your comment. The NHPA requires consideration of resources that are important to traditional cultural groups and that meet the criteria for eligibility to the National Register of Historic Places. As part of the studies for the EIS, several areas were identified as traditional cultural properties, including Pagat, and other general areas were identified as places where people gathered plants, hunted, and fished. As part of the Section 106 process, the DoD is consulting with stakeholders to consider their comments and concerns.

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 the intent of DoD to continue access should these properties be acquired. DoD looks forward to working with stakeholders in developing

carrying out its responsibilities under Section 106 of the NHPA, federal agencies must consult with any Native American Tribe that attaches religious and cultural significance to these properties.<sup>21</sup>

It is significant to note here that Congress has not determined the civil rights and political status of the native inhabitants of Guam. Therefore, there is inherent conflict with the underlying assumption that the Navy can even use the base and lands of the Chamorro since their political status has not been decided and they are in essence without a voice. However, the Navy should treat the Chamorro as a Tribe for the purpose of NHPA compliance.

There are numerous inadequacies in the DEIS with regard to cultural resources. First, the use of the Pagat site as a firing range is simply unacceptable. The land is owned by the Chamorro Land Trust, and it is an important archaeological site that contains remains of ancient Chamorro buildings – latte stones. This site is a nationally registered archaeological site. No amount of mitigation will suffice. Also, Mount Jumullong Manglo is considered a holy mountain by the Chamorro and many residents pilgrimage there every year on Good Friday. The proposed project would also destroy hundreds of acres of jungle – an area where Chamorro gather native plants used in traditional medicine. The DEIS did not adequately address these issues.

Further, not all cultural resources are described in the DEIS, such as Cepeda Chamorro family ranch and Taitano Chamorro ranch, and cultural resource surveys have yet to be completed. The DEIS also does not address impacts to Guam’s culturally important species.<sup>22</sup> The Navy has not complied with NEPA or NHPA until it addresses these issues.

| List of Guam’s culturally important species Latin name | Chamorro name | English name                  |
|--------------------------------------------------------|---------------|-------------------------------|
| Acanthuridae (family)                                  | hugupau       | surgeonfishes (many kinds)    |
| <i>Acanthurus guttatus</i>                             | hamoktan      | white-spotted surgeonfish     |
| <i>Acanthurus lineatus</i>                             | hiyok         | striped tang                  |
| <i>Acanthurus triostegus</i>                           | kichu         | convict tang                  |
| <i>Bulbometopon muricatum</i>                          | atuhong       | large bumphead parrotfish     |
| Carangidae (family)                                    | i' e'         | immature skipjacks (< 10 cm)  |
| Carangidae (family)                                    | mamulan       | mature skipjacks (> 90 cm)    |
| Carangidae (family)                                    | tarakitu      | mature skipjacks (25-90 cm)   |
| <i>Chanos chanos</i>                                   | bangus        | milkfish                      |
| <i>Cheilinus</i> spp. or Scaridae (family)             | palaksi       | wrasses or parrotfish < 50 cm |

<sup>21</sup> 36 C.F.R. § 800.1.

<sup>22</sup> List of Guam’s culturally important species from Alison Palmer’s *Assessment of Natural Resource Management Needs for Coastal and Littoral Marine Ecosystems (CLME) in Guam*, p. 300, Table 6; List of Medicinal Plants of Northern Guam Limestone Forest and Beach Stand from Hope Cristobal, Adjunct Professor of Guam History at University of Guam.

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

With respect to potentially developing a paved access road to Mt. Jumullong Manglo (in place of the Mt. Lam Lam trail), DoD re-evaluated its access requirements and determined that a paved access road is no longer required.

The DoD conducted cultural resources surveys (including archaeological, architectural, and ethnographic surveys) of over 5,000 acres of land to identify historic properties. During a three-year planning process, the DoD was able to effectively design projects in such a way that the vast majority of these historic properties were avoided by the proposed construction. Information from future excavations and extensive surveys will be provided to the public in educational displays, brochures, and public documents.

Natural Resources that are seen as cultural resources, such as nunu, ifit, dukduk, and da'ok trees, were taken into account in the planning process for construction. Heavily forested areas were set aside for natural and cultural resources preservation. The DoD will curate cultural materials obtained from studies associated with the proposed relocation project at curation facilities on Guam, including the Guam Museum. Appropriate payment for the storage of materials will be provided to the facility.

|                                                                                  |                   |                               |
|----------------------------------------------------------------------------------|-------------------|-------------------------------|
| <i>Cheilinus undulatus</i>                                                       | tangison          | giant wrasse (humphead)       |
| <i>Coryphaena hippurus</i>                                                       | botague, mahimahi | dolphinfish                   |
| <i>Elagatis bipinnulatus</i>                                                     | achemson          | small rainbow runner          |
| <i>Etelis coruscans</i>                                                          | onaga             | onaga                         |
| <i>Hipposcarus longiceps</i>                                                     | gulafi            | yellow longnose parrotfish    |
| Holothuroidea (family)                                                           | balaté            | sea cucumber                  |
| <i>Katsuwonis pelamis</i>                                                        | bonito            | skipjack tuna                 |
| Kyphosidae (family)                                                              | guli              | rudderfishes                  |
| Lamniformes (family)                                                             | halu'u            | sharks                        |
| <i>Lethrinus elongatus</i> , <i>L. rubrioperculatus</i> , <i>L. xanthochilus</i> | lililik           | grey emperors                 |
| <i>Lethrinus nebulosus</i> , <i>L. harak</i>                                     | mafute'           | emperors                      |
| <i>Makaira mazara</i>                                                            | marlin            | marlin                        |
| Mugilidae (family)                                                               | laiguan           | any mullet                    |
| Mullidae (family)                                                                | tí'ao             | immature goatfish (< 10 cm)   |
| <i>Naso lituratus</i>                                                            | hangon            | orangespine unicornfish       |
| <i>Naso</i> spp.                                                                 | tátaga'           | mature unicornfish            |
| Scaridae (family)                                                                | laggua            | parrotfishes (> 50 cm)        |
| <i>Selar crumenophthalmus</i>                                                    | atulai            | small bigeye scad             |
| Serranidae (family)                                                              | gadao             | groupers                      |
| Siganidae (family)                                                               | hiteng            | rabbitfish (> 20 cm)          |
| Siganidae (family)                                                               | mañahak           | immature rabbitfish (< 5 cm)  |
| Siganidae (family)                                                               | seyun             | rabbitfish (10-20 cm)         |
| <i>Siganus argenteus</i>                                                         | mañahak lesu      | immature forktail rabbitfish  |
| <i>Siganus spinus</i>                                                            | mañahak ha' tang  | scribbled rabbitfish (< 5 cm) |

Medicinal Plants of Northern Guam Limestone Forests and Beach Stand

| CHAMORRO NAME   | SCIENTIFIC NAME                                      | COMMON NAME           |
|-----------------|------------------------------------------------------|-----------------------|
| 1. Alalak abubu | <i>Stictocardia tiliifolia</i>                       | Crimson morning glory |
| 2. Amot haga'   | <i>Crataeva speciosa</i>                             | Crataeva (caper)      |
| 3. Agaga        | <i>Melothria guamensis</i>                           | None                  |
| 4. Agate'lang   | <i>Eugenia palumbis</i>                              | None                  |
| 5. Ahgao manila | <i>Premna obtusifolia</i>                            | False elder           |
| 6. Akangkang    | <i>Caesalpinia major</i>                             | Hawaii pearls         |
| 7. Alaihai      | <i>Ipomoea pes-caprae</i> subsp. <i>brasiliensis</i> | Beach morning glory   |
| 8. Ilangilang   | <i>Cananga odorata</i>                               | Ylang Ylang           |
| 9. Atmahayan    | <i>Pipturus argenteus</i>                            | Silvery pipturus      |
| 10. Anonas      | <i>Annona reticulata</i>                             | Custard apple         |
| 11. Apasoti     | <i>Chenopodium ambrosioides</i>                      | Wormseed              |

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|                             |                                           |                        |
|-----------------------------|-------------------------------------------|------------------------|
| 12. Aplokateng              | <i>Psychotria mariana</i>                 | Psychotria             |
| 13. Atmagosun halomtano'    | <i>Momordica charantia</i>                | Bitter melon           |
| 14. Alum                    | <i>Melanolepsi multiglandulosa</i>        | None                   |
| 15. Amot tumaga'            | <i>Cassia occidentalis</i>                | Ant bush               |
| 16. Banalo                  | <i>Thespesia populnea</i>                 | Pacific rosewood       |
| 17. Batbena                 | <i>Heliotropium indicum</i>               | Wild clary             |
| 18. Bayoggon dangkulu       | <i>Entada phaseoloides</i>                | St. Thomas bean        |
| 19. Bayoggon dikiki', gaye' | <i>Mucuna gigantea</i>                    | Small sea bean         |
| 20. Botdologas              | <i>Portulaca oleracea</i>                 | Purslane               |
| 21. Chachakchak             | <i>Mariscus javanicus</i>                 | Sedge                  |
| 22. Da'ok                   | <i>Calophyllum inophyllum</i>             | Palomaria              |
| 23. Dadangse'               | <i>Urena lobata</i>                       | Cesar weed             |
| 24. Derris                  | <i>Derris elliptica</i>                   | Derris                 |
| 25. Eskobiya                | <i>Sida rhombifolia</i>                   | Broomweed              |
| 26. Fofgo                   | <i>Ipomoea hederacea</i>                  | Ivy leaf morning-glory |
| 27. Gaogao Uchan            | <i>Phyllanthus marianus</i>               | Phyllanthus            |
| 28. Gaggap                  | <i>Tacca leontopetaloides</i>             | Polynesian arrowroot   |
| 29. Gaso'so'                | <i>Colubrina asiatica</i>                 | Asian nakedwood        |
| 30. Galak fedda'            | <i>Asplenium nidus</i>                    | Bird's nest fern       |
| 31. Hamlak                  | <i>Callicarpa candicans</i>               | Beautyberry            |
| 32. Hunek                   | <i>Tournefortia argentea</i>              | Tree heliotrope        |
| 33. Ka'mang tasi            | <i>Abelmoschus sp.</i>                    | Muskmallow             |
| 34. Katson                  | <i>Stachytarpheta cayennensis</i>         | Blue rat's tail        |
| 35. Kahlao                  | <i>Phymatodes scolopendria</i>            | Wart fern              |
| 36. Kulales                 | <i>Abrus precatorius</i>                  | Coral bead plant       |
| 37. Ladda                   | <i>Morinda citrifolia</i>                 | Indian mulberry        |
| 38. Laso' katu              | <i>Achyranthes aspera</i>                 | Pricky chaff-flower    |
| 39. Dokdok                  | <i>Artocarpus marianensis</i>             | Seeded breadfruit      |
| 40. Lemmai                  | <i>Artocarpus altilis</i>                 | Breadfruit             |
| 41. Lodogao                 | <i>Clerodendrum inerme</i>                | Garden quinine         |
| 42. Luluhot                 | <i>Maytenus thompsonii</i>                | None                   |
| 43. Mai'agas                | <i>Cassytha filiformis</i>                | Love vine              |
| 44. Maigo' lalo'            | <i>Phyllanthus amarus</i>                 | Chanca peidra          |
| 45. Mango'                  | <i>Curcuma longa</i>                      | Turmeric               |
| 46. Masiksik                | <i>Chromolaena odorata</i>                | Bitter bush            |
| 47. Masiksik tasi           | <i>Wollastonia biflora</i>                | None                   |
| 48. Matbas                  | <i>Abutilon indicum</i>                   | Monkeybush             |
| 49. Mumutung palao'an       | <i>Hyptis pectinata</i>                   | Comb bushmint          |
| 50. Nanason gaifigo'        | <i>Scaevola sericae (taccada)</i>         | Half flower            |
| 51. Tupun ayuyu             | <i>Elastostema calcareum</i>              | Elastostema            |
| 52. Nonnak                  | <i>Hernandia Sonora</i>                   | Lantern tree           |
| 53. Nunu                    | <i>Ficus prolixa</i>                      | Pacific banyan         |
| 54. Pakao                   | <i>Caesalpinia major</i>                  | Hawaii pearls          |
| 55. Panoa                   | <i>Guettarda speciosa</i>                 | Beach gardenia         |
| 56. Pao de'do'              | <i>Hedyotis foetida var. mariannensis</i> | Hedyotis               |

|                        |                               |                            |                 |
|------------------------|-------------------------------|----------------------------|-----------------|
| <b>G-411-003</b>       | 57. Pao de' do' lahi          | Hedyotis sp.               | Hedyotis        |
|                        | 58. Papayan lahi              | Carica papaya              | Male papaya     |
|                        | 59. Pago                      | Hibiscus tiliaceus         | Hibiscus tree   |
|                        | 60. Petchalan                 | Deeringia amarantoides     | None            |
|                        | 61. Piga'                     | Alocasia indica            | Giant taro      |
|                        | 62. Potpupot                  | Peperomia mariannensis     | None            |
|                        | 63. Pugua' matchena           | Davallia solida            | Solida fern     |
|                        | 64. Pupunun aniti             | Piper guamensis            | Wild pepper     |
|                        | 65. Puting                    | Barringtonia asiatica      | Fish Kill tree  |
|                        | 66. Sanye'ye'                 | Taeniophyllum mariannensis | Leafless orchid |
|                        | 67. Sibukao                   | Caesalpinia sappan         | Brazilwood      |
|                        | 68. Sumak                     | Aidia cochinchinensis      | None            |
|                        | 69. Take'biha                 | Senna alata (Cassia alata) | Candlebush      |
|                        | 70. Titimu                    | Eclipta prostrata          | False daisy     |
|                        | 71. Tronkon donne' Sali       | Capsicum annum             | Hot pepper      |
| 72. Tuba Tuba          | Jatropha curcas               | Physic-nut                 |                 |
| 73. Tumates cha'ka     | Physalis minima               | Sunberry                   |                 |
| 74. Yetbas Santa Maria | Artemisia vulgaris            | Mugwort                    |                 |
| 75. Yetbas babue       | Blechum brownie fo. Puberulum | Blackweed                  |                 |

**G-411-004** The DEIS Does Not Adequately Address Social Justice Issues  
 There is no doubt that the military buildup will exacerbate existing tension within Guam by furthering the gap between military personnel (who are afforded good jobs, good wages, and good housing), the 40,000-50,000 temporary workers (from nearby Philippines and Micronesia and will likely earn low wages), and the residents of Guam (who have nothing to gain and everything to lose from the proposed project). This profound effect was not adequately addressed in the DEIS. Additionally, the DEIS acknowledges the proposed project will also deprive the public of treasured recreational features such as the Guam International Raceway, Marbo Cave, and Pagat Trail. However, the DEIS failed to put forward legitimate mitigation measures in consultation with the affected communities.

**G-411-005**

**G-411-006** The DEIS Does Not Adequately Address the Effects of GHG Emissions  
*Climate Change*  
 Federal agencies are required to consider the climate change effects of a proposed project during the NEPA process.<sup>23</sup> The Navy should assess and quantify or estimate greenhouse gas ("GHG") emissions by type and source by analyzing the direct operational impacts of the proposed action, as well as the GHGs associated with the construction. The Navy also has an obligation under NEPA regulations to identify incomplete and unavailable information, obtaining information where the costs of doing so are not exorbitant, and summarizing and evaluating the known information based upon theoretical approaches or research methods generally accepted in the scientific community when it is not possible.<sup>24</sup> NEPA analysis must employ predictive models and other tools where such tools are based on credible science and methodology to assess the impacts of their projects in a changing climate rather than deferring such analysis on grounds of uncertainty. The DEIS provided none of this.

<sup>23</sup> Center for Biological Diversity v. National Highway Traffic Safety Administration, 508 F.3d 508 (9<sup>th</sup> Cir. 2007).  
<sup>24</sup> 40 CFR §1402.22.

**G-411-004**

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.

**G-411-005**

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.

**G-411-006**

Thank you for your comment. The FEIS expands the discussion of GHG emissions and their potential impact on climate change by following the recent Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas issued by the Council of Environmental Quality (CEQ) in February 2010. As the proposed action would release GHGs to the atmosphere, these emissions have been quantified and disclosed for each activity of the proposed action in the FEIS. It should

While the DEIS does include some information about climate change, mere disclosure about the issue is insufficient where the DEIS does not explore the combined effect of global warming and the proposed project.<sup>25</sup> The DEIS explains that GHG producing operations are currently occurring elsewhere in the region, therefore, there will be no significant effects when the operations are moved to a different location within the region. However, to meet NEPA's basic goal, the Navy was required to assess, to the greatest extent possible, how the project will combine with effects of climate change to impact resources in the project area.<sup>26</sup>

The DEIS states that because the military operations already occur in the west Pacific region, relocating them to Guam is unlikely to change significantly the predicted net increase in CO<sub>2</sub> emission and therefore will not result in a significant impact to global climate change. This analysis lacks merit and does not comply with NEPA or CEQ regulations. The fact that the proposed project would result in the relocation of ongoing emissions is irrelevant to the analysis. The Navy must instead analyze whether the proposed project will generate GHG emissions that will impact global warming, and whether global warming will impact the resources of the proposed project area, i.e. corals, freshwater availability, and the affects of sea level rise. Sea level rise impacts will occur during the planned future use periods of the proposed coastal developments, including the military haul roads, the CVN berthing facilities and other Apra Harbor proposed activities. In addition to contributing to global warming, and therefore sea level rise, adaptation and mitigation for sea level rise was not addressed in the DEIS. The Navy must also address the carbon footprint of the construction and maintenance of the proposed alternatives, and the impact they will have on corals taking into consideration that fact that the coral will continue to be stressed due to climate change and ocean acidification.

Finally, the EPA recently issued a regulatory action determining that GHGs pose an endangerment to public health, welfare, and the environment,<sup>27</sup> and announced it will reconsider whether GHGs will be regulated under the Clean Air Act. The DEIS does not assess whether these regulatory actions will impact the ability of the base or Guam to obtain environmental permits.

#### *Ocean Acidification*

Atmospheric carbon dioxide rates are also leading to ocean acidification. The ocean absorbs carbon dioxide from the atmosphere, which alters seawater chemistry causing slightly alkaline waters to become more acidic. Ocean acidification is advancing rapidly as humans release carbon dioxide into the atmosphere.<sup>28</sup> By the end of this century, carbon dioxide is predicted to reach 788 ppm and the pH of the ocean will drop by another 0.3-0.4 units, amounting to a 100-150 percent change in acidity.<sup>29</sup>

<sup>25</sup> 40 C.F.R. § 1502.1.

<sup>26</sup> *Davis v. Coleman*, 521 F.2d 661, 671 (9th Cir. 1975).

<sup>27</sup> 74 Fed. Res. 1886 (Apr. 24, 2009).

<sup>28</sup> Environmental Protection Agency. 2009. Ocean Acidification and Marine pH Water Quality Criteria; 74 Federal Register 17484.

<sup>29</sup> Orr, J. C., et al. 2005. Anthropogenic ocean acidification over the twenty-first century and its impact on calcifying organisms. *Nature* 437:681-686; Meehl, G. A., et al. 2007. 2007: Global Climate Projections. in S. Solomon, D. Qin, M. Manning, Z. Chen, M. Marquis, K. B. Averyt, M. Tignor, and G. H. Miller, editors. *Climate Change 2007: The Physical Science Basis*. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental

be noted that the majority of operational emissions would be part of the baseline condition on a regional level and climate change is a global, which needs to be analyzed on a global scale. Therefore, the discussion of potential regional impact as compared to the U.S. GHG emissions inventory presented is appropriate. In keeping with CEQ NEPA guidance, the focus of the cumulative GHG analysis is on GHG emissions related to the proposed action and their significance on climate change as compared to the no action alternative. Ocean acidification is the name given to the ongoing decrease in the pH of the Earth's oceans caused by their uptake of anthropogenic carbon dioxide from the atmosphere. DoD acknowledges that this is a world-wide concern and supports efforts to minimize greenhouse gas emissions to mitigate this process. Greenhouse gas emissions are quantified in the FEIS.

G-411-006

Changing marine pH and carbonate concentrations are fundamentally altering ocean chemistry. Carbonate is an important constituent of seawater because many organisms form their shells and skeletons by complexing calcium and carbonate. Calcium carbonate is present in the ocean in two common forms, calcite and aragonite. When seawaters become undersaturated with respect to calcium carbonate they are corrosive to organisms that produce calcium carbonate shells, liths, and skeleton. Modeling predicts that by the end of the century global aragonite production will be reduced by 29% and total calcium carbonate production by 19% relative to preindustrial levels.<sup>30</sup>

Ocean acidification also decreases the calcification of corals. Calcification rates of reef-building corals are expected to decrease 30-40% with a doubling of atmospheric carbon dioxide.<sup>31</sup> Scientists predict that ocean acidification coupled with increasing ocean temperatures will destroy the world's reefs by mid-century.<sup>32</sup>

A recent survey of the Pacific Coast revealed that the effects of ocean acidification are occurring more rapidly there than predicted.<sup>33</sup> Researchers found seawater undersaturated with respect to aragonite upwelling onto large portions of the continental shelf, reaching shallow depths of 40 to 120 meters.<sup>34</sup> As a result, marine organisms in surface waters, in the water column, and on the sea floor along the West Coast are already being exposed to corrosive water during the upwelling season. The DEIS fails to analyze the proposed project's contribution to ocean acidification or those acidification effects on coral in the project area.

G-411-007

### III. The Proposed Project Will Likely Violate the Endangered Species Act

The Endangered Species Act ("ESA") is "the most comprehensive legislation for the preservation of endangered species ever enacted by any nation."<sup>35</sup> "The plain intent of Congress in enacting this statute was to halt and reverse the trend towards species extinction, whatever the cost."<sup>36</sup> In enacting the ESA, Congress spoke "in the plainest words, making it abundantly clear that the balance has been struck in affording endangered species the highest of priorities, thereby adopting a policy which it described as 'institutionalized caution.'"<sup>37</sup>

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Panel on Climate Change. Cambridge University Press, Cambridge University Press, Cambridge, UK, and New York, NY, USA.

<sup>30</sup> Gangsta, R., M. Gehlen, B. Schneider, L. Bopp, O. Aumont, and F. Joos. 2008. Modeling the marine aragonite cycle: changes under rising carbon dioxide and its role in shallow water CaCO<sub>3</sub> dissolution. *Biogeosciences Discuss.* 5:1655-1687.

<sup>31</sup> Kleypas, J.A., et al. 2006. Impacts of Ocean Acidification on Coral Reefs and Other Marine Calcifiers; Hoegh-Guldberg, et al. 2007. Coral Reefs Under Rapid Climate Change and Ocean Acidification, *Science* 318:1737-1742; Guinotte, J.M., Fabry, V.J. 2008. Ocean acidification and its potential effects on marine ecosystems. *Ann. N.Y. Acad. Sci.* 1134: 320-342.

<sup>32</sup> Hoegh-Guldberg, et al. 2007. Coral Reefs Under Rapid Climate Change and Ocean Acidification, *Science* 318:1737-1742.

<sup>33</sup> Feely 2008.

<sup>34</sup> *Id.*

<sup>35</sup> *Tennessee Valley Authority v. Hill*, 437 U.S. 153, 180 (1978).

<sup>36</sup> *Id.* at 194.

<sup>37</sup> *Id.* at 194.

Center for Biological Diversity Comments on Draft Environmental Impact Statement/Overseas Environmental Impact Statement Guam and CNMI Military Relocation

G-411-007

Thank you for your comment.

Regarding the desire that the ESA consultation be completed before the DEIS was released to the public, there is no regulatory requirement stating that ESA consultations be complete prior to the release of a DEIS. Due to the complexity of the proposed action and agency review schedules, the USFWS and NMFS consultations are in parallel with the EIS process and consultation will hopefully be complete by the time of the Final EIS.

“One would be hard pressed to find a statutory provision whose terms were any plainer than those in [Section] 7 of the Endangered Species Act.”<sup>38</sup> “Its very words affirmatively command all federal agencies ‘to insure that actions *authorized, funded, or carried out* by them do not *jeopardize* the continued existence’ of an endangered species or ‘*result in the destruction or modification of habitat of such species* . . . This language admits of no exception.”<sup>39</sup>

Thus, pursuant to Section 7 of the ESA, each federal agency must consult with FWS or NMFS to insure that any proposed action is not likely to jeopardize the continued existence of any threatened or endangered species, or result in the destruction or adverse modification of the species’ critical habitat.<sup>40</sup> The ESA therefore mandates that “federal agencies take no action that will result in the ‘destruction or adverse modification’ of designated critical habitat.”<sup>41</sup> “Destruction or adverse modification” of critical habitat is defined as a direct or indirect alteration that appreciably diminishes the value of the critical habitat for both the survival and recovery of a listed species.<sup>42</sup> Such alterations include alterations that would adversely modify any of the physical or biological features that were the basis for determining the habitat to be critical.<sup>43</sup> To ensure of species, however, agencies must consider impacts that appreciably diminish the value of critical habitat for *either* survival or recovery.<sup>44</sup>

The Navy’s assessment of the impacts of the proposed action on listed species’ critical habitat must include the project’s impact on the species’ habitat in terms of the species’ recovery as well as its survival, and how the action may impact the physical or biological features that were the basis for the species’ critical habitat determination.<sup>45</sup> In addition, the agencies are not allowed to characterize as “insignificant” the potential impacts on a species’ critical habitat by considering only the broad scale or long-term impacts.<sup>46</sup>

The Navy is responsible for protecting federally listed species and their critical habitat when exercising their jurisdictional authorities. Section 2 of the Endangered Species Act (“ESA”) requires that all Federal agencies “seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of this Act.” Section 7 of the ESA requires that all Federal agencies “consult” with the Secretary of the Interior to “insure that any action authorized, funded, or carried out by such agency . . . is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species . . . .”

In order to move forward with the proposed alternative, the Navy must first make a finding that the proposed project will not jeopardize the continued existence or adversely modify the critical

<sup>38</sup> *Id.* at 173.

<sup>39</sup> *Id.*

<sup>40</sup> 16 U.S.C. § 1536(a)(2).

<sup>41</sup> *National Wildlife Federation v. National Marine Fisheries Service*, 524 F.3d 917, 933 (9th Cir. 2007) (quoting 16 U.S.C. 1536(a)(2)).

<sup>42</sup> 50 C.F.R. § 402.02.

<sup>43</sup> *Id.*

<sup>44</sup> *National Wildlife Federation*, 524 F.3d at 934; *Gifford Pinchot Task Force v. U.S. Fish and Wildlife Service*, 378 F.3d 1059, 1069-71 (9th Cir. 2004).

<sup>45</sup> 50 C.F.R. § 402.02; *National Wildlife Federation*, 524 F.3d at 935; *Gifford Pinchot*, 378 F.3d at 1069.

<sup>46</sup> *National Wildlife Federation*, 524 F.3d at 935; *Gifford Pinchot*, 378 F.3d at 1069.

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habitat of any federally listed species.<sup>47</sup> The Navy has an independent duty under § 7 of the ESA to insure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat.<sup>48</sup> If a listed species may be present in the area of the proposed action, the action agency must prepare a biological assessment to determine the potential effects of its proposed action on the listed species and its critical habitat.<sup>49</sup> If the action agency determines that the proposed action may adversely affect a listed species, it must consult with the FWS and/or the NMFS.<sup>50</sup>

In addition, Section 9 of the ESA prohibits any person from “taking” a threatened or endangered species.<sup>51</sup> The term “take” is defined broadly, and means to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”<sup>52</sup> Furthermore, take need not be intentional. The DEIS states that consultation is currently ongoing and that it will continue throughout the EIS process. Pursuant to NEPA, the Navy should have waited to release the DEIS for public comment until after ESA consultation was completed, to allow the concerned public to know the position of the expert wildlife agencies regarding the proposed project’s impacts on species.<sup>53</sup>

G-411-008

#### Terrestrial Species

Because the Navy has not completed its biological assessment, it is difficult to provide meaningful specific comments with regard to impacts to terrestrial species with special status. The Navy must undergo consultation with the FWS for impacts to Mariana crow, Guam Micronesian kingfisher, Guam rail, Mariana common moorhen, Mariana gray swiftlet, Mariana fruit bat, Hayun-lago, and *Tabernaemontana rotensis*. Impacts to Guam’s several species of endangered native tree snails also must be addressed.

In general, it is unclear why only undeveloped land was considered suitable habitat with regard to buffers in the DEIS. Absent scientific explanation or evidence of developed land being unsuitable for these species, the Navy should treat all habitats suitable unless directed otherwise by wildlife management agencies. Also, the DEIS notes which species are considered non-migratory and therefore not covered under the Migratory Bird Treaty Act. However, the DEIS does not describe which species are migratory nor does it detail how it will comply with its 2006 MOU with the FWS to incorporate conservation measures, manage the land so that it is supportive of conservation, and avoid or minimize impacts.<sup>54</sup> Also, the DEIS states that in order to prevent predation on wildlife from escaped domestic pets, the Navy will rely on “pet ownership policies” and “base instructions.” However, the DEIS does not detail what the measures would entail. Mitigation measures should include mandatory spay/neuter program of pets. Also, the DEIS wrongly states that the number of Mariana fruit bats using the proposed project area at Anderson AFB cannot be estimated because the bats are active at night. Certainly

<sup>47</sup> 40 CFR § 230.10(b)(3).

<sup>48</sup> 16 USC § 1536.

<sup>49</sup> 16 USC § 1536(e)(1).

<sup>50</sup> 50 CFR § 402.14.

<sup>51</sup> 16 U.S.C. § 1538(a)(1)(B); 50 C.F.R. § 17.31(a).

<sup>52</sup> 16 U.S.C. § 1532(19).

<sup>53</sup> 40 C.F.R. §§ 1502.25(a), 1502.9(a).

<sup>54</sup> EO 13186 *Responsibility of Federal Agencies to Protect Migratory Birds*.

## G-411-008

Thank you for your comments.

1st Paragraph: In accordance with section 7 of the Endangered Species Act (ESA), the Navy has prepared and submitted a Biological Assessment to assess the potential impacts to federally listed terrestrial and marine species occurring within the area of the proposed activities, and has consulted with the USFWS and NMFS. The BA presents conservation measures to avoid, minimize and compensate for potential impacts to listed species. As part of the consultation process, the Navy worked with the USFWS and NMFS to refine these conservation measures or include additional conservation measures as necessary. The implementation of these conservation measures, and those mitigation measures listed in the FEIS, would avoid or minimize adverse effects to listed species. The ESA Section 7 consultation process will conclude with USFWS and NMFS issuing Biological Opinions. It is hoped that results of the consultations will be complete in time to include in the FEIS.

The terrestrial BA submitted to the USFWS addressed the following species: Mariana fruit bat, Guam Micronesian kingfisher, Mariana crow, Guam rail, Mariana common moorhen, Mariana swiftlet, Micronesian megapode, green and hawksbill sea turtles, and Hayun-lago or *Serianthes*. *Tabernaemontana rotensis* is not a federally listed species under the Endangered Species Act.

2nd Paragraph: For the species in question, developed lands are not considered suitable habitat for the reasons that the threatened and endangered species on Guam generally require primary limestone forest for nesting and foraging, undeveloped grasslands or other open vegetated areas for foraging, and areas that are relatively free of human disturbance (e.g., pets, hunting, etc.). The Navy will comply with the MOU with the FWS regarding migratory birds and the MBTA by

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the Navy, with the assistance of wildlife experts, can estimate the number of bats that use the area, and by that measure estimate how many bats will be impacted by the proposed project.

Finally, the DEIS concludes that there will be direct significant impacts to the Mariana fruit bat and Guam Micronesian kingfisher from clearing 254 acres, direct impacts to 704 acres of Overlay Refuge, and indirect effects to the Mariana crow due to loss of habitat. It then concludes that these impacts will not be significant in light of proposed mitigation measures. However, the most common mitigation measure offered is that whenever a species is present, construction, or other activities, will be halted until the species voluntarily leaves. The DEIS should analyze, and offer some logical prediction of how often, between all the special status species present, that might occur and whether this mitigation is feasible and will continue to be carried out. The mitigation measures should include a better system of monitoring this specific mitigation measure as well as a plan for enforcement.

G-411-009

**Marine Species**

As with the terrestrial species, it is difficult to provide meaningful specific comments on each of the marine species likely to be impacted by the proposed project. The Navy must undergo consultation with NMFS and prepare a biological assessment on the impacts to the green sea turtle, hawksbill sea turtle, leatherback sea turtle, and spinner dolphin. The DEIS states that excessive lighting would be prohibited on beaches that have the potential to be used by sea turtles. FWS/NMFS provide guidance for appropriate lighting. The DEIS should have detailed that plan and analyzed the feasibility of implementing it while still achieving the goals of the proposed project. All mitigation measures should include provisions for monitoring and enforcing mitigation.

While not a federally listed endangered or threatened species, the scalloped hammerhead shark is an IUCN endangered species. The DEIS indicates that ship traffic and dredging will create short term impacts on shark birthing areas. Apra Harbor is believed to be the only place these sharks give birth around Guam. The DEIS did not include sufficient mitigation measures to protect this imperiled species.

G-411-010

**IV. The Proposed Project Will Likely Violate the Clean Water Act**

The Clean Water Act ("CWA") is designed to "restore and maintain the chemical, physical and biological integrity of the Nation's waters."<sup>55</sup> The goal of the CWA is that the discharge of pollutants into navigable waters be eliminated, and "it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited."<sup>56</sup> Section 301 of the CWA prohibits the discharge of any pollutant into waters of the United States, except as provided by specific statutory authority. The CWA and its implementing regulations define "waters of the United States" to include wetlands and riparian habitats adjacent to waters of the United States.<sup>57</sup> "Pollutant" is defined to include dredged or fill material.<sup>58</sup> Any applicant for a federal permit to conduct any activity which may result in the discharge into the navigable water must provide the

<sup>55</sup> 33 U.S.C. § 1251(a).

<sup>56</sup> *Id.*

<sup>57</sup> *Id.* § 1362(7); 33 C.F.R. § 328.3(b).

<sup>58</sup> 33 U.S.C. § 1362(6).

implementing conservation and management strategies as outlined in its Integrated Natural Resources Management Plan. Additional detail has been added to the FEIS to address pet policies and owner requirements.

3rd Paragraph: Additional and more detailed mitigation measures have been included in the FEIS. Given that there are only 2 Mariana crows left on Guam and less than 50 fruit bats, and the fact that the majority of the proposed construction activities would occur within previously disturbed areas or along the edge of developed areas, the potential of encountering a listed species prior to or during proposed construction activities is considered extremely low. Pre-construction surveys and monitoring will be required during all construction activities and biological monitors will be present at all project sites during all phases of the construction activities and will ensure the enforcement of all mitigation measures.

**G-411-009**

Thank you for your comment. The ESA, MMPA, and MSA require that NMFS and/or the USFWS be consulted when a proposed federal action may adversely affect an ESA-listed species, a marine mammal, EFH or HAPC. The Navy has entered into Section 7 and EFH consultation with NMFS, and USACE regarding significant impacts associated with Section 10/404 permits, under the CWA.

All federally listed or special status species are included in the marine sections of Volumes 2 and 4 of the FEIS. The green and hawksbill sea turtles and spinner dolphins are described in detail, including baseline information, impact analysis, and detailed preventative measures. The leatherback sea turtle is not addressed in the FEIS, as it is not known to occur in the project area.

G-411-010

permitting agency with a certification from the State that any such discharge will comply with the CWA and state water quality standards.<sup>59</sup> In addition, the CWA requires federal agencies to comply with state water quality standards.<sup>60</sup>

G-411-011

Section 404 of the Clean Water Act

Section 404 of the CWA regulates the discharge fill material into waters of the United States.<sup>61</sup> The Secretary of the Army, acting through the Corps, may issue permits for such activities. The Corps has adopted regulations to implement this permitting process, known as “public interest” factors.<sup>62</sup> Section 404 of the CWA prohibits the filling or dredging of wetlands without first receiving a § 404 permit.<sup>63</sup> The CWA and its implementing regulations express a strong preference for wetlands protection. A § 404 permit may not be issued if (1) there is a practicable alternative which would have less adverse impact and does not have other significant adverse environmental consequences; (2) the discharge causes or contributes to violations of any applicable state water quality standards; (3) the discharge would result in the likely destruction or adverse modification of critical habitat; (4) the discharge will cause or contribute to significant degradation of waters of the United States; (5) the discharge does not include all appropriate and practicable measures to minimize potential harm; or (6) there does not exist sufficient information to make a reasonable judgment as to whether the proposed discharge will comply with the Corps’ Guidelines for permit issuance.<sup>64</sup>

For the “practicable alternative” requirement, the Corps must follow a specific two step procedure. First, correct statement of the proposed project’s “basic purpose” is necessary.<sup>65</sup> Second, the Corps must determine if that basic purpose is “water dependent.”<sup>66</sup> “[I]f a dredge or fill permit application does not concern a water-dependent project, the Corps assumes that practicable alternatives exist unless the applicant ‘clearly demonstrates otherwise.’”<sup>67</sup> “This presumption of practicable alternatives is very strong.”<sup>68</sup> “Practicable” is defined as “available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.”<sup>69</sup> When this presumption applies, the applicant must rebut the presumption by clearly demonstrating that a practicable alternative is not available, and the Corps presumes that all practicable alternatives that do not involve the discharge into a wetland have a less adverse environmental impact.<sup>70</sup> The permit applicant must provide detailed, clear and convincing information proving that an alternative with less adverse impacts is impracticable. In addition, a permit may not be issued “unless appropriate and practicable steps

<sup>59</sup> *Id.* § 1341.

<sup>60</sup> *Id.* § 1323(a); *Northwest Indian Cemetery Protective Ass’n v. Peterson*, 795 F.2d 688, 697 (9th Cir. 1986).

<sup>61</sup> 33 U.S.C. § 1344(e).

<sup>62</sup> 33 C.F.R. §§ 320 *et seq.*

<sup>63</sup> 33 U.S.C. § 1344(a), (d).

<sup>64</sup> 40 C.F.R. § 230.10-12; see *Bering Strait Citizens for Responsible Resource Dev. V. U.S. Army Corps of Engineers*, 524 F.3d 938, 946-47 (9th Cir. 2008).

<sup>65</sup> See 40 C.F.R. § 230.10(a)(3).

<sup>66</sup> *Id.*

<sup>67</sup> *National Wildlife Federation*, 27 F.3d at 1344.

<sup>68</sup> *Id.*

<sup>69</sup> 40 C.F.R. § 230.10(a)(2).

<sup>70</sup> 40 C.F.R. § 230.10(a)(3).

Information on sea turtle densities and migratory patterns to foraging areas within Sasa Bay is lacking, however high concentrations were assumed based on available data and evaluated in the FEIS. Mitigation measures and BMPs will be required by USACE permits that will offer the maximum protection practicable during this operation.

Fish and invertebrate surveys were completed and included in the DEIS. Hammerhead sharks and their rare spawning occurrences were addressed in the ERDEIS, PDEIS, DEIS, and now the FEIS. As this species is not federally protected, it is not further considered beyond general descriptions.

G-411-010

Thank you for your comment. DoD is aware of the CWA requirements and they are discussed in detail in Volumes 2 and 4, Chapters 4 and 11, and in Volume 8 as they related to the proposed military relocation.

G-411-011

Thank you for your comment. The Navy understands that a LEDPA determination must be made as part of any USACE CWA permitting process. The LEDPA discussion is in Volume 2, Chapter 4 and Volume 4, Chapter 4. DoD recognizes that additional information may be required by the USACE to satisfy CWA permitting requirements.

G-411-011

have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem.<sup>71</sup>

G-411-012

The impacts of four new landing zones at NMS and the proposed foot, wheeled and tracked vehicle traffic throughout the southern portion of NMS have been improperly minimized in the DEIS. This buildup will impact Fena Reservoir, an already stressed major source of drinking water for the island, in the form of silt buildup from erosion. The DEIS does not provide a map of buffer zones. It is not possible to review and comment on these impacts where there is so little information available and the information provided is misleading. Similarly, the proposed alternative of a new sewer outfall is not adequately addressed and the Navy well and well field study is not available. Therefore, analysis and comment by the public is not possible.

G-411-013

Section 402 of the Clean Water Act

Section 402 of the CWA authorizes the National Pollutant Discharge Elimination System (NPDES) program. The NPDES "controls water pollution by regulating point sources that discharge pollutants into waters of the United States."<sup>72</sup> CWA section 301 prohibits any discharge of pollutants except as permitted, section 402 governs permits the point source discharge.<sup>73</sup> Essentially, the NPDES issues "pollutant badges" that allow a water to meet its designated WQS, provided the discharge does not exceed the permit's allotted amount.<sup>74</sup>

The proposed stormwater disposal at the staging area adjacent to the wharf is wholly inadequate and likely violative of the Clean Water Act. The proposed cyclonic separator would only parse out solids. It would do nothing to remove petroleum or other toxic chemicals before being discharged into a channel between Apra Inner and Outer Harbors. Therefore, as currently envisioned, the Navy would likely violate the Clean Water Act.

G-411-014

Coral

Corals are slow to adapt to habitat changes and have a limited ability to reproduce over large distances.<sup>75</sup> Sediment from coastline erosion, runoff, beach renourishment, and coastal development are known to threaten corals.<sup>76</sup> Corals require nutrient-limited, clear waters and runoff from agriculture, sewage, and other land sources increases algal growth impairing the fitness of corals.<sup>77</sup> Additionally, abrasion and breakage from vessels, construction, dredging, and other activities can harm corals and their habitat. The construction and operation of the proposed project as planned will result in harm to the reefs in Apra Harbor.

Studies consistently conclude that proximity to coastal development is a primary factor in the decline of coral reef ecosystems. Around the world, reefs close to population centers, ports, and tourism are either of lower quality than reefs removed from such activities or they have simply

<sup>71</sup> 40 C.F.R. §230.10(d).

<sup>72</sup> EPA: National Pollutant Discharge Elimination System (NPDES). <http://cfpub.epa.gov/NPDES/>.

<sup>73</sup> EPA, WATERSHED ACADEMY, *supra* note 364 at 34.

<sup>74</sup> *Id.* at 28.

<sup>75</sup> 73 Fed. Reg. at 6897.

<sup>76</sup> 73 Fed. Reg. at 6902.

<sup>77</sup> *Id.*

**G-411-012**

Thank you for your comments. The DoD and regulatory agencies are equally concerned about preventing contamination of surface waters. As described in the EIS, construction and operations in the Fena Watershed would be performed in accordance with all applicable regulations and would include the implementation of site-specific and activity-specific Best Management Practices (BMPs) to reduce potential impacts to receiving waters. The BMPs would be developed and implemented to specific crossing conditions and would include appropriately-sized buffer areas upon the identification of the crossings. Regarding a new treatment plant outfall, that is not the preferred alternative and would only be pursued if the long term alternative requiring that feature would be pursued. The long term alternatives are only presented at a programmatic level and would not be part of the record of decision (ROD) for this EIS. Any long term alternatives pursued would require subsequent NEPA review and be presented at a project specific level at that time. That is why the DEIS does not contain specific information nor impacts to resource areas for a new wastewater treatment plant outfall. As for the proposed 22 new potable water wells and their locations, the best available forecast locations were provided in the DEIS. A well test study is being conducted and the latest available information has been included in the Final EIS. Ultimately, final locations for water wells is never really known exactly until final installation as underground geology is variable and require location adjustments up to final drilling.

**G-411-013**

Thank you for your comment. The Navy is aware of the CWA requirements and they are discussed in detail in Volumes 2 and 4, Chapters 4 and 11, and in Volume 8.

As required by industrial NPDES permits, SWPPPs have been prepared

G-411-014

disappeared.<sup>78</sup> Coastal development has long been a major problem throughout the Caribbean and is increasingly threatening the Coral Triangle, an area comprising 2% of the global oceans that hosts 75% of coral species and 35% of the world's coral reefs.<sup>79</sup>

Coastal development causes both short and long term damage to corals. During initial development, construction can physically damage reefs through dredging to create and maintain shipping channels, building marinas and docks, and disturbances to the coastline resulting in erosion, sedimentation, and increasing water turbidity. After construction, long-term chronic impacts include pollution from sewage and chemicals associated with the increased human presence and storm run-off from roads.<sup>80</sup> Runoff from developed watersheds tends to carry more sediment and higher concentrations of waste products (including freshwater inputs from wastewater, oil, pesticides and fertilizer, animal excrement, and garbage) than that from undeveloped areas.<sup>81</sup> Sediments tend to accumulate in nearshore areas with gentle slopes and low flushing rates, and wave action typical of reef habitat can continuously re-suspend introduced sediment with subsequent negative impacts on coral communities.<sup>82</sup>

G-411-015

G-411-016

Apra Harbor is the single most popular site for recreational divers and commercial diving operations in Guam. These economic impacts need to be taken into consideration. Moreover, it is the only deep water protected lagoonal area in the Marianas Archipelago. Dredging will encourage the spread of marine invasive species, and sediment plumes will further exacerbate this problem by reducing the fitness of adjacent ecosystems. The classification of the Apra Harbor Shoal system as suited to existing turbidity levels (thereby excusing increased turbidity) is misleading as it is merely better at surviving in this extreme environment compared to other organisms. A more apt description is that the coral there live on the edge of their environmental tolerance.

There are at least 110 species of coral growing in Apra Harbor. Some of these species, such as the *Pectinia paeonia* and *Leptoseris gardineri* apparently do not occur in any other waters under

<sup>78</sup> Wilkinson, Clive (ed.). 2008. *Status of Coral Reefs of the World: 2008*. Global Coral Reef Monitoring Network and Reef and Rainforest Research Centre. Townsville, Australia, 296 p.; Waddell, J.E. and A.M. Clarke (eds.). 2008. *The State of Coral Reef Ecosystems of the United States and Pacific Freely Associated States: 2008*. NOAA Technical Memorandum NOS NCCOS 73. NOAA/NCCOS Center for Coastal Monitoring and Assessment's Biogeography Team. Silver Spring, MD. 569 pp.; Jokiel, Paul L. and Erik K. Brown. 2004. Global warming, regional trends and inshore environmental conditions influence coral bleaching in Hawaii. *Global Change Biology* 10: 1627-1641, doi: 10.1111/j.1365-2486.2004.00836.x.; Pandolfi, J.M., J. B.C. Jackson, N. Baron, R.H. Bradbury, H.M. Guzman, T. P. Hughes, C.V. Kappel, F. Micheli, J.C. Ogden, H. P. Possingham, E. Sala. 2005. Are U.S. coral reefs on the slippery slope to slime? *Science* 307: 1725-1726; Jackson, Jeremy B.C. 2008. Ecological extinction and evolution in the brave new ocean. *Proceedings of the National Academy of Sciences* 105: 11458-11465.

<sup>79</sup> Turgeon, D.D., R.G. Asch, B.D. Causey, R.E. Dodge, W. Jaap, K. Banks, J. Delaney, B.D. Keller, R. Speiler, C.A. Matos, J.R. Garcia, E. Diaz, D. Catanzaro, C.S. Rogers, Z. Hillis-Starr, R. Nemeth, M. Taylor, G.P. Schmah, M.W. Miller, D.A. Gulko, J.E. Maragos, A.M. Friedlander, C.L. Hunter, R.S. Brainard, P. Craig, R.H. Richmond, G. Davis, J. Starmer, M. Trianni, P. Houk, C.E. Birkeland, A. Edward, Y. Golbuu, J. Gutierrez, N. Idechong, G. Paulay, A. Tafleichig, and N. Vander Velde. 2002. *The State of Coral Reef Ecosystems of the United States and Pacific Freely Associated States: 2002*. National Oceanic and Atmospheric Administration/National Ocean Service/National Centers for Coastal Ocean Science, Silver Spring, MD. 265 pp; Wilkinson 2008; Waddell and Clarke 2008.

<sup>80</sup> Turgeon et al. 2002, Waddell and Clarke 2008.

<sup>81</sup> Waddell 2005.

<sup>82</sup> *Id.*

and BMPs within those documents would address pollutant discharges into U.S. waters.

#### G-411-014

Thank you for your comment. There was an error in Volume 7 of the DEIS summary of impacts. The FEIS has been corrected to identify a significant and mitigable impact to marine resources, including reefs, during construction and operation of the proposed action. This conclusion is driven by need to dredge for a new CVN wharf. In addition to mitigation for the CVN, the Final EIS includes mitigation for stormwater runoff and infiltration during construction and operation of the base and measures related to upgrades to the Northern District Wastewater Treatment Plant. 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. Volume 7 of the Final EIS also includes a thorough listing of all BMP's that could be used during and after construction to minimize stormwater runoff.

DoD proposes to use the existing GWA Northern District (ND) WWTP to treat and dispose of wastewater directly generated from new DoD facilities in northern Guam, and to use the Navy's Apra Harbor WWTP to treat sewage from additional visiting ships at Naval Base Guam. The GWA NDWWTP would handle most of the increased wastewater treatment demand from the DoD relocation. The Navy Apra Harbor WWTP would handle the increased wastewater treatment demand for all increases at Apra Harbor, such as the shipboard transient population. The GWA Hagatna WWTP and four southern Guam WWTPs would handle some of the increased wastewater treatment demand from the construction workforce and increased civilian population under proposed DoD relocation.

The majority of increased flows associated with direct, indirect and induced growth would occur at the NDWWTP. The Draft EIS identified

G-411-016

U.S. jurisdiction. These two coral species only occur in the turbid habitats in the deeper eastern parts of Apra Harbor where the CVN channel and turning basin are to be dredged. They will be severely impacted by the proposed dredging for either of the two proposed CVB berthing alternatives. In addition to these species, there are likely other unique species of coral, algae, sponge, and other invertebrates and fishes that occur in the deeper parts of the direct impact area of the proposed channel and turning basin dredging that might not be found anywhere else in U.S. waters. New undescribed species may even be in this unique habitat. Two species of the Pentapodidae fish genus *Pentapodus* have been recorded from these same turbid habitats deep in Apra Harbor but apparently do not occur anywhere else in American waters. This indicates the uniqueness of the special habitats that will be seriously impacted by the dredging. However, the DEIS ignored assessments of the species and marine communities found in, and dependent upon, the acres upon acres of habitat deeper than 18 meters that may be destroyed by rubble, sediment, and silt settling on them because of the dredging.

Further, there is reason to believe the DEIS underestimated the rugosity of the Inner Apra Harbor Shoal system and age classes of corals within them. The Navy only used coral percent cover for the Habitat Equivalency Analysis, instead of using the numbers and sizes of coral colonies, which is a better indicator of what mitigation measures are appropriate. This method is flawed and contested by federal and Guam regulatory agencies and must be rejected. Furthermore, no data below 60 feet was collected or analyzed (which represents a large area of reef habitat). This is significant because there are ongoing studies on whether the screens (that typically only drop to 30 feet) are as effective as claimed at mitigating sedimentation. Another flaw can be found in the sediment plume study. It only used 2 days worth of data, and the data was from 24 hour sampling periods. This likely does not accurately reflect the cumulative impacts of dredging on nearby reefs. Finally, approximately 40,000-50,000 temporary workers, largely from Micronesia and the Philippines will aid in the construction of the proposed project. These workers are likely to add significant additional pressures to Guam's fisheries, reefs, and other environmental resources. The final EIS must address these impacts.

The dredging at Apra Harbor also will negatively impact the mangrove forest and fish nursery area of the Sasa Bay Marine Preserve, which serves as breeding grounds for a vast array of sealife, including plankton, and their prop roots protect juvenile fish from predation. This area is believed to be the largest stand of mangroves in U.S. waters in the entire Pacific. However, the DEIS does not make note of this fact. The impacts to this marine preserve were not adequately addressed in the DEIS.

G-411-017

#### V. Conclusion

Section 101 of NEPA requires that federal agencies "use all practicable means and measures" to protect environmental values. The inadequacies cited throughout this comment letter reveal that the Navy is not meeting this standard by failing to fully address, or even mention, some very serious impacts. In addition to faults in the substance of the DEIS, its organization and volume also made it very difficult to provide meaningful feedback. Because the DEIS was split into so many volumes, and then multiple chapters within each volume, it was frequently very difficult to determine where to find information sought. Despite the complexity of the DEIS, and the

as mitigation upgrades that are needed at the Northern District Wastewater Treatment Plant (NDWWTP) that would improve Guam's water quality. The NDWWTP has long-standing non-compliance with its permit, which currently impacts Guam's coastal water quality, absent the buildup. 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 the publication of the DEIS, DoD committed to fund 100% of the primary treatment repairs and upgrades. This would significantly improve the quality of wastewater from the plant, and result in improved coastal water quality. After publication of the DEIS, GWA challenged EPA's requirement to upgrade the plant to secondary treatment. These secondary upgrades alone will assist Guam in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam. Whether secondary treatment will be required will be determined in the future. Upgrading the NDWWTP to secondary treatment would result in the plant effluent meeting all water quality standards, resulting in an improvement over current discharge water quality. Therefore, operation of GWA NDWWTP would result in a beneficial impact to nearshore water upon completion of improvements.

#### G-411-015

Thank you for your comment. Volume 4, Chapter 16 of the DEIS acknowledges that there could be impacts to ocean based tourism within Apra Harbor including diving. However, economic impacts to tourism

G-411-017

significance of the issues raised (or not raised) in it, the Navy's on-line comment form limits comments to 2500 characters.

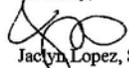
Also, the considerable volume of the DEIS also made it difficult to ensure that all issues were adequately addressed. Federal regulations provide that an EIS generally not exceed 150 pages. Here, the DEIS exceeded 10,000 pages and commenters were only given 90 days to review and comment, despite the Governor, other elected officials, and members of the public (including the Center) requesting additional time. The Navy had the authority to do so, and instead decided that the 90 day comment period "best balances the need for additional time to review a complex document with the Department's requirement to complete the military buildup on Guam on an aggressive schedule."<sup>83</sup>

G-411-018

The military buildup at Guam depends on a series of decisions to be made by Japan, including the proposed relocation of a base in Okinawa and Japan's willingness to finance that relocation for \$6 billion. The siting of the planned Okinawa base relocation must happen before the construction at Guam can start.<sup>84</sup> The plan to resite the military base in Okinawa has been stalled due to opposition by Okinawa officials as well as unmitigated environmental impacts. Prime Minister Hatoyama has announced that he will not make a decision regarding Futenma's replacement site until May 2010.<sup>85</sup> Given these facts, it was highly irresponsible of the Navy to only allow 90 days to review a document over 10,000 pages long on a proposed project that would not only forever change the physical landscape of Guam, but would also deeply damage the culture of the residents of Guam. The Guam Legislature is currently drafting a resolution to request an additional extension. It should not have come to that.

Please contact me if you would like to discuss these comments or the proposed project. We appreciate the opportunity to have these comments taken into consideration. Please send me one copy of the Final EIS and the Record of Decision when they are made available to the public.

Sincerely,



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<sup>83</sup> <http://www.guambuildupeis.us/about/faq> (accessed Feb. 10, 2010).

<sup>84</sup> Marchesseault, J., *Clinton Whips Up 'Snowstorm Diplomacy' For Okinawa-Guam Transfer Deal*, Guam News Factor (Dec. 12, 2009) available at <http://www.guamnewsfactor.com/200912291744/News-Analysis/Clinton-Whips-Up-Snowstorm-Diplomacy-For-Okinawa-Guam-Transfer-Deal.html>; Hauswirth, H. *Cruz asks for more time to review DEIS*, KUAM News (Jan. 14, 2010) available at <http://www.kuam.com/Global/story.asp?S=11820282>.

<sup>85</sup> Sakamaki, S. and T. Hirokawa, *Japan Seeks Clinton Meeting to Discuss Okinawa Base Dispute*, Bloomberg (Jan. 6, 2010) available at <http://www.businessweek.com/news/2010-01-06/japan-seeks-clinton-meeting-to-discuss-okinawa-base-dispute.html>; Carmichael, L., *Clinton plays down row over air base*, AFP.com (Jan. 12, 2010).

would be somewhat mitigated or compensated for by increased tourism from military personnel.

### G-411-016

Thank you for your comment and concern for coral reef ecosystems. The location of the new Navy wharf was chosen as the least environmentally damaging alternative in efforts to avoid the least amount of live coral in the area. The proposed dredged area within the active commercial harbor was previously dredged over 60-years ago and maintenance dredging continues. The proposed dredged area consists mainly of a sand, rubble, and algae zone. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. Direct impacts of dredging to the shoal areas within Apra Harbor (Western Shoals, Middle Shoals, Jade Shoals, and Big Blue Reef) will be avoided. The indirect impacts (from sedimentation) to these areas from in-water activities will also be avoided based on computer tide/current modeling performed within the project area (see Figure 11.2-3).

Additionally, the Navy is required to consider the Coral Reef Preservation Act, and has supported many of the Section 2.2 Purposes of this Act. However, the U.S. Army Corps of Engineers (USACE) Compensatory Mitigation Rule, is more appropriate in this situation. The primary goal of the USACE regulatory program is to protect the nation's aquatic resources. This is accomplished through the issuance of permits for projects that have undergone careful evaluation in light of applicable laws, regulations and policy to insure that no action authorized by the USACE program will have an adverse impact on the overall public welfare. It is their mission to provide strong protection of the Nation's aquatic environment, including wetlands and coral reefs; to enhance the efficiency of the USACE administration of its regulatory program; and, to ensure that the USACE provides the regulated public with fair and reasonable decisions.

The U.S. Army Corps of Engineers permits will likely contain requirements for silt curtains, biological monitoring, restrictions in dredging activities during potential coral spawning months, and compensatory mitigation projects. To compensate for the loss in ecological service provided by coral reef ecosystem, upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination of these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources. In addition, land-based construction BMPs will be implemented to reduce run-off/sedimentation to the ocean, thus protecting the reefs.

Additionally, the DoD, as part of the "build-up" on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

The final conceptual determination would not be made until the Record of Decision on this EIS. More detailed identification of potential mitigation would be done during the USACE permit process. Both artificial reefs and watershed management projects would be considered as potential compensatory mitigation, and it is possible that a combination of those potential mitigation efforts would be appropriate. 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.

With respect to recreational fishing/harvesting from construction workers, DoD acknowledges in the EIS there could be an impact on Guam's natural resources. DoD fully supports the Government of Guam in implementing existing natural resources laws and restrictions to minimize potential impacts.

**G-411-017**

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 of the proposed actions to facilitate readability. The Draft EIS was developed with the intent to balance readability with sufficient technical information.

Although online comment forms had limitations on the total number of characters, multiple forms could be submitted by a commenter.

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.

**G-411-018**

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.

**COMMISSION ON DECOLONIZATION TASK FORCE  
FOR INDEPENDENCE FOR GUAM**

**Chairman: Trini Torres**  
**GMF - P.O. Box 24295**  
**Barrigada, GU 96921**

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February 15, 2010

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

**Subject: Draft Environmental Impact Statement/Overseas Environmental Impact  
Statement Guam and CNMI Military Relocation: Relocating Marines  
from Okinawa, Visiting Aircraft Berthing, and Army Air and Missile  
Defense Task Force**

G-412-001

**OUR POSITION: NO – THERE MUST BE NO U.S. MILITARY BUILDUP ON GUAM,  
AKA GUAHAN – THERE IS ALREADY TOO MUCH MILITARY ON GUAHAN –  
THE MILITARY ARMED FORCES MUST WITHDRAW 60% - 80% OF ITS  
FORCE IMMEDIATELY, THE REMAINING MAY BE UNTIL SUCH TIME WE,  
THE ABORIGINAL INDIGENOUS CHAMORRO PEOPLE EXERCISE  
OUR SELF - DETERMINATION. HENCE, THERE NEEDS TO BE  
NEGOTIATIONS BETWEEN GUAHAN AND THE U.S., FOR RENTAL  
PAYMENTS ON ALL U.S. CONDEMNED/OCCUPIED LANDS WHICH MUST ALL BE  
RETURNED TO GUAHAN). THESE RENTAL PAYMENTS MUST BE PAID  
BY THE U.S AND ITS ARMED FORCES RETROACTIVE TO 1998, AND THE U.S  
FEDERAL GOVERNMENT AND ITS U.S. MILITARY ARMED FORCES MUST  
CLEAN UP ALL THE CONTAMINATED SITES ON GUAHAN THAT THE U.S.  
MILITARY FORCES LEFT ON THE ISLAND OF GUAHAN.**

There are many extremely important issues raised in the DEIS relevant to the existence and livelihood of the aboriginal indigenous Chamorro people of Guam and the entire Marianas Islands -- the homeland of the Chamorro people, whose existence on this planet Earth is now in question, as the United States military armed forces toy with the idea, together with Japan, who are still up to this day, BOTH responsible for the atrocities committed on and against the Chamorro people, during the WWII Japanese-American war, and up to this day. Are the U.S. and Japan going to apologize to the Chamorros and pay their debts for the injustices they both left as their legacy for the Chamorro people to live with? The above DEIS offers both Alternatives and forms of Mitigation that the writers of the DEIS believe are acceptable to the Chamorro people, however contrary to the wishes of the aboriginal indigenous Chamorro people, as these alternatives and forms of mitigation hinge on their existence, pushing the Chamorro people first to an undignified survival, leading to their deaths, much similar to the

*J. Torres*

**G-412-001**

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.

Native Hawaiians and Native American Indians (Example: The Cherokee Nation, "The Trail of Tears", and the many massacres of Native American Indians in their villages, the elders, women, and children, and let us not forget the scalping of these native peoples and the raping of their women).

**1. Issue: Proposed Build-Up Undermines Chamorro Survival**

The DEIS states, "Guam's indigenous Chamorro population has strong concerns about whether incoming military populations would recognize them as both American by nationality and also as a unique ethnic culture worthy of respect and preservation. This could be mitigated by orientation programs designed in cooperation with the Department of Chamorro Affairs." (Vol. 7, Ch. 3, pp. 3-64) These orientation programs certainly continues to treat the Chamorro people as the "savages" which needed to be "learned" because they are not capable of governing themselves, and thus passed on from the Spanish colonial occupation of Guam and the entire archipelago they called "Mariana Islands". This trend of thinking and actual practices in the treatment of the Chamorro "savages" was carried on by the Americans who also insultingly called us Chamorros "savages" and "gooks". In addition, the DEIS states: "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 budget and activities dedicated to cultural issues and practices. It could also affect outcomes of any future plebiscites about Guam's political status" (Ch. 3, pp. 3-64). To state it plainly, the U.S. colonization and assimilation methods to completely take over territorial lands and their people will be 100% successful in completely taking over control and dominating a people, silently and peacefully, without their realization of what's happening to them, as they live through the process of losing their own identity, their homeland -- i.e. their Chamorro islands, their cultural way of life, their language, their traditions, their customs and mannerisms, their values, and, sadly, their existence -- without a dignified survival! The Chamorro people need their freedom to make their own decisions in exercising their self-determination as to what political status they want to govern themselves, without outside influence and intervention, and most certainly not with the ongoing U.S. Colonization blocking every inch of the way, especially with their oncoming massive military buildup they are imposing on the Chamorro people and their homeland..

As the DEIS continues, "Overall, the analysis indicates a sustained increase of approximately 33,500 people on Guam. Most of these people would have political rights as U.S. citizens. Therefore, their sustained presence could affect Chamorro culture in a number of ways, politically and culturally." (Vol. 2, Ch. 16, pp. 16-91). The additional presence of so many of these people with U.S. voting rights would obviously dilute the voting power of the aboriginal indigenous Chamorro people in the governing of their own homeland and people. The DEIS further states that "an expansion in non-Chamorro voting population could eventually affect the proportion of Chamorro office-holders and

*S. Garcia*

government workers, thereby affecting the current government budgets and activities dedicated to cultural issues and practices. It could also affect

3

outcomes of any future plebiscies about Guam's political status." (Vol. 7, Ch. 3, pp. 3-64).

And, additionally, "A reduction in Chamorro voting power may also be felt on the policy level. For example, it is commonly agreed among Chamorro politicians that public funds should be spent to support funeral and wake activities. However, non-Chamorro elected officials may not appreciate this cultural tradition and support such things." (Vol. 2, Ch. 16, pp. 16-91)

**In sum, any mitigations, negotiations, proposals, and others that have to do with our Chamorro people and our homeland, including the entire Marianas archipelago, will have to meet the approval and consent of the aboriginal indigenous Chamorros of Guahan and the entire Mariana Islands -- Homeland of the Chamorro People..**

Saina ma'ase'.

Yours sincerely,



Trini Torres,  
Chairman, Commission on Decolonization Task Force for Independence for Guam  
Pilong Maga' Haga, Taotaomona Native Rights  
Chairman, Chamoru Cultural Development and Research Institute  
Former Maga' Haga, Chamoru Nation.

Cc: Maga' Haga Debbie Quinata, Chamoru Nation

G-413-001

My name is Robert S. Unpingco and I am in opposition of condemnation or Purchase of my property at Sasayan Valley. Just like the property of my late Grandfather, Francisco R. Unpingco fought for are passed down from one Generation to the next were indiscriminately taken away for purposes other Than sustaining and nourishing the family when NAS (Tiyan) was taken by The military. I come from a family of US Veterans. I myself am a veteran And did not get compensation until 32 years later.

Now they want my property and my family's again. How can I pass it down?

G-413-002

To my family and children? No consideration of our rights, history, Culture or ethnic group will be gone forever where our ancestors

Bones lie and artifacts. They have excessive underutilized properties and

G-413-003

Yet they want more. I have been working for the U.S. Navy for 17 years. There are firing ranges as I've been to Naval Station, NICTAMS(NCS) and Anderson (AAFB). These are enough to support their needs. I ask you to To reconsider these sites as these are more than adequate to support your Needs.

G-413-004

It is very dangerous to have a firing range at Sasayan valley (Marbo) since The most populated villages are Dededo and Yigo which is the back yard. To subject these highly populated areas to the noise pollution which comes From a hundred rifles all going off at the same time can not be tolerated.

#### G-413-001

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.

#### G-413-002

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.

#### G-413-003

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

G-413-005

Former Admiral Bice said that Military buildup will only be within the Reservation and not outside. Guam is very limited and the military already Owns at least 1/3 of the best choice land on Guam which is excessively underutilized.

I am a US Army veteran. I served my country honorably. I was in a roll Over on a 2 ½ ton army truck completely upside down skidded About 60 feet and I was pinned down in the rear, my friend PVT Williams Broke his neck and died right in front of me. I'll never forget his last words "Oh God". I blacked out, blood pouring out from my forehead that required 25 stitches and compression fractures on my back. Then while stationed at Ft. Eustis I got into a motorcycle accident in front of my 497 Engr. Co. The captain said that my shoulders bent the handlebar and I flew 50' which He Paced.

I blacked out and my helmet saved me but ended up with severe Backpains, headaches, laceration on my arms and foot injuries. After Discharge in 1977, I went to Naval Hospital to be examined and I recalled Distinctively the 3 young commanders telling me there's nothing we can Do but operate on you but it's not a guarantee and the other option is to Prescribe me with pain killers and become a junky at a young age. To be Paralyzed and be a junky is not an option. I had to learn to live with the pain

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 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 resource sites would be impacted.

As discussed in Volume 2 Chapter 18, public notification of training activities, use of established training areas, compliance with appropriate range safety procedures, and avoidance of non military vessels and personnel would reduce the potential for interaction between the public and personnel that are training. Specific and documented procedures would be in place to ensure the public is not endangered by training activities.

**G-413-004**

Thank you for your comment. Residences around the proposed ranges would be subject to elevated noise levels, but mitigation measures would reduce noise levels 10-15 dB and be less than significant. These residences are in lower density areas near Route 15. Noise levels at the higher density areas of the communities of Yigo and Dededo would be subject to noise levels at or near ambient levels.

**G-413-005**

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

I drank beer, hard liquor and smoked cigarettes to ease my back and  
Headaches. I remembered receiving a letter from VA stating that I only have  
8% Disability and not qualified unless I am 10%. What the doctors told me  
Was written in stone. After the accident at 18 years old, I have been  
Encountering mental and physical torments, hardships through out my life  
Had resigned from the US Navy step-down and accept a lower paying job at  
Govt. of Guam's Superior Court as bailiff. My Judge was very  
Understanding as to what I've been through and after my Judge accepted to  
Become a magistrate Judge at District Court I was transferred to the clerks  
Office. I've been counseled for excessive absence from work so I produced  
My Army Medical Records and numerous doctor's excuse that now that I  
Older, my excruciating back pains and headaches are a lot worse that I was  
Prescribed percocet by my local doctor. Now after 32 years, I am seeing  
Light at the other end of the tunnel. I am currently compensated from 10%  
To 30% by the VA and my claim is still undergoing appeals. As a  
Disabled veteran, these are lifetime injuries I am suffering.  
I couldn't even send my kids to college because of my limitations. One of  
my daughters has been deployed twice serving the US Air Force to Iraq it's  
bad enough suffering from my injuries and also knowing that my daughter is  
in harms way. We come from a family of Veterans. My grandfather and

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.

G-413-006

grandmother, uncles and aunties on both sides were prisoners of war who were tortured defending our country, loyal, dedicated etc. My father served in Korean war veteran and never got adequately compensated.

G-413-007

The potential of losing our family's and so many Chamorro people Properties where our ancestors lie is disinheritng our next generation. We became the number one target for the enemy with this buildup. Both in Peacetime and at war we become the number one target. I hope there is fairness and justice. Thank you for the opportunity to express My sentiment and as why the Chamorro families who make sacrifices so severe for the concept of the word FREEDOM.



**G-413-006**

Thank you for your comment.

**G-413-007**

Thank you for your comment. We have reviewed and responded to your comments on land acquisition.

G-414-001

**PRESIDENT BARACK OBAMA: Please speak with the People of Guam!**

The military buildup will permanently change our island and our lives. The needs of all Guam's people must come first, for this island is our home. It is critical that President Obama hear our concerns. To our elected officials: Please request that President Obama speak directly with Guam residents in the community.

*We have the power to determine our future!*

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*J. G. C. C.*

**G-414-001**

Thank you for your comment.

D'Ana Naputi  
History of Guam  
Mr. Bevacqua  
2/15/10

The Preservation of the History of Our Culture

G-415-001 | With the military buildup coming to Guam, the people have many fears and  
G-415-002 | many concerns specifically the ability to access certain lands which will be under military  
control, like Pagat Cave. Recently, I adventured to Pagat Cave for the first time which  
made me wonder how the history of our island will survive. Finding numerous ancient  
villages at Pagat Cave, I realized that this place was a home to many of these ancient  
Chamorros. Moreover, Pagat shows how the ancient Chamorros of Guam lived long  
ago. Surrounding the caves is a number of ancient artifacts the Chamorros used to build  
homes and to grind food. Additionally, Pagat Cave is known for their ancient Chamorro  
hieroglyphics to be found deep inside the caves. Nonetheless, the cave itself is also  
spectacular and beautiful in so many ways.

G-415-003 | Ultimately, land is culture to the people of Guam. Not only will we lose our land  
completely to the military build-up, we lose our history as well. As a resident of Guam, I  
G-415-004 | agree that mitigation should be long-term leases or land acquisitions in order for the  
military to take control over the lands. Other mitigations that will benefit both the  
military and the people of Guam are either allowing some form of access to Pagat Cave  
or the military providing the funds for a historical museum to preserve the history of our  
culture. If the Government or the Military provides a museum for our island people, then

**G-415-001**

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.

**G-415-002**

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.

DoD understands the importance of the cultural and historic issues related with land in Guam, and in particular those associated with the Pagat site. 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 this site is important. Although plans concerning access have not been developed, it is the intent of DoD to continue access should this property 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 this site.

G-415-004

we can at least preserve some of the artifacts and sites from the ancient Chamorro society of Pagat Cave.

G-415-005

Though Pagat Cave is significant because of the history behind it, many individuals don't realize why this will be a good place for the military's firing range. Pagat Cave is a safe zone for all people living on this island. It allows the military to use Pagat as a firing range without the worries of putting Guam and its people in danger. Around Pagat Cave there are only a limited number of residents, but none will be harmed by the firing range. Moreover, in length, Pagat provides the military with enough room to fire certain weapons facing the ocean. Furthermore, this is also a perfect location for the military because boats and ships don't pass through the Pagat area. Although Pagat Cave is a safe site, it's hoped that the military can find more alternative sites that are safe too, so that Pagat Cave can be preserved for the people of Guam to visit.

G-415-006

The Chamorro culture is very unique. Land is treasured by the people of Guam and many are not willing to give up their land to the Military for a price or for exchange for another piece of land. Many people inherit their land from their parents and grandparents and these lands are passed on from generation to generation with great sentimental value. Our military needs to be educated about the Chamorro culture, so that they will understand why our people have so much love for their land and how valuable it is that we fight to preserve our culture.

### G-415-003

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.

### G-415-004

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.

### G-415-005

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.

**G-415-006**

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.

John Tyquiengco  
2/15/10  
M. Bevaqua

Guam EIS Build-up Comment

G-416-001

My response to the military's EIS for Guam is neutrally based as opposed to my original comment which was against the build-up. In my original comment I outlined that my worries for the island as a result of the military build-up was that there would be extreme over crowding and an extreme loss of cultural aspects such as the further loss of our language as well as other cultural sites such as Pàgat Caves and Mt. Humuyong Manglo. The fact that my comment as well as my stand on the issue of the military build up has changed it does not mean that I hold any one of the two in higher regard than the other. My explanation is as follows.

G-416-002

When I hear other peoples comments dealing with the build up, which I find to be mostly negative, I find that most of the issues they have are just reflections of other peoples opinions retrofitted to their needs to have an issue of their own. I see my fellow students complain about the traffic situation but then I think that everyone that drives a vehicle complains about the traffic even before the build up process was started. I think this is just a complaint given because the influx of people would mean that they can't go 80 mph in Polaris. But then I see where they're coming from: How will this traffic situation- when it comes- affect the time of law enforcement and emergency vehicles to get to emergency situations? How will the increase in the number of gasoline burning vehicles affect the environment? Will this bring another price hike in gas prices?

G-416-003

Another issue that I as well as my other classmates and peers share is the issue of cultural loss. Being Chamorro and this being my home I feel how important it is for our

**G-416-001**

Thank you for your comment.

**G-416-002**

Thank you for your comment. Overall traffic congestion and resulting travel times will increase as organic (non-military) population increases on Guam. The increase in population associated with the military build-up will also add traffic and increase congestion. The Draft EIS identifies a number of roadway improvement projects for the 2030 planning horizon, that if implemented, will offset the increased congestion attributable to the military at many locations.

**G-416-003**

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.

generations- both present and future- to have something to look back on, something to remind them and us of who we are and where we come from, but I look at my generation- one that has become an electronic generation swarmed with images of I-Touches, Macs and cell phones slim enough to lose in the folds of your pants, and then I look at the historical sites and the language that we're so afraid of losing. My generation isn't exactly racing to get to Latte Stone Park to take pictures of the latte stones nor do I see them conversing in two way conversations in Chamorro with the exception of the words, "prim", "par", and "che'lu". I find that the Japanese, the people who invaded, tortured and killed our people, get more of a kick out of walking through historical parks and sites than we do. Quite frankly, we have it better than our ancestors did. They were forced to lose their culture under the fear of being beaten, raped or killed. This time if we lose our culture completely we have no one to blame but ourselves for not doing everything we can to keep it alive.

A question to my peers and fellow students: What are we doing about it? We spend so much time about it, but is that all we're good for-just talking? To me, there seems to be more words than action on this issue. The hard truth about this build up is that it will most likely happen whether we want it to or not, but when it comes to keeping our culture as a people alive then it cannot be achieved by us sitting and complaining about it- waiting for someone else to take action. Some of our local people have already gotten us started now it's up to us to carry it and pass it on.

G-417-001

  
**COMMENT SHEET**  
**Draft Environmental Impact Statement/Overseas  
Environmental Impact Statement  
Guam and CNMI Military Relocation**

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**Please provide your comments below:**

Vol. 2, Chapter 6, Pages 23-25 - "Threshold levels of significant impact for supplemental noise metrics have not been established and there is no accepted methodology for aggregating these values into a cumulative impact description." - what exactly are they trying to get out of here? If there is an increase in annoyance to, complaints from residents because of added noise from aircraft operations, this cannot simply be shrugged off by simply saying that impacts would be considered less than significant. They will certainly be significant to those who raise families beneath the operations. Figure 6.2-3 and table 6.2-5 show activity and noise contour for aircraft training at Andy South, but no aircraft would be based at Andy South, so the footprint must also include flight pattern from take-off area to training area. Figure 6.2-1 also fails to show this pattern. Because those flight areas are low level, where noise is highest, and because there is residential usage between AAFB and Andy South, this could be an important factor for quality of life. The residential areas in Yigo and Dededo will also be affected. What mitigation efforts will DOD use for these areas?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-417-001**

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 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.



## COMMENT SHEET

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Please provide your comments below:

Vol. 2, Chapter 6, Table 6.2.4 - Use of Knighthawk (Seahawk) helicopters as examples of noise pollution fail to appreciate the difference in noise levels between them and Super Stallions. Navy aviators do not fly multiple helicopters in formation, except at rare occasions, while the Marines routinely fly helicopters in formations of more than two or three aircraft. This must be addressed in relationship to impacts on residential uses (both on and off base), particularly for night exercises.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

## G-418-001

Thank you for your comment. Airfield noise level contours depicted in Chapter 6 include the helicopters currently used, planned for ISR/Strike, and those proposed for this action. The contours express day-night average noise levels based upon the total number of proposed operations. While formation operations would increase noise levels momentarily, the average noise levels would be as depicted.

G-418-001

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**Please provide your comments below:**

In Volume 4 Section 2.3 of the DEIS, it points to a project to dredge parts of Apra Harbor to accommodate aircraft carriers and larger ships. Table 2.3-1 states that mechanical dredging will be used to complete this project. It is recommended that NO ACTION is taken as further dredging on any part of the island's shores will increase the sediment in the area of the project and there is concern that this sediment produced due to the dredging will affect corals outside the dredging zone. There is scientific evidence that corals are an important habitat and organisms that protect the land from natural disasters such as tsunamis.

Do you know that there are over 100 different kinds of species in Apra Harbor, most not found any where else in the world (there are only 50+ species in the Caribbean)? And that it takes over 60 years for new giant coral head to reach its adult life.

G-419-001

**G-419-001**

Thank you for your comment. As identified in the EIS, the proposed dredged area within the active commercial and DoD harbor was previously dredged over 60 years ago and maintenance dredging continues. Significant unavoidable impacts will be seen to coral reef, other immobile invertebrates, and some site-attached reef fish from the proposed action, including indirect impacts from sedimentation. However, a majority of the fish species and mobile invertebrates will vacate the area and return when in-water construction is completed, experiencing only short-term and localized effects. As identified in the 10 April 2008 Federal Register, 40 CFR Part 230, the final USACE compensatory mitigation rule, permit applicants (DoD in this case) are required to mitigate to no net loss of ecological services and function of the impacted resource.

To lessen these effects, 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 of the resuspended sediment, biological monitors, and halting of dredging activities during potential coral spawning months.

Additionally, as part of the military build-up of Guam, the DoD will be participating in the upgrade of Guam's Northern District Waste Water Treatment Plant from primary to secondary treatment. This action alone will assist the GWA in meeting its coastal water quality standards for the benefit of sea life and people of Guam.



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**Please provide your comments below:**

In Volume 4 of the DEIS, it notes that the area for dredging does not have any shallow reefs, but local studies show there are shallow reefs immediately within the project boundary. It recommended that NO ACTION be taken until a comprehensive study has been completed to determine exactly what is within the area that the military plans on dredging.

I, Speaker Judith T. Won Pat, Ed.D., permit the organization, We Are Guahan, to adopt this comment

**G-420-001**

Thank you for your comment. Unsure the Section of Volume 4 the commenter is referring to; however, Chapter 11 addresses impacts to dredge coral less than 60 feet in depth.

The shallow shoal areas (i.e. Jade, Middle, and Western Shoals, and Big Blue Reef) will not be directly impacted by dredging, and they are not anticipated to be indirectly impacted through sedimentation based on sediment transport modeling performed for the project.

G-420-001



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**Please provide your comments below:**

G-421-001

The DEIS states that the military bases will use Guam's landfill to dispose of their trash and waste. With the current litigation in the US federal court regarding the government of Guam's mandate to close the current landfill and open a new one due to the former's violation of the Clean Water Act, it is imperative that the federal government mitigate the action of using the island's landfill and guarantee that the waste being disposed of will not affect the Clean Water Act. The DEIS does not state what kind of waste will be disposed. Given the potential hazardous material from military components, it is recommended that the federal government assist the government of Guam in complying with the federal Clean Water Act and specifically list types of waste and make known potentially hazardous waste being disposed in the landfill.

G-421-002

How will the military dispose of its hazardous waste? Who will monitor the disposal of potentially hazardous waste? Will the local EPA or USEPA be involved? The new landfill's, without the population increase, life span is 20-25 years. Is there a mitigation plan in the event that there needs to be another landfill built due to the decrease in life span of the new landfill? And will the federal government pay for another landfill to be built?

G-421-003

**G-421-001**

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 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 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.

**G-421-002**

Thank you for your comment. Guam EPA oversees the actions of the DoD. Volume 2, Chapter 17 describes how various hazardous substances are handled, transported, stored, used, and disposed.

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).

**G-421-003**

Thank you for your comment. 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.

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.

Additionally, the Navy is preparing 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 will be used to update the FEIS.

The study is considering 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 evaluates the construction of a composting facility to handle green waste generated by land clearing activities required for new development.



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**Please provide your comments below:**

DEIS states that because of the population increase due to the buildup, an increase in shipments to Guam will occur which will thus increase the possibility of accidentally introducing destructive aquatic and land species which will lead (and has led) to the destruction of the island's natural habitat and environment. Such examples include the rhino beetle and the brown tree snakes. It is recommended that the federal government provide personnel through the U.S. Homeland Security to aide in the assistance of regulating import policies and thoroughly search all imports into the island through all ports of entry. Will the federal government provide much needed manpower in all ports of entry to enforce intrusive species.

G-422-001

**G-422-001**

Thank you for your comment. A Micronesia Biosecurity Plan (MBP) is being developed to address potential non-native 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 non-native invasive species throughout Micronesia and procedures to avoid, minimize, and mitigate these risks. It 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). The plan is intended to be a comprehensive evaluation of risks in the region, including all Marine Corps and Navy actions on Guam and Tinian. The Navy will develop biosecurity measures to address non-native invasive species issues that will supplement existing practices. For additional information on the MBP and existing and interim measures for non-native invasive species control, please refer to Volume 2, Chapter 10, Section 10.2.2.6. Volume 2, Chapter 11, Section 11.2.2.6 contains information relevant to the MBP and potentially invasive marine species. Also, Volume 2 Chapter 14 (marine transportation) has been updated to include shipping routes to and from Guam, as well as expected cargo increases due to both organic growth and the military buildup.





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**Please provide your comments below:**

G-424-001

In volume 2, the DEIS states that although a long term economic impact would be beneficial to the island due to the initial "boom" in construction related jobs, there will be a "recession-like" phase after such construction phase which can potentially lead to "ghost towns". It is recommended that the military rethink and carefully plan what buildings are essential in their relocation, which buildings can serve a purpose to and an easy transition into the government and people of Guam, and which planned buildings, after its use, will be abandoned and left as a detriment and eye sore to the island. The island will also see a decrease in job opportunities as jobs locals will be hired for in the construction field will be lost once the construction phase is completed. Will there be some sort of retraining for such displaced local workers during the recession?

**G-424-001**

Thank you for your comments. The term "ghost town" was not used, the term "boomtown" economy was discussed in the Draft EIS. These terms have different definitions. A "boomtown" economy is characterized by an expected decline in economic activity as the construction phase of the proposed action winds down. A "ghost town" implies that very little or no population remains. 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 (Appendix F of the DEIS) 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.

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**Please provide your comments below:**

G-425-001

In volume 7, it is stated that the Guam Waterworks Authority is given the burden of guaranteeing that it meets the water demands due to the increase in population. The DEIS also acknowledges that GWA does not possess the financial resources to meet such capacity. It is recommended that the federal government pay for any additional civilian wells that need to be drilled and piping that need to be interconnected into military water systems and to housing units of families relocating to Guam due to the buildup. Will the military build new wells inside its bases? It is recommended that wells be built outside the fence and within the control of GWA in order to control water distribution and over-pumping which would lead to salt intrusion.

**G-425-001**

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 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 have worked on these solutions and they have been included in the final EIS.

DoD and Guam Waterworks Authority plan to jointly manage the extraction of water and the aquifer. The subbasin with the most extraction potential lies under land currently owned by DoD, thus many of the proposed new wells would be on DoD land. DoD feels it necessary to control their own water supply as the GWA performance to date has not been exactly exemplary as they are under a stipulated order from EPA. It should be noted that DoD is legally limited in how they can spend their budget. Basically, DoD can only spend funds on items directly for their personnel and facilities. However, DoD is an advocate for GWA in their efforts to secure grants and/or low cost loans.



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Although Volume 7 states that there will be an increase in job opportunities, it acknowledges that many individuals from off-island will move to Guam and will significantly provide for the rapid increase in population thus leading to shortages in housing and working facilities, public service shortages, shortage of qualified workers, and increase in cost of living. The first recommendation is that a provision be allowed to offer such jobs first to those already living on the island. The second recommendation is that the military and local government officials carefully plan its relocation to alleviate the rapidness of increase in population. Instead of a less than five year plan, it is recommended to allow the relocation to occur in a span of not less than ten years.

Will the federal government allow for a hiring process to be filled in the following order: locals already living on the island, Freely Associated States citizens relocating because of buildup opportunities, US mainland, Hawaii, and Alaska citizens, and foreigners?

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**G-426-001**

Thank you for your comment. The FEIS 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 [www.opm.gov](http://www.opm.gov)

G-426-001



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**Please provide your comments below:**

In Volume 2 of the DEIS, it states that there will be an increase in imported goods coming to Guam which will increase the amount of unsafe, illegal products and will strain Guam's ability to regulate these imports. Guam is the closest point of entry into the United States from SE/E Asia, which increases the potential for terrorism, importation of illegal products, and the introduction of potentially dangerous species to the environment and natural habitat. Guam is such a small island and community that the smallest negative impact will have a large effect on the community. Because of the island's limited financial and personnel resources is depleting due to the current conditions of the island economy affected by the global economy, it seems highly unlikely that the government of Guam will be able to handle the increase in demand for regulating imports into the island. Will the federal government offer significant manpower to assist in the regulation of imports. Guam's Customs & Quarantine Agency can work with the federal Homeland Security in developing a strategy to mitigate the potential problems that could arise due to the increase in imports.

G-427-001

**G-427-001**

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.

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**Please provide your comments below:**

Guam's major source of economy is tourism first and military second. Because of this, it is important to keep costs of travel to Guam at a minimum in order to attract tourist markets and keep a steady flow of cash into the economy. The DEIS states that an increase in commercial and cargo flights is expected and that the AB Won Pat International Airport will need to upgrade its current services and infrastructure in order to mitigate these issues. Although an autonomous agency, the AB Won Pat International Airport Authority will still need to find funding somehow to provide for these upgrades. It is recommended that the federal government provide and/or subsidize funding for these upgrades to keep costs from being passed on to potential visitors which would most definitely affect the number of tourist arrivals.

Will the federal government agree to this?  
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G-428-001

**G-428-001**

Thank you for your comment. DoD is leading a Federal inter-agency group to facilitate the coordination of financial resources to upgrade infrastructure and to lessen the impacts on Guam from the proposed military relocation program. DoD will work closely with the Government of Guam and other Federal agencies to minimize impacts like those mentioned in your comments.



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**Please provide your comments below:**

The DEIS states that the Department of Defense hopes to increase its land holding beyond their 30% of Guam lands to accommodate their activities through the lease of additional GovGuam and private land. It is recommended that DOD use their existing 30% of land for training purposes and allow military personnel and their dependents to reside off-military land within the community. Where in the USA does the military and federal government own 1/3 of lands in a state? Excess lands within the military bases should be used for training purposes. It is highly recommended that the federal government not build homes inside the military bases, but allow their personnel and dependents to reside within the local community, this effectuating support of the military to the local housing business community. Will the federal government support this?

I, Speaker Judith Won Pat, permit the organization, We Are Guahan, to adop this comment in its entirety.

**G-429-001**

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.

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. While it is the intent to have family housing on base, this policy may be reconsidered if impacts are found to be adverse.

G-429-001





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**Please provide your comments below:**

G-431-001

The DEIS states that the Department of Defense hopes to increase its land holding beyond their 30% of Guam lands to accommodate their activities through the lease of additional GovGuam and private land. It is recommended that DOD use such acquisition of land through leasing with private property owners as opposed to land condemnation and through eminent domain. Due to Public Law 30-21, the Government of Guam will not sell or lease Ancestral Lands to the military. Will the military, then use eminent domain to acquire additional lands per subsection 2825 in the FY07 Defense Appropriation Act that states that eminent domain can be used for compelling national security interests? What is the definition of "compelling national security interests"? What process involves the taking of land through eminent domain?

**G-431-001**

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.

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**Please provide your comments below:**

Vol. 2, Chapter 10. 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.

Additionally:

Vol. 2, Chapter 10. While this reports 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?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

**\*\*\* Please Print Clearly\*\*\***

Comments must be postmarked by February 17, 2010

**G-432-001**

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.

**G-432-002**

Thank you for your comment. The closest sea turtle nesting beach to the proposed Route 15 ranges is at Andersen AFB, approximately 8 miles due north of the Route 15 area. There are no sea turtle nesting beaches along the coastline in the vicinity of the proposed firing ranges due to the configuration and geology of the coastline. The use of 20-lb explosives at the proposed range would not have any impact on nesting sea turtles on Guam.

G-432-001

G-432-002

**G-433-001**

Thank you for your comment. These mitigation measures and BMPs are identified in Volumes 2 and 4, Chapter 11, and summarized in Volume 7. The DEIS specifically identifies cessation of dredging activities during coral spawning months (summer full moon) as previously stated in ACOE permit conditions for other dredging projects (Kilo Wharf).

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**Please provide your comments below:**

Voie 2, Page 70 Table 11.2-6 - 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. Will the Navy take this into consideration?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

**\*\*\* Please Print Clearly\*\*\***

**Comments must be postmarked by February 17, 2010**

**G-433-001**

G-434-001



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**Please provide your comments below:**

General Comment - 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 could also produce simple brochures on the do's and don'ts for reef flats, forests, and beaches that can be distributed to all military personnel and their dependents as well as other DOD civilian employees. Is DOD willing to provide and fund such education campaigns with all their personnel both civilian and military who are on Guam?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-434-001**

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.

G-435-001

Thank you for your comment. Management of the proposed ecological reserves would be coordinated with Guam DAWR through the INRMPS.



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**Please provide your comments below:**

Volume 2 Chapter 10 Page 140 - 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. Will DOD be willing to partner with GovGuam to address these issues?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

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G-435-001

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Please provide your comments below:

General Comment & Observation: I am confused by this section. It lists secondary limestone forest to be disturbed, with *Ochrosia mariannensis*; *Vitex Paviflora*, etc. 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. How did the DOD come to this conclusion?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-436-001**

Thank you for your comment. An impact to disturbed limestone forest vegetation is not considered significant under the vegetation category, however removal of this vegetation type is considered significant under the Special-Status species category because it is potentially valuable habitat. Although the vegetation is classified as "disturbed," the habitat does provide value to native wildlife species.

G-436-001

**G-437-001**

Thank you for your comment. DoD is working closely with the Government of Guam, Federal agencies and public stakeholders on such important issues. However, funding such a program is not within the scope of the current EIS.



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**Please provide your comments below:**

Vol. 2., Chapter 11, Page 9. 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. Would DOD be willing to fund such an education campaign?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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G-437-001



G-439-001



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**Please provide your comments below:**

Vol 2, Page 54 states " ...and periodic benthic clean-up... ", however the method for clean up is not identified. What methods for cleanup would be available and who would bear the cost of such cleanup?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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**G-439-001**

Thank you for your comment. This section of the FEIS been revised. Based on the negligible chance of projectiles (i.e. ricocheted small arms bullets) reaching the marine environment, it was determined that the "periodic benthic cleanup" was not necessary.

RACHEL SANTOS  
02/15/10  
HI-211-05

G-440-001

Our island has been experiencing tons of problems recently that are really affecting the people of Guam. One of the main problems is the military buildup. Guam is such a small island that our population is increasing and overcrowding very rapidly. The population increase has affected road trafficking for awhile now. To make it worst, more traffic lights are being installed and are too close to each other which will cause traffic to worsen. Most of our traffic lights are already causing some issues because they tend to stay red too long or stay green too shortly which is also another cause of why traffic has been increasing.

I think that more roads should be extended and built because a lot of space is not being used and occupied on our island and is going to waste. Maybe adding at least one or two more lanes on the main roads should help lessen traffic. Also, the back road Anderson that leads all the way up to Mangilao should have at least two lanes on each side of the road because long lanes of car traffic have been occurring. Especially because big company trucks pass through there all the time, they cause huge traffic too. So maybe building and extending extra roads will help lessen overcrowding on the roads and will help traffic flow much better. Lastly the government should really think about adding more traffic lights because it is bad enough that our lights are too close together.

G-440-002

Since population seems to be the problem that is most concerned about, it also will cause air pollution because there will be more cars on the roads. Air pollution will cause more people to get sick because we're breathing in all the air that the cars are letting out. Pretty soon everyone is going to have to ride bikes or buy hybrid cars to prevent our air from being polluted. Not only

G-440-003

will air be polluted but also our lands. The more people on Guam, the more land pollution will

**G-440-001**

Thank you for your comment. Overall traffic congestion and resulting travel times will increase as organic (non-military) population increases on Guam. The increase in population associated with the military build-up will also add traffic and increase congestion. The Draft EIS identifies a number of roadway improvement projects for the 2030 planning horizon, that if implemented, will offset the increased congestion attributable to the military at many locations.

**G-440-002**

Thank you for your comment. The overall trend of vehicular emissions show a continuing decline primarily due to the implementation of various federal emissions control programs. Although the proposed action would increase traffic on Guam, potential air quality impacts would be less than significant based on the analysis discussed in the DEIS (see Volume 6, Chapter 7). According to the microscale (localized) impact modeling analysis, the DEIS concludes that no exceedances of the health-based National Ambient Air Quality Standards (NAAQS) would occur under the proposed action.

**G-440-003**

Thank you for your comment. The construction and use of proper solid waste management systems should help. DoD however, is not responsible for illegal dumping off DoD lands.

**G-440-003** occur especially. Everywhere I go, especially back road Andersen, I see a lot of things dumped on the side of the road like old couches, people's trash bags full of wastes and it is going to get worse when our population continues to increase. No one is going to care anymore.

**G-440-004** Using Guam's ancient historical landmarks as a place for military to stay and to be blocked off by the public outrages us Chamorro's because it is like taking another cultures history and keeping it from them. There are a lot of vacant housings that are not all being used like the old military base in Tiyan area. Those housings should be fixed up for people who need it or at least make use of it for the military people to stay in because that area is going to waste.

Our population is going to increase more in the year 2012 when the Marines come to Guam. Not only are we frantic about them increasing population, but also increasing crime rates. Raping, kidnapping and violence might occur. Now we are going to have to watch out for our family members especially the younger ones because something bad might happen to them.

**G-440-005** I really do not know why they all have to be squeezed onto our island like there is space for everyone in the world to come. We have no problem with visitors, we only have problems when issues start to occur because then we the people of Guam are the ones who are going to have to

**G-440-006** suffer the most. School's are also going to have issues with overcrowding because we are already having those problems right now. How are students suppose to learn and get an education when they are told the school is too overcrowded? Building more schools is just going to have the government pay more money. It is bad enough that the government can barely pay for some things. Look at John F. Kennedy High School. The government has not done anything in about two or three years already and the kids are the ones suffering having to attend another school

**G-440-004**

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.

**G-440-005**

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.

**G-440-006**

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 chapter. Additionally, the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F, Volume 9 of the DEIS also covers this issue in greater detail. 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

G-440-006 further away from their district or having to continue moving from school to school just to have an education.

I hope that all these problems will start to slow down because violence and outrage are going to grow higher and I do not want anything like that to happen to our island and its people.

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.

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 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.

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Please provide your comments below:

On dredged materials the DEIS states - "...predicted concentrations of these analytes, except tributyltin, would require dilution at the discharge point..." what would happen with concentrations of TBT? Why isn't TBT mentioned in the sections about tested soil samples?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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G-441-001

**G-441-001**

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, then additional characterization work may be required.

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/radiological substances, including contaminated sediments that contain these substances. When disposing of and handling these 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/radiological substances. These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7).

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 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.

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Please provide your comments below:

On dredged materials "...during extended periods of intense rain, infiltration rates may be exceeded..." Extended periods of intense rain include the entire rainy season and intense storm events regularly experienced on Guam. Containment of upland deposited materials will require better management practices than "...temporary discharge of stormwater may occur..." What management practices will be employed to ensure that these materials are properly addressed?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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G-442-001

**G-442-001**

Thank you for your comment. The Final EIS has been revised to clarify that water generated from mechanically dredged material (i.e., effluent) placed in an upland placement facility would not discharge into sensitive surface waters because infiltration rates of the foundation soils at the upland placement sites are greater than any potential effluent discharge. In addition, runoff generated from rainfall would not be expected to exit the upland placement site due to high infiltration rates. Because dredged material placed in an upland placement facility would be finer and therefore, have lower infiltration rates than foundation soils, trenches would be constructed to allow water to reach foundation soils and facilitate rapid infiltration of runoff. There would be no discharge of effluent associated with the upland placement at any of these five possible upland sites and therefore no mixing zones are necessary for this disposal option. Furthermore, the sampling and analysis of dredge materials will be developed through agency coordination and permitting.

G-443-001

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.



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**Please provide your comments below:**

General Comment: It may be important to note, for wetland areas and for near-shore waters, mariculture is a viable use of land and should be considered as prime agriculture (or within same category). While there may not be significant amounts of mariculture at the present, it represents a high potential economic use for the near future and impacts on these lands should also recognize mariculture possibilities. Is DOD looking at potential uses of these lands for mariculture for the benefit of the civilian population?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

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Please provide your comments below:

Vol.2, Chapter 18, Page 2, Item 18.2.1.1 - Class A mishaps have changed since this writing. They are now defined as having at least \$3 million in damages.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-444-001**

Thank you for your comment. The text has been revised to clarify mishaps are those that result in damage of \$3 million or more.

**G-444-001**

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Please provide your comments below:

Vol. 2, Chapter 18, Page 18, Item 18.2.2.3 - 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. Are their current statistics as to these types of personnel?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-445-001**

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. However, military personnel and their dependents may want to conceal the medical condition and seek care outside of the DoD system. While this is not the appropriate protocol, it is acknowledged that this occurs.

G-445-001

Name: Christine Claveria  
Email: [christine\\_claveria@hotmail.com](mailto:christine_claveria@hotmail.com)  
Contact #: 671-565-2040/671-688-9750

**G-446-001** Personally, I am against the military buildup that will be happening on Guam. I strongly believe that the island is not prepared for such an impact and there is little to no changes being made to support the move. Another thing that saddens me is that the people of Guam had no say on the military move and we are the ones that will suffer from it. Many of the things that concern me deal with the environment/wildlife, the Chamorro culture, and the effects of over population.

**G-446-002** In the document, it says that there will be a potential firing range in the village of Mangilao. What was not said was how much of jungle area, or vegetation will be destroyed, and what actions will be taken place to preserve wildlife. Pagat Cave will also be closed to the public if chosen to have the firing range in Mangilao. DoD should allow the public access to the historical site every so often. Pagat cave holds historical artifacts crucial to the Chamorro culture. These remains should not be moved from their original place in order to be accessible to the public. The people of Guam, especially the Chamorro people, should be able to go freely amongst their own lands. Also, there are other locations that the firing range could be located at.

**G-446-003** For example, the military already owns lands down south near Dan Dan, where there are open fields and less vegetation areas. Instead of taking local and government lands, why can't the military use their own? They already own most of the best locations and best beaches. Is this a strategy just to own the entire island? The military have their own lands that they claimed after World War Two, so use it! Most of the lands, they do not even use. Give it back to the people!

**G-446-004** The possible dredging near the Polaris Point/Apra area is also a big concern; not only to me, but for the local people as well. Destroying our reef will have drastic consequences. For starters, the reef is what protects us from large waves. It also holds many of our islands unique underwater species and is a major attraction for our tourist industry. I do not agree with replacing the reef with an artificial reef. It does not say in the document what is going to happen to the destroyed habitat and where the excess sand will go. DoD should choose a location that doesn't require damaging reefs, such as Apra Harbor or neighboring islands.

**G-446-005** Water is also a big concern. The islands current piping system cannot withstand the amount of pressure and water usage to sustain the growing population. The whole islands piping must be changed and upgraded. None of these actions have been taking place since the start of the move. Another thing is, does our island have enough fresh water sources to supply the growing population? And if so, where will get the water supply and the money to do so?

**G-446-006** In conclusion, all preparations need to be met before the thousands of individuals arrive to occupy our island, not when they arrive. As a Chamorro, I am proud of my heritage and culture. I am willing to fight for my island and what is best for it. I believe the military buildup is going to cause more problems to the island, not fix them. If it is money the government is after, there are more alternatives to turn too. Our island is too young and unprepared for this type of impact.

**G-446-007**

#### **G-446-001**

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.

#### **G-446-002**

Thank you for your comment. Specific impact acreages have been included in the EIS in Volume 2, Chapter 10. The public will have access to Pagat Cave when the ranges are not in use. The DoD will continue to work with stakeholders to solidify access times and other opportunities in the Range Management Plan.

#### **G-446-003**

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.

#### **G-446-004**

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.

**G-446-005**

Thank you for your comment. The location of the new Navy wharf was chosen as the least environmentally damaging alternative, in efforts to affect the least amount of live coral in the area. The proposed area to be dredged is mainly a sand and rubble zone, which was dredged 60 years ago. Dredging in Apra Harbor would have no impact on an increased chance of tsunami impact Guam.

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.

**G-446-006**

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.

**G-446-007**

Thank you for your comment.

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2, Chapter 17, Page 26. - 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?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-447-001**

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.

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.

G-447-001

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Please provide your comments below:

Vol. 2, Chapter 17, Table 17.2-1. - 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-448-001**

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, 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

G-448-001

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.

G-449-001

My name is Janella Casarero. I am 15 years old and I am from the village of Merizo. I am here to support the Island of Guam. I am here today because I oppose the military buildup. For one we weren't really asked permission, we were told, and this is our land, and the cost of living will rise.

Have you ever heard of ask before you take? I guess not right? This is our Island, the Chamorroans. Why the hell do you gotta take our land? Giving us back some of our land, shouldn't mean we should give you back what you want! Try and take over somewhere else, our island isn't even all that big, and most people don't even know what Guam is or even heard of it, but to the military, we're the tip of the spear, or a target, did you ever stop and think about us. Our people, you're so selfish! and what will happen to us? & how this will affect us. I guess not! you should stop and realize how this will affect us, & how we will feel.

G-449-002

The cost of living for us, especially us Chamorro's is already a hassle. There are so many people who are homeless, and there are families, who houses are being foreclosure, or being evicted. Look at the bills now, imagine when you people bring the military here, were going to be broke! We're going to suffer even more. Think about it.

Janella  
Muriel  
Casarero  
Jan. 06-10  
4th period

G-449-001

Thank you for your comment. Your comments against land acquisition and the proposed action are acknowledged. The EIS process provides an opportunity to identify and describe the proposed action and alternatives, discuss the baseline and existing conditions, and discuss the probable impacts of the proposed action and alternative. The comments you are providing is an opportunity to comment on the project, identify your concerns, comment of the DEIS, and provide you views. The EIS process ends administratively with a Record of Decision (ROD); decision makers review the FEIS, and the comments (for and against the project), and review mitigation measures, to determine if the proposed action or alternative (including the no-action alternative) should be implemented.

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.

G-449-002

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. 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."

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2, Chapter 17 (General Comment on Chapter) 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?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-450-001

**G-450-001**

Thank you for your comment. Volume 2, Chapter 17 has described the potential impacts and mitigation measures from the proposed DoD expansion on Guam. Specific information includes estimated hazardous waste volumes, by each major action proposed (e.g., transportation, operations, training, etc.).

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. 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.

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Please provide your comments below:

Vol 2, Chapter 19, Page 16 - 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-451-001**

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.

G-451-001

## COMMENT SHEET



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Please provide your comments below:

General Comment – Question: 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?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

## G-452-001

Thank you for your comment. Volume 2, Chapter 17 discusses the various active hazardous waste sites that are in the vicinity of of the proposed DoD actions.

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

G-452-001

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.

Alyssa Gumabon  
09 February 2010  
HI211- 07  
Cristobal  
DEIS comments

G-453-001

Hafa Adai, and thank you for granting our people an opportunity to voice our opinion on the Draft EIS. I am a local Chamorro residing in the village of Barrigada and currently a sophomore attending the University of Guam. The contents of the DEIS that is proposed before the people of Guam has become a major concern, especially on the topic of 'land'. A passage in Volume 2, Chapter 2 on page 2-13 states, "Non-U.S. controlled property was considered in the analysis for the alternatives."

To my understanding, there is no specification of whether the mentioned "Non-U.S. controlled property" will include that of native- inhabited and owned lands. History records that people will become defensive and protective of his or her territory. This repetitious act proves that people will go through great lengths and take great risks to claim what is rightfully theirs. The current situation at hand is no different. A number of emotions will erupt if a landowner is told to surrender the terrain his home rests upon. A community will be devastated if land will no longer be accessible for recreational uses. The people of Guam may have no vote to completely reject this massive project. However, precautions must be taken to ensure the security of the lives of our people.

What I propose is a revision of this section of the DEIS. There should be a statement of properties that will be considered for alternatives. If the listed properties should contain that of the residents' of Guam, I suggest major reconsideration to seize other lands not inhabited by our people.

#### G-453-001

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.

G-453-002

Before I begin stating my view on certain parts of the Draft EIS, I want to express my gratitude for being granted the opportunity to convey a message of concern on the military build-up on Guam. My name is Alyssa Gumabon, and I am a sophomore attending the University of Guam. While being a young female of this island, I am especially interested in the possible increase on violence and sexual offenses that may occur in the event of relocating the Marine Corps Base from Okinawa to Guam. Although crime may not be a stranger to our island, an increase will nonetheless become detrimental to my island people. The protested outburst from the residents of Okinawa, Japan amplified that amount of concern.

Chapter 16 of Volume 2 on page 16-88 lacks much information on the charges that have been brought against military personnel. The section simply states that there will be no significant increase regarding the 80,000 Marine Corps soldiers and officials. However, the DEIS does a poor job in convincing us to believe so. It is a fact that most of the Marine personnel consist of males between the ages of 18 and 21 (Department of Defense 2009). It is also a fact that males at such an age are prone to act violently and aggressively. My suggestion is to identify certain precautions that will be taken if such incidents should occur and why they believe incoming military personnel should not cause 'significant' harm to our people. If such information is provided, young women and children, parents, and guardians will be rest assured.

## G-453-002

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.

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2, Chapter 16, Pages 85 on, Item 16.2.2.4 - 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 18.1-10 in chapter 18, 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.

I, Speaker J. Dilh T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-454-001**

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.

G-454-001

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Please provide your comments below:

Volume 2, Chapter 10, Page 103. 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 euthanized and help control the stray population. Would DOD consider this action?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-455-001**

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.

G-455-001

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Please provide your comments below:

Vol.2, Chapter 18, Page 19, Item 18.2.2.6 - Bureau of Plans and Statistics Library had a study on sites where uxo 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-456-001**

Thank you for your comment. Please also refer to Chapter 17 relating to Hazardous Materials and Waste; a number of more recent studies have been conducted on UXOs and other hazardous materials and waste. 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.

G-456-001

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Please provide your comments below:

Vol. 2, Chapter 18, Page 9, item 18.1.7 - There was UXO deliberately stored at Camel Rock in Asan/Piti area as late as the 1980s. 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-457-001**

Thank you for your comment. The current existence of UXO at Asan/Piti is unknown, available information and sources have been queried and the FEIS will include discussion on this matter. The DEIS specifies that to reduce the potential hazards related to exposure to Munitions and Explosives of Concern (MEC), qualified UXO personnel would perform surveys to identify and remove potential MEC items prior to the initiation of ground disturbing activities. For safety reasons, 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.

G-457-001

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Please provide your comments below:

Vol. 2, Table 16.2-34 makes an assumption that 0% of students eligible to attend DDESS schools would attend Guam Public Schools and that a small percentage might attend faith-based schools. What is this assumption based on?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-458-001**

Thank you for your comment. This assumption is based upon interviews with DoD Domestic Dependent Elementary and Secondary Schools (DDESS) as well as with Guam Public School System (GPSS). These interviews are available in Appendix D of the SIAS (Appendix F of the DEIS). DDESS indicated that military dependents would be sent either to the military school system, or to private schooling. GPSS estimated that 100 students that are military dependents currently attend public school, including those of activated National Guard personnel. Because this represented only .16 percent of the total GPSS student population, and National Guard are not part of the proposed action, the assumption was made that 0% of students eligible to attend DDESS schools would attend GPSS.

G-458-001

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Please provide your comments below:

Vol. 2, Chapter 2, Page 20, 21, Table 2.2-1. The preferred alternative requires a minimum of 70.1% land coverage, and as much as 100%, with no more than 29.9% open space. If this were a civilian project the developer would be required to submit for a Planned Unit Development (PUD) which would require 70% open space. While some of the planned development is essential, a portion is "desirable", that being the quality of life development. Guam is not a foreign country, where some facilities would not be available off-base, or where separation might be required or otherwise justified. This is an American community which offers the same services. While separate but equal may be desired, they are not absolutely necessary and over-development to achieve that goal is not justifiable. Additionally, such facilities in an American community that offers those uses and services may result in unfair competition to the community economy. How would this be mitigated?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-459-001**

Thank you for your comment. The Table in Volume 2 that you refer to in your comment was intended to describe the characteristics of various individual facilities. It does not describe or consider open space or transportation corridors associated with the planned development as a whole. Master plans for development incorporate as much open space as practical.

The facilities constructed on base are designed to accommodate the proposed population increase with no overdevelopment. While there may be similar facilities in the off-base community, the intent was to reduce or mitigate the burden of the increased military population on the community facilities. The separation of facilities eliminates the competition for limited capacity facilities off-base. The military is likely to venture off-base to go the movie theater, for example and an unfair competition with the community is not identified in the EIS.

It is noted that 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 as benefits for the military personnel and their dependents. In many cases, there would be a tendency to remain within this military community. When the military population is outside the base, they would be similar to visitors to Guam; spending money for goods and services and taking part in recreational activities.

G-459-001

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Please provide your comments below:

Vol 2., Chapter 12 on 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. How would this be addressed?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-460-001**

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.

G-460-001

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**Please provide your comments below:**

Vol. 2, Chapter 12, page 65 – Table 12.2-6 - Why doesn't options 2 and 8 include cultural resource education of Marines (and their dependents)? – The DOD should make this mandatory for all their personnel stationed on Guam. Will this be mandatory?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-461-001**

Thank you for your comment. Alternatives 2 and 8 will include historic property awareness training of Marines; Table 12.2-6 has been revised accordingly. 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 culture that is Guam today.

G-461-001



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Please provide your comments below:

(General Comment Volume 2) Because construction company leadership and workforce will be composed primarily of persons not from Guam, and therefore not acquainted with Guam's unique environment and environmental concerns - DOD and GovGuam agencies should work together to develop an education process that would be provided to all personnel directly involved in any phase of the construction process, in order to minimize environmental damages and to help foster an appreciation and concern for the potential impacts of the process. Would DOD be willing to fund such an education process?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-462-001**

Thank you for your comment. This is an important issue that DoD would support. However, DoD's ability to fund actions is limited by Federal law. 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.

G-462-001

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Please provide your comments below:

General Comment - On general infrastructure - what are current capacities available for sewer, water in those areas where DOD development is proposed (particularly Marine cantonment area)? Not clearly specified in DEIS. How can local government plan if such information is not included?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-463-001**

Thank you for your comment. The wastewater systems are described in Volume 6 Chapters 2 and 3. The North District Wastewater Treatment Plant has a design basis capacity of 12 million gallons per day, with a current demand of approximately 5.7 million gallons per day. The plant is in disrepair and has a current capacity of approximately 7 to 8 million gallons per day. 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 has been stated in the final EIS.

G-463-001

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Please provide your comments below:

Vol. 1, Chapter 2, Item 2.2.3.2 - Studies have shown the negative cumulative impacts on marine life from operations of jet skis in shallow waters. What potential cumulative impacts on corals or other marine life from the operation of amphibious craft that can be operated in very shallow (less than 6') waters?

I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-464-001**

Thank you for your comment. Impacts to sea turtles from increased recreational activities (jet skis, etc.) are discussed in Volume 2, Chapter 11. Cumulative impacts are discussed in Volume 7. Additional text has been added to the FEIS.

Operation of amphibious vehicles, such as the LCAC are not part of this proposed action and addressed under the MIRC EIS.

G-464-001

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Please provide your comments below:

Vol. 2, Chapter 16, Page 33, Item 16.1.6.1 - 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. There must be a comprehensive plan for addressing each of these issues. Will DOD be willing to fund a study on each of these issues and the funding for the mitigation?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-465-001**

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.

G-465-001

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Please provide your comments below:

(General Comment Volume 2) The plans all include significant hard surface coverage of land in the aquifer and aquifer recharge area. In order to provide at least a minimum of impact, where ever possible (parking lots as a minimum) should be designed with a combination of pervious/impervious surfaces - with pervious surfaces areas to include grasses or other plant materials to help hold soils. Additional concreting will cause water to run off to coastal areas causing erosion. Will DOD enact procedures to ensure that soil erosion will be controlled in these circumstances?

I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-466-001**

Thank you for your comment. The DoD would minimize soil erosion and impacts to ground water resources through the implementation of best management practices (BMPs). A full list of BMPs can be found in Volume 7 of the Final EIS.

G-466-001



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Please provide your comments below:

Vol. 2, Chapter 16, Page 54. 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. — This needs to be carefully examined by trained economist to determine the true employment impact on this buildup and whether these new employment opportunities are more than service industry jobs that will go away as the buildup winds down. Will this be studied more closely by DOD?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-467-001**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F, Volume 9 of the DEIS for information on economic impacts related to the proposed action. Analysis of Labor Force Demand (which begins on page 4-147, 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.

G-467-001

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2, Chapter 16, Page 66 "...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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-468-001**

Thank you for your comment and opinion, they are noted. The increased population would also spend money as they visit these attractions. As the visitor industry promotes more tourists, the Marines, their dependents, and visiting Navy personnel would constitute patrons to this sites and their upkeep would be enhanced by collection of visitor dollars.

G-468-001

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Please provide your comments below:

Vol.1, Chapter 2, Page 96 - Are U.S. and allied forces anticipated included in calculated demands on potable water/power/ waste water/solid waste demands? If infrastructure is developed to support the maximum anticipated load increase of 79,178 persons in 2014 - and that load is then decreased by 60% by 2020 - what is impact of the change in infrastructure (for example: water lines designed to serve a large community then demand is significantly decreased for those lines)?

I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-469-001

**G-469-001**

Thank you for your comment. Yes, all anticipated population increases are included in estimated demand for utilities. The peak year is 2014, during the buildup, due to the combination of increased DoD personnel, the construction workforce, and induced civilian growth. After construction completion, the population would decline for both the construction workforce and the induced civilian growth, however, some DoD increases (non-program increases already planned) and "normal" civilian population growth would occur. In 2019, the projected difference between the island population and the peak in the year 2014 would only be about 20,000 fewer people. Most off-island construction workers would be expected to be housed in work camps and use less utilities than permanent residents. Thus the impacts on utilities of having to expand for a peak in 2014 would not be significant. Somewhat larger distribution pipes would not be a significant expense and typical designs actually oversize the pipes as the material cost difference is minor compared to installation labor, which hardly changes.



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Please provide your comments below:

Vol.2 Chapter 14, Page 8, item 14.2.2.4 - 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-470-001**

Thank you for your comment. The analysis of impacts to marine transportation presented in the EIS considered that the dredging to support the berthing of the aircraft carrier would be conducted during the peak year of activity of the shipment of equipment and supplies to support the relocation of the Marines. In addition, the number of commercial vessels visiting the Port of Guam in 2008 (the most recent year for which data is available) was included in the analysis.

G-470-001

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Please provide your comments below:

Exec. Summary Page 12 - The executive summary of the DEIS states that approx. 918 DOD civilian workers (and their dependents) would require housing off-site. This is a fairly large number of renters, and their economic impact on the community could be substantial and negative for non-DOD employees in the housing market, depending on the amount of any housing allowance that is given to them. Will the Navy and all armed forces on Guam cap housing allowances by the average rent paid by the local population to prevent artificial rental inflation?

I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-471-001**

Thank you for your comment. The DEIS 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 (SIAS, Table ES-3, page v).

G-471-001

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Please provide your comments below:

General Comment - 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 61, but not completely - need more details and clarification.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-472-001**

Thank you for your comment. The income of H2B workers is subject to government of Guam taxation. Section 30 monies are collected by the U.S. from military and federal personnel and are transferred to Guam in compliance with Section 30. In estimating the impacts to the government of Guam revenue, the calculation identifies the increase in income tax receipts but does not go into details of the specific amount of Section 30 funds and how they are transferred to Guam.

G-472-001

G-473-001

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| <b>COMMENT SHEET</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p><b>Please provide your comments below:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Vol.1, Chapter 2, Page 105, item 2.2.2.3 - References in the DEIS suggests reducing the footprint of the Guam Shipyard Facility. What are the possible impacts on shipyard operations and does it make sense to decrease shipyard facility potential growth when additional ships are being added to the home ported and visiting fleet?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>*** Please Print Clearly***</p> <p>Comments must be postmarked by February 17, 2010</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

**G-473-001**

Thank you for your comment. The renegotiated lease would not impact the level of operations at the shipyard. The proposed reduced footprint would consolidate the shipyard operations. The potential for anticipated future expansion of ship repair services would be part of the renegotiation between the Navy and leasee.

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Please provide your comments below:

Vol. 2, Chapter 14, Page 7, Item 14.2.1.2 - "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 in that year. There should be something to back up this assumption.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-474-001**

Thank you for your comment. The number of vessels visiting the Port of Guam was presented in the EIS for the period of 1995 through 2008. For that period, the number of vessels visiting the Port was the highest in 1995; the number of vessels has been steadily decreasing since that year. For the peak year of containers to be handled (2015) for the relocation of the Marines, there could be approximately 269 container ships visiting the Port of Guam compared to 165 container ships in 2008. In 2015, if there are 269 container ships and 150 vessel trips by tugboats and scows to dispose of dredged material removed to support the berthing of the aircraft carrier in addition to the other commercial vessels visiting the Port of Guam, there would be about 1,500 fewer vessels than there were in 1995.

G-474-001



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Please provide your comments below:

(General Comment Vol. 2) In a restricted, small island environment - every measure taken to reduce pollution is magnified (and vice-versa). Because there will be a need to upgrade current waste water treatment plants, a cost/benefit analysis of upgrading to tertiary (as opposed to secondary) should be completed.

Will the DOD or the federal government fund the needs for an upgraded waste water treatment plant?

I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-475-001

**G-475-001**

Thank you for your comment. Moving to tertiary treatment of wastewater would be very expensive. This is not a requirement, but moving to secondary treatment may become a requirement depending upon how the GWA appeal with EPA on the waiver is decided. I am not sure why the suggestion for tertiary treatment when secondary treatment is not currently standard. 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 has been stated in the final EIS.

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Please provide your comments below:

Vol. 2, Chapter 16 - 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-476-001**

Thank you for your comment. It should be noted that the population figure of about 80,000 people 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 Socioeconomic Impact Assessment Study [SIAS] that is Appendix F, Volume 9 of the DEIS, Table ES-1, on page iii).

The DEIS identifies that there is a potential for the incoming population (who are eligible) to have the ability to vote 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 construction workers, military and their dependents would likely choose not to vote in local elections, especially given their typically short tenure on the island. This was discussed only as a possibility.

G-476-001





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Please provide your comments below:

Vol. 2, Chapter 3, Page 23, Item 3.1.4.1 - "While silty soils are prone to erosion, the lack of slope lessens erosion hazards." While this is true, with heavy rains in the rainy season bared soils can still be transported into near shore waters. The same methods for cleared soil retention as should be used in upland projects should also apply to level areas near streams or shorelines.

I, Speaker Judith T. Won Pat, hereby permit the "We Are Guahan" Coalition to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-479-001**

Thank you for your comment. BMPs to prevent soil run-off will be implemented where ever soil is exposed/disturbed during the construction process.

G-479-001

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Please provide your comments below:

Vol 2, Chapter 12. It would appear that preferred option 2 would result in most serious impacts on cultural and historic resources and should be discarded as an option. NO ACTION TAKEN ON THIS OPTION.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-480-001**

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.

G-480-001

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Please provide your comments below:

Vol. 2, Chapter 9, Page 32, Item 9.2.7 - 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. This type of discrimination should not be tolerated. Will DOD ensure that discrimination will not occur with regards to this situation?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-481-001**

Thank you for your comments. 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.

G-481-001

G-482-001

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| <b>COMMENT SHEET</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Draft Environmental Impact Statement/Overseas<br/>Environmental Impact Statement<br/>Guam and CNMI Military Relocation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>The Department of the Navy (DoN) and the Joint Guam Program Office (JGPO) invites your comments on the Draft EIS/OEIS for the Guam and CNMI Military Relocation. Please provide your comments below. Comment forms, or your own letter, will be accepted at the public hearings, or may be mailed to: JGPO, c/o NAVFAC Pacific, 258 Makalapa Drive Suite 100, Pearl Harbor, HI 96860-3134, Attention: GMPO. You can also visit <a href="http://www.guambuildups.us">www.guambuildups.us</a> to comment. Comments must be postmarked by February 17, 2010. Copies of the Draft EIS/OEIS are available for review at Nieves M. Flores Memorial Public Library, University of Guam Robert F. Kennedy Memorial Library, Joeten-Kiyu Public Library, Northern Marianas College Olympio T. Borja Memorial Library, and the Tinian Public Library. A DoN sponsored reading room has also been set up at Agana Shopping Center for Draft EIS/OEIS review.</p> |
| <p><b>Please provide your comments below:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Marine aircraft to be added include 12 each MV-22 Osprey and 4 each CH-53E Super Stallion helicopters, both of which have high noise levels. How would these impact the footprints of noise zone overlays for the Andersen/Northwest Field Air Installation Compatible Use Zones (AICUZ)?</p> <p>What about residential areas in the northern villages, will noise be mitigated in those areas as well? Aircraft noise has been shown to cause learning disabilities in young children, how will this be mitigated?</p>                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>*** Please Print Clearly***</p> <p>Comments must be postmarked by February 17, 2010</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**G-482-001**

Thank you for your comment. Airfield noise level contours depicted in Chapter 6 include the helicopters currently used, planned for ISR/Strike, and those proposed for this action. The contours express day-night average noise levels based upon the total number of proposed operations. While formation operations would increase noise levels momentarily, the average noise levels would be as depicted. 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.

**COMMENT SHEET**



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Please provide your comments below:

It has been estimated that 5 new schools will be needed in the community (1 high school, 1 middle school, and 3 elementary schools) to accommodate the increased population (Table 16.2-35 – Vol. 2) at a cost of over 200 million dollars. The government of Guam does not currently have cash reserves to build the school and the borrowing capacity of the government (as set by the Organic Act of Guam) is down to less than 10 million dollars. How will the government of Guam fund the construction of these schools?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-483-001**

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.

G-483-001

## COMMENT SHEET



### Draft Environmental Impact Statement/Overseas Environmental Impact Statement Guam and CNMI Military Relocation

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Please provide your comments below:

Vol. 4, Chapter 11, Section 11.2.2.2 (Page 241) "Potential impacts to marine flora and non-coral invertebrates include direct impacts to those organisms residing in the immediate dredge and fill areas. Organisms residing in the areas adjacent to and outside the dredged and fill impact areas could experience indirect impacts due to increased sedimentation from dredging activities. Coral and coral reef ecosystem impacts are addressed under Essential Fish Habitat. Physical impacts associated with this effort were estimated using the amount of the harbor bottom removed by dredging." – Literature cited seems outdated and/or done in areas not similar to Guam's environment. New studies are needed that is specific to Guam. Perhaps a partnership with the University of Guam Marine Lab to study the effects of the dredging.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

## G-484-001

Thank you for your comment. The information provided in the DEIS on coral resilience and stress tolerance were based in part on the HEA report, which was reviewed and commented on by resource agencies with Navy responses. Additionally information was provided during the "spring survey" second report. Most of the older references (1970 - 1990s) are backed up by more recent references (2005 and earlier). Although the commenter describes them as outdated, they are still valid. The Navy would welcome any new key references; if provided, they would be reviewed for potential incorporation into the FEIS.

G-484-001



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Please provide your comments below:

Vol. 2 General Comment – Education: University level courses (Univ. of San Diego, etc.) offered on base should be eliminated and instead military personnel and dependents wanting to pursue a college degree or college level enrichment courses should be directed to the University of Guam and/or the Guam Community College.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-485-001**

Thank you for your comment. Your mitigation recommendation has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

G-485-001

G-486-001



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**Please provide your comments below:**

Vol 2, Table 16.2-36 states that in 2014 over 400 new teachers will be needed in Guam Public Schools (K-12). Over the same period, DDESS schools will also need additional teachers to meet the demand of their increased population. Both school systems will be pulling from the same pool of teachers (local teachers). Currently, the University of Guam graduates an average of 50 teachers per academic year. Where will the new teachers come from? The average wage of Guam teachers, while not the lowest in the nation, is still not competitive to attract teachers from the mainland. Even if some military spouses may be able to teach, it will not be enough to supply the needed teachers for both the school systems. How will DOD address this issue?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-486-001**

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.

**G-487-001**

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.



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**Please provide your comments below:**

Vol. 2, Chapter 16, Page 85 - The necessary increases for FTE's in GovGuam would create a problem in that, after six months, 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. This is a GovGuam issue but it is one that is a result of the buildup and should be part of any mitigation, perhaps civil service reforms funded by the Federal Government.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-487-001

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Please provide your comments below:

Vol. 2, Chapter 18, Page 19, Item 18.2.2.7 - 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.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-488-001**

Thank you for your comment and suggestion. The staggering of work hours is a good way to manage traffic. As part of the construction of the proposed military relocation program, DoD would request contractors to minimize impacts including the effects on peak hour traffic.

G-488-001

G-489-001

**COMMENT SHEET**



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Please provide your comments below:

The DEIS purports that soil samples from outer Apra Harbor indicate no toxicity problems. I believe it was WERI (Water and Energy Research Institute at University of Guam) conducted testing of samples from inner Apra Harbor in the 1990s that showed some areas with high levels of toxicity. With greater numbers and frequency of visits by military ships planned, some of which would be berthed at inner harbor, I think it would be important to understand the potential for problems. For example; in previous years the anti-fouling paints used on Navy ships created problems in the subsolls of Pearl Harbor in Hawaii (TBT's?). Has that problem been resolved, and if not, what is the likelihood of toxicity problems increasing at inner harbor?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-489-001**

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, 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 mitigations. 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.

With regard to TBT, the U.S. Navy applied tributyltin TBT-based paint to ships in the 1979-1988 time frames.<sup>1</sup> 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.

G-490-001

Thank you for your comment.

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Please provide your comments below:

Vol. 2, Chapter 2, Page 53, Item 2.2.3.2 - The preferred alternative represents the greatest impact to the wildlife refuge overlay. This preferred alternative should not be considered. NO ACTION

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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G-490-001

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2, Chapter 4, Page 28 - "An analysis of Chloride concentrations in Andersen AFB water supply wells at Andersen South indicates that Chloride is increasing in approximately half of the wells and concentrations in several wells exceed the Secondary MCL. - How does the problem described relate to/impact on/ or define problems in other wells drawing from the Northern Aquifer? How does it define the depth of the basal lens water in the aquifer?"

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-491-001**

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.

G-491-001

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Please provide your comments below:

Vol. 2, Chapter 2, Page 91 - "Should the contractor choose to use an alternative method..." if such is the case a reaffirmation of federal consistency and other approvals should be obtained, as it is impossible to pre-approve an undescribed alternative method. What methods would DOD create to ensure that these alternative methods are consistent with local and federal laws?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-492-001**

Thank you for your comment. If the alternative method changed the conclusions in the Coastal Consistency Determination, DoD would update that document.

G-492-001

G-493-001




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**Please provide your comments below:**

Vol.2, Chapter 4, Page 92 "...during extended periods of intense rain, infiltration rates may be exceeded..." extended periods of intense rain include the entire rainy season and intense storm events regularly experienced on Guam. Containment of upland deposited materials will require better management practices than "...temporary discharge of stormwater may occur..." Needs to be more specific regarding stormwater mitigation. What methodology for stormwater discharge will be utilized?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-493-001**

Thank you for your comment. The Final EIS has been revised to clarify that water generated from mechanically dredged material (i.e., effluent) placed in an upland placement facility would not discharge into sensitive surface waters because infiltration rates of the foundation soils at the upland placement sites are greater than any potential effluent discharge. In addition, runoff generated from rainfall would not be expected to exit the upland placement site due to high infiltration rates. Because dredged material placed in an upland placement facility would be finer and therefore, have lower infiltration rates than foundation soils, trenches would be constructed to allow water to reach foundation soils and facilitate rapid infiltration of runoff. There would be no discharge of effluent associated with the upland placement at any of these five possible upland sites and therefore no mixing zones are necessary for this disposal option. Furthermore, the sampling and analysis of dredge materials will be developed through agency coordination and permitting.

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2 - General Comment - The potential impacts of climate change, particularly sea level rise, must be addressed in calculating the carrying capacity of the sole source aquifer on Guam. There is a range of widely accepted scenarios for sea level over the next 20-50 years, and those should be addressed.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

G-494-001

**G-494-001**

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.

G-495-001




**COMMENT SHEET**

**Draft Environmental Impact Statement/Overseas  
Environmental Impact Statement  
Guam and CNMI Military Relocation**

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The Department of the Navy (DoN) and the Joint Guam Program Office (JGPO) invites your comments on the Draft EIS/OEIS for the Guam and CNMI Military Relocation. Please provide your comments below. Comment forms, or your own letter, will be accepted at the public hearings, or may be mailed to: JGPO, c/o NAVFAC Pacific, 258 Makalapa Drive Suite 100, Pearl Harbor, HI 96860-3134, Attention: GMPO. You can also visit [www.guambuildupeis.us](http://www.guambuildupeis.us) to comment. Comments must be postmarked by **February 17, 2010**. Copies of the Draft EIS/OEIS are available for review at Nieves M. Flores Memorial Public Library, University of Guam Robert F. Kennedy Memorial Library, Joeten-Kiyu Public Library, Northern Marianas College Olympio T. Borja Memorial Library, and the Tinian Public Library. A DoN sponsored reading room has also been set up at Agana Shopping Center for Draft EIS/OEIS review.

**Please provide your comments below:**

(General Comment – RE: Firing Range) In the areas where firing ranges/granade ranges, etc are proposed, the lands are currently private and the submerged lands and resources adjacent to those lands will remain in the jurisdiction of GovGuam. The SDZs (surface danger zones) associated with the proposed uses will result in restricted rights to resource usage currently enjoyed by the local community. Why can't the ranges be contained within the current lands owned by the U.S. Military?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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**G-495-001**

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.

G-496-001

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 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.

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. 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. 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.



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**Please provide your comments below:**

Vol. 2, Chapter 8, Page 62. Restrictions on the educational and recreational use of the natural and cultural properties during periods of training activity constitute a partial taking and mitigation/compensation should be addressed.

The government of Guam does not support partial land takings of eminent domain and would prefer no action. Would the DOD acquire lands by either means?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to accept this comment in its entirety.

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G-496-001

**COMMENT SHEET**



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**Please provide your comments below:**

Regarding Volume 2 Table 6.1-1. Do the noise levels in this table (and in this chapter) represent measurements developed in tropical climate conditions, or are they an average taken in different conditions?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by February 17, 2010

**G-497-001**

Thank you for your comment. Aviation noise calculation used a reference temperature of 80 degrees F and 80 percent relative humidity consistent with tropical conditions.

G-497-001



G-499-001




**COMMENT SHEET**

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**Please provide your comments below:**

General Comment: Regarding submerged lands, the statement "Federal actions on federal lands/submerged lands are subject to Base Command approval, but are not required to conform with State land use plans/policies." is not altogether accurate. If those actions will or may impact on non-federal lands/submerged lands, then a determination of consistency with local policies/laws is indeed required. It is doubtful that any action taken in submerged lands could not affect non-DOD properties as sediment loads and impacts on marine life/larval transportation is not bounded by artificial property lines of ownership. How would DOD ensure that base command ensure that local and federal laws are in compliance with these types of lands?

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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**G-499-001**

Thank you for your comment. A coastal zone consistency determination was prepared for Guam and Tinian proposed actions and submitted to the appropriate government agencies for review. The correspondence is included in Volume 9, Appendix H. The assessment describes the potential direct and indirect impacts on GovGuamland and submerged lands.

**COMMENT SHEET**



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Please provide your comments below:

Vol. 2, Chapter 9. - 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 Massacre Site) - by denying the community the right to the economic benefits that in small part may compensate, in an American setting, is troubling.

I, Speaker Judith T. Won Pat, hereby permit the organization "We Are Guahan" to adopt this comment in its entirety.

\*\*\* Please Print Clearly\*\*\*

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G-500-001

**G-500-001**

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.

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.

**Chamorro Tribe Chairman Responds to the Draft EIS/U.S. Military Buildup on Guam**

**G-501-001** For the past couple of months I have been carefully studying the draft E.I.S. I must say that it is exceptionally alarming both in intent as well as the total lack of any acknowledgement, or reference to the aboriginal and inherent rights of the Chamorro People, most especially since it is our island, our ancestral remains, our sacred artifacts, our waters, our culture, and our right to exist as a race that would be destroyed by these intended actions. Once again, your actions prove the deceit within your words and the total disregard of everything outside the parameters of your desires, to include your own laws.

**G-501-002** When I was a young man, like most of my peers and our elders, I believed in the inherent good of the United States. I believed that truth, justice, and equality were the "American way". I believed that America was a country founded upon and bound to the principles of The Constitution of the United States of America. I believed America's morality and integrity were above reproach. These beliefs were what led me, and so many of my people to serve such a great nation through her armed services, proud to be Americans. Shame on us for being so trusting and naïve.

We now live in the 21<sup>st</sup> century, the age of information, where the truth has been revealed. We have educated ourselves and are now armed with the knowledge of your true nature. That of a Usurper and destroyer of the weak, the innocent, and the ignorant. We are a living testimony to the continuing saga of your hypocrisy. For those of you who are not so knowledgeable of the immoral and inhumane acts committed against my people, allow me to educate you:

- As a colony of the United States, prior to the Japanese invasion, all military and civilian dependents, and all civilian contractors were evacuated from Guam in anticipation of the Japanese invasion. The *Chamorro* people were left to the mercy of the Japanese with just a token force of U.S. Navy personnel to surrender the Island;
- On December 8, 1941, Guam was surrendered to the Japanese. No words could ever fully describe the inhuman atrocities committed by the Japanese upon the *Chamorros* who had been abandoned;
- The naval and aerial bombardment carpeting Guam for 21 days and nights by the United States preceding the reoccupation of Guam more than two-and-a-half years later killed more *Chamorros* than the Japanese did and caused total, irreversible ecological destruction of our tropical rain forests;
- The United States forgave the nation of Japan for the atrocities committed against the *Chamorro* people, without consideration of the *Chamorro* people or their land;
- The Non-Self Governing Territory of Guam became a Trust Territory of the United States of America under Chapter XI of the Charter of the United Nations;
- Chapters XII and XIII of the Charter of the United Nations provides for the establishment of an International Trusteeship System, the basic objectives of which, among others, are to promote the political, economic, social and educational advancement of the inhabitants of Trust Territories and to promote their progressive development towards self government or independence;

**G-501-001**

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.

**G-501-002**

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.

- Principle VI of United Nations General Assembly Resolution 1541 of 1960, states that a Non-Self Governing Territory can reach a full measure of self government by: (a) emergence as a sovereign independent state; (b) free association with an independent state; or (c) integration with an independent state;
- The United States of America is a signatory of the Trusteeship agreement with the United Nations;
- On August 1st, 1950, the Guam Organic Act was approved by Congress, this Act was written by the Department of the Navy without any input, or approval from the *Chamorro* people of Guam;
- The *Chamorro* people do not enjoy full, equal rights, and protection as Constitutional Citizens of the United States, under the Organic Act of Guam;
- The Organic Act of Guam juxtaposed the military government of Guam with the Territorial Government of Guam and placed administrative authority of that government under the Secretary of Interior, thereby making it a branch of the Department of Interior;
- The *Chamorro* people of Guam have had over one third of their island unconstitutionally condemned by the United States;
- In 1952 the United States of America was a signatory of the San Francisco Accord with the nation of Japan, which mandated the protection of the inherent and aboriginal rights of the native inhabitants of Guam;
- Chapter VIII "Equal Rights and Self Determination of Peoples" of the Conference on Security and Cooperation in Europe's "Helsinki Accord," delineates that participating states will respect the equal rights of peoples and their right to self determination, acting at all times in conformity with the purposes and principles of the Charter of the United Nations;
- The United States of America is a signatory of the "Helsinki Accord";
- The *Chamorro* people of Guam have been exposed to radiation fall-out from atomic bomb tests conducted by the United States;
- The *Chamorro* people of Guam were exposed to dichlorodiphenyl-trichloroethane (DDT) for over two decades by the United States;
- The United States military's use, storage, and disposal of hazardous materials, toxins, and contaminants within Guam without the free, prior and informed consent of the *Chamorro* people since World War II, including Agent Orange, Agent Purple, dioxins, heavy metals, and Polychlorinated Biphenyls (PCBs), continues to negatively affect Guam's people and land, and the effects of these hazardous materials, toxics, and contaminants within Guam remain undocumented, untreated, and unmitigated;
- The incidences of cancer in the *Chamorro* people of Guam are far out of proportion to the incidences in non-contaminated areas, and nasopharyngeal cancer incidences far outweigh all other cancer incidences in Guam;
- The combination of radiation exposure, chemical contamination, ecological destruction, and the uncontrolled introduction of invasive species of plants, insects, and people has destroyed the *Chamorro* People of Guam's ability to sustain themselves through traditional means;
- The formation of United States military installations and Federal preserves has restricted the rights of the *Chamorro* people from the harvesting of their natural resources;

G-501-002

- Restrictions were placed on studying and perpetuating the history, culture, and language of the *Chamorro* people by the United States until Congress' enactment of the Organic Act in 1950;
- Prior to 1962, a security clearance, requiring approval from the United States appointed Governor of Guam, was needed to travel to and from the island of Guam;
- Although Guam is an Unincorporated Territory, the United States has designated several National Parks on our island. National Parks are incorporated areas of the United States;
- In 1995 the Federal Register announced the change in the United States designation of the Chamorro people to Native American Pacific Islanders;
- Compacts of Free Association negotiated between the United States and the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands without Guam's participation or input have resulted in an overwhelming influx of immigrants to the island of Guam;
- A complete and independent study of the true impact that the Compacts of Free Association have had on Guam's society and economy has never been conducted, resulting in the Federal Government providing far less in Compact Impact funding than actually needed, in the form of grants which do not compensate the additional local agency expenditures due to these compacts;
- 1999 Supreme Court ruling in Government of Guam/Guam Economic Development Authority vs. The United States of America, the court ruled the Government of Guam had no authority to represent the aboriginal rights of the native inhabitants of Guam, only a Tribe, or under special circumstances a tribal member has that authority;
- Although the United States surrendered ownership of Guam upon ratification of the Trusteeship agreement with the United Nations, President George W. Bush recently ordered the establishment of the Mariana's Trench National Monument. Thereby incorporating into the United States waters belonging to the *Chamorro* people.

G-501-003

Now, the United States wants to conduct the largest military buildup outside of the United States here on our little island. Non-inclusive of the transient presence of any aircraft carrier or carrier strike group, it is your estimate that this would involve increasing the population of our island by an additional 79,178 non-Chamorro by 2014. There is not one single reference within your E.I.S. on the **SIGNIFICANT IMPACT** this would have on the Chamorro people. Your reference to our race and culture within the section addressing the potential rise in crime shows that you are both aware of our existence and ignorant of the impact your current immigration policies have already had on our race. We have been a minority race on our island for over 20 years now. Within your E.I.S. you seem to have answered all of the questions that you have asked yourselves. I don't believe you even attempted to answer the questions involving the issues we are concerned with, other than to defer mitigation to the branch of the Department of Interior locally referred to as the Government of Guam.

G-501-004

When are you people going to stop treating us like your little *Salt Water Niggers*' and start conforming with your **FEDERAL TRUST RESPONSIBILITIES?????** We are not illiterate, we are not dumb, and we do have a fair grasp of the English language; far better than your grasp of our language. Just as we have a far broader knowledge of our island, our waters, and our ecology than your paid experts who developed this incomplete, inaccurate, over zealous, bureaucratic abortion you refer to as your Draft EIS/OEIS.

G-501-005

When are you people going to stop treating us like your little *Salt Water Niggers*' and start conforming with your **FEDERAL TRUST RESPONSIBILITIES?????** We are not illiterate, we are not dumb, and we do have a fair grasp of the English language; far better than your grasp of our language. Just as we have a far broader knowledge of our island, our waters, and our ecology than your paid experts who developed this incomplete, inaccurate, over zealous, bureaucratic abortion you refer to as your Draft EIS/OEIS.

### G-501-003

Thank you for your comments. The impacts to the population of Guam and to the Chamorros are discussed in detail in the socioeconomic chapters of the DEIS. To provide more details on the methodology and assumptions used, the entire Socioeconomic Impact Assessment Study (SIAS) was included as Appendix F, Volume 9 of the DEIS.

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.

**G-501-006** Let's begin with consideration of the destruction of the coral reefs adjacent to, or downhill from any proposed construction projects: Silt runoff generated from the construction, and existence of concrete and/or asphalt structures and substrates without the permanent emplacement of silt filters, or catchments would result in the destruction of the coral reefs. Have you considered the Federal Coral Reef Preservation Act? Or, are our reefs that provide the habitat for our traditional sources of protein (fish), similar to the Native American bison?

**G-501-007** Potable Water: Contrary to what your experts have told you, anyone who has lived on our island during a drought year can tell you from experience that the Northern Aquifer does not contain an unlimited supply of fresh water. Besides that, you haven't even had the decency to ask before assuming you can just take.

**G-501-008** Land: Every Chamorro family I know who own land within your proposed areas are abjectly opposed to your use, rental, lease, purchase, or condemnation of their lands. Your Government has already stolen enough of our lands.

**G-501-009** Terrestrial Biological Resources: You have already killed off the vast majority of indigenous species of terrestrial resources with your toxic pesticides. Your destruction of the remaining natural habitat would result in the completion of your previous attempts.

**G-501-010** Marine Biological Resources: Your mitigation seems to be focused on replacement somewhere else with an artificial reef, or a watershed management system. This is not your neighbors tool shed your talking about, our reefs are as much a part of our lives as our families. They have sustained us since the beginning of time.

**G-501-011** Cultural Resources: Contrary to your Assistant U.S. Attorney Fred Black's labeling of us as "Chamorrans", we are intelligent enough to understand the Supreme Courts ruling regarding the Government of Guam's authority over the aboriginal rights of the native inhabitants of this island. Are you? If you are, why do you persist on mitigating these issues with them? I suggest you familiarize yourselves with the Native American Graves Protection and Repatriation Act. Oh, by the way, we consider all of the above topics, as inherent and aboriginal issues.

You present yourselves to the world as the pillar of democracy, the defenders of freedom and morality. President Obama speaks of righting the wrongs, the right of indigenous peoples to govern themselves according to their cultural beliefs. Yet, your actions in regards to the Chamorro People and our archipelago tell a different story. The United Nations defines genocide as *the denial of a peoples right to exist, just as murder is the denial of a persons right to life*. The United States Government's continued subjugation of my people and our homeland, the continuous infusion of different ethnicities without regard to the protection of our aboriginal rights and cultural values is a denial of our right to exist. Shame on you.

You have exposed us to radiation fallout, you have sprayed us with toxins, you have stolen our lands, and you have exploited our culture and our people all for your benefit. We have watched our family members suffer and die, victims of your benevolent assimilation. You show more respect and provide better care to those who have attacked you, than to we who have been loyal to

#### G-501-004

Thank you for your comment.

#### G-501-005

Comment noted.

#### G-501-006

Thank you for your comment and concern for the coral reef ecosystem. The Navy has considered sediment runoff and resuspension as potential impacts to the coral reef ecosystem. Land-based construction activities require permits, which include best management practices (BMPs) that help contain and reduce sediment and pollutant discharges into nearby waters. The Navy, along with local agencies have a role ensuring proper management of these permits and BMP methodologies. Additionally, the Navy will implement low impact development (LID) or stormwater management strategies during construction activities. The goal is to maintain or restore the natural hydrologic functions of a site to achieve natural resource protection objectives and fulfill environmental regulatory requirements. The Navy will also implement and properly manage 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, and compensatory mitigation projects to help improve nearshore water quality through upland watershed reforestation and/or artificial reef construction, to name a few. These mitigation projects are designed to improve coastal water quality standards to benefit coral reefs ecosystems for the people of Guam. The DoD is required to consider the Coral Reef Preservation Act, and has supported many of the Section 2.2 Purposes of this Act. However, the U.S. Army Corps of Engineers (USACE) Compensatory Mitigation Rule, as described in detail under comment G-066-013, is more appropriate in this situation. The primary goal of the USACE regulatory program is to protect the nation's aquatic resources. This is

**G-501-011** you. You court us with words of righteousness, giving us hope without substance. You subject us to your laws, but hold yourselves above those same laws. Throughout all of this we have persevered. We have remained steadfast in our loyalty, because we are enamored with the Constitution that you advertise but don't adhere to. Shame on you. We have reached a pinnacle in our relationship wherein change must occur.

This proposed military buildup, with our current political status will result in the cultural and racial genocide of the Chamorro people. We know this to be true. You are forcing us to choose between the destruction of our race, our homeland, and our culture, or to rise up against you in the hope that we may preserve something for our children and the generations to follow. Once my people recognize a threat, it is not in our nature to sit idle and be consumed. This is the final chapter in your benevolent assimilation doctrine. Your future actions shall be the determining factor of our own. We will not lay down and quietly die for the sake of another's greed and convenience.

**CONTACT INFO**

**Chamorro Tribe**

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accomplished through the issuance of permits for projects that have undergone careful evaluation in light of applicable laws, regulations and policy to ensure that no action authorized by the USACE program will have an adverse impact on the overall public welfare. It is their mission to provide strong protection of the Nation's aquatic environment, including wetlands and coral reefs; to enhance the efficiency of the USACE administration of its regulatory program; and to ensure that the USACE provides the regulated public with fair and reasonable decisions.

As identified in the 10 April 2008 Federal Register, 40 CFR Part 230, the final USACE compensatory mitigation rule, permit applicants - after all efforts to minimize and avoid the impacts of their project, there remain unavoidable adverse impacts associated with special aquatic sites - are required to mitigate to no net loss of ecological services and functions. The compensatory mitigation is subject to approval by USACE, under the CWA, through the Section 404/10 permit requirements as described in comment G-066-013.

**G-501-007**

Thank you for your comment. DoD feels that the water shortage in drought years comes from the inadequate water distribution system and not the capacity of the aquifer. During droughts, the water demand rises due to increased outside irrigation (landscaping) and the existing water system cannot keep up with that increased demand. Wells extracting water from the aquifer can only pump so fast before salt water begins to locally "cone up" causing the extracted water to increase in salinity. Thus, more wells pumping at lower amounts is actually better for aquifer management. All new wells proposed by the DoD would need to be permitted by GEPA and approved by GWA. So, yes, permission would be required.

**G-501-008**

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.

**G-501-009**

Thank you for your comment. Habitat loss has been avoided to the extent practicable based on all planning considerations. The U.S. Fish and Wildlife Service (USFWS) is currently evaluating the removal of habitat that is being proposed and its impacts to threatened and endangered species on Guam and Tinian under Section 7 of the Endangered Species Act. We are proposing some conservation measures which we believe provide benefit to the species. We have proposed the following: Four ERA's totaling 597 hectares; Additional habitat protection - 561 hectares; Research and suppression for brown treesnake; Ungulate control on Andersen AFB and Naval Munitions Site; Develop and implement Forest Enhancement on Tinian (20 acres/yr) within FAA mitigation area; Biosecurity - Rapid Response Team and

Biological Monitors Wetland restoration Plan and implementation of introductions of Guam Micronesian kingfishers and Guam rail in to the wild on other islands.

**G-501-010**

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.

**G-501-011**

Thank you for your comment. The Chamorro people are not a tribe that has been recognized as an Indian Entity and, subsequently, it is not eligible to receive services from the U.S. Bureau of Indian Affairs (source: Federal Register, Volume 74, No. 153, August 11, 2009).

Please Circle meeting Location: University of Guam Southern High School  
Okkodo High School Yigo Tinian Saipan

The Department of the Navy (DoN) and the Joint Guam Program Office (JGPO) invites your comments on the Draft EIS/OEIS for the Guam and CNMI Military Relocation. Please provide your comments below. Comment forms, or your own letter, will be accepted at the public hearings, or may be mailed to: JGPO, c/o NAVFAC Pacific, 258 Makalapa Drive Suite 100, Pearl Harbor, HI 96880-3134, Attention: GMPO. You can also visit [www.guambuildupeis.us](http://www.guambuildupeis.us) to comment. Comments must be postmarked by **February 17, 2010 Eastern Standard Time**. Copies of the Draft EIS/OEIS are available for review at Nieves M. Flores Memorial Public Library, University of Guam Robert F. Kennedy Memorial Library, Joeten-Kiyu Public Library, Northern Marianas College Olympio T. Borja Memorial Library, and the Tinian Public Library. A DoN sponsored reading room has also been set up at Agana Shopping Center for Draft EIS/OEIS review.

Please provide your comments below:

- G-502-001 ① Is the Fed. Govt./DoD going to pay for the entire relocation costs including additional infrastructure, i.e. healthcare, public safety, utilities, commercial port, education, + social programs as a result of the buildup + influx of 60,000+ support workers? I cannot fathom how the Govt. of Guam can incur these costs given its current fiscal crisis.
- G-502-002 ② Plans to use a large tract of private lands near the Pagat Cave area for construction of a firing range is a big concern. This area contains the buried remains of a 3500 year old ancient village. The desecration of ancient burial grounds for bombing + shooting is unacceptable, sacrilegious + culturally insensitive. Furthermore, how are you going to mitigate the noise impact for the surrounding communities? Can a land grab be justified knowing that over a third of the island is already occupied by the military?
- G-502-003
- G-502-004
- G-502-005 ③ It is very troubling to read about plans for the potential destruction of 55+ acres of reef to make way for a nuclear carrier berth. I understand the harbor is the only protected deep water lagoon environment on Guam which hosts over a 100 species of rare coral, fish + sea turtles. This is a precious resource which can never be replicated once it is destroyed.
- G-502-006 ④ I support a no action plan knowing the negative impact this military buildup will have on our Island of Guahan.

A Concerned Citizen

Ann M. Duyong/We Are Guahan

\*\*\* Please Print Clearly\*\*\*

Comments must be postmarked by:  
February 17, 2010 Eastern Standard Time

### G-502-001

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.

### G-502-002

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. 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.

### G-502-003

Thank you for your comment. Several mitigation measures are proposed. Foliage and Barrier Attenuation would reduce noise impacts associated with the Route 15 firing ranges. Adaptive program management for construction would alleviate construction noise.

Volume 2, Chapter 6.2.8 has been revised to include these mitigation measures and presents the effect of the mitigations.

**G-502-004**

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.

**G-502-005**

Thank you for your comment and concern for coral reef ecosystems. As identified in the EIS, the proposed dredged area within the commercial harbor was previously dredge over 60 years ago, and the EIS identified significant impacts to coral reef, other immobile invertebrates, and some site-attached reef fish associated with dredging activities. A majority of the species are expected to vacate the area and return when in-water construction is completed. Additionally, 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) are not expected to be impacted by dredging direct or indirect (sedimentation) activities based on computer tide/current modeling within Apra Harbor.

The U.S. Army Corps of Engineers permits will likely contain

requirements for silt curtains, biological monitoring, restrictions in dredging activities during potential coral spawning months, and compensatory mitigation projects. To compensate for the loss in ecological services provided by coral reef ecosystem, upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources.

Additionally, the DoD, as part of the "build-up" on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

**G-502-006**

Thank you for your comment.

Genevieve Won Pat-Borja  
Resident of Malojloj, Guam  
Member, We Are Guahan

**G-503-001** | As a resident of Guam, a special education teacher, and a mother, I am deeply concerned about the safety and security of the women and children who call Guam home. According to the Draft Environmental Impact Statement, Volume Two, Chapter 16, there are concerns that the incoming military personnel will not respect and value the island's culture and unique way of life. The Draft Environmental Impact Statement lacks a proposed mitigation plan to ensure that our way of life on this island is truly respected and valued by ALL military personnel who may transfer to Guam. My concerns were validated upon finding a site on an internet social network, Facebook. Within Facebook, I discovered a group entitled, "Fuck Okinawa". This group was started by military personnel currently and/or previously stationed in Okinawa. The following attachments are screen shots of the group site as well as the personnel pages of some of its members. Sentiments like the ones stated on this site bring me to believe that the military will not benefit our island and its people. I propose the "no action alternative" to ensure that Guam's residents are not adversely impacted.

**G-503-002** |

I, Genevieve Won Pat-Borja, permit the organization, We Are Guahan, to adopt this comment in its entirety.

### **G-503-001**

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.

facebook

Search

**Fuck Okinawa** 1,126

Wall Info Photos Discussions

**Brian Schable** I'm born in the USA and I live in Guam. my home and my family are in Guam. We won't put up with this kind of attitude in Guam so get yourself some sensitivity training before you come to our island homeland.  
21 hours ago · Report

**Christina Marump** I've reported this page to Facebook because it's hateful and racist and a terrible representation of American and military values. Shama on you.  
21 hours ago · Report

**Robert Pedrotti** fuck the heat, fuck the awkwardly unsoctible people, the honchos these greedy pig fucks, the shiby commands, the goddamn constant presence of other marines, the no dining, no golf cards, no beach on base because they fenced it off, fuck it fuck it of c, we should move to guam, this place blows  
December 21, 2009 at 10:41pm · Report

**Tray Maddox** I just found the group through some friends and I gladly say that I agree with everything that everyone has put one this page. Japanese people are the biggest pussies on the planet. They complain about everything that we do, but they use our facilities whenever they can, charge us at least twice as much for rent when...  
See More  
December 21, 2009 at 9:03pm · Report

**Rob Powers** Okinawa sucks... God bless the USA!  
October 23, 2009 at 9:35pm · Report  
Olivia Krumer likes this.

**Steven Pennypacker** okinawa is the floating fetal abortion of Japan...it is death incarnate, the word okinawa is a derivative of the old alaskan word okobwa which of course means fuck these giant fucking bats and bugs and all the stupid fuckin wheather and people on this retarded alkatraz purgatory and please shoot me in the fucking fac...  
See More  
August 22, 2009 at 4:04pm · Report

**Mark Milosavic** I'm PCS'ing and flying out of Okinawa this Saturday! FUCK YEAH! I feel like a free man escaping from the Chateau d'if or Alcatraz!  
August 6, 2009 at 5:19pm · Report

**Rob Powers** I mean, what can really be said about Okinawa that hasnt been said about Auschwitz.... Okinawa is a living hell for anyone who has an ounce

**Rob Powers** I mean, what can really be said about Okinawa that hasnt been said about Auschwitz.... Okinawa is a living hell for anyone who has an ounce of self-worth.... If I could, I wipe every single person who has a I LOVE OKINAWA sticker on the back of their car... I shouldnt even call it a car... as more like a coffee can.....  
See More  
August 3, 2009 at 11:42pm · Report

**Seth Downie** knville, just like jville, the only place in the world where you can get a hair cut, lip dance(rub and tug for knville) and tat at 3 am with out any questions  
July 2, 2009 at 2:22pm · Report

**Johmathan Herzog** FESAO Okinawa!  
June 25, 2009 at 11:05pm · Report

**Evan William Ray** the only people who like being there are the fat ugly wankles who are treated like queens . Fuck you wankles, you're dream vacation is a living hell for many . Keep in mind you're just a plane ticket away from being ugly again .)  
June 3, 2009 at 9:23pm · Report

**Jonathan Burke** Fuck the green line, fuck the language fuck the bugs humidity Supras Skyline ROX's fuck everything on this island I cant wait to go home  
May 25, 2009 at 9:44pm · Report

**Smith Bruce** everything glovs on the island and pickday heat an hour after insert in the jungle... plus fuck knville...  
April 29, 2009 at 3:40pm · Report

**REPORT ACTIVITY**  
Andrew Hutchinson discussed What is the worst part of being in Okinawa? on the Fuck Okinawa discussion board.

**Rob Wolf** Hey, to the guy that said he is excited to know about our complaints from a foreigners point of view.... Why is it that the Okinawans are in a never ending scheme to rip us off? So we drive through protests to get on and off base, then when we do get to where we're going, its always a scam of some sort, whether its a...  
See More  
April 3, 2009 at 2:15pm · Report

**Torey Averick** When you go on leave from okinawa its like waking up from a terrible nightmare than having someone fucking wack you in the head with a mace where you immediately plummet right back into that nightmare hell.  
March 26, 2009 at 6:24pm · Report

**Rob Wolf** On my plane ride out to Ok! I said to myself, "I'm going to do this year without drinking" Three hours after landing I was drunk, then that year

Information  
Category: Common Interest + Travel  
Description: I hate Okinawa, who else?  
Privacy Types  
Open: All content is public.

Admins  
Ben Deaf Diefendorf (Kansas) (creator)

Officers  
Adam Haselhorne @ 39:5am  
Ben Deaf Diefendorf (Kansas) @ 10:00am

Members  
6 of 124 members See All  
Ryan Hartner Jared Heesen Tyler Johnson

Photos  
1 photo See All

Report Group  
Share

## G-503-002

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.

-  **Todd Pruder** *one of the worst thing that has ever happened to you, multiply by 20, cut off your testicles, this place still sucks more.*  
March 28, 2009 at 7:57pm · Report
-  **Jared Hansen** *What are they gonna do, shave my head and send me to Okinawa. Fuck I guess I'll be a good boy next time.*  
March 28, 2009 at 4:43pm · Report
-  **Bryan Martinez** *All I know is that I am not afraid to die and go to hell... Hell can't possibly be worse than living as a service member in Okinawa!!!*  
March 28, 2009 at 2:54pm · Report
-  **Sean Madison** *you get off the plane in this place and a wave of depression floods over you as your soul dies*  
March 28, 2009 at 2:46pm · Report
-  **Tyler Johnson** *FMH (fuck my life) the only thing you can say if you get stationed in ok. this place sucks and so do the national.*  
March 28, 2009 at 11:43am · Report
-  **Paul Peters** *Can't wait to be free from this Rock of bondage and lunacy.*  
March 28, 2009 at 11:43am · Report
-  **Justin Yaw** *this place sucks dick .....OKY.....Camp Kill Yourself!!!! Suicide mondays WHOOOOOO!!!!!!*  
March 28, 2009 at 12:25am · Report
-  **Ben Carter** *I have to thank Okinawa for giving me the greatest day of my life..... the day when I finally get to leave this shithole for good*  
March 28, 2009 at 12:23am · Report
-  **Robert Rowland** *Okinawa broke my soul. I thought I maybe would have a career in the military units I was stationed at Camp Schwab and then it has since been countdown till I get out, fuck 3rd recon-Rob*  
March 28, 2009 at 9:38pm · Report
-  **Dane Leery** *It drains the life out of you*  
July 6, 2008 at 11:35am · Report
-  **Ben Deef** *Diefendorf okinawans may be the ugliest people you will ever see. what's the deal with all the carkeys, all the fucked up teeth and those retards thinking their prospects are cool.*  
May 13, 2009 at 9:53am · Report
-  **Mark Bann** *Smells like pig shit I was deployed to Ok 95-06 and 96-07...thank God that I wasn't there very long on my second tour...spent most of our time with the Seals in Korea. The only thing good there is taco rice and cheese.*  
October 26, 2007 at 3:40pm · Report



**Nathan Albrecht** [Add as Friend](#)

Wall Info

 Nathan only shares some of his profile information with everyone. If you know Nathan, send him a message or add him as a friend.

Send Nathan a Message

**Information**

Current City:  
Youngstown, OH

**Friends**

139 Friends [See All](#)



Report/Block this Person

[Share](#)

**Basic Information**

Sex: **Male**  
Current City: **Youngstown, OH**  
Relationship Status: **Single**  
Interested in: **Women**  
Looking For: **Friendship**

**Personal Information**

About Me: *In an aggressive, sensitive and going person. I have a over whelming personality with a will to win and be the best at things. I try not to get pissed off so quickly but some times there are things that just flip the switch and then STAND BY*

**Education and Work**

High School: **Grand Junior - Senior '04**  
Employer: **United States Marine Corps**  
Positions: **SGT**  
Time Period: **July - Present**  
Description: **senior NCO**

**Pages**

-  Ohio State Buckeyes
-  Pnflights
-  The Hangover Quotes
-  I'm Proud To Be Christian
-  The Colburn Report

**Creat an Ad**

**Facebook Suggestions:** John Santolucas



Aprilia San Nicolas and Tria Temanglo Quintanilla are mutual friends.

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[See All \(9\)](#)

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**Rob Powers** Add as Friend

Wall Info

Rob only shares some of his profile information with everyone. If you know Rob, send him a message or add him as a friend.

**Basic Information**

Networks: United States Marine Corps  
 Sex: Male  
 Pages: 5m Add (0)

**Information**

Networks: United States Marine Corps

**Friends**  
 276 friends See All

Matthew Ryan Freeman, Peter Nguyen, Kevin Sean Reynolds, Meghan Valentine, Lisa Michele, John Rivera

Report/Block this Person Show

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Applications Chat (11)

Facebook | Adam Hawthorne - Mobile Firefox

Edit View History Bookmarks Tools Help

http://www.facebook.com/profile.php?id=508446097

Most Visited commencespeech.it Getting Started Latest Headlines

Facebook | Adam Hawthorne

facebook Home Profile Privacy Settings News World Photos Search

**Adam Hawthorne** Add as Friend

Wall Info

Adam only shares some of his profile information with everyone. If you know Adam, send him a message or add him as a friend.

**Basic Information**

Networks: United States Marine Corps  
 Sex: Male  
 Relationship Status: Single  
 Interested In: Women  
 Looking For: Friendship, Dating, A Relationship, Networking

**Personal Information**

About Me: Hang Loose.

**Education and Work**

High Schools: Flagstaff High School  
 Employers: United States Marine Corps  
 Doctores: KC-130 Flight Instructor  
 Time Periods: June 2004 - Present  
 Descriptions: Airstreamer and Maintainer on a KC-130 with VHC8-114

**Information**

Networks: United States Marine Corps  
 Relationship Status: Single

**Friends**  
 297 friends See All

Jenny Lewis, Shannon Dullinger, Spencer Doherty, Hays Tucker, Abba Blacketer, Nichola Hodges

Report/Block this Person Show

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**Robert Pedrotti (Robert Lucas)** Add as Friend

Wall Info

Robert only shares some of his profile information with everyone. If you know Robert, send him a message or add him as a friend.

**Basic Information**

Networks: Central Catholic High School '07  
 Sex: Male  
 Current City: Okinawa, Japan  
 Parents: LuAnn Lucas, Tim Lucas  
 Relationship Status: Single  
 Interested In: Women  
 Looking For: Friendship, Dating, A Relationship, Networking

**Personal Information**

About Me: u wanna know about me then message me

**Education and Work**

College: MC3D San Diego '07  
 Basic Marine Training  
 TMSD COURSE (MST) Test Measurement Diagnostic Equipment Technicians Course  
 Electronics Calibration  
 Central Catholic High School '07  
 Employer: United States Marine Corps  
 Position: TMSD TEST RATION TECH/INT  
 Time Period: July 2007 - Present  
 Location: Okinawa, Japan  
 Description: Enlisted to D.P. 4 September 2005 began enlistment 10 July 2007  
 Graduated Bootcamp 25 OCT 2005, completed Marine Combat Training 04 DEC 2005,  
 Reassigned to Aviation Maintenance Squadron 1 (MATSOC) 07ANDB for Training in AC (aircrew 6922 assigned) Pensacola FL  
 Dropped Andrew March 21st due to swim DQ. Picked up with 1877  
 Test measurement Diagnostic Technicians course March 21st  
 Graduated September 20th 2008  
 attached to 1st MAW 18th CG 180: MWCS, BLHACO, 3rd MAINT, C&A, 3600 280C780

Employer: Rymel  
 Position: ICS  
 Time Period: July 2008 - Present  
 Description: it i do it be a badass i mean yeh i've wait that i go to work, come

Send Robert a Message

STPU and OTPO

**Information**

Networks: Central Catholic High School '07  
 Relationship Status: Single  
 Current City: Okinawa, Japan

**Friends** See All

Eric Hutchins, Joey Freeman, Adam Lov, Summer Lovess, Anthony Zevada

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Applications [Icons] Chat (6)

facebook Home Profile Friends About More Facebook Search

**Mark Miloslavic** Add as Friend

Wall Info

Mark only shares some of his profile information with everyone. If you know Mark, send him a message or add him as a friend.

**Basic Information**

Networks: United States Marine Corps  
 Sex: Male  
 Parents: Christina Bryelandis Miloslavic, Susana Brummer-Hurtle  
 Siblings: Stephanie Miloslavic, Higinjungal Rodriguez Kobarran  
 Relationship Status: In a Relationship with Erin Wilzbachek  
 Interested In: Women  
 Looking For: Friendship

**Education and Work**

High Schools: Paul R. Wharton High School '03, Chamberlith Senior High School '03  
 Employer: United States Marine Corps  
 Position: OMI

**Paper** See All (7)

Arnold Schwarzenegger, GuCo Garry House Ichibanya, Jen Guffigan, Starbucks, Hagen Free

Send Mark a Message

I really need to update my profile with new pictures.

**Information**

Networks: United States Marine Corps  
 Relationship Status: In a Relationship with Erin Wilzbachek

**Friends** See All

Christop her Garrett, Lawrence Hiller, Hurns Robert, Ryan William Ray, Robert Rowland

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**Sean Madison** [Add as Friend](#)

**Info**

Sean only shares some of his profile information with everyone. If you know Sean, send him a message or add him as a friend.

**Basic Information**

Sex: Male

Pages [See All \(7\)](#)

- Dave Matthews Band
- Cross
- RED HORSE
- Captain Morgan
- Leifal Moore 1961-2008

**Create an Ad**

Facebook Suggestion: John Sarricolas

Aprilia San Nicolas and Tira Tamunglo Quinsana are mutual friends.

[Add as Friend](#) (7)

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Applications [11](#) [11](#) [62](#) [46](#) [Chat \(6\)](#)

facebook Home Profile Friends Tabbar Can View Post Group Settings Logout Search

**Paul Peters** [Add as Friend](#)

**Info**

Paul only shares some of his profile information with everyone. If you know Paul, send him a message or add him as a friend.

**Pages** [See All \(2\)](#)

- Pauline Salvator
- The Bible
- Megan Fox
- Midland, TX
- The Proud To Be Christian

**Create an Ad**

Facebook Suggestion: John Sarricolas

Aprilia San Nicolas and Tira Tamunglo Quinsana are mutual friends.

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More Ads

Send Paul a Message

**Friends** [See All](#)

**Top Friends**

- Rebecca Odago
- Britany Greer
- Mario Ormazo
- Carly Brilon
- Megan Hale
- Daniel Ditt

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**Tray Maddox** Add as Friend

Wall Info

Tray only shares some of his profile information with everyone. If you know Tray, send him a message or add him as a friend.

**Basic Information**

Sex: Male  
 Relationship Status: Married to Bianca Maddox  
 Anniversary: June 3, 2009  
 Looking For: Networking

**Education and Work**

Positions: Hospital Corporal (See All 8)

**Pages**

- Boyz n the City
- U.S. Naval Hospital Okinawa, Japan
- Good Mane
- James Hubert Blake High School Alumni
- US Navy Hospital Corporal

**Friends** 114 friends (See All)

Michael Eric Grestle, Lunam Bourlakh, Mohammed Raheed Dombayya, RJ Woodson, Stewart, Alpha Syla Comelia

Report/Block this Person

Applications Chat (4)

facebook Home Profile Friends Inbox Get Work Done! Search

**Steven Pennypacker** Add as Friend

Wall Info

Steven only shares some of his profile information with everyone. If you know Steven, send him a message or add him as a friend.

**Basic Information**

Sex: Male

**Education and Work**

High School: Chickasha High School '08  
 Employers: United States Marine Corps

**Pages**

- Howard Jones (vocals & keyboard)
- Converse Shoes
- Right Of The Condor
- App of the Day
- I Hate AFN Connecticut

**Friends** 133 friends (See All)

Alvin Davis, Beth Owen, Brittany Johnson, Jarvis Mack, Jeffrey Yelen, Jeff Kurling

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Applications Chat (11)

Guam Boonie Stompers  
29 Dasco Court  
Yigo, Guam 96929  
16 February 2010

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

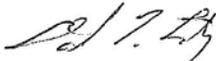
JGPO:

G-504-001

Attached are more petitions to keep the hiking trails open on our island of Guam that would be impacted due to the military buildup. These are submitted as comments on the DEIS/OEIS for the Guam and CNMI Military Relocation in addition to those previously submitted with the testimony of Guam Boonie Stompers at the public hearing in Yigo, Guam on Monday January 11, 2010 and my transmittal of 4 February 2010. The total number of signatures is 1,096 that support the position of Guam Boonie Stompers to maintain open trail access.

Please advise me as to what specific changes you make in the DEIS as a result of these petitions.

Sincerely,



DAVID. T. LOTZ  
President

### G-504-001

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.

## PETITION FOR THE CONTINUED AND RENEWED ACCESS TO PUBLIC HIKING DESTINATIONS

We the undersigned hereby petition the Department of the Navy, while reviewing the plans for the military buildup of the island of Guam, to require as a mitigation measure the continuing use of traditional long existing hiking trails and the granting of renewed public access to locations of cultural, historical, natural, and recreational value on the island of Guam. This is necessary to provide an opportunity for the people of Guam and our guests to learn about the island's heritage and to engage in worthwhile outdoor recreation activities. Specific locations that we maintain shall remain open to public access include all of Pagat (including the Cave, Point, and Village site), Ague Cove, Hilaan, Mount Lamlam, and the Southern Mountains. The locations for renewed public access include Haputo, Double Reef Beach, and Orote Point. We further specify that this access be guaranteed in the Environmental Impact Statement Record of Decision.

|     | Print Name:      | Signature: | Village:  | Contact e-mail/<br>Ph. number:  | Date:        |
|-----|------------------|------------|-----------|---------------------------------|--------------|
| 1.  | LUIS A. PEREZ    |            |           | cl_perez_esc @ live.com         |              |
| 2.  | Matthew Barnhart |            | Pagat     | bite_to_breat @hotmail.com      |              |
| 3.  | Jesha Toman      |            | Tuman     | josh_toman @hotmail.com         |              |
| 4.  | Elyah Woolf      |            | Toromonog | elyah@ymail.com                 | 13 Feb 2010  |
| 5.  | Donna Lawrence   |            | Maite     | donna.lawrence85@gmail.com      | 2/13/10      |
| 6.  | Rachel Haason    |            | AGAT      |                                 | 2/13/10      |
| 7.  | J. Vasavada      |            | Maite     | jvasavada@gmail.com             | 2/13/10      |
| 8.  | Per Petersen     |            | Maite     | per.petersen@gmail.com          | 2/13/10      |
| 9.  | Apha Imperial    |            | Village   | imperial_apha @yahoo            | 2/14/10      |
| 10. | Jonita Kerr      |            | Dededo    | jonikerr@gmail.com              | 2/14/10      |
| 11. | Wolkona R.F.     |            | TOTO      | 472-1988                        | 14 Feb 2010  |
| 12. | Paul WOLFORD     |            | TOTO      | 472-1988                        | 14 Feb 2010  |
| 13. | JEFFREY J. TUMAN |            | TUMA      | 875-1141                        | 2-14-10      |
| 14. | Leah Tamonclong  |            | Y160      | 653-8836                        | 2-14-10 Vday |
| 15. | GEISLA DELPENA   |            | Y190      | 655-1668 duckies.94@hotmail.com | 2/14/10      |

## PETITION FOR THE CONTINUED AND RENEWED ACCESS TO PUBLIC HIKING DESTINATIONS

We the undersigned hereby petition the Department of the Navy, while reviewing the plans for the military buildup of the island of Guam, to require as a mitigation measure the continuing use of traditional long existing hiking trails and the granting of renewed public access to locations of cultural, historical, natural, and recreational value on the island of Guam. This is necessary to provide an opportunity for the people of Guam and our guests to learn about the island's heritage and to engage in worthwhile outdoor recreation activities. Specific locations that we maintain shall remain open to public access include all of Pagat (including the Cave, Point, and Village site), Ague Cove, Hilaan, Mount Lamlam, and the Southern Mountains. The locations for renewed public access include Haputo, Double Reef Beach, and Orote Point. We further specify that this access be guaranteed in the Environmental Impact Statement Record of Decision.

|     | Print Name:       | Signature: | Village:     | Contact e-mail/<br>Ph. number: | Date:         |
|-----|-------------------|------------|--------------|--------------------------------|---------------|
| 1.  | Allan Arriola     |            | Harmon       | allanis.thacoolest@ymail.com   | 01/23/10      |
| 2.  | MICHELE BRILLANTE |            | MANGILAO     | HERILLANTE@GMAIL.COM           | 1/23/2010     |
| 3.  | JOEL CASTRO       |            | CHALAN POGAO | (671) 288-4452                 | 01.23.2010    |
| 4.  | Munter, John D.   |            | NCS/Dadab    | (671) 898-6146                 | Jan. 24, 2010 |
| 5.  | ANDREW EKEDA      |            | Sincujana    | (671) 472-2919                 | 1/29/10       |
| 6.  | John TEJORO       |            | Monemona     | (671) 477-3913                 | 1/25/10       |
| 7.  | Steve Sacksa      |            | Mangilao     | 488-7276                       | 1/30/10       |
| 8.  | Mike Grajek       |            | Sinjana      | 671 888 6278                   | 1/30/10       |
| 9.  | Rafael Dupiego    |            | Sinjana      | 688-7220                       | 1-30-10       |
| 10. | FORPE, JOSHUA     |            |              |                                |               |
| 11. | OWEN, CHRISTOPHER |            | Agaña        | 868-857-7020                   | 2/6/10        |
| 12. | Catherine, Cheryl |            | Agat         | 482-7990                       | 2/6/10        |
| 13. | LEE-PAY BENITEZ   |            | TONA         | 787-1101                       | "             |
| 14. | Ronald Tanceres   |            | Santa Rita   | 969-6001                       | "             |
| 15. | Murray Nanta      |            | Talofoto     | 7882490                        | 2/10          |

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## PETITION FOR THE CONTINUED AND RENEWED ACCESS TO PUBLIC HIKING DESTINATIONS

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|     | Print Name:        | Signature:                | Village:             | Contact e-mail/<br>Ph. number: | Date:     |
|-----|--------------------|---------------------------|----------------------|--------------------------------|-----------|
| 1.  | Alicia Mafnas      | <i>Alicia Mafnas</i>      | Tamuning             | aliciamafnas@live.com          | 1/25/10   |
| 2.  | TIFFANY ARRIDA     | <i>Tiffany Arrida</i>     | Ordot                | tiffanymra@gmail               | 1/25/10   |
| 3.  | Veronica Arrida    | <i>Veronica Arrida</i>    | ORDOT                | juanvicky@gmail.com            | 1/25/10   |
| 4.  | Monique Marzai     | <i>Monique Marzai</i>     | (RUE'S)<br>Barrigada | monique.marzai@live.com        | 01-25-10  |
| 5.  | Bundang, Jesse     | <i>Jesse Bundang</i>      | Mongilao             | rsd-BaronIve@live.com          | 25 Jan 10 |
| 6.  | Junga Soak Yuli    | <i>Junga Soak Yuli</i>    | TAMUNING             | 777-6784                       | JAN 26/10 |
| 7.  | Daniel Mafnas      | <i>Daniel Mafnas</i>      | PAGAT<br>Mongilao    | 888-5695                       | 1/27/10   |
| 8.  | Robert Mita        | <i>Robert Mita</i>        | Yigo                 | 898-9997                       | 1/27/10   |
| 9.  | Abel Mita          | <i>Abel Mita</i>          | Dededo               | 868-0517                       | 1/27/10   |
| 10. | Teadora S. Pando   | <i>Teadora S. Pando</i>   | Dededo               | 868-0517                       | 1/27/10   |
| 11. | ANDREAS Helgenberg | <i>Andreas Helgenberg</i> | HARMON               | 868-6248-797-9885              | 1/27/10   |
| 12. | JOE DUCNAS         | <i>Joe Ducnas</i>         | ORDOT                | 678-6449                       | 1/27/10   |
| 13. | ROMAN MIKEL        | <i>Roman Mikel</i>        | Barrigada            | 734 2131                       | 1/27/10   |
| 14. | STEWART MITHAN     | <i>Stewart Mithan</i>     | Radio Barrigada      | 734-0372                       | 1/27/10   |
| 15. | Jefe San Juan      | <i>Jefe San Juan</i>      | Barrigada            | 724-2779                       | 1/27/10   |

|     | Print Name:      | Signature: | Village:    | Contact e-mail/<br>Ph. number: | Date:       |
|-----|------------------|------------|-------------|--------------------------------|-------------|
| 16. | JEFF SABLAN      |            | Dededo      | 649-5184                       | 01-27-10    |
| 17. | Bruce Monoz      |            | Dededo      | 649. 8189                      | 1-27-10     |
| 18. | Richard Blum     |            | Yigo        | 898-4899                       | 1-27-10     |
| 19. | U-1 Bp           |            | Yigo        | 898-4898                       | 1-27-10     |
| 20. | David Borja      |            | Charrinpego | 967 0820                       | 1-27-10     |
| 21. | BOBBY JOHNSON    |            | Yigo        | 687 6531016                    | 1-27-10     |
| 22. | Jesse Trujillo   |            | Mangilao    | 878-9557                       | 1-27-10     |
| 23. | Vera Asuncion    |            | Dededo      | 898-0570                       | 01/27/10    |
| 24. | Lana Umehara     |            | Dededo      | 878-0021                       | 01/27/10    |
| 25. | JAYME QUINTANA   |            | DEDEDO      | 687-3656                       | 27 JAN 10   |
| 26. | Ben Perez        |            | Charan Bago | 682-4644                       | 27 JAN 2010 |
| 27. | Mantapaz Rommel  |            | YIGO        | 653-9012                       | 1-27-10     |
| 28. | Jeff M. Sandlot  |            | Yigo        | 707-1265                       | 1-27-10     |
| 29. | Gladwin Rusan    |            | Yigo        | 477-0425                       | 1-27-10     |
| 30. | Michele Anderson |            | Neleto      | michelson21@yahoo.com          | 01-27-10    |
| 31. | LISA Quintanilla |            | Mangilao    | lisa.r.troy03@yahoo.com        | 01-27-10    |
| 32. | Bob Pearson      |            | Tamuning    | 649-5193                       | 1-27-10     |
| 33. | Ruben Tucson     |            | Yigo        | 649-5184                       | 1-27-10     |
| 34. | KEVIN MIRANDA    |            | YIGO        | 653-7506                       | 1-27-10     |
| 35. | ERNEST AQUINO    |            | Barrigada   | 988-5090                       | 1-27-10     |
| 36. | Maelene Blechel  |            | Mangilao    | 989-2511                       | 01/27/10    |

|     | Print Name:                  | Signature: | Village:    | Contact e-mail/<br>Ph. number:      | Date:   |
|-----|------------------------------|------------|-------------|-------------------------------------|---------|
| 16. | Karen Cabalang               |            | Mangilao    | 688-7514                            | 1/27/10 |
| 17. | Jackie Del Rosario           |            | Barrigada   | 929-0499                            | 1/27/10 |
| 18. | Veride Sablan                |            | Barrigada   | 944-7879                            | 1/27/10 |
| 19. | Quintin Buenas               |            | Sinjana     | 777-9846                            | 1/27/10 |
| 20. | Andrew Escamilla             |            | Mongmong    | andrew_escamilla.671@yahoo.com      | 1/27/10 |
| 21. | ERNESTO MAQUINA              |            | Chalan Pago | ernicmaquina35@yahoo.com 689-4623   | 2/4/10  |
| 22. | Michal Frazier               |            | Mangilao    | m-frazier1970@hotmail.com           | 2/3/10  |
| 23. | Marion Regue                 |            | Chalan Pago | cephalopus@hotmail.com              | 2/3/10  |
| 24. | ALINA LEASOLAEI              |            | YONA        | 988-5141                            | 2/3/10  |
| 25. | JOE FAJARDO                  |            | Barrigada   | 929-1216                            | 2/3/10  |
| 26. | FRANKIE SUSUICO              |            | YONA        | F.SUSUICO@yahoo.com<br>777-3887     | 2/3/10  |
| 27. | Ruth NU                      |            | TUMON       | alwayz_ruth@hotmail.com<br>688-1991 | 2/3/10  |
| 28. | Felsita Robert               |            | Sinjana     | felsitarob@live.com                 | 2/3/10  |
| 29. | Danielle Quienga             |            | Marapan     | danielleguengas@yahoo.com           | 2/4/10  |
| 30. | Paul Santos                  |            | Dededo      | psantos@brvictor.pbu                | 2/4/10  |
| 31. | LEAH ECLAVEN                 |            | Asana Hts.  | le2003@hotmail.com                  | 2/4/10  |
| 32. | J.J. Blossen                 |            | Mangilao    | 488-3296                            | 2/4/10  |
| 33. | Deleon Encarnacion<br>Madine |            | Mangilao    | 688-4420                            | 2/4/10  |
| 34. | VAN GONZALES                 |            | XICO        | vazell.gonzales@yahoo.com           | 2/4/10  |
| 35. | EMYOTAI PAGO                 |            | Mongmong    | ocap84@yahoo.com<br>787-3229        | 2/4/10  |
| 36. | JUSTIN PERQUIN               |            | MONTE       | 488-8122                            | 2/4/10  |

|     | Print Name:       | Signature: | Village:      | Contact e-mail/<br>Ph. number:           | Date:    |
|-----|-------------------|------------|---------------|------------------------------------------|----------|
| 16. | Joy White         |            | Dededo        | joywhite_online@<br>verizon.com 689-6686 | 2-4-10   |
| 17. | Patricia Acuña    |            | Mangilao      | patmaqui@gmail.com                       | 2-4-10   |
| 18. | Craig Matthews    |            | Dededo        | aviana_serene@yahoo.com                  | 2/4/10   |
| 19. | Daniel Sussex     |            | Dededo        | daniel.sussex@yahoo.com                  | 2/4/10   |
| 20. | Sean Zenculalles  |            | Dededo        | coandca7@hotmail.com                     | 2/4/10   |
| 21. | Jonathan Glose    |            | Agana Heights | joncglose@gmail.com                      | 02/04/10 |
| 22. | Melissa Paul      |            | Santa Rita    | 488-1792                                 | 02-04-10 |
| 23. | JEBENE ESCRUPULO  |            | AGAT          | ethanjuelyn@yahoo                        | 02/04/10 |
| 24. | Nina Peck         |            | Tamuning      | nina.peck@yahoo.com                      | 2/4/10   |
| 25. | RACHEL VOLSTEDT   |            | TAMUNING      | rchylm@gmail.com                         | 1 FEB 10 |
| 26. | Loath Abinales    |            | TIGO          | aqua_guess17@hotmail.com<br>797-6421     | 2/4/10   |
| 27. | Ryan Shoak        |            | YONA          | matata.guam@gmail.com<br>689-4449        | 2/4      |
| 28. | Guhn Kim          |            | TAMUNING      | guhkim@gmail.com                         | 2/4/10   |
| 29. | Fred Bordallo     |            | Santa Rita    | bordallo_4@hotmail.com                   | 2/4/10   |
| 30. | Bianca Cruz       |            | Agana Hts.    | bianca.cruz13@yahoo.com                  | 2/4/10   |
| 31. | Christopher Bawar |            | Dededo        | cbawar@gmail.com                         | 02/04/10 |
| 32. | Robby Truong      |            | Dededo        | Robby_20@hotmail.com                     | 02/04/10 |
| 33. | Jae Hee Lee       |            | Tumon         | loser_leeing_forever@hotmail.com         | 02/04/10 |
| 34. | JUAN ARRIOLA      |            | ORDOT         | jarriola@MAIL.USVI.NMIA.GOV              | 2/3/10   |
| 35. | ANSSA MUÑA        |            | Mangilao      | 777-0690                                 | 2-4-10   |
| 36. | Christopher Imber |            | Mangilao      | 456-5757                                 | 2/4/10   |

21

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We the undersigned hereby petition the Department of the Navy, while reviewing the plans for the military buildup of the island of Guam, to require as a mitigation measure the continuing use of traditional long existing hiking trails and the granting of renewed public access to locations of cultural, historical, natural, and recreational value on the island of Guam. This is necessary to provide an opportunity for the people of Guam and our guests to learn about the island's heritage and to engage in worthwhile outdoor recreation activities. Specific locations that we maintain shall remain open to public access include all of Pagat (including the Cave, Point, and Village site), Ague Cove, Hilaan, Mount Lamlam, and the Southern Mountains. The locations for renewed public access include Haputo, Double Reef Beach, and Orote Point. We further specify that this access be guaranteed in the Environmental Impact Statement Record of Decision.

|     | Print Name:        | Signature: | Village:      | Contact e-mail/<br>Ph. number:       | Date:    |
|-----|--------------------|------------|---------------|--------------------------------------|----------|
| 1.  | Robal S. Balansay  |            | Yigo          | robals03@yahoo                       | 02-14-10 |
| 2.  | Paul Unzer         |            | Dededo        | sshsmath@hotmail.com                 | 2/14/10  |
| 3.  | Timothy Alcon      |            | Dededo        | jayw.2004.26@yahoo.com               | 2/14/10  |
| 4.  | Tamisha Gumataotao |            | Agaña Heights | riosvoyager.2007@hotmail.com         | 2/14/10  |
| 5.  | Jotania Camacho    |            | Barrigada     | 987-5719                             | 2/14/10  |
| 6.  | Tomás Gumataotao   |            | Agaña Heights | 477-5077                             | 2/14/10  |
| 7.  | FRANCIS PABLO      |            | Mangrove      | 878-8424                             | 2/14/10  |
| 8.  | Jude L. Lizama     |            | Singonia      | lizama.jude@sierrita.com<br>787-0937 | 2/14/10  |
| 9.  | FRANCESKA DE ORO   |            | Mangilao      | franceskadeoro@gmail                 | 2/14/10  |
| 10. | Anthony Sablan     |            | Yona          | 988-0816                             | 2/14/10  |
| 11. |                    |            |               |                                      |          |
| 12. |                    |            |               |                                      |          |
| 13. |                    |            |               |                                      |          |
| 14. |                    |            |               |                                      |          |
| 15. |                    |            |               |                                      |          |

**G-505-001**

Thank you for your comment.

**G-505-001** We Are Guahan supports the comment submitted by the National Park Service.

United States Department of the Interior  
NATIONAL PARK SERVICE  
Pacific West Region  
1111 Jackson Street, Ste. 700  
Oakland, CA. 94607-4807

\*\*\*ELECTRONIC COPY ONLY – NO HARD COPY TO FOLLOW \*\*\*

IN REPLY REFER TO:  
A7619(PWR-P)  
(e09/1197)

February 2, 2010

Memorandum

To: Patricia Port, Regional Environmental Officer  
Office of Environmental Policy and Compliance

From: Acting Regional Director, Pacific West Region

Subject: National Park Service Comments Concerning ER-09/1197: Guam and  
Commonwealth of the Northern Mariana Islands Military Relocation

The National Park Service (NPS) appreciates the opportunity to review and comment on the Draft Environmental Impact Statement/Overseas Environmental Impact Statement (Draft EIS/OEIS) for the Guam and CNMI Military Relocation project.

Attached are two documents providing the NPS comments. The first is a text document which covers all comments and recommendations. We have provided that information following a format similar to the Draft EIS/OEIS, along with a complete set of references.

The second document is in tabular format and includes comments related to specific areas of the Draft EIS/OEIS. Although the Joint Guam Program Office stated its preference to have comments in tabular format, this was not practical for the NPS given that most of our concerns are structured around the absence of NPS-related information in the Draft EIS/OEIS.

The NPS manages two park units in the Marianas: War in the Pacific National Historical Park on Guam, the only site in the National Park System that honors the bravery and sacrifices of all those who participated in the Pacific Theater of World War II; and American Memorial Park on Saipan, which honors the American and Marianas people who gave their lives during the Marianas Campaign of World War II.

In addition to their cultural and historic significance, these sites preserve the most diverse coral reef system within the National Park System, habitat for threatened sea turtles, and the last remaining natural wetland on Saipan. The NPS also represents the Secretary of the Interior for

the National Historic Landmark program and is charged by the Secretary with administration of the Micronesian Historic Preservation Program.

The NPS believes that the potential indirect effects of the proposed actions will have significant adverse effects that could directly impact fundamental park values and critical resources. The Draft EIS/OEIS is silent on these potential indirect impacts to park units, which as elaborated upon in the attached comments are highly significant and unacceptable.

It is also of concern that the Department of Defense (DoD) appears not to have taken note of the role and responsibility of the NPS in implementing the National Historic Preservation Act (NHPA) in the affected area. There is a general lack of analysis about the effects of the actions on cultural and historic resources by the proposed actions. Statements regarding the impacts to cultural resources are presented as mitigation, when in fact they are just statements.

In particular, the NPS finds the analysis of resource impacts from the proposed actions inadequate and the lack of analysis to the logistics of the construction work force (and mitigation for their off-base impacts) as a connected action in complete disregard for Council on Environmental Quality regulations.

We look forward to continued consultation under Section 106 of the NHPA and development of the Programmatic Agreement. We hope that the DoD will follow up on our suggestion to develop an adaptive management strategy in collaboration with the NPS and other agencies to develop long-term monitoring and mitigation measures for the Final EIS/OEIS.

If you have any questions about our comments, please contact Barbara Alberti, Superintendent, War in the Pacific National Historical Park, at 671-477-7278 x1003 or Tammy Whittington, Chief, Environmental Quality Division, at 303-969-2073.

/s/ Rory D. Westberg  
(signed original on file)

Rory D. Westberg

Attachments:2



Buildup DEIS Comments table final 31jan10.doc



Buildup DEIS Comments (text).doc

cc :  
WAPA-Alberti  
PWR-PAD-Hays

**National Park Service Comments on  
Guam and CNMI Military Relocation Draft EIS/OEIS**

**January 31, 2010**

**Introduction**

The proposed actions may potentially affect National Park Service (NPS) sites and programs both directly and indirectly. The two sites are War in the Pacific National Historical Park (NHP), listed in the National Register of Historic Places and comprised of multiple units on Guam (see Figure 1), and American Memorial Park on Saipan. These areas encompass significant cultural and historic resources, as well as a great variety of terrestrial and marine resources. The NPS also represents the Secretary of the Interior for the National Historic Landmark (NHL) program and is charged by the Secretary with administration of the Micronesian Historic Preservation Program. Thus, the potential impacts to NHLs on Tinian and Saipan and Historic Preservation Offices in the territories are of concern.

These comments are structured to assist the Department of Defense (DoD) in amending the Draft Environmental Impact Statement /Overseas Environmental Impact Statement (Draft EIS/OEIS) to incorporate necessary information about the NPS and its holdings on behalf of the people of the United States, Guam and the Commonwealth of the Northern Mariana Islands (CNMI) into the Final EIS/OEIS (FEIS). The initial sections explain relevant findings about the Draft EIS/OEIS and the legal and policy framework (authorities) for the NPS in the Pacific. These represent the basis for NPS concerns about the proposed actions. The next section is an assessment of the current condition of the NPS resources, written as an affected environment discussion. This is followed by an assessment of how those resources and values may be affected by the proposed actions, such as they may be determined. This information, derived through NPS special expertise, is written as a consequences section. Finally, the comments conclude with additional findings and recommendations for DoD in proceeding with the FEIS and eventual decision.

These comments have been prepared by an interdisciplinary NPS Task Force instituted specifically to deal with issues affecting the NPS relative to the military relocation plans. Please see endnote. Members of this team, or their predecessors, and other NPS personnel have participated actively in the Joint Guam Program Office (JGPO) partnering sessions since their inception. The NPS has provided comments on scoping and earlier working documents that should be present in the administrative record for the EIS. NPS participation to date has indicated concern about the proposed action(s) and indirect impacts on the NPS and the units within the scope of the EIS.<sup>1</sup> Since NPS input was sought (the NPS was invited to be a cooperating agency on the project<sup>2</sup>), the NPS made observations about National Environmental Policy

<sup>1</sup> JGPO Working Group Notes May 21, 2008, pp.3-4.

<sup>2</sup> Correspondence of May 17, 2007, O.E. Sizer (OES) to Mary Berman (NPS) requested cooperating agency status for NPS. "This would help the JGPO adequately evaluate the potential environmental effects of the proposed action and would provide assistance in the development of the EIS/OEIS." Berman response, dated July 26, 2007, notes that NPS looks forward to cooperating with DoD to ensure park resources are protected, but more information is needed due to broad scope of proposal before NPS can formally accept cooperating agency status.

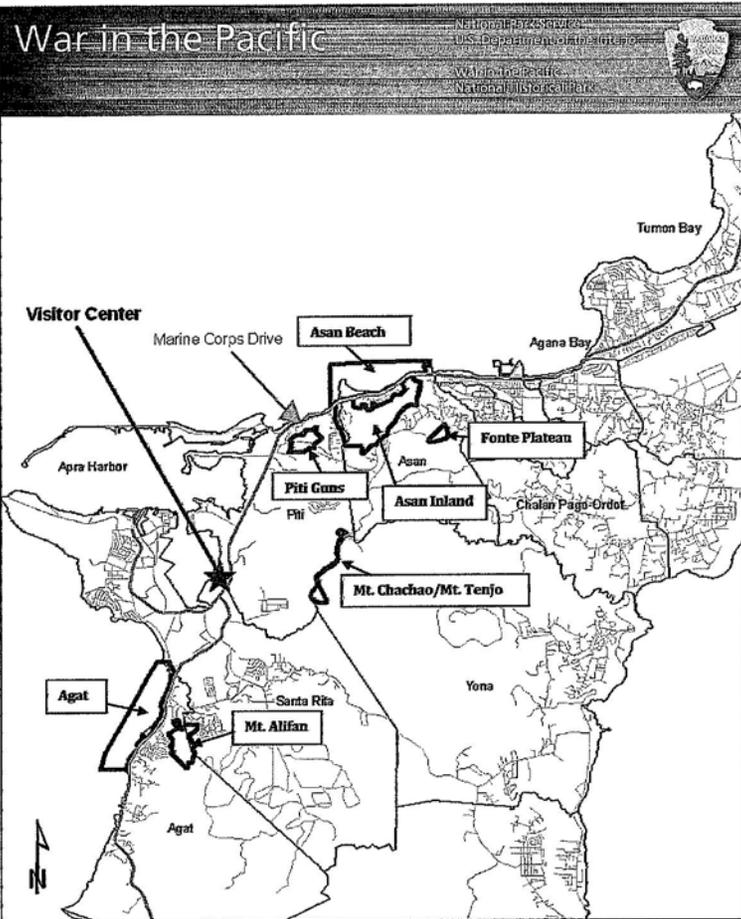


Figure 1: Park Units

alternatives considered, and the undue complexity of earlier versions. It should have been clear that some consideration or analysis of the impact on the NPS, and the lands within its jurisdiction, was necessary. To this end, NPS had offered assistance and special expertise for the analysis of potential impacts on the parks. Other than being invited to consult regarding the development of the Programmatic Agreement regarding impacts of the proposed actions on cultural and historic resources, specifically for the National Historic Landmark on Tinian, our services or special expertise were not requested by DoD or its contractors. In fact, the NPS contact was removed from the distribution list prior to sending out the partners' early review DRAFT EIS/OEIS, so NPS had no opportunity to comment and provide information at that stage of the EIS development.<sup>3</sup>

## Findings

As supported by the following discussions, NPS can reasonably anticipate significant impacts on Guam and CNMI park units as an indirect result of the increased population associated with the action. The DRAFT EIS/OEIS does not adequately explore the myriad effects of the proposed population increase on Guam, its resources, and its social and physical infrastructure. However, the increase and its demographics are readily disclosed in the document as being substantial – over 79,000 additional people during the “peak load” year of 2014. Based on a comparison with the 2008 interim census figure, this increase would represent a 45% expansion in the population of Guam. How the population of the construction workforce component would decline immediately following this period is a matter of speculation rather than assumption.

The DRAFT EIS/OEIS appears to dismiss the potential for any direct or indirect impacts on the NPS, despite the aforementioned concerns expressed during scoping and subsequent JGPO partnering sessions. Whether DoD agrees that there are potential impacts or not, NPS concerns should have been reflected in the DRAFT EIS/OEIS. Since they are not, and since NPS was prepared to provide its special expertise in this regard, NPS finds the DRAFT EIS/OEIS deficient and incomplete in evaluating potential impacts on other federal agencies, namely the NPS, including possible conflicts with their plans, policies and controls. These comments are structured in such a fashion as to assist DoD in rectifying the deficiency for the FEIS.

### Sufficiency of DRAFT EIS/OEIS

The potential effects of the proposed action on the parks are likely to be indirect in nature, although they may directly affect the NHL on Tinian. The source of impact, long term, is expected to be related to the increased military population, including dependents. Potential short term and long term impacts may accrue due to the increased population of construction personnel, their dependents, and the extent to which they remain on Guam following the construction phase. It is important to note that the park units and desired visitor experiences can be impacted significantly by activities related to the military relocation, even though they may not be direct. Parks can be affected by actions that can be seen and heard from the park, such as at overlooks that view a battlefield and commemorate lives lost there.

<sup>3</sup> Documented in letter dated Nov. 10, 2009, from NPS Acting Regional Director to Mr. Darrell Molzan (JGPO)

**The proponent of an action such as this is required by Council on Environmental Quality (CEQ) regulation to disclose in an EIS the direct and indirect effects of all alternatives, and their significance.<sup>4</sup> The NPS believes the potential indirect effects of the proposed actions will have significant adverse effects that could directly impact critical resources and park values. In the event that DoD disagrees with the NPS, they must disclose the NPS view in the EIS. As stated in the CEQ regulations, an agency shall make every effort to disclose and discuss in the draft statement all major points of view on the environmental impacts of the proposed action and alternatives to it.<sup>5</sup> Clearly, the DRAFT EIS/OEIS is deficient in this regard.**

*With reference to the term "significance," the EIS must evaluate the context and intensity of the impact, and consider the extent to which the action is proximal to unique characteristics of the geographic area such as historic or cultural resources, park lands...and ecologically critical areas.<sup>6</sup> Further, the EIS must evaluate the degree to which the action may adversely affect sites, structures, or objects listed in, or eligible for, National Register of Historic Places (NRHP) or may cause the destruction of significant scientific, cultural or historic resources.<sup>7</sup> Since War in the Pacific NHP, which is listed in the National Register, and resources within it meet the criteria expressed in this section of the regulations, the EIS needs to disclose the requisite analysis specific to the parks, and make a determination of significance. It is our concern and our preliminary conclusion that the impacts are likely to be significant, by definition.*

**The CEQ regulations also require that the proponent evaluate and disclose possible conflicts between the proposed action and the objectives of Federal land use plans, policies, and controls for the area concerned.<sup>8</sup> In this case, the EIS must specifically consider the plans, policies and controls for the national park units on Guam and CNMI. The park units each are managed according to a formal plan, and must conform to a large body of NPS policies<sup>9</sup> and regulations.<sup>10</sup> Regarding the DRAFT EIS/OEIS, we are concerned because there is insufficient disclosure of potential direct and indirect impacts to the park units in question. Consequently, there is likely to be no effective determination of the significance of the impacts on the parks. Finally, it does not appear likely that there will be adequate consideration of how the proposed action might conflict with park plans, policies and controls, as required in the CEQ regulations.**

**Further, if the EIS does not adequately disclose the potential direct and indirect impacts on the park units, then, by extension there will be no adequate evaluation of cumulative impacts. The potential for indirect impacts on the parks is superimposed on current park conditions, which are at or near a threshold of acceptability. Park staffing currently is not sufficient to deal effectively with issues of pollution, sedimentation, coral reef impacts, Off-Road Vehicle (ORV) use, solid waste, illegal use and occupancy, and other significant problems associated with use by the present population. All such considerations are matters of park service regulation and policy. With a population increase such as that being proposed, NPS is concerned that park resources and staff are likely to be overwhelmed.**

<sup>4</sup> 40 CFR 1502.16 (a) and (b)

<sup>5</sup> 40 DFR 1502.2 (a)

<sup>6</sup> 40 CFR 1508.27 (a), (b)(3)

<sup>7</sup> 40 CFR 1508.27 (b)(8). War in the Pacific NHP is listed in the NRHP because it is a national historical park as authorized by Congress.

<sup>8</sup> 40 CFR 1502.16 (c)

<sup>9</sup> Management Policies 2006

<sup>10</sup> Code of Federal Regulations, Title 36, Parts 1 through 79.

These concerns are in addition to previously expressed comments from NPS regarding the NEPA process for this EIS. These include the inadequacy of the scoping effort and lack of effective attention to local issues, the inadequacy of the purpose and need statement and scope of analysis, the pre-decisional nature of the alternatives, and the lack of a suitable range of alternatives that address local issues. The NPS agrees with other agencies that the DRAFT EIS/OEIS and related documents thus far available to us have been too lengthy, complex, laden with jargon, and generally not in compliance with CEQ regulations that require a document to allow effective review by the public.<sup>11</sup> That the DRAFT EIS/OEIS lacks certain important analyses and data, as discussed during the NAVFAC meeting of October 8, 2009, merely exacerbates the process issues evident in the Early Review DRAFT EIS/OEIS.

#### **Impacts on National Park Service**

The NPS is charged with implementing relevant laws and policies in park units and it has a duty to comment, in accordance with CEQ regulations, on actions that can affect their implementation. DoD should understand that national park lands are not, *per se*, recreation areas. Laws that define the NPS mandate, and policies that proceed therefrom, range widely from natural resource conservation to protection and commemoration of cultural and historical treasures. Secondly, these resources and treasures are to be provided for the education and enjoyment of the public, in concert with the purposes and values for which a park was established by Congress. It is not correct to simply label national parks as playgrounds or recreation areas.

It is of great concern that, to date, DoD appears not to have taken note of the role and responsibility of the NPS in implementing the National Historic Preservation Act (NHPA) of 1966, as amended, in the area affected by this proposed action. The Pacific West Regional Office of the NPS provides oversight of programmatic, financial, and administrative requirements and assists in the administration of contracts to local governments, State agencies, universities, non-profit organizations, museums, and individuals. As DoD deals with historic and cultural resource issues, and attempts to obtain clearance through Historic Preservation Offices (HPO) attached to territorial or other local government entities, it should understand that NPS has oversight responsibilities in these areas and must fund those offices to provide the suite of actions made necessary by the proposed military relocation activities. In other words, NPS is not merely another federal land management agency in the Marianas whose "small" holdings are not expected to be impacted by DoD action. As the local HPOs are impacted by the massive workload created by this action, so too are the NPS and the Department of the Interior.

#### **Authorities**

This section provides the basics in law and policy for management/controls of National Park units and NHPAs. It describes, for topics relevant to the military relocation actions, the desired conditions for those lands, resources and qualities that are likely to be affected.

#### **NPS Mandates**

##### **Organic Act and Core Mission**

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<sup>11</sup> 40 CFR 1500.1 (b), 1500.4(a), (b), (d), and (f), et al.

The NPS and its basic mandate are authorized under its Organic Act of 1916,<sup>12</sup> and the General Authorities Act, as amended by the Redwood Act.<sup>13</sup>

*"The purpose [of the NPS] is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of same ... by such means as will leave them unimpaired for the enjoyment of future generations." "The ... protection, management and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System. ... The Secretary of the Interior has an absolute duty, which is not to be compromised, to fulfill the mandate of the 1916 Act to take whatever actions and seek whatever relief as will safeguard the units of the National Park System."*

All units of the National Park System are established and authorized under these guiding principles. Further, each individual unit has been authorized by an Act of Congress that specifies in most instances the particular resources and values<sup>14</sup> for which the area is set aside, in addition to the core mission set out by the Organic Act.

Legislation establishing American Memorial Park and War in the Pacific National Historical Park provides specific park purposes as follows:<sup>15</sup>

*"American Memorial Park shall be administered for the primary purpose of honoring the dead in the WWII Mariana Islands campaign."*

*"In order to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations, the War in the Pacific National Historical Park is hereby established."*

War in the Pacific NHP and American Memorial Park accomplish this mission by, among other things, providing memorial sites for appreciation of the events of the war and the many peoples of all origins sacrificed for it. By their nature, a quiet and solemn setting is requisite in order to achieve these purposes.

There are a number of other federal laws and executive orders that the NPS, as a land management agency, must implement or adhere to through its management practices and regulations. Again these cover a wide range of topics, including air and water quality, noise, endangered species, marine mammals, historic preservation, and ORV use. NPS Management Policies, discussed below, are intended to provide greater detail and guidance for implementing this range of mandates. Activities that occur on or are authorized for national park lands are subject to these legal requirements. If the actions of another agency place a burden on the NPS relative to these laws, the NPS has a duty to comment.

#### National Historic Preservation Act

<sup>12</sup> 16 USC 1-7-4

<sup>13</sup> 16 USC 1a-1 through 1a-8, amended under P.L. 95-250, 92 Stat. 163, 16 USC 1a-1

<sup>14</sup> What constitutes park resources and values is defined specifically in NPS Management Policies (MP 1.4.6). Park resources and values must not be impaired, in accordance with the core NPS principles. These include attributes that are cited in a park's establishment legislation, in addition to a park's scenery, natural and historic objects, ecological and physical processes, landscapes, soundscapes, native plants and animals, etc. Opportunities to experience and enjoy these attributes are considered to be values, as is the park's role in contributing to the national dignity, superlative environmental quality, and the source of inspiration provided to the American people.

<sup>15</sup> P.L. 95-348, August 1978, 92 Stat. 491

The NHPA authorizes the Secretary of Interior to grant funds to Territories and the Freely Associated States of Micronesia (FAS) for Historic Preservation activities. The Historic Preservation Fund (HPF) was established by Congress to provide grants to the Territories and the FAS to administer direct project activities and grants for performing various historic preservation activities. The HPF grant program, administered by the NPS, provides funding for the Historic Preservation Offices for, among a number of other things, the review of federally funded, licensed, or permitted undertakings for projects which may affect historic properties.<sup>16</sup>

The NPS represents the Secretary of the Interior in matters relating to National Historic Landmarks.<sup>17</sup> It authorizes the NPS to act in behalf of an NHL during a federal undertaking that may adversely affect it:

*(f) Prior to the approval of any Federal undertaking which may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to such landmark and shall afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking.*

Section 106 of the NHPA, as set forth in 36 CFR Sections 800.6 and 800.10, requires an agency identify the presence of NHLs and other historic properties within the undertaking's area of potential effects and assess whether implementation of the undertaking will have an adverse effect on such properties. If it is determined that an undertaking may affect an NHL, the Agency is required to notify the Secretary of the Department of the Interior of any consultation involving an NHL, and formally invite the Secretary to participate in Section 106 consultation when there may be an adverse effect to these properties.

#### Consolidated Natural Resources Act of 2008

NPS has gained significant new authority to spend appropriated funds outside of park boundaries in order to benefit a park's natural resources. This authority supports implementation of current policy, as described in 2006 Management Policies: "The Service will use all available tools to protect park resources and values from unacceptable impacts. The Service will also seek to advance opportunities for conservation partnerships." The NPS can enter into cooperative agreements with willing state, federal, local or tribal governments [and other entities] to protect natural resources in units of the NPS. Activities outside of park boundaries can have significant positive or negative impacts to park resources and values. This authority will assist NPS in working with other agency proponents on proposed actions to avoid or mitigate potential impacts and expands opportunities for cooperation and collaboration. The authority can facilitate management to benefit natural resources within and surrounding parks, regardless of ownership.

#### **NPS Management Policies**

NPS management policies,<sup>18</sup> while not having the direct force of law, represent a guide for managers to implement the laws relevant to national park lands and resources. Adherence to policy is mandatory, but can be waived for specific cases by the Secretary of the Interior or the NPS Director. This brief discussion is provided to facilitate the analysis of how the proposed actions could conflict with plans, policies or controls required to manage the NPS areas and programs. Given the comprehensive body of policies, it is

<sup>16</sup> Authorities for HPF are: National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470(e) 6(A).

<sup>17</sup> NHPA Section 110(f) and 36 CFR 800 Section 800.10. [16 U.S.C. 470h-2(f)] — Federal undertakings affecting National Historic Landmarks]

<sup>18</sup> Management Policies 2006, USDI, NPS

the intent of this discussion to focus on the vital few that present a management challenge in light of the proposed actions. Specific policy statements with an indicator (MP) are indexed to the policy document.

#### Visitor Use Policies

Key features of management policies relating to use of national parks are summarized here. Part of the NPS mission is to provide for appropriate public use and enjoyment of national park units. It should be noted that use and enjoyment does not always equate to "recreation."<sup>19</sup> However, in order to achieve the core mission, park resources and values must be preserved in order to sustain public use and enjoyment for current and future generations (NPS Organic Act). Visitor use policies are not to be applied without due prior consideration of natural and cultural resource values. This is summarized best in MP 8.2:

- ❖ NPS will provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks.
- ❖ NPS will defer to other entities, governmental or private, to meet the broader spectrum of recreational needs and demands.
- ❖ To provide for enjoyment, NPS will encourage visitor activities that:
  - Are appropriate to the purposes for which the park was established
  - Are inspirational, educational, or healthful, and otherwise appropriate to the park environment
  - Will foster an understanding and appreciation for park resources and values
  - Can be sustained without causing unacceptable impacts to park resources and values

#### Natural Resource Policies

Key features of management policies relating to natural resources are summarized here.

- ❖ Since ecological processes, landscapes, scenic views and soundscapes, etc., (often) cross park boundaries, activities occurring adjacent or outside parks can have significant impacts on park resources and values. By policy, it is NPS' intent to anticipate and resolve potential conflicts through cooperative conservation efforts (MP 1.6, 4.1.4).
- ❖ NPS will preserve and protect the natural resources, processes, systems and values of units in an unimpaired condition to perpetuate their inherent integrity (MP Section 4, entire)
  - Physical resources such as water, air, soil, topographic features, soundscapes and clear skies
  - Physical processes such as erosion, wildland fire
  - Biological resources such as native plants, animals, marine life
  - Ecosystems
  - Highly valued associated characteristics such as scenic views.
- ❖ NPS has an affirmative responsibility under law and policy to perpetuate the best possible air quality in a park unit (MP 4.7.1).
- ❖ NPS will preserve to the greatest extent possible the natural soundscapes of parks, restoring their natural condition where it is degraded (MP 4.9). Through planning, parks will retain the character of the soundscape required to achieve the purposes of the park, though it may not be natural.<sup>19</sup>

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<sup>19</sup> Management policy (MP 4.9) serves to recognize that parks whose purpose is to commemorate the dead, and memorialize sacrifices and bravery in combat should be managed to provide a quiet and solemn

### Cultural and Historic Resource Policies

Key features of management policies relating to cultural and historic resources are summarized here. For the most part, NPS operates in this arena directly according to the dictates and terms of relevant laws and regulations. See authorities, above.

- ❖ NPS administers parks in Hawaii, Guam, CNMI, and other US territories. The Service will maintain open, collaborative relationships with native peoples for whom these islands are their ancestral homes. NPS will also meet any responsibilities that may have been defined in the enabling legislation of these island parks in the administration of the Native American Graves Protection and Repatriation Act and the NHPA (MP 1.12).
- ❖ Archeological resources will be protected against human agents of destruction and deterioration whenever practicable. These resources subject to vandalism and looting will be periodically monitored and, if appropriate, fencing, warning signs, remote-sensing alarms and other protective measures will be installed (MP 5.3.5.1.4).

### **Current Conditions**

This section describes so far as possible the current condition of the parks and NHL likely to be affected by the proposed actions. Areas of greatest concern, discussed below, are Visitor Use and Enjoyment, Natural Resources, and Historical and Cultural Resources. Park Operations or administrative capacity, is also presented because it reflects the ability of the NPS to manage its stewardship responsibilities in accordance with law and policy.

#### **Visitor Use and Enjoyment**

War in the Pacific NHP and American Memorial Park were authorized by Congress in 1978 and support a variety of uses in relation to the purposes, resources and values of the parks. The key resources and values are described below sections. These resources represent the basis for park visitation and visitor enjoyment. Enjoyment takes the form of educational opportunities, discovering historical and natural resource phenomena, viewing historical objects and artifacts, and appreciating the values of being in places where important events of WWII actually happened. Though not a park unit, the NHL on Tinian is an opportunity to experience the staging area for the unique and climactic events associated with the bombing of Japan, which precipitated the end of the war in the Pacific.

#### War in the Pacific NHP

The park's seven units preserve and interpret significant World War II invasion sites and have the most diverse coral reef system within the National Park System. Submerged resources encompass a portion of a Marine Protected Area, sunken WWII artifacts, two culturally significant traditional fishing areas, and habitat for over 3500 marine species, including over 200 coral species and threatened hawksbill and green sea turtles.

The visitor center is located adjacent to the main gate of Naval Base Guam in a facility leased from the Navy (see Figure 1). It houses an exhibit area and theater, a small bookstore, offices for the interpretive staff, and the museum collections for both War in the Pacific NHP and American Memorial Park.

Individuals and large tour groups visit the center during its open hours seven days a week, year-round. In 2011, the center will house new, permanent exhibits that should attract increased visitation and provide

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environment suitable to the need. This applies to the setting for a cemetery, such as Arlington National Cemetery, or a monument like the Vietnam War Memorial and other sites within the National Mall.

more opportunities for visitors to learn about park resources and values. Parking at the visitor center is presently limited on weekdays when adjacent naval offices are busy.

The park unit at Asan Beach preserves the site of the northern landing beach for U.S. forces during the 1944 liberation of Guam. In addition to the significant historical value, the area also provides a physical setting that is used for healthful activities such as running, walking, flying kites, and water recreation when conditions permit. Many people enjoy the beach for picnicking and scenery. Often during the year, large group-sanctioned events are held on the open field. NPS stages "Movies in the Park" periodically, where family-oriented and conservation-themed movies draw people into the park for evening activities. This unit contains marine acreage used for fishing and marine wildlife watching, while divers and snorkelers are particularly drawn to the Marine Preserve and Camel Rock. The area is clearly a focal point for the local community and island visitors alike. In order to support the visitors at this site, a number of facilities are present including parking, restrooms, trails, picnic tables, and trash receptacles. The facilities are maintained to a high standard to protect the integrity of the resources, and provide the quality experience that most people expect and are entitled to.

Similarly, the Agat Unit preserves the site of the U.S. forces southern landing beach in 1944. In addition, the area contains marine acreage with popular dive sites, including Hap's Reef. Fishing from the beach and from sea by boat is also a popular activity for island residents. This unit, though smaller, contains a variety of facilities such as restrooms, tables, grills, and trash receptacles. These facilities are found near historic guns displayed alongside the Japanese fortifications at Ga'an Point. With these attractions and facilities in close proximity, multiple uses can be found at this unit, which also includes similar fortifications and facilities at Apaca Point.

Other park units at War in the Pacific NHP (Piti Guns, Fonte Plateau, Mt. Chachao/Mt. Tenjo, and Mt. Alifan) are each considerably smaller than the Asan Beach and Agat Units, but they contain wartime artifacts and structures and are attended by interpretive exhibits that draw visitors into the drama and horror of what occurred there. The story is one that appeals to all the former wartime antagonists, including the Japanese who defended Guam during the occupation and subsequent American assault. The Asan Bay Overlook (located on a ridge at the top of the Asan Inland Unit), is significant in that it memorializes those who died in the conflict while defending Guam during the Japanese invasion, who suffered from the atrocities of occupation, and those who died in retaking it from the Japanese. The memorial wall here is composed of engraved panels giving the names of those casualties; it is this wall that was vandalized in 2008 by metal thieves in an unconscionable and incomprehensible disregard of history and culture. This site also, as indicated by its name, provides a panoramic view of the invasion beach along with several interpretive panels that explain the campaign. This memorial is at the core of the mission for War in the Pacific NHP, and as such is the location for numerous ceremonies and functions commemorating the sacrifice.

These four smaller units are enjoyed less for recreation and social purposes, and more for education, quiet commemoration, reverie, and appreciation of history, and the display and preservation of war artifacts. For the most part, the NPS is required to protect the visual quality of the setting, and maintain a solemn and respectful sound environment in order to meet the fundamental park purposes. Present visual quality is suitable to the need, except for times at the Asan Bay Overlook and Asan Beach when emissions from the Piti Power Station are particularly high. At most times, the sound environment is suitable except for occasional vehicular noise, infrequent direct overflights and sounds of other visitors. The visual and

audible quality of the setting, and the maintained state of its facilities, make the park an enjoyable place to engage in all of the numerous activities that may be observed there.

The sites described here are held in high regard particularly by veterans groups. Organized veterans groups are sensitive to the care, maintenance, and sustained quality of these units as a reflection of the high value placed on their service during wartime. To allow them to deteriorate, apart from being a breach of law and policy, would be taken as an unacceptable affront to the memory of their comrades and brothers in arms. Less critical, but undeniably significant, is the importance placed on the national park units and visitor centers to the local economy. The parks represent additional opportunities for tourist activities, which are taken advantage of by local guides. Finally, the parks bring a needed focus to local history and culture because both are purposefully celebrated there, and kept in a state whereby they can be appreciated by the people who lived the history and their descendants.

Since it is often difficult to sort the reasons why people visit national park units into discrete categories, in part because people visit with multiple goals, use figures are mostly reported as recreation. This should be considered a generalization comprising multiple uses such as education, historic appreciation, viewing scenery, exercising, and so forth. Total recreation use visits at War in the Pacific NHP have steadily increased since the park's establishment, interrupted only by the effects of super typhoon Pongsona in 2003 when the visitor center and administrative facilities were destroyed. The preponderance of use occurs at Asan Point (where the NPS has a traffic counter), and visitation by bus passengers is increasing. The total estimated number of visitors to all units at War in the Pacific NHP, including the visitor center, was about 166,500 in Fiscal Year (FY) 2007, 197,800 in FY 2008, and 271,900 in FY 2009.<sup>20</sup>

#### American Memorial Park

Visitation and use of American Memorial Park on Saipan is similar to that of Asan Beach and Asan Overlook combined. An additional feature is the co-located Visitor Center, which houses a collection of war artifacts placed in interpretive displays. There is also an amphitheater that is available for community events of all types. A great deal of social interaction by Saipan residents occurs here, including the extensive use of tennis courts that are maintained by NPS within the park boundary. A great deal of use is also made of the open fields located within the park by sports enthusiasts, and the marina is extensively used by boaters and fishermen.

#### Natural Resources

War in the Pacific NHP contains significant natural resources and consists of seven units that were important to the World War II liberation of Guam in 1944, including invasion beaches, adjacent offshore lands, and inland areas on the west central coast (Figure 1). The two marine units, Agat and Asan Beach, have 1,002 acres of marine resources along 4.0 miles of coastline bounded by fringing reefs almost 100 yards offshore, including intertidal shores, coral reefs, reef flats and seagrass beds. Terrestrial natural resources include upland savanna, mesic forest, and habitat including some plant species protected under the Endangered Species Act. Coral reef organisms in the Mariana Islands are diverse, with at least 1019 fish species, several thousand species of marine invertebrates including over 200 coral species, and hundreds of marine plants – algae and seagrasses – many of which occur nowhere else in the National Park System. The detailed information in this section is supported by a comprehensive research base. Supporting literature used in preparing this section is listed at the end of this document.

<sup>20</sup> War in the Pacific NHP Monthly Public Use Report.

The major threats to natural resources include land use practices such as hunting-related arson, ORV use, and development, all of which contribute to vegetation loss, creation of “badlands” (areas devoid of vegetation), erosion and runoff of soil. Sedimentation of this upland material then occurs in streambeds, coastal areas and coral reefs. Sedimentation stresses and kills corals and many other marine organisms, and contributes to extremely low levels of juvenile coral recruitment, which is essential for maintaining the ecological structure, function and resiliency of coral reefs. High fishing pressure has resulted in unsustainable overfishing. Fisheries have been exploited to a point from which they may not recover. Other disturbances have resulted in significant reductions in essential fish habitat, exploited resources, and ecological function of reefs in the parks and throughout Guam.

American Memorial Park on Saipan includes a 27-acre wetland that provides critical habitat for migratory and resident waterfowl, including two Federally listed endangered species, the Marianas gallinule (*Gallinula chloropus guami*) and the nightingale reed warbler (*Acrocephalus luscina*). Human activity and development are reducing or eliminating similar wetlands throughout the Pacific islands, leaving this the only known federally protected insular area possessing viable populations of these species. The park is situated between the CNMI capital Garapan and an unlined, World War II-era dump. Threats from Saipan’s rapid population expansion and associated urban development have been well-documented. Park managers are concerned for the safety of both visitors who often fish or harvest wildlife in potentially contaminated waterways and the preservation of reef ecosystems that receive both drainage from Garapan and runoff from the Puerto Rico Dump.

#### Invasive Species

There are over 60 species of terrestrial and aquatic invasive species on Guam, many likely occur in the park, and some are dominant. The Brown Tree Snake was apparently introduced by the military, most likely after WWII. The Brown Tree Snake and its effect on Guam’s environment need little discussion; it is responsible for: 9 of 13 native birds and 2 of 12 native lizards becoming extinct or extirpated, and extirpation of 2 of 3 native bats. Disturbances to ecosystems, insects and plants from Brown Tree Snakes are unknown, but they are a threat to NPS areas on Saipan, Hawaii, American Samoa and the US mainland as more goods and people are transported to and from Guam.

Feral dogs, cats, deer, pigs and cattle also occur on War in the Pacific NHP. In addition to the damage caused by the animals, hunting of deer and pigs in the park occurs illegally. Historical and present disturbances on land have resulted in land plant communities often dominated by alien or invasive vegetation.

#### Terrestrial Conditions

##### Land Use Practices

Sediment, nutrients and other pollutants from a variety of land-based activities adversely impact coral reefs, including those in the park. These pollutants are transported in surface water runoff, groundwater seepage, and atmospheric fallout into coastal waters as a result of human-induced changes to watersheds. In Guam, and elsewhere on U.S. high islands in the Pacific and Caribbean, significant changes to watersheds due to agriculture, feral grazing, fires, and urbanization have altered the character and volume of land-based pollution released onto coral reefs. Sediment run-off from land (and associated nutrients and contaminants) and deposition on coral reefs have significant impacts on coral health by blocking light and inhibiting photosynthesis, directly smothering and abrading coral, and triggering increases in macro algae.

Along the coastline of west-central Guam, in the vicinity of several units of the park, two major impacts to the region's coral reef ecosystems include pollution and coastal land use/development. Pollution threats include point-sources, such as: municipal wastewater (Northern District, Hagatna, Naval Station Guam, and Agat-Santa Rita Waste Water Treatment Plants), cooling water (Tanguisson Steam and Cabras Power Plants), and numerous storm water, ballast water, and tank outfalls. Nonpoint sources include septic systems, urban runoff, illegal dumping, and groundwater discharges. Poor land-use practices include development without use of effective soil runoff management measures, increased area of impervious surfaces and decreased area of vegetative cover, and recreational off-road vehicle use. Also, feral ungulates and illegal wildfires remove vegetative cover and result in increased soil erosion. While point-sources have recently been reduced in many areas due to better management practices, nonpoint sources have either stayed constant or increased. Between 1975 and 1999, it is estimated that Guam lost more than a quarter of its tree cover, and more than 750 wildfires each year have resulted in a greater proportion of badlands and other erosion-prone land surfaces with high erosion rates.

Approximately 450 acres of Asan Bay, in west-central Guam, lies within the War in the Pacific NHP Asan Beach Unit; the bay is the sink for material coming from the Asan sub-watershed. Human modification of the watersheds adjacent to Asan Bay, including intentionally set wildfires, construction and agriculture, are believed to have increased over the past 25 years. These land-use practices cause accelerated erosion by removing grasses and small trees that stabilize the soil. Modest rains on Guam cause sediment plumes discharged from many rivers to coastal waters, including the Asan River. Typhoons pass close enough to Guam every 2-3 years to cause heavy precipitation (greater than one inch/hour), which rapidly flushes unstabilized soil down to the coast and onto the NHP's nearshore reefs.

This terrestrial sediment discharge to coastal waters has resulted in sedimentation, eutrophication, and pollution impacting the park's coral reef ecosystem. Sediment collection rates in tube traps on the fore reef of Asan Bay's fringing reef are very high. The trapped material is predominantly composed of fine-grained terrestrial sediment that typically has nutrients, bacteria, and pesticides adsorbed to the particles. Trap collection rates are both spatially and temporally heterogeneous. They show that the input of terrestrial sediment to the park's nearshore waters is greater during the wet season (July-December), which is of serious concern as this is also the time of peak coral spawning and larval settlement.

Often large quantities of terrestrial sediment collect in traps on the fore reef, covering deployed coral recruitment tiles. The reefs themselves do not remain buried in mud. This indicates that oceanographic processes limit net sedimentation on the fore reef. Some quantitative information on the deposition, residence time and movement of this fine-grained terrestrial material through the bay's fringing reef system, along with the controls on these processes, was recently collected with the goal of informing better management of the park's marine resources.

#### *Fire*

Wildfire is a significant ecological driver in savanna and grassland communities, and it has an important role in the formation, maintenance, and function of these ecosystems. Currently, savanna communities comprise approximately 1/3 of Guam's vegetated area. Prior to human arrival, savanna grasslands are believed to have been rare on the island, but human caused fire contributed to their expansion. Guam's savannas are a xeric ecosystem characterized by a relatively continuous grass layer intermixed with solitary trees, shrubs and bare patches of exposed clay. Invasive grass species are present in the island's

savannas, but their distribution and ecological effects are poorly understood. Their potential role in altering island fire regimes could create significant adverse effects on the native plant community.

Intentionally set wildfires are a common occurrence during Guam's dry season (January-June). They remove soil-stabilizing vegetation. Between 1990 and 1998 over 3500 fires burned over 25,000 acres of land in Guam's southern watersheds, resulting in erosion that has impacted the terrestrial and aquatic environments as well as human health and standard of living. Illegal wildfires have been identified by the Government of Guam, Department of Agriculture, as one of the primary threats to Guam's watersheds. A 34% increase in erosion in the Ugam watershed on southern Guam has been attributed to illegally set fires.

Between 1979 and 2000, Guam averaged 730 fires per year that burned 4,800 acres, or approximately 4% of Guam's total land. Fire occurrence was highly variable among years, ranging from a low of 152 ignitions in 1994 to a high of 1,944 fires in 1998. The majority of fires occur in southern Guam, which is less populated and has a higher percentage of volcanic soils suitable for savanna habitat. The presence of savanna vegetation instead of forest may also be contributing to elevated soil loss, as erosion in savanna areas may be 100 times higher than in scrub forest.

Between June 2003 and April 2005 four fires burned approximately 48 acres, almost 2% of the Asan sub-watershed. This comprised almost 5% of the sub-watershed's savanna lands and nearly 9% of the Asan Inland Unit of War in the Pacific NHP. Fires ranged in size from 2-33 acres.

#### *Upland Erosion*

On southern Guam, upland erosion, assisted by fire and other forces that remove vegetation cover, is the primary threat to both terrestrial and aquatic ecosystems. Erosion removes the topsoil layer, exposing inhospitable clays to plant root systems to further erosion. Soil chemistry and permeability are altered by soil loss, thereby affecting which vegetation types, if any, recolonize bare soil. Eroded soils transported into streams alter water quality and negatively impact coastal marine ecosystems, such as coral reefs.

Guam experiences high annual rainfall (greater than 100 inches per year) with 70% occurring between July and December. During this wet season, the island often experiences large, intense rain events in the form of tropical storms and cyclones. In 2002, Guam experienced two typhoons that had hourly rainfall rates greater than 6 inches.

The physical and chemical properties of Guam's soil make it particularly sensitive to degradation and contribute to rapid runoff and the potential for severe erosion. Coupled with the steep terrain, these characteristics make the soil highly susceptible to erosion. In areas where the upper soil horizons have been removed, the exposed underlying layers are incapable of supporting vegetation. These badlands, devoid of vegetation, are actively eroding. Erosion was significantly higher in the rainy than dry season across all vegetation types. Badlands experienced the highest overall erosion rate, which was not significantly different from burned area.

As a result of poor soil infiltration, water deposited in the Asan sub-watershed moves primarily as laminar sheet flow. Some water flows directly into the marine environment as non-point source runoff. The remaining water flows into gullies and streams where it is transported down the watershed to the ocean. Streams are affected by sediments, which cause adverse changes in water quality and channel

morphology. In the Asan sub-watershed, one primary stream outlet exists (Asan River), forming the sole natural runoff point source.

A recent study in the Mt. Tenjo unit of the NHP showed frequent use by people for hiking, running, picnicking, hunting, mountain biking, motorbiking, and driving off-road vehicles. Of these activities, ORVs are expected to have the largest impacts on vegetation and incidence of erosion. Obvious ORV trails are prevalent and cover many of the hillsides on the Mt. Tenjo unit. The high, intense rainfall, warm temperatures, scant vegetation, steep slopes, and poor soils that occur in the Mt. Tenjo unit all contribute to making this area very susceptible to erosion, runoff, and sedimentation. ORV use appears to be having a major impact on the soils at Mt. Tenjo. Total soil movement was higher in badlands created by ORV trails than in control sites during all 3 months of the study. The percentage of the total area impacted by ORV use has more than doubled from 1994 to 2005. Although civilians comprised the majority of ORV users at Mt. Tenjo, military personnel accounted for approximately 20% of ORV use observed during this study. The observations at Mt. Tenjo are relevant to upland areas elsewhere in the park and on Guam.

Knowledge of the complex interaction of fire, vegetation, erosion and sedimentation on coral reefs was, until recently, limited on Guam. With modest funding, resource managers at the park have done rigorous studies to improve watershed management and marine resources conservation. This work included land based monitoring of erosion rates in burned versus non-burned areas and use of erosion flumes to assess possible badland mitigation techniques. Ongoing work is assessing the level of sedimentation and its impact on reefs at War in the Pacific NHP. Data collected includes total sediment, percent organic, percent carbonate, sediment grain size, water temperature, light penetration, benthic cover and coral recruitment. In addition, at War in the Pacific NHP, NPS has begun monitoring of water quality, marine benthic and reef fish communities, a marine algae inventory will be completed in 2010, and protocol development for fish harvest monitoring is underway.

#### *Sedimentation*

On Guam, sedimentation is the single greatest human-caused impact to coral reefs. Over the last 25 years, increases in population and changes in land use practices have led to significant increases in runoff and sedimentation, and associated declines in coral abundance, cover, and recruitment. Sediments can bury adult and juvenile corals, lower adult survival, reduce calcification rates, impair reproduction, and reduce recruitment rates and juvenile survival. While sediment impacts may not always be lethal, coral reef decline is linked to sediment runoff from adjacent watersheds when sub-lethal effects impair the coral's ability to recover from acute disturbance, such as tropical cyclones, coral bleaching or disease, or crown-of-thorn sea star outbreaks.

Sediment can impact coral reef ecosystems through a variety of mechanisms, both direct and indirect. Sediments can bury coral (sedimentation or siltation), lower light availability by increasing turbidity, introduce particulate organic matter or dissolved nutrients. While all affect coral reef ecosystems, sedimentation effects are believed to have the largest negative impacts relative to the other disturbances.

The park manages 445 acres of coral reef in the Asan sub-watershed. The coastal edge of the sub-watershed is well developed, containing a small village with a population of approximately 2,000 people. Inland, the watershed is protected by its inclusion within the National Park, but is still impacted by frequent wildland fires, off-road vehicles, and development along its boundary, all of which contribute to increased soil erosion.

Sediment plumes on the Asan reef are a frequent sight following even modest rains. Sites with high sediment loads were adjacent to sediment point sources. The Asan River drains just west of the Asan Cut; an intermittent storm drainage pipe empties into park waters inshore; and the Fonte River enters just east of Adelup Point. Sediment collection rates declined significantly with distance downstream from a sediment point source. Sediment collection rates varied significantly with time. Guam has pronounced wet (July-December) and dry (January-June) seasons, and the average daily rainfall during the 2004 dry season was approximately one third of that during the 2003 and 2004 wet seasons. Sediment collection rates during the 2004 dry season were approximately half those observed during the 2003 and 2004 wet season. In general, sediments collected from near Asan Cut had a significantly higher percentage of terrestrial material than sites away from the cut. During the wet season, sites around Asan Cut showed a higher percent of terrestrial material compared to sites away from the cut, where little difference was observed. The fore reef slope at the base of the Asan sub-watershed (excluding sites to the east and west of the watershed boundary), is impacted by approximately 25,200 tons/year of terrestrial sediment.

Related to sedimentation onto the reef noted above, range of soil loss in the Asan sub-watershed has been estimated from 2,500-12,000 tons/year (latter from soil loss calculated in Fena watershed). While estimates of the range of soil loss and sedimentation are of the same order of magnitude, it is likely that soil lost from other watersheds is also transported to Asan by ocean currents, thereby contributing to sedimentation on the fore reef slope. Within the Asan sub-watershed, it is estimated that over 88.6% of the soil was lost off the savanna complex (including badlands). Model results using the above data show that distance and direction from the nearest point source is the best single predictor of sediment collection rates on the Asan fore reef slope, and suggests that non-point source runoff does not contribute significantly to sedimentation on Asan reef. This is supported by visual observations of sediment plumes originating from the Asan River.

During the dry season, rain events are small, usually less than 2.5cm, and total rainfall is low. This lack of rainfall quantity and intensity may not flush sediments entirely through the watershed. Instead sediments are probably transported into gullies and slow flowing streams where they collect in the dry season. With the onset of the wet season, the quantity of rainfall and the intensity of events are sufficient to flush these accumulated sediments onto the fore reef slope. The timing of this flushing event is problematic to coral reefs on Guam. The principal coral spawning season corresponds with the full moon from June-August, when sedimentation is elevated. Processes affecting coral early life history stages (e.g., larval survival and settlement) are adversely impacted at significantly lower sedimentation levels than those affecting adult corals. This raises concerns that although some adult corals are surviving on nearby reefs at Asan and elsewhere, they are not being adequately replaced by new coral juveniles.

Human-caused sediment loads impact successful coral reproduction and/or recruitment to the reef, presenting a significant threat to the long term health and survival of coral reefs at Asan and elsewhere on Guam. Coral recruitment rates on the Asan fore reef slope are very low, as is the case throughout the park and Guam overall, and are among the lowest coral recruitment rates reported worldwide, with no apparent correlation to sedimentation rates. Reasons for the lack of correlation between coral recruitment and sedimentation are unclear, but are likely related to nearshore hydrodynamics.

Upland erosion and consequent sedimentation rates on nearshore reefs in the past several thousand years could have been as low as 20% of the current estimate. If Guam corals evolved under these environmental

conditions, it would follow that Guam's marine species are poorly adapted to high erosion and sedimentation rates.

Both the length of exposure and magnitude of the sedimentation event contribute to the degree of degradation of coral reefs. Chronic, small events can be as harmful to coral survival as large periodic events. Based on a variety of studies, it can be concluded that sediment collection rates over 0.01 g/cm<sup>2</sup>/day are sufficient to cause negative impacts on corals. Research predicts severe to catastrophic impacts to coral reefs at chronic sedimentation rates greater than 0.05 g/cm<sup>2</sup>/day. Sedimentation rates greater than 0.1 g/cm<sup>2</sup> have been shown to kill exposed coral tissue with a few days.

The sedimentation rates measured in War in the Pacific NHP are among the highest reported in the literature and exceed reported lethal levels. Numerous studies conducted on the Great Barrier Reef using comparable methods found sediment collection rates 1-3 orders of magnitude less than the peak rates observed on the Asan fore reef. Rates reported from the Caribbean tend to be even lower. The extremely elevated rate of sediment collection raises serious concerns about the long term health and survival of Guam's reefs.

Given the extremely high rate of sediment collection, it may at first seem surprising that the reefs of Asan are not permanently buried in mud. The presence of living corals suggests that much of the sediment is removed from the system by periodic storm-driven water motion or prevailing oceanographic conditions. Indeed, water circulation in Asan Bay is primarily to the west and offshore due to seafloor topography in the Asan Cut and trade winds from east to west. Strong offshore surface flow also occurs during strong wind and/or large wave conditions (e.g. typhoon), either of which would transport suspended sediments offshore. Sediments from adjacent coastal areas can also be transported in along-shore currents and, under some ocean conditions, may be transported to coral reefs at War in the Pacific NHP.

Although typhoons are an extreme type of water movement, they are frequent events on Guam, and play a significant role in the transport and (re-)suspension of accumulated sediments. While the presence of seasonally high wave energy and periodic large storms may be sufficient to flush sediments from, or deposit them onto, the Asan reef, high turbidity from suspended fine sediments is common on the Asan fore reef and can significantly impact coral survival, reproduction and recruitment. Adult corals there often show signs of stress; low coral recruitment along the Asan fore reef may be linked to sediment accumulation on the bottom or reduced light availability resulting from suspended sediments under a variety of ocean conditions.

Sediment collection rates have been correlated with distance downstream from the nearest point source. Point source, as opposed to non-point source runoff, appears to be the main vector for sediment transport from the Asan sub-watershed onto the adjacent reef. While no significant difference in sediment collection rate was found between 10- and 20-meter collectors, plume effects were more evident in shallow water, indicating influxed sediments were moving parallel to the reef crest and not being transported immediately offshore. After some rain events, sediment plumes 2-3 meters deep were observed on the ocean surface and moving parallel to the reef crest. Similar plumes have been documented at Fouha Bay on southern Guam.

Sediment composition also plays a significant role in the amount of damage to coral tissues. Coral damage increases with increasing organic content and with decreasing grain size of sediment. While little variation was observed in organic content, the percentage of fine materials in sediments collected at Asan

significantly increased with depth and by season. Ocean conditions in Asan are at their calmest in the rainy season, when sediment inputs are elevated and a greater proportion of terrestrial-derived clays are washed into the nearshore waters. This accounts for the increase in the percentage of fines in collected sediment.

So called healthy coral reefs have been observed in nearshore areas where sediment inputs are common, suggesting that these reefs may be adapted to intense sediment regimes; however, coral health is often unknown. While some coral may be able to adapt to chronic, elevated sediment conditions that might allow them to survive in areas receiving consistent but elevated sediment inputs (e.g., river mouths), in Asan, corals surviving at sites receiving the highest sediment loads tend to be those with massive or mound shaped growth forms. This relatively robust massive growth form generally displays a higher tolerance to elevated sedimentation rates compared to smaller, more fragile forms. However, the true health of these corals is uncertain, and sedimentation effects can be sub-lethal, inducing physiological stresses, or impairing successful reproduction and recruitment, which minimize chances that corals are rejuvenated and that living reefs remain in the near future.

#### Marine Conditions

Marine resources at War in the Pacific NHP and many other areas throughout Guam are severely degraded or imperiled in comparison to their past condition, and compared to other reefs on Guam and other volcanic high islands elsewhere in the western Pacific. NPS is especially concerned about these resources because they are otherwise unrepresented in the U.S. National Park System.

The health of Guam's coral reefs varies considerably around the island, depending on a variety of factors including geology, human population density, level of coastal development, level and types of uses of marine resources, oceanic circulation patterns, coral predator outbreaks and natural disasters such as typhoons and earthquakes. Similar to the decline in health of reefs across the Indo-Pacific, the vitality of many of Guam's reefs has declined over the past 40 years. The average live coral cover on the fore reef slopes was approximately 50% in the 1960s, but by the 1990s had dwindled to less than 25% live coral cover, with only a few sites having over 50% live cover.

#### *Coral Reefs*

A recent study determined that coral recruitment rates across Asan Bay are very low, with an average of approximately three coral recruits per 11 square feet. Low recruitment may have been the result of oceanographic factors, including low larval supply to the bay, poor water quality conditions within the bay and/or poor benthic conditions that interfered with successful larval settlement. Studies show a trend of declining coral recruitment on Guam's leeward reefs. In studies conducted prior to 1981, a two-order of magnitude higher recruitment rate was observed compared to 1989 studies using nearly identical methodologies. The results for Asan Bay are consistent with these later studies, further indicating that this declining trend is not the result of annual variation but a real decline in successful juvenile coral recruitment on Guam's reefs. The coral recruitment rate in Asan and elsewhere on Guam is among the lowest reported worldwide; this raises serious concerns regarding the sustained presence of coral reefs in the near future.

While high quality coral reef habitat exists in War in the Pacific NHP, some areas are dominated by algal growth. Fish population diversity and abundance in War in the Pacific NHP have been reduced relative to adjacent Piti Bay and other marine protected areas in the territory and beyond. There is a noticeable lack

of large predators such as jacks and sharks. Fishery catch has shown a consistent steady decline over the past 20-25 years. Fish are fewer and smaller, all classic signs of overfishing. Recent studies have shown that fish biomass in Guam is among the lowest reported worldwide. Prior to military presence on Guam, fishery resources were probably lightly exploited. As has been shown in coral reefs worldwide, declining fish populations have significant ecological impacts on coral reefs.

#### *Fisheries*

Guam's coral reef fisheries are both economically and culturally important and target a large number of reef fishes and invertebrates. Despite improvement in gear and technology, Guam's fishery catches have declined over the last few decades. A recent analysis of small-scale fishery catches for Guam suggests that catches have declined by up to 86% since 1950.

While there is no clear consensus on the cause of this decline, fisheries impacts certainly contribute. This is supported by offshore catch experiments conducted by the Guam Division of Aquatic and Wildlife Resources (DAWR) at three offshore banks that experience different levels of fishing pressure. The data indicate that the number of high-level predators decrease with fishing pressure while the number of small groupers increase. The data also indicate a shift in fish size frequency distribution with increased fishing pressure. Additionally, data from creel surveys performed by DAWR suggest that Guam's fisheries have not recovered from a sharp decline in the 1980s. For a number of methods, including hook and line and cast net, the harvest has continued to decline despite increasing effort. While the catch per unit effort (CPUE) for spear fishing has remained relatively stable, the species composition of the catch has changed over time. *In situ* visual surveys have also indicated that large reef fish are conspicuously absent from many reefs.

Two fishing methods used on Guam have raised particular concern: the use of SCUBA and artificial light for spear fishing and the use of monofilament gill nets. These methods have been banned or heavily restricted in most of the region, including the Commonwealth of the Northern Mariana Islands and American Samoa. In Guam, local fisheries biologists state that these methods may have led to a boom and bust harvest of large Napoleon wrasse, the depletion of large groupers, a shift from preferred species (large slow-growing fish) to smaller faster growing species and a decrease in the number of other large wrasse, parrotfish, snapper and grouper caught by other methods. Abandoned gill nets also cause physical damage to the reef and DAWR regularly removes nets from nearshore reefs.

To combat the fishery declines, the government of Guam created a system of five marine preserves designed to increase fish stocks by establishing areas where limited or no harvest of marine species is permitted. Initial surveys indicate that the fish stocks in the preserves have increased and appear to be working as designed. Unfortunately, the large fish in the preserve areas are targets for fishermen who disregard the marine preserve designation. Guam DAWR law enforcement officers have made more than 140 arrests related to illegal fishing within the preserves since they began enforcing the regulations in January 2001. Arrests are highest in the Tumon Bay and Piti Bomb Holes Marine Preserves, but infractions have been documented in all five of the preserves.

A recent study of fishing at War in the Pacific NHP concluded that the park is subject to considerable fishing pressure from recreational and subsistence fishers. This is evidenced by the lower biomass of nine out of ten common reef fishes in the exploited areas of Asan Bay, compared to the adjacent protected areas of Piti Bomb Holes Marine Preserve. Most of the fishing effort was directed at reef fishing using

rod and reel or Hawaiian sling, but SCUBA spear fishing commonly occurs. Octopus is also harvested, using crowbars to pry them from the reef causing direct damage to corals, other organisms and benthic habitat. The heavy fishing pressure is also resulting in degradation of the reef through discarded gear and trampling of corals, but further research is needed to determine the secondary, physical impacts of fishing on the reef ecosystem. Fishing is also well documented to have other serious deleterious impacts on coral reef structure and function.

#### *Sensitive Species*

Sea turtles using beaches in the park's Agat Unit have nested successfully elsewhere on Guam. Recently hatched juvenile sea turtles use natural light cues to move from nesting beaches into the ocean. It is well documented that artificial lighting in coastal areas causes juvenile sea turtles to become disoriented, resulting in significant declines in their survival. Non-natural lighting on the Orote Peninsula, which forms the southern part of Apra harbor, impinges on the adjacent Agat coast. The impact of this artificial light may reduce the potential for this park unit to serve as a viable sea turtle nesting site.

Marine mammals including spinner dolphins occur along the coast of Guam, and are the center of one of the most economically valuable tourism industries.

#### *Recreation/Tourism*

Overuse and misuse of certain high-profile reef areas for recreational activities continues to be a concern. Of particular concern is the extraordinary number of divers, snorkelers, swimmers, and SeaWalker and SCUBA customers that continue to use relatively small areas in the Piti Bomb Holes Marine Preserve and Hap's Reef. The number of divers in the Piti Bomb Holes Marine Preserve increased considerably after access to other popular dive sites in Apra Harbor was restricted. An estimated 50-200 dives occur daily within a popular 0.6 acre "bomb hole" (i.e., solution hole) in the Piti Bomb Holes Marine Preserve. Even a conservative estimate based on these observations suggests that the number of dives that occur at this small site each year (greater than 18,000) vastly exceeds the 4,000-6,000 divers per year threshold value above which coral cover loss and coral colony damage levels may increase rapidly. A study of this impact is in progress in order to assist with marine resources management.

Guam's coral reefs and other tourism attractions generate significant economic benefits in the form of sales and jobs in the local economy. The benefits generated by these transactions further reverberate through the economy in a domino effect of spending by supporting businesses and households. Additionally, visitors to these attractions gain economic benefits from their use and appreciation of resources such as coral reefs. These direct use values are associated with the direct, on-site use of resources by people. The benefits derived from diving, snorkeling, and swimming are examples of direct use values. Finally, the public obtains economic benefits from the knowledge that resources exist, or will be preserved, in a given condition. These passive use values are particularly relevant to the management of National Park System resources and uses given the mandates of the NPS Organic Act and the Redwood Act (see Authorities). Those mandates establish the fundamental purposes of the National Park System as conserving park resources and values, and providing for their enjoyment by the public. The conservation of park resources and values directly relates to passive use values through the motives of existence and bequest. Passive use values also relate to the public enjoyment of park resources and values since the public includes both people who directly experience parks on-site and those who enjoy them from afar.

#### **Cultural and Historic Resources**

The NPS responsibilities for cultural and historic resources within the area affected by the military buildup include National Historic Landmarks, cultural and historic resources of parks, and the NPS historic preservation programs for Micronesia.

#### National Historic Landmarks

National Historic Landmark (NHL) status is the highest recognition given to historic properties in the United States. The NPS monitors the status of NHLs, provides assistance to NHL owners, and represents the Secretary of the Interior when a federal undertaking might adversely affect a NHL. There are two NHLs within the CNMI that may be affected by the military buildup; both commemorate the events surrounding World War II (WWII) in the Pacific.

The North Field Historic District NHL (formally known as Landing Beaches, Ushi Point Field, and North Field, Tinian Island National Historic Landmark) is significant for its association with the most important event in the history of WWII. It served as the airfield from which B-29 bombers were deployed to raid Japan during WWII—most notably, to drop the atomic bombs on Hiroshima and Nagasaki, the first and only time this occurred in history, thus bringing about an end to the war. Today the NHL, though overgrown in many places with vegetation, retains its historic character as a large, WWII era airfield. Built on a plateau on the northern tip of Tinian, the airfield conveys its significance through the relatively unchanged physical setting—a landscape of historic runways, bomb pits, taxiways, and other historic structures and features, set in an undeveloped and remote location.

The other NHL is Saipan International Airport and Beaches NHL (formally known as Saipan Landing Beaches, Aslito/Isley Field, and Marpi Point, Saipan Island National Historic Landmark). Located on Saipan, the NHL for Saipan Island consists of three separate geographical areas that are closely united in terms of their WWII history and reflect the events surrounding the campaign by U.S. forces to capture the Mariana Islands. These include the battle to take the island, the development of the airfield to deploy B-29s, and the tragic history of thousands of unknown Japanese civilians, military, and others who committed suicide as the campaign ended. Today, though spread out at separate locations across the island and bordered in some areas by urban development, the landmark retains its historic integrity and conveys the significance of the events for which it was established.

The NHLs on Tinian and Saipan, while relatively intact, have old and outdated documentation, and need to have their NHL nominations updated to include better descriptions and justifications for their boundaries, as well as descriptions of contributing and non-contributing resources. If appropriate, the revised nominations could also incorporate newer scholarship on World War II, specifically at it relates to the themes for which the NHLs were designated. Without this information, it is increasingly difficult for local historic preservation offices and the NPS to assess the effect that proposed undertakings will have on the NHLs. In addition, the historic preservation offices currently are not fully staffed with qualified historic preservation professionals and thus cannot adequately address all of the current issues associated with monitoring NHLs and other historic properties within the CNMI and Guam.

#### War in the Pacific NHP

Located on Guam, War in the Pacific NHP is the only site in the National Park System (comprised of nearly 400 parks) that honors the bravery and sacrifices of all those who participated in the Pacific Theater of World War II. This includes the United States, Japan, and the Allied nations: Australia, Canada, China, France, Great Britain, New Zealand, the Netherlands, and the Soviet Union. At the park,

visitors have the opportunity to learn about the events that led to the outbreak of the Pacific War, the Battle of Guam and the role that the Mariana Islands played in helping to end World War II (1941-1944)

The focus at War in the Pacific NHP is the recapture of Guam, an event that serves as an example of island defense and invasion that characterized WWII operations in the Pacific Theater. The park comprises the invasion beaches used in the recapture of Guam and hills that overlook them. The assault on Guam by the U.S. forces in July 1944 was part of the crucial Marianas campaign against Japan's inner defense perimeter. Here the park preserves and interprets the former battlefields, gun emplacements, trenches, and historic structures; these tangible and intangible remains all serve as reminders of the bloody battles that ensued on the Island of Guam, over 65 years ago.

Because it is a national historical park, War in the Pacific NHP is listed in the National Register of Historic Places. For this reason, its cultural resources, some of which were formally listed in the National Register prior to the park's creation, are located throughout the park's seven units. These units and their historic properties not only illustrate the battle to liberate Guam, starting in July 1944, but also more broadly the war in the Pacific Theater. See Figure 1 for a map representation of these units.

- ❖ The Asan Beach Unit is the site of the northern landing beach, where the 3<sup>rd</sup> Marine Division came ashore in the initial assault.
- ❖ The Asan Inland Unit, lying directly opposite the Asan Beach Unit, is where American landing forces met with heavy resistance on the area's cliffs and hillsides. Included in this unit is the Asan Bay Overlook, featuring a view of the historic landscape of the battle scene below, and the memorial wall honoring both the American servicemen who died liberating the island and the Chamorros who died or suffered atrocities during the battle for Guam.
- ❖ The Piti Guns Unit, located on a ridge behind Piti village, contains three Japanese coastal defense guns.
- ❖ The Mt. Chachao/Mt. Tenjo Unit preserves the area from which Japanese defenders had an expansive view of United States troops landing at Asan Beach and of Apra Harbor and Orote Point.
- ❖ The Agat Unit is the site of the southern landing beach where American forces, including the First Provisional Marine Brigade and the 305<sup>th</sup> Regimental Combat Team of the 77<sup>th</sup> Army Infantry Division, came ashore and engaged the Japanese 1<sup>st</sup> Battalion, 38<sup>th</sup> Infantry. Here the historic scene, composed of the beach and offshore area, remains largely unchanged from 1944, complete with several pieces of American military equipment submerged near the edge of the reef.
- ❖ The Mt. Alifan Unit is the site of a Japanese command post, where intense battles between U.S. Marines and the defending Japanese forces ensued.
- ❖ The Fonte Plateau Unit is the site of a former Japanese naval communications center.

Like the NHLs on Tinian and Saipan, the units of War in the Pacific NHP need better baseline inventory and documentation of their historic resources to ensure their preservation, management, and interpretation and to meet the administrative obligations of the NPS. Without this information, park managers are limited in their ability to address issues associated with resource use, primarily from visitation, and damage, largely through vandalism.

#### Properties Listed in the National Register of Historic Places (NRHP)

The following properties within the National Park System are listed in the NRHP and are subject to potential impacts of the proposed action.

- War in the Pacific National Historical Park (1978)
- Agat Invasion Beach (1975)
- Asan Invasion Beach (1979)
- Asan Ridge Battle Area (1975)
- Matgue River Valley Battlefield (1975)
- Memorial Beach Park (1974)
- Piti Coastal Defense Guns (1975)

#### American Memorial Park

American Memorial Park on Saipan honors the American and Marianas people who gave their lives during the Marianas Campaign of World War II. Over 5,000 names are inscribed on a memorial which was dedicated June 15, 1994, during the 50th anniversary of the Invasion of Saipan. The Memorial rests at the park's Court of Honor and Flag Circle, where the U.S. flag proudly flies 24 hours a day, surrounded by the flags of the U.S. Army, Marine Corps, Navy, and Coast Guard. As a "living memorial", the park offers activities, such as baseball, bicycling, running, tennis, picnicking, and swimming, enjoyed over half a century ago by American service men and women. Within the 133-acre boundary are beaches, sports fields, picnic sites, boat marinas, playgrounds, walkways, and a 30-acre wetland and mangrove forest. No properties within American Memorial Park are listed in the National Register.

#### **Park Operations**

The current level of staffing at the two parks, which are jointly managed, is inadequate to meet existing needs, particularly in the area of law enforcement and protection. Needs are dictated primarily by use of the park areas, both legal and extralegal. In the past three years at War in the Pacific NHP, bronze name plaques at the most important commemorative site were stolen for scrap metal; there have been three suspicious fires; vegetation monitoring plots were destroyed twice; and the maintenance yard and resource laboratory have been broken into five times, with equipment stolen and repeated major damage done to the lab building and park fuel tank. There has also been a significant rise in vehicle break-ins, gasoline theft from park vehicles and storage tanks, vandalism to park facilities, off-road vehicle use, and general resource damage. There are ongoing cases of illegal, or at least contentious, use and occupancy of lands for residential purposes within the legal boundaries of the park units. Recognizing the ongoing law enforcement issues, the NPS has requested funding to establish a law enforcement program on Guam.

A large staff is required for maintenance and repair of facilities, historic structures, restrooms, picnic areas and historic landscapes as well as solid waste collection and removal. The resource management division is responsible for preservation, inventory and monitoring of terrestrial and submerged natural and cultural/historical resources. They are charged with implementing the myriad policies that apply to those resources. The resource education division provides programs for visitors, school groups, veterans groups, military groups, and others when requested, both in the parks and offsite in other venues. Staffs at both parks are supported by a small group of administrative personnel.

#### **Impacts of the Proposed Actions**

This section describes the potential changes in conditions as impacts associated with the proposed actions are imposed upon the current conditions in the parks and NHLs. The topics are organized similarly to

those under Current Conditions: Visitor Use and Enjoyment, Natural Resources, Historic and Cultural Resources, and Park Operations. Within each topic, possible mitigation measures are presented for inclusion in the FEIS; however, these should be considered a starting point for discussions, not a comprehensive and final list.

#### **Visitor Use and Enjoyment**

The primary concern for impacts on visitor use and enjoyment (and on the resources), is the population increase on Guam associated with the proposed actions and activities connected with it. Further, there are the potential synergistic and cumulative impacts of this increase combined with increases in tourism that are highly sought by economic interests on Guam. It is certain that, according to the DRAFT EIS/OEIS, the population will increase by 45% during the peak construction period. Beyond that, population growth is less certain and speculative regarding how many of the construction work force (and their families) will remain on Guam or in the CNMI. In line with the “worst case” bias used by DoD in the DRAFT EIS/OEIS, NPS could assume that impacts on the park units on Guam, indexed to population, would increase to at least the same degree. That is, park use and visitation could increase through this period of time by 45% or more. This would have an immediate and significant impact on park resources, values, facilities, and other users.

#### **War in the Pacific NHP**

If the FEIS and subsequent record of decision ignores the connected actions (housing, food, sanitation, transportation, water, wastewater, social controls, etc.) associated with the construction work force through time, NPS would have to assume a maximal impact on War in the Pacific NHP.<sup>21</sup> If the construction work force is housed off the base, with no effective controls or provisions, NPS would expect a high degree of illegal use and occupancy on park grounds<sup>22</sup> as well as increased amounts of legitimate usage. The resulting conflict would inhibit NPS from meeting its mandates and mission. The NPS is concerned that the large worker populations, unmanaged or unregulated, would be unaware of the importance and appropriate use of national park lands and resources. This would affect not only the resources themselves, but also conflict with those who currently enjoy the parks for a variety of purposes.

The Asan and Agat units are accessible from major roads that are presently congested at times and peak use hours. The proposed action, or activities connected to it, will exacerbate this congestion and impede safe access to and from these sites. In addition, access to the visitor center will be significantly impacted as the “Navy main gate intersection operations” degrade to Level of Service (LOS) F in 2014.

The other park units at War in the Pacific NHP would be less at risk. However, since they contain wartime artifacts and structures, and are somewhat remote, the potential for vandalism, theft, and illegal occupancy becomes greater. The Asan Bay Overlook was vandalized in 2008 by metal thieves in an incomprehensible disregard of military history and culture. This kind of impact would be expected to increase in number and frequency at all of the isolated units.

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<sup>21</sup> An analogous issue to illustrate the concept, not listed here, is that of medical support and health care. A large workforce engaged in heavy construction activities will create a large need for medical attention. If that need falls on the non-DoD medical infrastructure, it will be an enormous impact on the infrastructure and those who currently depend on it.

<sup>22</sup> See Volume 2, page 16-54, which indicates that contractors will be responsible for employee housing, and that it is unlikely there will be sufficient housing for all employees. This is cause for concern in that some workers, perhaps many, will be left to their own devices for housing and food services, etc.

The desired experience for visitors at these units is less for recreation and social purposes, and more for education and appreciation of history, and viewing war structures or artifacts. NPS is required to protect the visual quality of the setting, and maintain a solemn and respectful sound environment in order to meet the fundamental park purposes. It would be expected, with increased use and occupancy issues and the potential for vandalism, that this desired condition would likely not be maintained. The visual and audible quality of the setting would likely deteriorate significantly, and the facilities would be more expensive to rehabilitate and maintain or, alternately, their quality would also decline.

Without specificity in the EIS regarding military use of Guam's airspace, it can also be expected that the desired solemnity and quiet at memorial sites would decline. Passing aircraft, especially helicopters, would be an unwarranted intrusion in areas where memorial events are often held, and where visitors expect to have a respectful and quiet setting.

Since the sites described here are held in high regard by veterans groups and local citizens and families whose names are inscribed on memorials, impacts as described would also represent a significant effect on these people due to decreased regard for honoring their suffering and war dead. To allow memorial facilities to deteriorate, or to be unable to maintain them effectively, would clearly be a breach of law and policy. More egregiously, it would represent an unacceptable affront to the memory of those lost in battle, and those who suffered under Japanese occupation.

Given the importance placed on the national park units and visitor centers to the local economy, evident in the number of visits and those increasingly visiting by the busload, probable impacts on resource and facility conditions, and thus visitor enjoyment, would have significant economic ramifications as well.

#### American Memorial Park

American Memorial Park on Saipan is not likely to be significantly affected by the proposed action, unless large portions of the workforce on Guam visit or migrate to Saipan subsequent to their employment. In this event, many of the impacts described above for Asan Beach, Asan Inland Unit and Asan Bay Overlook could be experienced here.

#### Mitigation

The DRAFT EIS/OEIS states as mitigation for overcrowding at recreational facilities on DoD installations, that new ones will be constructed on Guam (no specific locations), on military installations and/or at the temporary worker housing sites by contractors. It also states that mitigation for overcrowding at DoD facilities and sites in Apra Harbor when the CVN is in port will be to transport personnel to other recreational facilities in Tumon. It does not however analyze the impact of this "mitigation" on the other facilities. In fact, throughout the volumes, mitigation for overcrowding at recreational facilities is vague, ambiguous and possibly contradictory. It is impossible to construct new facilities that duplicate the experience of standing at the historic landing beaches, diving submerged WWII artifacts, or visiting ancient cultural sites. DoD should commit to tangible, operational support of the national and territorial parks and museums as places for the temporary and permanent residents to enjoy the islands' resources and take advantage of the learning opportunities.

Some of the potential impacts listed could be avoided or minimized during the peak construction phases by educating, regulating and managing the workforce. Alternatively, housing the workforce on DoD installations, and providing suitable access to food services, water, power, sanitation facilities and regulated transportation would relieve the pressure on NPS and island infrastructure. Providing on-base

access to indoor and outdoor recreation facilities, beach areas, etc. would help relieve some concerns about what the large number of workers would do in their off-time. Orderly and compliant visitation to the national park units by the workforce is, of course, welcome. NPS would appreciate the opportunity to work with Navy and contractors to develop outreach and education programs targeted to the cultural makeup of the workforce.

The permanent increase in military population, will like increase backcountry ORV use, diving, and group use of Asan and Agat Beach, their resources and facilities. In this case, the recommended mitigation is similar to that noted above. NPS would appreciate the opportunity to work with Navy, Marine, and Army recreation and other appropriate offices to develop joint outreach programs aimed at preventing inappropriate uses of the parks, and avoiding overuse. Programs would focus on education, appropriate recreation and access, military history and awareness, and scheduled/approved group uses.

DoD should commit to clean up of unexploded ordnance dumped near Camel Rock and Asan Beach after the liberation of Guam during World War II. This poses a significant safety risk to visitors, park staff and visiting researchers as they dive, snorkel, fish, swim, and enjoy the area.

Promotion of heritage tourism on Guam and the CNMI, including the rich military history, should be mitigation for the impacts on recreational resources. Once again, the NPS would be pleased to assist DoD in developing this with the territories.

#### **Natural Resources**

The earlier discussion on the current condition of park natural resources illustrates downward trends in resource conditions due to a variety of ongoing impacts, terrestrial and otherwise. The downward trends can be reasonably attributed to terrestrial impacts adjacent to the park, and to the unregulated use of the marine environment for tourism, recreation and fishing. Adding further impacts by military and related commercial activities, and by increasing use as a function of population growth, it is likely that the resources will be further impacted.

The effects of increased population size and development associated with the military build-up would have direct, indirect and synergistic or cumulative negative impacts on the status and trends of natural resources under NPS stewardship. Increased tourism on land and in the ocean, extractive activities such as hunting and fishing, and increased sedimentation and pollution as a result of the military build-up are inherently and widely understood, and there is a long and unfortunate history of similar impacts on Guam, the Hawaiian Islands, Johnson Atoll and many other insular areas associated with military activity.

#### **Invasive Species**

As noted above, the impacts of invasive species can be far-reaching and devastating on biodiversity and ecosystem health. Any increase in military traffic in and out of Guam increases the possibility of the introduction into the island of potentially invasive species. Therefore, impacts from the possible introduction of invasive species, such as the coconut rhinoceros beetle that threatens the cultural, gastronomic and economic health of the Micronesian islands, must be considered significant.

There is an accompanying increased risk of dispersal of potentially invasive species from the island, including the brown tree snake. The military should be commended for the efforts they have made to control brown snakes on Guam. Aggressive inspections and prevention programs to prevent brown tree snakes from leaving the island have been put in place. Despite these efforts, a small number of snakes

have been located during inspections in Hawaii and on the west coast. These incidents highlight that increased activities in Guam will likely result in increased risk of brown tree snakes being transported off the island. The proposed increase in military activities should be accompanied by an increase in resources to prevent invasive species from getting to and leaving the island.

The DRAFT EIS/OEIS asserts that these impacts will be mitigated by the Micronesian Biosecurity Plan currently being developed; however, no assurances are given that DoD will assist the local agencies on Guam in implementing the plan. The fact that this issue needs to be addressed across the Pacific region as vast quantities of people and goods are transported to and from numerous nations is not even analyzed is a serious oversight in the DRAFT EIS/OEIS. The NPS is concerned that new invasive species on Guam and the CNMI could have significant impacts on the natural and cultural resources of the park and that invasive species from Guam and elsewhere could be transported to Hawaii, American Samoa, Alaska and the US mainland. This could have the potential to significantly affect parks throughout the Pacific basin.

#### Terrestrial Impacts

The connectivity between land uses and terrestrial impacts causing sedimentation and impacts on the marine environment is amply demonstrated in the earlier affected environment discussion. ORV use appears to be having a major impact on the soils in the Mt. Tenjo Unit of War in the Pacific NHP. Although civilians comprised the majority of ORV users at Mt. Tenjo, military personnel accounted for approximately 20% of ORV use observed during the recent study. Based on recent trends and the upcoming military buildup, the area impacted by ORVs is expected to continue to increase substantially throughout the park in the future.

Increased numbers of military and civilian personnel (and their dependents) living on Guam that engage in motorized or wheeled vehicle recreation activities in Guam's backcountry will exacerbate the impact. The present military population has been shown to pursue such recreation. The current levels of impact have been shown to be significant and ultimately damaging to marine and terrestrial resources in the park and beyond. Table 2.1-2 in the DRAFT EIS/OEIS indicates that the total "steady state" population increase coming from off-island (direct, indirect and induced) is estimated at 33,608. Additional transient populations of up to 7,200 naval personnel will frequently visit and recreate on Guam. It is reasonable to assume that, even if only a small percentage of these people choose to recreate in this fashion, it would still represent a significant number of users contributing to natural resource degradation in the several units of the park.

Given that soil erosion and associated nearshore sedimentation are the primary threat to the park's and Guam's terrestrial and marine ecosystems, the only way to successfully reduce nearshore sedimentation that impacts marine resources is to arrive at a long-term solution to upland erosion. This erosion will be exacerbated by secondary impacts of new, particularly civilian, development associated with the buildup.

In addition, Guam is attempting to attract new tourism markets and is actively permitting and constructing new shoreside hotels for that purpose. Both Agana and Tumon Bays are largely devoid of previously high quality reef environments because of previous development.

#### Marine Impacts

##### *Coral Reefs*

Given present reef conditions at War in the Pacific NHP, it is expected that the cumulative impact of an increased island population and military build-up actions will impact coral reefs and other natural resources in the park. There is a high probability of large negative impacts of the CVN action, the associated military build-up population and development increases on Guam. Existing marine resource conditions are degraded or imperiled in many respects, and the loss of coral reef and diving sites in Apra Harbor due to the CVN action will make coral reefs in War in the Pacific NHP increasingly important, both for resource protection and visitor use. Increased pressure on, and degradation of, many of the park's already tenuous marine resources is unsustainable, and may result in failure of marine resources recovery and restoration through natural processes or human interventions. Unlike some terrestrial environments, coastal and marine ecosystems are open and interconnected and the coast on Guam is certainly no exception. Spillover effects from Piti Bomb Holes Marine Preserve to adjacent unprotected reef at Asan are well documented. Currents link numerous reefs and ocean processes, and can transport sediment or contaminants from dredging and other activities in Apra Harbor into coastal and ocean habitats under NPS stewardship. DoD dismissal of potential impacts is not consistent with current scientific information, as shown.

Given the close proximity of Apra Harbor (3/4 mile) to the Piti Bomb Holes Marine Preserve, and the Asan Beach and Agat Units in War in the Pacific NHP; that predominant current flow in Apra Harbor is to the west; and that plumes of fine grained sediments from dredging can occur kilometers from the dredge site,<sup>23</sup> it is probable that sediments suspended from large dredging activities such as the proposed action for the Carrier Vessel Nuclear (CVN) can be transported from the harbor mouth, where alongshore currents can transport sediments to adjacent reefs. Studies found that a dominant northwestward-flowing North Equatorial Current prevailed from June to December 2000, and that small eddies at the scale of local topographic features such as headlands (e.g., Cabras Island and Glass Breakwater, Orote Peninsula) and embayments (e.g., Apra Harbor) were apparent. Further, internal tidal bores transport particulate and dissolved materials onshore at Asan. While the quantity of transported sediment that could originate from dredging in Apra Harbor is not clear, any additional sedimentation on reefs at War in the Pacific NHP would add to the cumulative negative impacts that these reefs are currently experiencing. Moreover, any contaminants associated with dredged sediments could have further negative impacts on coral reefs and associated organisms.

The proposed dredging of a large, thriving coral reef in Apra Harbor is the largest such effort known in the history of the U.S. Clean Water Act, if not globally, and the first project under the new CWA mitigation rules. Therefore, this action is precedent setting and should be identified as such in the EIS.<sup>24</sup> As a consequence, DoD has the requirement and opportunity to perform this action in ways that will provide a positive example for similar actions elsewhere. If done incorrectly or inadequately, similar future actions elsewhere could be done poorly and cause widespread deleterious impacts to already imperiled coral reef ecosystems worldwide. Throughout the military build-up DRAFT EIS/OEIS artificial reefs are supported by the proponent as adequate mitigation for the loss of coral reef lost due to dredging in Apra Harbor. Other types of mitigation are not being considered. The large body of scientific literature as well as policies of the NEPA and Clean Water Act indicate that artificial reefs do not replace lost ecosystem function and hence are ineffective and do not fulfill NEPA and CWA requirements.

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<sup>23</sup> DRAFT EIS/OEIS Volume 4, and Appendix J, review of marine resources technical report by J. McManus

<sup>24</sup> 40 CFR 1508.27(b)(6)

Moreover, artificial reefs and other man-made structures such as wharf sheet piles provide extensive open surface area for colonization of many marine invasive or alien species.

Numerous marine alien or invasive species presently exist in Apra Harbor. The increase in military and commercial shipping activity in Apra Harbor as a result of the military build-up will increase the risk of further impact to Guam's reefs by marine alien and invasive species. Although diverse tropical systems appear to be more resistant to impacts from introduced species, such impacts, particularly from invasive algae species, have occurred elsewhere and have the potential to significantly alter native ecosystems.

In the DRAFT EIS/OEIS, DoD strongly advocates the use of artificial reefs as mitigation for the CVN project; however, the ineffectiveness of artificial reefs is well documented. Artificial reefs cannot replace the ecological function of natural coral reefs, as is required for compensatory mitigation under NEPA, US Environmental Protection Agency, US Army Core of Engineers and Government of Guam policies.

#### *Fisheries*

A large number of laborers are expected to come from Micronesia, the Philippine Islands, and other western Pacific nations. Virtually all of these people traditionally harvest fish and marine invertebrates for subsistence and will likely continue to do so on Guam. This would increase pressure on marine resources within the park, which provides access to traditional fishing areas. The park will need to increase monitoring and enforcement of fishing regulations within park jurisdictional boundaries.

Coral reef fisheries and fish habitat in the park will likely suffer from increased recreational diving and snorkeling displaced from Apra Harbor resulting in increased disturbance, trampling, and other physical impacts.

#### *Sensitive Species*

It is well documented that artificial lighting in coastal areas causes juvenile sea turtles to become disoriented, resulting in significant declines in their survival. Protected migratory sea birds are also negatively affected by artificial lighting. Non-natural lighting on the Orote Peninsula, which forms the southern part of Apra Harbor, impinges on the adjacent Agat coast including the Agat Unit of War in the Pacific NHP. With the CVN project and its connected actions, this impact will greatly increase, reducing the potential for this area as a viable sea turtle nesting site and increasing potential impacts on sea birds.

Light, chemical, or sound pollution resulting from military build-up activities potentially impacts marine mammals such as spinner dolphins, thus requiring review under the Endangered Species and Marine Mammal Protection Acts.

#### *Recreation/Tourism*

The increased impacts from diving, fishing and snorkeling as a function of population increase have not been analyzed in the DRAFT EIS/OEIS. A large number of military personnel and their dependents dive and snorkel in Apra Harbor, within park waters, and elsewhere on Guam. The DRAFT EIS/OEIS notes that many of the Apra Harbor dive areas will be restricted due to the CVN project and many more divers will therefore use other areas on Guam, including the park's Asan Beach and Agat Units. The cumulative impacts from displaced recreational usage at Apra Harbor is not analyzed in the DRAFT EIS/OEIS.

#### Mitigation

The FEIS should analyze the cumulative impacts of increased tourism, increased island population due to the military buildup, and the construction/operations associated with the military buildup. The FEIS should include a long-term adaptive management strategy in collaboration with the NPS and other entities to monitor and mitigate the impacts of the proposed actions on terrestrial and marine resources. It should also include all necessary and relevant plans mentioned as mitigation for the significant impacts.

For example, the Micronesian Biosecurity Plan (MBP), when completed, will provide requirements for management of terrestrial and marine alien and invasive species. The public and other agencies should be able to evaluate and comment on the plan in concert with the EIS, and then DoD should commit to the plan in its record of decision. Unfortunately, this plan will not be completed before the decision is made and therefore its implementation is uncertain at best. DoD must provide assurance of financial and material support to fully implement the Micronesian Biosecurity Plan throughout the Pacific region.

Soft sediment benthic habitats should be included in the Habitat Equivalency Analysis. Loss of coral reef habitat and related sediment transport into the parks marine units from dredging in Apra Harbor must be mitigated through physical barriers, cessation of dredging during coral spawning and recruitment periods, incorporation of in lieu fee mitigation and/or migration banking, as well as such projects as: translocation of live coral colonies to park reefs and elsewhere; long term monitoring of ecological functioning of reefs on Guam's west side including those in the park; and immediate and ongoing removal of ordnance resulting from range activities to prevent introduction of pollutants to land and marine habitats. Numerous other mitigation actions can be listed, but should instead become part of the adaptive management strategy.

Watershed restoration is vital to the long-term health of Guam's terrestrial and marine ecosystems. DoD must commit to restoration projects that will reduce erosion, runoff and sedimentation. For example, soil erosion and associated coastal sedimentation would be reduced by 18% if actions were taken to restore disturbed (badland) areas in Asan's savannas and elsewhere on Guam, and by a further 7-8% if burning were also decreased. Thus, a total of 25% reduction in soil loss could be achieved.

DoD should limit all construction activities involving earth movement or exposure – upland and coastal – to the dry season, and halt such activity during significant rains. Exposed soil is to be held to minimum period necessary and covered by impermeable material when active construction is not taking place. Exposed earth is to be revegetated with native plants without delay to prevent erosion, runoff and sedimentation.

Restriction of new and alteration of current lighting along the shoreline at Apra Harbor and the Orote peninsula should be implemented to prevent interference with or impacts to sea turtles or sea birds using DoD and adjacent park resources and marine preserves. Live ordnance activity, dredging, or pile driving should cease in places or at times of sea turtle haulout or nesting, or when marine mammals are present. Implement Biological Observer presence during all construction activity including dredging, and such activity ceased until large marine vertebrates leave the area.

Protection and restoration of the Rizal Beach wetland at the north end of the Agat Unit of War in the Pacific NHP should be mitigation for amphibious craft landings at nearby Dadi Beach. DoD should also commit to full collaboration with CNMI and NPS to protect significant natural areas on Saipan, Tinian, and Rota as mitigation for habitat loss on Guam.

#### **Cultural and Historic Resources**

In general, as for natural resources, the DRAFT EIS/OEIS makes overarching statements about effects to cultural and historic resources, and presents these statements as if they were actually mitigation. Moreover, there is a general lack of analysis about the effects on cultural and historic resources by the actions described. The DRAFT EIS/OEIS presents listed or eligible resources without broader context and therefore provides little evaluation of their relative significance. In other words, an action might have an adverse effect on 18 properties listed in or eligible for the National Register but there is no discussion of whether these are commonly found or representative property types or rare properties that will be lost to history. There appears to be no consideration given to alternatives based on an assessment of cultural resources. It may be assumed that a programmatic agreement for Section 106 of the NHPA will go into further detail about adverse effects to historic properties, but this DRAFT EIS/OEIS should as well. Currently, the decision process for alternative selection and proposed mitigation is not sufficiently explained and appears to be based primarily on an assumption that it could have been worse.

#### War in the Pacific NHP

War in the Pacific NHP is one of the most important historic resources on Guam, given its charge to preserve and interpret WWII and the Pacific Theater to the public. However, it briefly and rarely appears in the DRAFT EIS/OEIS and then only in passing. The DRAFT EIS/OEIS should have described the park and its resources, recognizing and acknowledging the park's importance as a historic property, one authorized by Congress, its listing in the National Register of Historic Places and the number of specific properties within the park's separate units that are also listed in the National Register.

The DRAFT EIS/OEIS did not consider the potential for direct and indirect impacts to the park and its historic resources. While the physical imprint of the military buildup on Guam may not have been proposed to take place within the boundaries of the park, the DRAFT EIS/OEIS should analyze the potential for the buildup to impair the park's historic character and its ability to convey the historic events for which it was created and for which it is listed in the National Register. This is especially true for its surrounding landscape – namely alterations to the historic views of or from units of the park. In this regard, the DRAFT EIS/OEIS should consider applying the same evaluation of an adverse effect to a cultural resource as it states in Volumes 1-5, Section 12.2.1.1: "A significant resource is a cultural resource for or listed on the NRHP. A project affects a significant resource when it alters the resource's characteristics, including relevant features of its environment or use that qualify it as significant according to NRHP criteria. Adverse effects may include the following: physical destruction, damage, or alteration of all or part of the resources; alteration of the character of the surrounding environment that contributes to the resource's qualifications for the NRHP; introduction of visual, audible, or atmospheric elements that are out of character with the resource; neglect of the resource resulting in its deterioration or destruction; and transfer, lease, or sale of the property without adequate and legally enforceable restrictions or conditions to ensure long term preservation of the property's historic significance (36 CFR 800.5(a)(2))."

#### Historic Preservation Programs: Guam and CNMI

The DRAFT EIS/OEIS recognizes that the military buildup on Guam would adversely affect the ability of the Guam HPO to carry out its duties of reviewing compliance projects under Section 106 and permitting and monitoring projects. The DRAFT EIS/OEIS, while stating this in Appendix F (section 4.4.6.4), makes no recommendations for mitigating this condition. The study states that with the increased work load caused by the buildup, the Guam HPO will need to increase its professional staff by 4 FTE, noting that its current staff, listed at 13 FTE, is understaffed and operating with some 6 unfilled positions. The

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DRAFT EIS/OEIS should propose potential mitigation for this issue that will lead to providing additional staff for the office.

#### Mitigation

Mitigation recommendations for impacts to cultural and historic resources by the proposed actions have been and will continue to be presented by the NPS to DoD for inclusion in the Programmatic Agreement and throughout the consultation process required by Section 106 of the NHPA. DoD should recognize and state in the DRAFT EIS/OEIS that consultation will be ongoing, long term, and continue after the Record of Decision is issued and especially as specific projects are implemented.

It will be critical for DoD to fund the Guam and CNMI HPO's to increase their capacity to review and monitor individual projects as well as process permits as the proposed actions are implemented. Likewise, the DoD must recognize and mitigate the need for increased NPS capacity to oversee the historic preservation programs in Micronesia. To ensure full protection of the resources within the NHLs, DoD should commit to updating the National Register nominations for those on Saipan and Tinian. As mentioned in the natural resource mitigation, DoD should collaborate with CNMI and NPS to protect significant cultural areas on Saipan, Tinian, and Rota to mitigate loss of cultural heritage.

#### **Impacts on Park Operations**

In 2008, the population of Guam was 176,000. By 2014, it will increase by 80,000 or 45%, as non-residents fill over 18,000 construction and 17,000 other jobs, in addition to the arriving military personnel. Nearly all the military and many of the civilian personnel are expected to bring their families. Although the EIS states that all of the construction laborers and their dependents will leave Guam by 2017, that expectation may not be realistic (e.g. despite the collapse of the garment industry on nearby Saipan in the past 5 years, many foreign workers still remain). Thus, the long-term "steady state" population increase may be more than the predicted 34,000. Therefore, depending upon the nature of the workforce and demographics associated with it, the NPS could expect a significant increase in:

- subsistence fishing, hunting, camping/residing, homelessness
- introduction of exotic species, affecting the visual and resource character of the park
- trash dumping
- biowaste
- utilities usage – water, wastewater, power, solid waste
- levels of normal wear and tear on facilities<sup>25</sup>
- vandalism/crime associated with facilities, over and above normal wear and tear
- parking lot theft and vehicular damage
- archeological or cultural site impacts; looting, vandalism
- backcountry use for recreation and ORV/mountain bike use
- access into closed areas
- noise and decreased solitude – vehicle/air/pedestrian traffic
- crowding and displacement or loss of existing uses and visitors
- boundary disputes and development near or abutting the park

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<sup>25</sup> e.g., tables, grills, waste receptacles, toilets, fences, gates, parking areas, displayed artifacts and monuments

Since all or most of these impacts presently occur to the degree that park staff can barely contain them, it is reasonable to expect that resource conditions and visitor experiences will decline below the desired standard of quality (as expressed in law and policy) with a minimum of 45% increased incidence. Most of these incidents demand an emergency response and follow-up, as well as an investigation and law enforcement action. There is currently no NPS law enforcement personnel located on Guam who can take immediate action. Although the presence of Guam police on routine patrols is much appreciated and undoubtedly helps with deterrence, relying on local law enforcement for emergency response will be impractical as they will also be responding to a similar need for increased law enforcement and emergency services elsewhere on island due to the proposed actions.

In the longer term, some of the listed impacts will also occur solely with the increased population of core military personnel (Marines, Navy, and Army). With the residual workforce and their families, and laborers who remain without jobs beyond the construction phase, it is clear that significant, long term, irreversible and irretrievable impacts on national parks are probable.

The general impacts presented above would apply to some degree to all seven units in War in the Pacific NHP. Due to accessibility from major roads, Asan Beach, Asan Inland Unit and Agat Units would likely be at the greatest risk for the range of potential illegal use and occupancy issues, as well as overuse. NPS would expect greatly increased use of restrooms, trash receptacles, picnic sites, and marine resources. To the extent that this occurs, those who presently use the area for healthful and relaxing activities would likely be displaced or discouraged from visiting the area. Deteriorating resource and facility conditions would have the same effect. Sponsors of large group-sanctioned events that are important to the community might also be discouraged from use of the area. Areas of clean, well-maintained and open beachfront land suitable for family recreation, like Asan and Agat Beaches, are scarce on Guam; thus, they would be at risk under the proposed action.

NPS has requested long-term funding in order to increase resource protection, outreach, and maintenance operations in response to the expected rise in visitation, vandalism, hunting, and illegal fishing.<sup>26</sup> Even in the short-term, the park will be faced with unprecedented increases in requirements for coordination of numerous activities related to the military relocation, such as traffic management plans, to maintain access to park units during roadway improvements. The buildup will strain already limited resources required for these mandates.

The DRAFT EIS/OEIS summarizes the following impacts from the military relocation on Guam. "Military recreational users, off-island visitors, and Guam residents would be competing for recreational use island wide. Increased uses at existing recreational facilities would likely lead to conflicts between recreational users; examples include competition between surfers and swimmers for space at a popular beach park; between kayakers and snorkelers; spelunking and underwater cave swimmers; hikers and bike trail riders. Such conditions may already exist or are expected to, based on human uses in many other locations; the spike in recreational users may exacerbate the condition beyond current levels. Further, increased user numbers will likely cause an increase in the use of existing recreational facilities such that substantial physical damage and deterioration of the facilities would occur."<sup>27</sup> Though unstated in the DRAFT EIS/OEIS, this general assessment applies as well to National Park units.

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<sup>26</sup> Significant secondary impacts are described in Volume 7, Chapter 3, pp. 77-79

<sup>27</sup> DRAFT EIS/OEIS Volume 2, Chapter 9, page 9-31

These statements highlight the need for increased park operational resources to provide outreach, maintain park facilities, and resolve conflicts over competition for facilities. Special Use Permit requests will rise as the demand for public event sites increases and with the loss of other sites proposed to be closed due to military activities. The park will also need to increase partnership activities with the Navy and Air Force, and establish new partnerships with the Marines, the Army and the foreign worker groups.

The increased population is also expected to increase SCUBA diving in the park, off-road vehicle use, illegal occupancy, and development along or near park boundaries. The park will need additional staff to survey and post boundaries (currently there has been no survey for six of the seven park units).

#### Mitigation

Again, DoD should develop and implement an adaptive management strategy in collaboration with the NPS and other entities as part of the FEIS. This would provide a framework for the NPS to plan future operational needs in order to preserve the parks' cultural and natural resources and to maintain visitor satisfaction. The adaptive management strategy should address all aspects of the operations on Guam and CNMI needed for NPS to manage its stewardship responsibilities.

### **Conclusions and Recommendations**

#### **Adequacy of the Scope of Analysis and Range of Alternatives**

Although NPS does not specifically oppose the military relocation, it finds numerous process issues resulting in an inadequate range of alternatives, and precluding the assessment of impacts on NPS lands. NPS believes the DRAFT EIS/OEIS could have been developed more programmatically within the timeframes, thereby being more comprehensive and comprehensible at the same time. The NPS also believes that sufficient attention by DoD to public and other agency issues following scoping could have resulted in a range of alternatives that would better address the indirect, but significant, adverse impacts, especially on Guam. In the current range of alternatives, the no action alternative is the least damaging to NPS interests and concerns. All the other alternatives, unmitigated, would have the same potential for unacceptable level of impact in regard to lands and programs under NPS jurisdiction. Were DoD to have developed a programmatic approach, as recommended long ago, and included in the purpose and need statement the desire to improve or enhance the quality of life on Guam, the range of alternatives would have dealt with key issues raised about indirect effects outside the military "footprint." This includes the disposition of the construction work force. The scope of analysis and range of alternatives is too narrow, and the action alternatives are not substantively different from one another in terms of the impacts they engender. The NPS recommends other alternatives be developed to assess impacts on Guam as a whole, since it clearly will be affected significantly in many respects by a 45% population increase. The NPS also suggests that, military budgets and timeframes notwithstanding, what is needed to comply with NEPA and other law and policy is the publication of a new DRAFT EIS/OEIS that incorporates all necessary information (analysis, biosecurity, mitigation, and infrastructure needs) and an appropriate range of alternatives.

#### **Adequacy of DRAFT EIS/OEIS Impact Disclosure**

NPS finds the analysis of resource impacts from the proposed CVN actions inadequate. The analysis is absent or arbitrarily truncated; as such, it ignores the potential for indirect impacts on marine resources of the Asan Beach Unit of War in the Pacific NHP. Despite expressions of concern by the NPS beginning at scoping, the DRAFT EIS/OEIS is silent on potential direct and indirect impacts on park units, which as

elaborated upon above are highly significant and unacceptable. It is in the interest of both DoD and NPS that there be adequate disclosure and analysis of these impacts. The decision maker must consider all relevant impacts, including these, prior to making a decision. The public is entitled under law to review a Draft EIS that is complete and comprehensible. Unfortunately, it would appear that the requisite analyses and disclosures, among other things, are not present in the DRAFT EIS/OEIS precluding an adequate public review. The NPS requests inclusion in the FEIS of information presented here, and suggests it be placed in Volume 8, Chapter 2 or its equivalent when the FEIS is published. Alternatively, this entire assessment could be placed in an appendix and summarized in Volume 8. The NPS views its assessment as substantive throughout and it must be published with the FEIS in any event.<sup>28</sup> The NPS recommends, generally, that DoD revisit its procedures and incorporate thorough and rigorous analyses of indirect impacts for all topics. NPS suggests that the inadequacy of the disclosure merits the publication of a new DRAFT EIS/OEIS.

### **Recommendations**

Due to the extent of possible impacts during implementation of the decision, the NPS encourages DoD to become a partner in contributing to the protection, preservation, maintenance, safety, and enhancement of national parks. Considering the essential nature of these park units as commemorating the bravery and sacrifice of members of the armed forces, this would seem to be a highly logical and mutually beneficial step. Similarly, recognition of the National Historical Landmark on Tinian as a vital piece of military history should represent a unique opportunity for DoD/NPS partnership.

The NPS strongly recommends attention to the logistics of the construction work force and mitigation for their housing and transportation so as to eliminate or minimize the potential for off-base impacts. As a connected action, this issue should be explored by evaluating it in several alternatives in the DRAFT EIS/OEIS, in addition to the assumption that the construction workforce will leave Guam by 2017<sup>29</sup>. The NPS recommends this be accomplished in the FEIS or, more appropriately, in a new DRAFT EIS/OEIS.

NPS recommends that DoD review, consider and implement as appropriate the mitigation measures listed in this document; however, this list should not be considered exhaustive. As stated above, DoD should commit to full collaboration on an adaptive management strategy that addresses long term monitoring and mitigation of impacts to the NPS resources and values discussed in these comments. NPS further recommends that, in accordance with CEQ regulations, the eventual record of decision state whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why not. In practice, for most agencies, this means that the proponent must commit to mitigation measures expressed in the EIS to achieve acceptable levels of impact, and demonstrate proponent's ability to implement the measures. If measures presented in an EIS are not to be adopted, proponent agencies must explain why not.

In addition, an agency must (shall) specify a monitoring and enforcement program within a ROD to be adopted and summarized for any mitigation.<sup>30</sup> Beyond the ROD, during implementation, there are stipulations in the CEQ regulation about conditioning the funding of actions on mitigation, about informing commenting agencies on progress in carrying out mitigation they had proposed and making

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<sup>28</sup> 40 CFR 1503.4(b)

<sup>29</sup> Volume 2, Chapter 16, section 16.2.2.1 Population Impacts of Proposed Alternative.

<sup>30</sup> 40 CFR 1505.2(c)

monitoring results available to the public.<sup>31</sup> NPS recommends that DoD articulate its intentions regarding these provisions in the ROD.

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<sup>31</sup> 40 CFR 1505.3

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|------|------|------|----------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      |      |      | Global comment | Mitigation                                                  | Mitigation measures state what DoD "can" do, but not what they actually will do. In the Record of Decision (ROD) this should be clarified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|      |      |      | Global comment | Climate Change                                              | The Draft EIS/OEIS should also analyze long term effects of climate change on each of the alternatives. Will the proposed actions have a positive or negative impact on Guam and the CNMI capacity to adapt to changes in sea level, temperature, rainfall, and extreme weather events?<br>Although NPS does not specifically oppose the military relocation it finds process issues resulting in inadequate range of alternatives, and precluding the assessment of impacts on NPS lands. NPS believes the Draft EIS/OEIS could have been developed more programmatically within the timeframes, thereby being more comprehensive and comprehensible at the same time. NPS also believes that sufficient attention to public and other agency issues following scoping could have resulted in a range of alternatives that would better address the indirect, but significant, adverse impacts especially on Guam. In the current range of alternatives, the no action alternative is the only one that would be less damaging to NPS interests and concerns. All the other alternatives, unmitigated, would have the same potential for unacceptable level of impact in regard to lands and programs in NPS jurisdiction. Were DoD to have developed a programmatic approach, as recommended during partners meetings long ago, and included in the purpose and need statement the desire to improve or enhance the quality of life on Guam, the range of alternatives would have dealt with key issues being raised about indirect effects outside the military "footprint." This includes the disposition of the construction work force. The scope of analysis and range of alternatives is too narrow, and the action alternatives are not substantively different in terms of the impacts they engender outside the footprint. NPS recommends other alternatives be developed to assess impacts on Guam as a whole, since it clearly will be affected significantly by a 45% population increase, short term and a 20-30% increase long-term. NPS also suggests that, military budgets and timeframes notwithstanding, what is needed is the publication of a new Draft EIS/OEIS that incorporates all necessary information (biosecurity, mitigation, infrastructure needs) and an appropriate range of alternatives. |
|      |      |      | Global comment | Adequacy of the scope of analysis and Range of Alternatives | Despite expressions of concern by NPS from scoping, the Draft EIS/OEIS is silent on potential indirect impacts on park units. It is in the interest of both DoD and NPS that there is adequate disclosure of these impacts. The decision maker must consider all relevant impacts, including these, prior to making a decision. The public is entitled to review an Draft EIS/OEIS that is complete and comprehensible. Unfortunately, it would appear that the requisite analyses and disclosures, among other things, are not present in the Draft EIS/OEIS/Draft EIS/OEIS and that will preclude an adequate public review as required by CEQ regulations and NEPA. A good example is the lack of a biosecurity plan, which will not be available until after the ROD is to be published, though it is absolutely critical to the analysis and decision to be made. In NPS' view, our assessment is substantive throughout and must be published with the Final EIS/OEIS in any event. NPS recommends, generally, that DoD revisit its procedures and incorporate thorough analysis of indirect impacts for all topics. NPS suggests that the inadequacy of the disclosure merits the publication of a new Draft EIS/OEIS/Draft EIS/OEIS.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|      |      |      | Global comment | Adequacy of disclosure and presentation of critical data    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|   |                |                                                        |    | <p>Beyond the disclosure in the Draft EIS/OEIS, as a result of possible impacts experienced during implementation of the decision, NPS encourages DoD and Navy to become a partner with NPS in contributing to the protection, preservation, maintenance, safety, and enhancement of national parks. Considering the essential nature of these park units as commemorating the bravery and sacrifice of members of the armed forces, this would seem to be a highly logical and mutually beneficial step. Similarly, recognition of the National Historical Landmark on Tinian as a vital piece of military history should represent a unique opportunity for DoD/NPS partnership.</p> <p>NPS strongly recommends attention to the logistics of the construction work force, and provides mitigation for their housing and transportation as to eliminate or minimize the potential for off-base impacts. As a connected action, this issue should have been explored by evaluating it in several alternatives in the Draft EIS/OEIS. In addition to the assumption that the construction workforce will leave Guam by 2017, NPS recommends this be accomplished in the Final EIS/OEIS or, more appropriately, in a new Draft EIS/OEIS.</p> |
|   | Global comment | Mitigation of Impacts on National Parks                |    | <p>Recommended mitigation for impacts on natural resources within and near national park units is provided in NPS Comments on pages 29-31. The Consolidated Natural Resources Act of 2008 provides NPS with authority to spend funds with willing partners to improve natural resources outside park boundaries regardless of ownership.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|   | Global comment | Mitigation of Impacts on National Parks                |    | <p>If the Draft EIS/OEIS does not adequately disclose the potential direct and indirect impacts on the park units, then, by extension there will be no adequate evaluation of cumulative impacts. The potential for indirect impacts on the parks is superimposed on current park conditions, which are at or near a threshold of acceptability. Park staffing currently is not sufficient to deal effectively with issues of pollution, sedimentation, reef impacts, ORV use, solid waste, illegal use and occupancy, and other significant problems associated with use by the present population. All such considerations are matters of park service regulation and policy. With a population increase such as that being proposed, NPS is concerned that its resources and staff are likely to be overwhelmed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                     |
|   | Global comment | Cumulative Impacts                                     |    | <p>The Draft EIS/OEIS is too lengthy, complex, laden with jargon, and generally not in compliance with CEQ regulations that require a document to allow effective review by the public. NPS believes the document could have been written to be more comprehensible to the general public without additional expenditure of time and money. DoD should recognize, if it is serious about dealing with public comment, that people cannot comment effectively on what they don't understand. 40 CFR 1500.1 (b), 1500.4(e), (b), (d), and (f), et al.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1 | Global comment | Paper work reduction and clarity of the Draft EIS/OEIS |    | <p>Regulation would be provided at the housing operations. Workers would be provided transportation by the housing operators or take mass transit to public recreation and entertainment facilities." The impacts of contract workforce on recreation facilities on Guam is not analyzed in the Draft EIS/OEIS.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|   | 2.7.1.10       | Work Force Recreation                                  | 35 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|   |                |                                                        | 2  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| 2 | 9  | 31    | 1                       | Recreational Resources            | "MCCS is planning for additional recreational facilities on Guam to meet the demands of the Marines and their dependents relocating to the area; this would serve to minimize impacts from increased demand resulting from implementation of the proposed action." Some recreational opportunities cannot be duplicated such as visits to the actual WWII landing beaches, diving WWII sunken vessels, or views from scenic vistas. There should be a discussion of recreational impacts from contract laborers, who will outnumber DoD personnel during the initial buildup years. Specify whether these "facilities on Guam" will be open to the public, or within military installations for DoD personnel only. (see comments below)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2 | 18 | 26    | 18.2.8                  | Safety                            | No mitigation given for UXO. If access to popular Apra Harbor dive sites is limited, there will be increased recreational diving activity at sites such as Camel Rock (where UXO was dumped). DoD should take responsibility for mitigation at this site to provide for safety of all divers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2 | 9  | 10    | Fig. 9.1-5              | Recreational Resources            | NPS Visitor Center not included on map. See map on page 2 of NPS comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 2 | 9  | 12    | Fig. 9.1-6              | Recreational Resources            | NPS Agat Unit, including Galan and Apaca Points, not included on map.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 2 | 16 | 41-42 |                         | Socio-economics                   | "If there are a large number of 'stay-behind' workers (in-migrants that migrate for construction-period jobs and stay on Guam), the decline in population from the beginning of 2014 to the end of 2016 will not be as dramatic as shown in the population impact calculations below. If the stay-behind worker phenomenon leads to increased in-migration over time, then the population in the years 2017 forward would increase at a faster rate than illustrated." The DoD presents no rationale for an assumption that all in-migrant labor will leave in 2016. No examples of this phenomenon elsewhere in the world are provided. Thus, it appears to be speculation rather than an informed assumption.<br>Temporary Workforce Housing and "Stay-behind" worker housing "are not included in the housing analysis" (p. 16-54). The Draft EIS/OEIS also states that, "In reality it is unlikely that construction of new housing would fully respond to the demand to eliminate a housing deficit. ...Impacts would be adverse if sufficient housing supply cannot be developed and results in crowding, continued price increases, and/or substandard housing development. " This implies a significant adverse impact. The NPS is concerned that a lack of housing will force people to live on public lands, including the park. This is also summarized in Table 16.2-52 on page 16-86 and does not show that it will be mitigated for the construction phase. |
| 2 | 16 | 60    | Civilian Housing Demand | Socio-economics                   | "Significant adverse impact to public service agencies influenced by population increases due to difficulty in recruiting and funding adequate staffing during operational phase." There is no mitigation for that impact. "Significant adverse impacts to public service agencies influenced by population increases, due to difficulty in meeting fluctuating staffing requirements following the construction phase with an existing environment of staffing and budget shortfalls and recruitment complications." The NPS operations would be impacted by these same issues. Although the NPS enjoys a successful partnership with the Navy in attracting volunteers for park projects, most military dependents and spouses lack the specialized professional level skills needed to qualify for employment (suggested as mitigation).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2 | 16 | 97    | Table 16.2-52           | Socio-economics (Public Services) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| 2 | 16 | 100 | Table 16.2-52 | Socio-economics (Crime) | "Significant adverse impact due to increased overall crime, prostitution, alcohol/substance abuse, domestic offenses, and fights" would also affect the NPS. Crime and social disorder in the community spill over into recreational areas, thus the NPS will be impacted and need more law enforcement staff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3 | 12 | 1   | 12.1.1        | Cultural Resources      | In addition to archaeological and architectural resources, and traditional cultural properties, the document should also consider historic resources (districts or cultural landscapes) to perhaps unite the various assortment of properties into a more coherent picture. In addition, the document's use of the traditional cultural property seems underdeveloped, in that it does not explore fully the ramifications of a cultural group's decision to propose that a site be designated as a traditional cultural property for the National Register of History Places—and potentially be in direct conflict with the proposed action.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 3 | 12 | 14  | Fig 12.2-1    | Cultural Resources      | Significance of pink colored areas is not identified in the legend.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 3 | 12 | 17  | 12.2.2.2      | Cultural Resources      | As noted in the non-labular NPS comments, the impacts assessed in this section for the construction of the training facilities on Tinian do not offer reasons for the site selection of these facilities given the knowledge presented of the significant archeological sites that would be impacted. These alternatives also do not adequately address public access to the NHL during construction and once the ranges are operational, despite describing a series of check points for visitor safety. At the very least, the Draft EIS/OEIS should point out that restricted access, though evidently limited to 16 weeks a year, is an indirect adverse effect on the NHL. The Draft EIS/OEIS does not attempt to predict how the firing range training would coincide with training under the MIRC that would take place in the northern part of the island at North Field NHL, potentially further affecting public access to the NHL. It is also vague on what the total impact of all the training and facilities development would be on the NHL, for the numbers vary and it seems quite possible that the NHL would experience a tremendous increase in use. |
| 3 | 12 | 17  | 12.2.2.3      | Cultural Resources      | Although the PA will cover much of this, the mitigation presented does not appear to be mitigation but simply statements of fact. Regarding impacts about access, there are no real guarantees or plans in place for visitors or residents to access the NHL or other areas. A plan of some kind will need to be in place to ensure access. For now, access seems to be something the military will decide on its own and control accordingly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3 | 12 | 24  | Table 12.2-4  | Cultural Resources      | Regarding impacts to historic properties, it is not clear when the two TCP's were formally determined eligible for the National Register and if they are eligible what constitutes an adverse effect.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 4 | 9  | 2   | 3             | Recreational Resources  | "To alleviate potentially significant impacts to the existing recreational resources at Apra Harbor during carrier visits, it is suggested that additional on-base shuttle bus and taxi services be made available to ensure Sailors and airmen have the ability to access comparable and/or alternate recreational resources off-base." This does not analyze the impact to off-base resources during carrier visits when over 5,000 people could be seeking recreational opportunities within a limited time period. It also appears to contradict the strategy in Volume 2 where additional recreational facilities on Guam are planned to alleviate the impacts on existing facilities and sites.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| 6 | 3  | 53 | 3.2.3.3      | Water                  | Long-term alternative 1. Recommend against development of Lost River dredging, damming, and pumping into Fena Reservoir or water treatment plant. This would impact viable organisms and habitat upriver.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 6 | 3  | 54 | 3.2.3.4      | Water                  | Long-term alternative 2. Desalinate brackish water by reverse osmosis (solar powered) to prevent discharge of hypersaline water into coastal receiving waters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 6 | 11 | 16 | Table 11.2-5 | Recreational Resources | SI-M (Significant Impacts-Mitigable) is shown in table, but preceding pages state no mitigation needed. This also contradicts the Summary of Impacts in Volume 7, p. 3-23, Table 3.3-20, which shows NI (No Impact) on recreational resources for any of the actions in Volume 6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 6 | 11 | 9  | 1            | Recreational Resources | "These temporary workers and their family members would increase the use of recreational facilities during the peak construction period. Because the increase in the number of construction workers has been projected 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." Specify what planning documents and how the impacts have been addressed in them. It is inappropriate to assume that Guam and other agencies will absorb this impact. This statement implies DoD leaves the responsibility for its actions up to other agencies.                                                                                                                                                                                                                                                                                                                                                                                      |
| 7 | 3  | 23 | 2            | Recreational Resources | "...a wide range of recreational facilities are proposed at the Main Cantonment site by the Marine Corps Community Service (MCCS)... to relieve potential impacts to the existing recreational resources on DoD, federal, and public properties..." Volume 2 mitigation suggests 'new facilities on Guam' will be planned. Volume 4 suggests transient military personnel be shuttled to resources off-base, and this volume proposes facilities at Main Cantonment. These strategies appear to conflict with each other. Also, see comments above that new facilities on military installations cannot duplicate the experience of certain sites on island and that impacts of recreation use by contract laborers should be included in analysis.                                                                                                                                                                                                                                                                                 |
| 7 | 3  | 77 | 4            | Secondary Effects      | "A Compatibility Sustainability Study (CSS) is being prepared as a joint effort between GovGuam and the military...The CSS would likely address many of the secondary impacts anticipated under the preferred alternatives." The CSS will not be completed until the end of 2010 or early 2011 (from one.guam.gov website). If the mitigation strategies addressing these secondary impacts have yet to be developed, the impacts of the proposed actions cannot be analyzed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 7 | 3  | 78 | 3.4.3        | Natural Resources      | "A secondary impact of the buildup on federal lands is the increased pressure to restore, protect and preserve natural resources on non-federal lands. Local legislation may need to be more aggressive in providing environmental protection and enforcement. Local and federal agencies may need to be more aggressive in applying for and obtaining grants, and discretionary funds to support the local natural resource managers. Additional funds could be required for watershed management studies, managing geographic information system (GIS) databases, pilot studies, natural resources monitoring, and public education. Labor and facilities would be required to support the biosecurity plan (described in Chapter 2) that is being developed. Insufficient budget and staff to enforce environmental management programs could be an adverse secondary impact." Since these are impacts from the buildup, they should be mitigated by DoD and not left to other agencies that have insufficient budget and staff. |

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| 7 | 3 | 79 | 3.4.8       | Recreation, Cultural and Tourist Activities              | <p>"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. Secondary impacts associated with a larger population on Guam might include increased vandalism of recreational and cultural sites, not necessarily from the military and their dependents." Since these are impacts from the buildup, they should be mitigated by DoD, not left to other agencies, including the NPS, that have insufficient budget and staff.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 7 | 4 | 5  | Table 4.3-1 | Cumulative Impacts                                       | <p>Use of the island of Pagan, CNMI, as a future Marine Corps training site is not included in reasonably foreseeable projects, presumably because it does not take place on Guam or Tinian; however, those actions may be connected if resource impacts on one island are to be mitigated on another. It is a major undertaking that should be analyzed for cumulative impacts given the close geographic proximity and similar natural and cultural resource values.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 8 | 2 |    |             | Disclosure of impacts on NPS lands in the Draft EIS/OEIS | <p>Since DoD has not included disclosure of impacts on the national park service, or its units and stewardship responsibilities on Guam and CNMI, there are no volume, chapter, page or paragraphs to refer specifically to. Hence, those columns appear blank in some of these entries. NPS comments provided in its comment letter would apply to many sections throughout the entire document as written. As stated in several JGPO partner meetings, NPS concerns range from terrestrial and marine resources to cultural and historic to social and economic, and our comments cover this range. Essentially, our comments provide the affected environment and analysis of impacts lacking in the Draft EIS/OEIS. For a convention NPS suggests that it would be appropriate and economical to place its analysis in Volume 8, Chapter 2, Consistency with Other Federal, State, and Local Land Use Plans, Policies and Controls. This is because the proposed action(s) do have impacts that would conflict with the mandates and policies of NPS, as described in our comment letter on pages 6-9. This convention is used for following comments. As an alternative, NPS suggests that a suitable and complete summary of those impacts be placed at this location, while incorporating the NPS comment letter by reference or duplicating it in its own appendix.</p> |

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| 8 | 2 | Disclosure of impacts on NPS lands in the Draft EIS/OEIS                                   | DoD has dismissed NPS concerns about indirect impacts on the national parks, without providing any rationale. Simply to say that such impacts are outside the scope of analysis is not sufficient. Indirect impacts are those engendered by proposed or connected actions that occur later in time or further in distance. Indirect effects may include growth including effects such as changes in land use patterns and population density. See 40 CFR 1508.8. National Park Units are significant, in accordance with CEQ regulatory criteria, particularly in that these units are listed in the National Register of Historic Places. NPS maintains that, under CEQ significance criteria, possible impacts on the national park system must be discussed and considered in a Draft EIS/OEIS. Further, even if DoD disagrees with NPS, it must still report NPS analyses pertaining to its jurisdiction and special expertise. 40 CFR 1502.9(e) states that an agency shall make every effort to disclose and discuss at appropriate points all major points of view on the environmental impacts of the proposed action and alternatives to it. The major impacts are summarized in following comments. However, NPS requests that the page references provided in the summary comments be reviewed and that the many substantive comments therein be attended to. |
| 8 | 2 | Impact on NPS lands from population growth and the construction work force                 | NPS believes that the proposed action(s) will have significant indirect impacts on the National Park Service and its units particularly on Guam. To summarize: a variety of impacts would result from population growth and unregulated and unmitigated disposition of the workforce during and after peak construction phases. This includes consideration of housing, sanitation, wastewater, water supply, food service, transportation and recreation. These potential impacts are documented on pages 27 through 37 of the NPS comment letter. The comment letter supports the assessment of impacts by providing discussion of NPS authorities (laws and policies) and describes the current condition of the parks. NPS requests that these impacts be disclosed in the Final EIS/OEIS, and considered in the record of decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 8 | 2 | Impact on NPS units from long term changes in the marine environment                       | NPS believes that the proposed action(s) will have significant indirect impacts on the National Park Service and its units particularly on Guam. To summarize: Long term and significant indirect impacts on the marine environment within NPS Agat and Asan Beach Units could result from dredging and loss of coral in Apra Harbor. These potential impacts are documented on pages 27 through 29 of the NPS comment letter. The comment letter supports the assessment of impacts by providing discussion of NPS authorities (laws and policies) and describes the current condition of the parks. NPS requests that these impacts be disclosed in the Final EIS/OEIS, and considered in the record of decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 8 | 2 | Impact on NPS units from long term military, civilian, and other induced population growth | NPS believes that the proposed action(s) will have significant indirect impacts on the National Park Service and its units particularly on Guam. To summarize: Long term and significant impacts could occur from a percentage of the permanent increased military and civilian population of over 33,000 that choose to recreate on public lands in and adjacent to national park units, especially if they engage in diving, fishing, and ORV use. These potential impacts are documented in the NPS comment letter. The comment letter supports the assessment of impacts by providing discussion of NPS authorities (laws and policies) and describes the current condition of the parks. NPS requests that these impacts be disclosed in the Final EIS/OEIS, and considered in the record of decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 8 | 2 | Impacts on National Park Units and their Significance    | With reference to the term "significance," the Draft EIS/OEIS must evaluate the context and intensity of the impact, and consider the extent to which the action is proximal to unique characteristics of the geographic area such as historic or cultural resources, park lands.... and ecologically critical areas. Further, the Draft EIS/OEIS must evaluate the degree to which the action may adversely affect sites, structures, or objects listed in the National Register of Historic Places or may cause the destruction of significant scientific, cultural or historical resources. Since War in the Pacific NHP, which is listed in the National Register, and resources within it, meet the criteria expressed in this section of the regulations, the Draft EIS/OEIS needs to disclose the requisite analysis specific to the parks, and make a determination of significance. It is our concern and our preliminary conclusion that the impacts are likely to be significant, by definition. |
|   |   | Impacts on National Park Plans, Policies and Controls    | The CEQ regulations also require that the proponent evaluate and disclose possible conflicts between the proposed action and the objectives of Federal land use plans, policies, and controls for the area concerned. In this case, the Draft EIS/OEIS must specifically consider the plans, policies and controls for the national park units on Guam and CNMI. The park units each are managed according to a formal plan, and must conform to a large body of National Park Service policies and regulations. These impacts are discussed in the NPS comment letter, as supported by a presentation of the NPS authorities.                                                                                                                                                                                                                                                                                                                                                                              |
| 9 | B | Cooperating Agencies                                     | NPS letter to Commander Scott Hinton, dated July 20, 2007, requesting additional information before NPS could formally accept invitation to serve as a cooperating agency, was never acknowledged by DoD.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 9 | C | Agency Correspondence                                    | This should include agency responses to public scoping and other non-privileged correspondence throughout the process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 9 | H | GCD                                                      | Coastal Zone Consistency Determination not yet available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 9 | E | HEA                                                      | There is no data provided for the discount rate in the Habitat Equivalency Analysis (HEA) for marine resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9 | G | Resource Technical<br>Chap 2-3                           | Draft EIS/OEIS Resource Technical Appendix is inadequate; list of terrestrial species includes marine invertebrates and fishes; and terrestrial species are listed in the marine biological resource section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 9 | G | Disclosure of Impacts on NPS lands in the Draft EIS/OEIS | Appendix G lists recreation sites on Guam, and includes incorrect and incomplete references to units of War in the Pacific National Historical Park. NPS points out that the mission for the park and its units is not specifically and exclusively that of recreation. As explained under NPS Mandates in the NPS comment letter, the fundamental mission incorporates visitor enjoyment as a component of the broader mission to protect the historic and natural resources, and honor the dead of WWII. NPS requests that units of the national parks on Guam, Saipan and Tinian be correctly identified in the Draft EIS/OEIS, and that impacts on them be disclosed. See Figure 1, and unit descriptions under Current Conditions section, of the NPS comment letter.                                                                                                                                                                                                                                  |

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| 9 | J | Supplemental<br>Aircraft<br>Carrier<br>Marine<br>Surveys | Peer review of the marine resources technical report by Dollar et al. (2009) apparently does not include specialists who has worked on coral reefs in Guam. An email characterizing the peer reviews as finding lack of problems in the marine technical report does not reflect many comments by peer reviewers regarding problems in the technical report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9 | J | Supplemental<br>Aircraft<br>Carrier<br>Marine<br>Surveys | DoD should state that it will follow Gov Guam Compensatory Mitigation Policy in addition to CWA and other Federal policy.<br><br>Supplemental CVN Marine Survey does not provide a spatial or temporal context. For example, there are no control sites. The survey report by Dollar et al. (2009) has no measures for ecosystem function, which limits the usefulness of the entire report for impact analysis or for mitigation purposes. The choice of parameters measured is not shown to actually respond specifically to changes in water quality cf. not some other disturbances. Marine survey transects were only 10 meters long. A 25-50 meter long transect is needed to adequately sample rare taxa and habitat heterogeneity. This problem in sampling "design" significantly weakens the validity of the marine survey report results. In the analysis of photoquadrat images 50 points are used rather than 5-20 points. Besides greatly oversampling photoquadrat images at what must have been high cost, the large number of sampled points can often result in significant problems with autocorrelation of data. Size frequency of corals was not sampled as stated, rather small coral colony density was. Discussion of results on pigmentation of corals simplistically assumes that dark is equivalent to healthy, however corals can change pigmentation, and increases in pigmentation can be correlated with increase in nutrients. Macroinvertebrate data was not analyzed in a benthic community context; such data are as informative of habitat status as photoquadrat data. Photoquadrats alone do not capture much of the information needed to assess coral reef condition. Sediment grain size distribution and percent organic content is needed, not carbonate composition. Sediments are undersampled in the horizontal and depth dimensions. As such sediment data cannot be used as a predictive variable for benthic data. Sampling design confuses strata for sea floor and reef top sites. Multivariate analyses are unselective and redundant. Remote sensing data accuracy is less than the average for such studies 76% versus 80-90% accuracy. Use of remote sensing data seems somewhat overstated given the small area sampled. Dredge effects on reefs extend considerably beyond 200 meters, depending on hydrodynamics and grain size distribution. Sediments can be carried kilometers away from dredge site, with many negative impacts on corals which may be sublethal or lethal. |

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| 9 | J | Supplemental Aircraft Carrier Marine Surveys | <p>The marine survey report has minimal value since the entire footprint of the dredging project impact area is not well defined and delimited other than the actual dredge area. The marine data are of limited utility for HEA, and only for the actual dredge area; the survey is not at all effective with respect to the broader dredging impacts beyond the rather limited 200 meter adjacent area considered. Table 7 is missing or mislabeled. Additional studies are needed on nearshore ocean circulation in Apra Harbor and along adjacent coastlines for 1-3 miles. No dredging curtain system is fully effective, particularly in areas with complex topography or relief such as coasts, wharves or reefs. There is no analysis of impacts from dredged sediments on wetlands, including mangrove forest important as nursery habitat for coral reef species, or for streams draining into Apra Harbor. The area indicated as indirect likely does not represent the full area of coral reef that will be potentially affected. Survey data are not applicable input for analysis of reefs deeper than 60 feet, or beyond the "direct" area. Assumptions regarding upland disposal of dredge materials are not supported by evidence. How is 100% of storm water capture and pretreatment to be accomplished? Approximately 3.5 acres of intertidal habitat would be filled. How will this be mitigated? There is no basis in evidence for statements made in 4-31 Section E and 4-37 subpart E, regarding no significant impacts to or no adverse effects on special status species, sanctuaries and refuges, or (230.4) coral reefs.</p> |
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**Comments from the Guahan Coalition for Peace and Justice  
to the Draft Environmental Impact Statement/Overseas  
Environmental Impact  
Statement on the Guam and CNMI Military Relocation**

**The Relocation of Marines from Okinawa, Visiting Aircraft Carrier Berthing,  
and Army Air Missile Defense Task Force**

**I. BACKGROUND INFORMATION**

**G-506-001** The Guahan Coalition for Peace and Justice was formed in September 2006 by Chamoru women living on Guahan (Guam) out of concern for the threat to the safety of women and children on our island, as a result of the announcement of the United States-Japan Realignment Initiatives signed in May 2006. The Realignment Initiatives indicated the U.S.'s intentions to increase its military presence on Guahan by transferring 8,000 U.S. Marines from Okinawa, Japan to Guahan. Upon thoughtful review, Chamoru women became aware of the Okinawan resistance movement to U.S. military presence, particularly as a result of voluminous sexual and heinous crimes committed by U.S. military members towards women and female children. It was this awareness that prompted local women (consistent with their traditionally matrilineal social order) to organize and give voice to these concerns. The focus on peace and justice is central in light of the ongoing issue of Guahan as a modern-day colony (formally, an unincorporated territory) of the United States. Particular emphasis is made on keeping Guahan, our island home, safe and sustainable for our children and generations to come. The Guahan Coalition for Peace and Justice is comprised of the following member organizations: Chamorro Studies Association; National Association of Social Workers, Guam chapter; Conscious Living; Guam's Alternative Lifestyle Association; and the Chamoru Nation.

**G-506-002** The recent release of the Draft Environmental Statement (DEIS) has raised numerous concerns about how the relocation plan is designed and more specifically, how it will impact the lives of people living outside of the military footprint. In an effort to be compliant with the National Environmental Policy Act of 1969, the DEIS process is intended to, "assess the potential environmental effects associated with the proposed military activities"(DEIS, Executive Summary, Abstract). Our coalition has reviewed sections of the DEIS since its release on November 20, 2009. In our conclusions and in response to the voluminous document that is the DEIS, the Guahan Coalition for Peace and Justice recommends the "**NO ACTION ALTERNATIVE**" on the Marianas Build-Up. We take this position based on concerns in the areas of impact on general human services, public safety, the environment, and the Chamoru

**G-506-001**

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.

**G-506-002** | people and culture. However, before a discussion on these issues is presented, the Guahan Coalition for Peace and Justice is keen to assert that the alternatives examined in the DEIS, and the information provided, are inadequate and do not meet NEPA requirements and CEQ Regulations for examination and comparison of alternatives, especially with regard to the "No-Action Alternatives".

**G-506-004** | (1.) The "No-Action Alternative" (Vol.3, Chapt.2.5.4) for development and construction of live fire training ranges on Tinian comprises only two sentences, merely stating that the proposed construction would not occur and that the purpose and need for training as described in Chapter 1 would not be met.

It is reasonable to believe that some or all of this training could be provided elsewhere in the world, possibly at existing facilities, such as but not limited to 29 Palms, California, where over 50,000 soldiers undergo training each year (..... included by reference). Going to Chapter 1 cited above, we find that a primary advantage given for providing this proposed new training facility on Tinian is a saving of travel time for some soldiers undergoing one-week training sessions as they transit to and from Guam, as well as command efficiencies (1.2.2). We also find that the proposed facility is, in fact, not just for soldiers stationed on Guam but also for "training by transient US military forces...joint and multi-national use...(1.2.5).

**G-506-005** | Given the serious environmental and economic impacts of constructing the new live-fire training areas on Tinian, this No-Action Alternative should explore other possible locations for conducting this training, with No-Action on Tinian. Merely dismissing the No-Action Alternative without exploring other ways this alternative could address purpose and need fails to comply with CEQ Regulations Sec. 1502.14:

\* "Rigorously explore and objectively evaluate all reasonable alternatives.... "Include the alternative of no action."

\* "...present the impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public."

CEQ advice on implementing the Regulations states:

\* "In determining the scope of alternatives to be considered, the emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative."  
"Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant."

The DEIS fails to provide sufficient information for decision-makers and the public to decide whether any possible disadvantages in meeting training program needs at other locations, rather than on Tinian, is sufficiently off-set by avoiding the environmental impacts on Tinian. The DEIS fails to clearly identify the extent to which these proposed new training facilities will be

## **G-506-002**

Thank you for your comment.

## **G-506-003**

Thank you for your comment. See responses to the following comments.

## **G-506-004**

Thank you for your comment. Tinian was determined to be the suitable location for firing range alternatives, as described in Section 1.2 of Volume 3. The types of training contemplated on Tinian would be routine and frequent (monthly) in nature; consequently, efficiency of access is essential to sustain combat readiness. When developing alternatives for firing ranges, emphasis was placed on maximizing use of existing DoD properties with reliable access to training resources. Please see Section 1.2 of Volume 3 for more details. The environmental impacts of the No-Action Alternative are analyzed in each Resource Chapter of Volume 3.

## **G-506-005**

Thank you for your comment. Tinian was determined to be the suitable location for firing range alternatives, as described in Section 1.2 of Volume 3. The types of training contemplated on Tinian would be routine and frequent (monthly) in nature; consequently, efficiency of access is essential to sustain combat readiness. When developing alternatives for firing ranges, emphasis was placed on maximizing use of existing DoD properties with reliable access to training resources. Please see Section 1.2 of Volume 3 for more details.

The environmental impacts of the No-Action Alternative are analyzed in each Resource Chapter of Volume 3.

G-506-005 used by transient US and foreign soldiers who are actually stationed elsewhere (not on Guam/CNMI).

G-506-006 (2.) Similar inadequacies as those discussed above are present in the No-Action Alternative for the proposed construction of a transient-capable port in Apra Harbor (Vol. 4). This No-Action Alternative fails to explore any alternative actions that could meet purpose and need consistent with No-Action at Apra Harbor. Furthermore, neither the No-Action Alternative nor the action alternatives provide information that would allow the decision maker or the public to assess how much benefit in terms of increased presence in the Western Pacific could be expected to be derived from the proposed new transient harbor.

The justification provided for the new transient port is that it "increases aircraft carrier presence, as required by the QDR, by reducing the non-availability that occurs when a carrier must perform a long transit to its homeport."

The QDR is a broad conceptual policy document, general in nature, and does not "require" any particular solution. In another location the document more accurately describes the QDR objectives: "One of the QDR conceptual policy initiatives is that the U.S. should strive to position strike forces, which include aircraft carrier and airwing capabilities, in forward locations that support flexibility and speed of response to anywhere in an unpredictable environment. (1.1.3.1.). It is reasonable to believe that there are a variety of ways these objectives of the QDR could be accomplished other than construction of a new transient-capable port at Apra Harbor.

The DEIS states that an aircraft carrier would be expected to be at the new transient port at Apra Harbor for up to 63 days a year, compared to approximately 14 days per year at Apra Harbor in recent years. (1.1.1). However, this should not be interpreted as increasing the availability of a carrier near potential crisis areas. An aircraft carrier docked in the proposed new transient port is likely to be undergoing resupply or repairs, and the document states that response out of a transient port is slower than for ships on port visits. Therefore, one of the other five carriers assigned to the Pacific may be more likely to be available for first response in a crisis than a carrier docked at the proposed transient-capable port at Apra Harbor. Also, the document states that transient ports do not provide family accommodations, so carriers would still need to return to home port periodically, putting a limit on the "enhanced rotational presence" (1.1.2) expected by reducing trips to the home ports.

G-506-007 With regard to coral reefs present in Apra Harbor, Executive Order 13089 Coral Reef Protection, states in Sec. 2. Policy:

- a. All Federal agencies whose actions may affect U.S. coral reef ecosystems shall:
  - (a.) identify their actions that may affect U.S. coral reef ecosystems;
  - (b.) utilize their programs and authorities to protect and enhance the conditions of such ecosystems; and
  - (c.) to the extent permitted by law, ensure that any actions they authorize, fund, or carry out will not degrade the conditions of such ecosystems.

## G-506-006

Thank you for your comment. Chapter 1, Volume 4 describes the purpose and need for the action. Specifically, Section 1.1.2 provides a bulleted list that outlines the need and benefits to increasing the aircraft carrier presence in the Western Pacific. Some of these benefits include maintaining regional stability, peace and security, defending U.S., Japan, and other allies' interests, and having a strong local command and control structure.

As discussed in Volume 1, Section 1.4.3, the Quadrennial Defense Review (QDR) provides part of the basis for the proposal to create the capability to support a transient nuclear-powered aircraft carrier. It is agreed that the QDR only provided broad guidance regarding aircraft carrier presence. However, the action proponent developed a new concept to meet that requirement, support for a transient nuclear-powered aircraft carrier in the Western Pacific region. To refine the concept, however, an appropriate location still had to be determined. NEPA is only applicable to proposed actions. There was no "proposed action" and NEPA, with its alternatives analysis, was not applicable.

When the action proponent chose to move forward with its concept and consider potential berthing locations, NEPA became applicable to the development of alternative locations. As discussed in Volumes 1, Section 1.4.2, and Volume 4, Section 1.1, the locations for the transient support had to meet the overall purpose and need for the action which included not only the guidance from the QDR, but also: 1) treaty and alliance requirements; 2) freedom of action (use of a base without restrictions, including implementation of force protection measures to deter/avoid terrorist attacks); and 3) response times to potential areas of conflict. Ultimately, Guam was the only location that met all the criteria. Development of a transient-capable port close to the area of responsibility (AOR) increases aircraft carrier presence, as required by

G-506-008

b. Exceptions to this section may be allowed under terms prescribed by the heads of Federal agencies:

- (1) during time of war or national emergency;
- (2) when necessary for reasons of national security, as determined by the President;
- (3) during emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution; or
- (4) in any case that constitutes a danger to human life or a real threat to vessels, aircraft, platforms or other man-made structures at sea, such as cases of force majeure caused by stress of weather or other acts of God.

The DEIS fails to explain the how the project proponents propose to comply with Executive Order 13089, in light of the need to dredge extensive areas of coral reef in order to construct the proposed new transient harbor in Apra Harbor. The DEIS fails to provide specific information that would allow the decisionmaker and the public to assess how much benefit in terms of increased presence in the Western Pacific could be expected to be derived from the proposed new transient-capable harbor, and thus to evaluate potential environmental trade-offs.

The DEIS states: "Australia, Singapore, Hong Kong, Japan, and Guam are much closer to potential crises areas and the response times would be significantly shorter (than California or Hawaii); therefore, they were retained as potential locations for development of extended aircraft carrier transient capabilities." However, the document fails to examine these other possible locations, as an alternative to Apra Harbor.

G-506-009

## II. IMPACT ON GENERAL HUMAN SERVICES

In consultation with various human services organizations throughout the island, it is clear that programmatic operations will be significantly impacted by the military actions proposed in the DEIS. Human service organizations include both government and non-government sectors. More specifically, government agencies of concern include the Department of Public Health and Social Services, the Department of Mental Health and Substance Abuse, the Guam Memorial Hospital Authority, the Department of Youth Affairs, and the Department of Integrated Services for Individuals with Disabilities. Likewise, our island's Non-Government Organizations (NGO) sector will be impacted. Organizations such as Sanctuary, Incorporated, Oasis, the GUAHAN Project, Victim Advocates Reaching Out, Guam Legal Services Corporation, and the Salvation Lighthouse Recovery Center, who provide vital social services in our community, also stand to be impacted. **Nonetheless, the DEIS does not sufficiently address concerns impacting human service organizations, nor does it propose any mitigation measures to address areas of impact.**

A major point of contention in the DEIS that is not specifically addressed in the document is in determining whose burden it is to pay for infrastructural upgrades to Guam's human service organizations. It is widely known- as reported in the media- that Guam's social service spectrum barely meets the needs of our local community. In consideration of the major population influx

the QDR, by reducing the non-availability that occurs when a carrier must perform a long transit to its homeport. The creation of a transient-capable port comes without the expensive, political or environmental concerns raised by creation of a forward homeport. Guam's Apra Harbor location provides shorter travel and response time to potential crisis within the region. Because Guam is a U.S. sovereign territory, the combination of freedom of action and force protection can be met while meeting operational requirements. The transient-capable port would allow a carrier to remain deployed for longer periods of time by utilizing the berthing for unscheduled repairs, crew changes, logistic support and crew recreation. Transient visits would provide the required operational flexibility to enable multiple carrier strike groups (CSGs) to maximize time and increase carrier presence within the AOR.

G-506-007

Thank you for your comment and concern for the coral reef ecosystem. Regarding (b), exceptions to this section may be allowed under terms prescribed by the heads of federal agencies (2). when for necessary for reasons of national security; as determined by the president.

The location of the new Navy wharf was chosen as the least environmentally damaging alternative, in efforts to affect the least amount of live coral in the area. The proposed area to be dredged is mainly a sand and rubble zone. Based on analysis provided in the EIS, impacts to subsistence fishing/collecting from the proposed action would be minimal, returning to baseline conditions after construction is complete. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish.

The Navy will implement mitigation measures and Best Management

G-506-009

that is projected in the DEIS, it is indisputable that Guam's service network cannot accommodate such an influx. The following discusses the current state of several of Guam's governmental, social service agencies, as well as points of clarification and suggestion in an effort to mitigate significant impacts on our local community. The source of this information is the Civilian Military Task Force, Sub-committee on Health and Social Services Environmental Scoping Comments Report (May 2007); testimonies presented to the Guam Legislature's Committee on Health and Human Services on February 2, 2010; DEIS; and personal communication with social work staff.

G-506-010

Department of Mental Health and Substance Abuse (DMHSA)

DMHSA provides inpatient, outpatient, and residential services for those suffering from mental illness or substance abuse problems and for children with serious emotional disturbances. The department has a 16-bed capacity. Complex cases are sent off-island for specialized treatment not provided locally for adults and children. DMHSA has been the subject of media attention with the potential threat of the federal government putting the agency under federal receivership until services meet a minimum standard of care.

In a news story in the Pacific Daily News on February 8, 2010, the writer stated:

The mental health agency has a poor track record when it comes to providing adequate services to those who need them. A federal court order that requires vast improvements is in place, and the agency faces the prospect of being placed under a federal receiver because the local government hasn't met the requirements and deadlines of the order.

The DEIS Volume 9, Appendix F, reported that the projected increase in population will impact vital DMHSA services. DMHSA staff reported that the build-up will further exacerbate the department's shortage of qualified professionals. In the DEIS Volume 9, Appendix F it also reflects the increase in the usage of psychiatrists and psychologists, man-hours, treatment expectations, military expectations of services (e.g., command directed evaluations, fitness-for-duty, different confidentiality requirements and rules of engagement), and increased expertise in military/combat psychology. In addition, the DEIS reported (Volume 2, chapter 4, 4.4.3) the increased need for psychotropic medication dispensing and prescribing, the utilization of clinic hours, and an increased number of prescribing psychiatrists and psychologists, as well as funding for medications.

The DEIS also reported on the need to increase services to address childhood related disorders and illnesses, increased specialized training needs for clinicians, and the need to develop programs directly related to children and adolescent services (Volume 9, Appendix F). Further, DMHSA staff reported the need for additional correctional, residential, and transitional facilities for children, as well as an increase in the utilization of children's inpatient unit services. Most of these service needs also apply to services for adults. Lastly, an increase in the department's nursing capacity, rape crisis response services, and substance abuse services will need to be taken into account.

Practices during in-water activities (i.e. dredging, wharf construction) to lessen impacts to the marine environment. The U.S. Army Corps of Engineers permits will likely contain requirements for silt curtains, biological monitoring, restrictions in dredging activities during potential coral spawning months, and compensatory mitigation projects.

To compensate for the loss in ecological services provided by coral reef ecosystem, upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources.

Additionally, the DoD, as part of the build-up on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

**G-506-008**

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 has remained 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

Comments and Recommendations

- G-506-011**
- DEIS Vol. 2 Ch. 16, p. 35 states, “According to an Okinawan activist group (Okinawa Women Act Against Military Violence 2009), an estimated 7,000 Filipinas today serve as prostitutes – on entertainment visas – for U.S. military personnel in Okinawa, even though prostitution is illegal in Japan.” Since Guam’s adult entertainment industry is nowhere near this size, will Guam have a repeat of what happened in “the history of U.S. military presence in Okinawa, [where] arguments of justice and jurisdiction surround hundreds of allegations of sexual crimes that have been reported through the years?” The DEIS states that “from 1945 to 1950, 278 rapes by U.S. servicemen were reported and an additional 200 rapes by U.S. military personnel were reported between 1972 and 1997 (Caron 1999).” If this happens who will pay for the trauma to these women such as counseling, mental health services, and drug and alcohol counseling?
- G-506-012**
- Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build up takes place instead of guessing or estimating the impact.
  - There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems. What federal sources of funding can be provided to support such services?
  - According to a presentation held at the legislature on February 4, 2010, Dr. Andrea M.S. Letheiser, a Clinical Administrator for the Department of Mental Health and Substance Abuse reported that in the area of Substance Abuse 20% of their clients are from the military. Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up (~80,000 people).
  - As a mitigation factor, it is recommended that the U.S. Naval Hospital Guam coordinate and provide a professional training program to train Guam-based residents to be qualified practitioners in the areas of psychology, psychiatry, social work, nursing, and other medical fields of practice to fill the shortage in clinical workers available on the island.

Guam Memorial Hospital Authority (GMHA)

The hospital currently has a bed capacity of 208, with 159 beds designated for acute care, 16 for infants, and 33 for long-term care at the Skilled Nursing Unit. The Social Services Supervisor reported that as of the date of this writing, the hospital “has been at 100% capacity for over three weeks in all adult wards.” It is not uncommon for the media to report patients in the hallways of the GMHA waiting for the availability of a room. Further, the lack of specialty care available on island adds another level of complexity, necessitating the transfer of patients to medical treatment centers in places such as the Philippines and the U.S. states of Hawaii and

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.

**G-506-009**

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services and mitigations (Volume 7).

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.

**G-506-010**

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.

- G-506-012** California. The DEIS states, "Without corresponding increases in health care providers, potential health and safety impacts could include:
- Longer wait/response times 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" (Volume 2, Chapter 18, Page 18-16).

Comments and Recommendations

- G-506-013**
- According to DEIS Vol. 2, Ch. 16, p. 22 as quoted from GDPHSS, our population is approximately 160,000 with an estimated 60,000 individuals who are uninsured or underinsured. Guam's federal matching funds for Medicaid is a lower rate than allowed to most other U.S. states and territories at 50% the minimum rate. How will Gov Guam come up with the money to pay for the exhausted cap if the minimum rate is not increased and the population is tripled within a shorter time frame? What can the U.S. military do to ensure raising the Medicaid and Medicare caps applicable to Guam? The build-up should not occur until said caps are lifted.
  - As stated in DEIS Vol. 2, Ch.16, p. 21 because of Guam's location, we are susceptible to health concerns especially from people migrating from the Philippines and Chuuk whose populations often have high rates of hepatitis B, TB, cholera, and Hansen's disease among other public health concerns. The island is currently experiencing shortages of health care providers and lacks specific health care specialists. For every 10,000 residents there are 14.1 active physicians to serve the community. To prevent the spread of TB and any other communicable diseases, there should be a policy made for mandatory testing or screening of all people (H2 workers, military members, dependents, contractors and their family members, etc.) before coming to Guam.
- G-506-014**
- DEIS Vol. 2 Ch. 16, p. 35 states, "According to an Okinawan activist group (Okinawa Women Act Against Military Violence 2009), an estimated 7,000 Filipinas today serve as prostitutes – on entertainment visas – for U.S. military personnel in Okinawa, even though prostitution is illegal in Japan." Since Guam's adult entertainment industry is nowhere near this size, will Guam have a repeat of what happened in "the history of U.S. military presence in Okinawa, [where] arguments of justice and jurisdiction surround hundreds of allegations of sexual crimes that have been reported through the years?" The DEIS states that "from 1945 to 1950, 278 rapes by U.S. servicemen were reported and an additional 200 rapes by U.S. military personnel were reported between 1972 and 1997 (Caron 1999)." If this happens who will pay for hospital bills and screening for HIV and AIDS?
  - Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build up takes place instead of guessing or estimating the impact.

**G-506-011**

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.

**G-506-014**

- There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems.

**G-506-015**

- Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies – including Guam Memorial Hospital - to military personnel and other persons associated with this build-up (~80,000 people).
- As a mitigation factor, it is recommended that the U.S. Naval Hospital Guam coordinate and provide a professional training program to train Guam-based residents to be qualified practitioners in the areas of psychology, psychiatry, social work, nursing, and other medical fields of practice to fill the shortage in clinical workers available on the island.

**G-506-016**

- Since the U.S. Naval Hospital Guam is a state-of-the-art medical facility and there are plans to expand its scope of services, it is recommended that all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) receive medical treatment and services at the U.S. Naval Hospital Guam. This mitigation measure would allow for the “avoidance of impact” to our local community. Related to this are the following specific comments and recommendations:
  - NASW, Guam chapter raises the critical question of whether JGPO or other decisional ranking military members have considered investing in the Guam Memorial Hospital or allowing the civilian community to access services at the U.S. Naval Hospital Guam, so as to share resources in the area of health care beyond the borders of military fences?
  - If all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) are not allowed access U.S. Naval Hospital Guam, JGPO should identify the financial resources to cover the cost of expanding Guam Memorial Hospital Authority’s service spectrum to accommodate the increase in population of approximately 80,000 people. A cost analysis must be completed to determine the total amount of resources necessary to address the infrastructural upgrades to GMHA.
  - If all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) are not allowed access U.S. Naval Hospital Guam, all contractors should provide full and adequate health insurance coverage for all employed workers so as not to add to the 37.5% of the current population who are uninsured or underinsured (as cited in the DEIS, Vol. 2, Ch. 16, p. 72.)

#### **G-506-012**

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services and mitigations (Volume 7).

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.

#### **G-506-013**

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.

#### **G-506-014**

Thank you for your comment. The estimate of the potential crime rate was based on assumptions and the best available information, not specific demographic data that was available. Therefore, the information that is contained in the EIS should be referred to by the agencies affected.

Department of Public Health and Social Services (DPHSS)

DPHSS provides services in the area of primary care, environmental health, welfare and social services, and senior services. The agency oversees the provision of services to include the Northern, Central, and Southern community health centers providing primary health care services. DPHSS is also responsible for the distribution of welfare benefits and program assistance to include MIP and Medicaid; licensing of child care facilities and foster homes; protective services for children, senior citizens, and persons with disabilities; the administration of health and sanitary certificates; immunizations; issuance of birth and death certificates; reporting communicable diseases, and other community support services.

The DEIS (Vol 2, Chap 19, pg 13) indicates that there will be an increase in the need for both public health (DPHSS) and mental health (DMHSA) services on the island with the increase in population due to the military buildup. The DEIS acknowledges that the services will be strained and have an adverse effect on the low-income and uninsured. The DEIS proposes the following mitigations (Vol 2, Chap 19, p18): DoD will “**consider assisting** the Chamoru people in finding resources.” The DEIS also states that with their proposition of a “consideration,” any and all impacts will be mitigated to, “be reduced to less than significant” (Vol 2, Chap 19, pg. 13).

Discussion:

The proposition of a “consideration” on whether the DoD will “assist” the Chamorus is **inadequate** in addressing the real issues of the overburdening of our public and mental health systems due to an increase in population. In addition, the DEIS is inadequate in addressing the real problems associated with these institutions, like the lack of funding and resources, and likely receivership of the DMHSA and how this will be impacted by the military buildup. The DEIS provides essentially NO mitigations for the overburdening of the DPHSS and DMHSA.

The DEIS states that the affected populations will be the “low income and uninsured.” These populations will be the Chamoru people, the majority of off-island/contract workers (totaling approximately 40,000 people at the height of the construction period) from 2<sup>nd</sup> world countries.

In addition, military personnel and dependents frequently utilize outside public and mental health services to avoid punishment or job-loss from their superiors (or partners’ superiors) in the military. These three populations fighting for access and utilization of these services will not only overburden the current system, but eventually, the system will not be able to support the populations needs.

Most importantly, indigenous peoples suffer great disparities in their physical and mental health and are frequently cited in the research as facing grave problems because of their high incidences of physical health problems and mental health problems due to their colonial oppression, and their general lack of funding for resources from their colonial ruler (in the case of Guam, we are speaking of the United States). When the DEIS speaks of “low-income and uninsured”, they are speaking of the Chamoru population. As cited in the DEIS, the villages that

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.

G-506-017

have the greatest number of Chamoru people, coincidentally, have the highest percentage of households living below the poverty line, have the lowest income per household member, and have the most members in their households (Vol 2, Chap 16, Socioeconomic Impacts).

***The lack of DoD secured Federal funding for the social service institutions will surely further marginalize the Chamoru population and their ability to access and utilize the services they so desperately need.*** If these critical populations continue to be marginalized within in their own public and mental health systems, they will die at higher rates, face higher rates of mental health problems and social ills. In essence, they will be a dying people.

Comments and Recommendations

G-506-018

**Acceptable Alternatives:** In order to prevent the further marginalization and ultimate death of the Chamoru population, **we support the “NO ACTION” Alternative** for the transfer of military personnel and their dependents and the subsequent increase in population from off-island workers during the proposed construction periods.

G-506-019

**Acceptable Mitigations:** In the event that our proposed “NO ACTION” Alternative is rejected by the DoD, we assert the follow acceptable forms of mitigation:

1. DoD seek from the US Congress, the explicit recognition and exercise of the Chamoru people’s right to self-determination; furthermore, that the DoD and all relevant federal agencies including the Dept of the Interior grant the Chamoru people their right of self-determination (Definition of people as outlined in the Organic Act of 1950), subsequently initiating their healing of oppression, subjugation, and subsequent social and psychological ills. This mitigation is in addition to social, psychological, and community programs (discussed in mitigation #3) aimed at the empowerment and healing of Chamoru people caused by intergenerational and community trauma due to colonization by the United States.
2. DoD secured-federal funding for the maintenance and operations of the Dept of Public Health and Social Services and the Dept of Mental Health and Substance Abuse.
3. DoD secured-federal funding for the in-depth studies and research into the causes of mental and physical-ill health among Chamorus and Micronesians (from the FSM).
4. DoD secured-federal funding for the establishment, implementation and observation of culturally-appropriate and culturally-sensitive physical and mental health prevention, early intervention, research, assessment, and treatment for the Chamoru people in order to increase access and utilization of these services. This calls for the use of indigenous healers, use and implementation of traditional medicines/ ways/ knowledge of healing. Chamoru-informed services/ treatments will lead to long-term sustainability of these services. In other words, Chamorus should be the leading informants (as they are the community stakeholders) of these treatments and programs.

**G-506-015**

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.

**G-506-016**

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.

During the operational period (after the arrival of the Marines), military and Coast Guard personnel and their families would be provided health care benefits through the dental and medical clinics and the Guam Naval Hospital. The capacity of the clinics and proposed new replacement Naval Hospital are based on the estimated service population only. Since the DoD medical facilities would be the primary health care provider, the direct military population will likely not use or have less usage of the public medical facility and hospital. The remaining

5. DoD secured-federal funding for the preservation of plants, herbs known in the Chamoru culture/ community to be healing plants ("amot"). Chamorus are the sole proprietary owners of these medicines and should be observed as such.
6. Treatment should be provided for all military personnel and their families with *no repercussion* for seeking treatment with-in their own military system.
7. DEIS, Vol. 2, Ch. 16, p. 75 notes the role of GDPHSS in providing services to those who are uninsured or underinsured: "GDPHSS and GDMHSA target the most indigent populations for health care (see Affected Environment section). Thus the majority of individuals accessing services are uninsured. However, GDPHSS and GDMHSA staff members note that many individuals accessing services do have health insurance, but unaffordable co-payments for services or medications, or missing coverage of specific services and medications makes it necessary that these individuals access the free services of these two agencies. The population growth associated with the proposed action would contribute to these uninsured and underinsured populations..."  
Consequently, if all personnel related to the build-up, including non-military persons, and their family members (totaling nearly 80,000 people at the peak of the population influx) are not allowed access U.S. Naval Hospital Guam, all contractors should provide full and adequate health insurance coverage for all employed workers and their families so as not to add to the 37.5% of the current population who are uninsured or underinsured (as cited in the DEIS, Vol. 2, Ch. 16, p. 72.)
8. Currently, there have been no statistics provided to Guam regarding military personnel and their dependants with potential services needed. To provide better planning for our human service agencies, the military MUST provide these statistics to Guam before the military build-up takes place instead of guessing or estimating the impact.
9. There should be an increase of funding for Gov Guam agencies and Non-profit organizations so there are adequate services available to provide for local and military dependants without the burden being entirely on Gov Guam to ensure the safety of the island and to prevent major social problems.
10. Caps in MediCaid and Medicare, as well as funding provided thru HRSA and the Center for Disease Control must be increased to provide services for the additional population projected BEFORE the transfer of Marines and other build-up related persons.

population that would likely seek care from the public medical facilities and hospital would likely be the induced or indirect population (about 13,000 to 15,000 people). The services they seek would be offset by taxes paid for by the overall increased population (33,400); the taxes, user fees, and licenses, would provide revenue to Guam so that the revenue can support local services, including public medical facilities and the hospital as part of Guam's budget.

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.

#### G-506-017

Thank you for your comments. The Final EIS has been updated (Volume 2) to provide more impact discussion 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.

#### G-506-018

Thank you for your comment. Through the process of public involvement that has accompanied this proposed action (see Final EIS, Volumes 1 &

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11. Before the proposed build-up can occur, military commands must sign and put in place Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up (~80,000 people).

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.

**G-506-019**

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.

### III. PUBLIC SAFETY CONCERNS

The following section refers to how public safety of the people of Guam will be affected in case the proposed actions of Marine Corps, Navy, and Army will be implemented. The primary reference points in the DEIS are in Chapter 16 in Volume 2 and Chapter 4 in Volume 7.

G-506-020

**Issue Number 1: The increase in population from the build-up will cause a significant increase in crime and social disorder on the island.**

DEIS Reference:

The DEIS (Vol 2, Chap 16, pg 90) states that because of the increase in population, there will be an increase in military/ civilian fighting due to the popularity of the Ultimate Fighting Championship and mixed martial arts phenomenon among some members of the Chamoru-male population. The DEIS's proposed solutions to crime (Vol 2, Chap 16, pg. 101) is to collaborate with the local police, do community outreach, and educate the people of the Federated States of Micronesia (who DoD sees as large contributors of crime in Guam) about the laws and culture of Guam, will be of such magnitude to decrease the incidence of crime in Guam to virtually non-existent that it will lead to beneficial impacts by the end of the construction periods (Vol 2, Chap 16, p. 97).

Discussion: The DEIS fails to acknowledge the obvious and complex social underpinnings of crime that researchers have understood for quite some time. Most importantly, the DEIS failed to acknowledge that violence in all respects is the RESULT and BYPRODUCT of a complex web of social problems and issues.

G-506-021

For the indigenous Chamorus of Guam, these issues are predominantly the byproduct of oppression, marginalization, and colonization by the United States. This is NOT a common phenomenon and is frequently seen as a result of the health and mental health problems facing many oppressed indigenous populations, including the Micronesians from the FSM, Native Hawaiians, Native Americans, First Nations, Aborigine, Maoris, and Samoans, to name a few. Their oppressors--namely the US, Canada, Australia, and New Zealand-- have hardly done much to mitigate these oppressive effects and have historically taken a stance of ignorance toward these issues (Rapadas, 2007; McCubin, 2009). The advancing militarization of Guam will lead to further oppression, marginalization, and decimation of the Chamoru people and their culture. This will result in the increase and severity of these social and psychological issues. In addition, the DEIS fails to appropriate adequate solutions to repair the oppression due to colonization of the Chamoru people, and subsequently reduce their community's incidence of violence. Moreover, the statement that because some Chamoru-males who have interest in mixed-martial arts are more likely to "test themselves," and the statement that Micronesians from the FSM are large contributors to crime and social disorder because of their ignorance of the laws and culture in Guam, is racist and unfounded.

G-506-022

The DEIS (Vol 7, Chap 3, pg. 63) states that "military crime rates have been generally low..." in Okinawa, Japan. Here is a summary of how the military appears to fare with regard to

### G-506-020

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.

### G-506-021

Thank you for your comment. The impacts of crimes on Guam are discussed in subsection 4.5.1, page 4-22, entitled, Impacts on Crime and Serious Social Disorder. The comment made regarding ultimate fighting did not refer to the Chamorro population in particular and was a product of this possible impacts being mentioned at a number of interviews with public safety agency staff. These interviews are available in the appendices of the SIAS (the SIAS is Appendix F in Volume 9 of the DEIS).

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

G-506-022

crime and social disorder, in general. For the military, there have been many studies positively linking aggression to the degree of exposure to war-zone environments and the perceived threat of the war zone, including exposure to combat training exercises (Taft, Monson, Hebenstreit, King, King, 2009). This study found that the population rates of aggression for male veterans was 41%, for women 32%, where males appeared to perpetrate more acts of severe aggression. Collins & Bailey (1990) cite that soldiers were 4.58 times more likely to be imprisoned for committing violent acts as compared to the general population. Violence became such an issue for the military that even one of their own, Maj. David Daniel, from the US Army, reported on this phenomenon in 2008, and called on his colleagues and compatriots to acknowledge, study, and treat the roots of violence within the military. As a matter of fact, Mr. Daniel called this problem a "Looming national tragedy." According to Daniel (2008), there is a strong correlation between PTSD and criminal behavior in soldiers that have been incarcerated after returning from the Global War on Terror (GWOT). Daniel (2008) cites, "we are already seeing significant numbers of GWOT veterans appearing in correctional facilities with Iraq and Afghanistan Veterans now representing 3.7% of veterans in State facilities and 4.5% in Federal institutions. The facts that 20% of both Federal and State incarcerated veterans and 21% of those in local jails stated they had been in combat during their military service and over half of the veterans imprisoned in State correctional facilities and just under a quarter of the veterans held in Federal institutions were serving sentences for committing violent acts clearly shows a significant link between combat exposure as a traumatic stressor and violent criminal behavior" (pg. 52). In addition, numerous studies have found the link between Post Traumatic Stress Disorder (commonly found in military populations) and aggression, suicide, domestic violence, sexual assault, depression, antisocial personality disorder, alcohol/ drug dependence, behavioral problems in military children. Rosen, Parnley, Knudson, & Fancher (2002) reported that childhood trauma due to child abuse and exposure to parental violence was linked to active military samples. In other words, military violence is an all-encompassing issue that not only affects victims and witnesses to violence. It places children at increased risk for behavioral disorders. Not to mention, the military's violence against women and the DoD's active ignorance of this problem was the primary topic of discussion of the 111<sup>th</sup> Congress on February 3, 2009. This day marked the establishment of the Military Domestic and Sexual Violence Response Act.

The DEIS grossly underreports the military's level of aggression, in addition to reporting erroneous correlations between Chamoru-male interest in the UFC phenomenon and community violence/ aggression (this correlation has never been studied, and quite frankly appears to be a superfluous conclusion). The DEIS also lays claim to a superficial cause for crime and social disorder in the general public, not having considered the complex social and psychological underpinnings of these issues. The continued ignorance (as witnessed in the DEIS) of these problems and their roots will assuredly lead to more crime and violence, not only in this nation, but in Guam, with this proposed military buildup.

The solutions proposed in Vol 2, Chap 16, pg. 101 (collaborating with Guam Police Dept, outreach, education of the people from FSM) are inadequate in addressing the true correlates and causes of social crime and public disorder in our communities. The DEIS's suggestion that by

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.

G-506-022

Thank you for your comment. The information on crimes are discussed in greater detail in the SIAS. The root cause of crime and social misconduct is still under debate and can lead to many theoretical discussions. However, the DEIS used existing data and information to provide an estimation of the impact on crime to Guam due to the proposed military relocation. As you indicated, crimes have many underlying causes; there is no magic bullet or formula to reduce crimes except to ingrain individuals with a strong sense and priority to conduct themselves in a manner that does not initiate conflict. However, one must ask, "can this be achieved?" The more wealthy nations have not been able to eliminate crimes, which leads one to believe that crimes and social misconduct are part in human nature. While certain groups may be more prone to commit crimes, as shown by statistics, the rehabilitation of those behaviors have not been judged "successful." Subsequently, it can be recognized that any increase of population is likely to create conflicts and crimes. This correlation with the overall population is recognized by DoD in the SIAS.

**G-506-022** performing these solutions, the crime rates from this buildup will be mitigated to such an extent that the impacts will be *beneficial* are unfounded, superfluous, and quite frankly, illogical. If this were the case, then we would have found the solution to the world's crime problem on page 101!

**G-506-023** **Acceptable Alternatives:** In order to prevent the obvious rise in crime and social disorder (violence, aggression) due to the increase in population from the buildup, **we support the "NO ACTION" Alternative** for the transfer of military personnel and their dependents and the subsequent increase in population from off-island workers during the proposed construction periods.

**G-506-024** **Acceptable Mitigations:** In the event that our proposed "NO ACTION" Alternative is rejected by the DoD, we assert the follow acceptable forms of mitigation:

1. That the DoD seek US Congress' explicit recognition and exercise of the Chamoru people's legal, political and human right to self-determination; further, that the US federal government inclusive of DoD and all relevant federal agencies explicitly support the granting of the Chamoru people's exercise of this legal, political and human right ("People" as defined by the Organic Act of 1950), subsequently initiating their healing of oppression, subjugation, and subsequent social and psychological ills. This mitigation is in addition to social, psychological, and community programs (discussed in mitigation #3) aimed at the empowerment and healing of the Chamoru people caused by intergenerational and community trauma due to colonization by the United States.
2. DoD secured-federal funding for the in-depth studies and research into the causes of mental and physical-ill health among Chamorus and Micronesians (from the FSM).
3. DoD secured-federal funding for the implementation, observation and maintenance of culturally-appropriate and culturally-sensitive physical and mental health prevention, early intervention, research, assessment, and treatment for the Chamoru people in order to increase access and utilization of these services. This calls for the use of indigenous healers, use and implementation of traditional medicines/ ways/ knowledge of healing. Chamoru-informed services/ treatments will lead to long-term sustainability of these services. In other words, Chamorus should be the leading informants (as they are the community stakeholders) of these treatments and programs.
4. DoD secured-federal funding for the preservation of plants, herbs known in the Chamoru culture/ community to be healing plants ("amot"). Chamorus are the sole proprietary owners of these traditional medicines and should be observed as such.
5. DoD secured-federal funding for in-depth studies and research into the causes of social disorder and crime especially among the military populations.
6. DoD secured-federal funding for the prevention, early intervention, assessment, research, and treatment of military-personnel and dependents as it relates to crime/ social disorder (as outlined in this comment) in order to reduce aggression, violence, assault, behavioral disorders, and other mental-ills and adequately resource mitigation efforts when all other

### G-506-023

Thank you for your comment.

### G-506-024

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.

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options fail to help military populations that end up resulting in the commission of violent criminal acts and incarceration.

7. DoD secured funding for expanded efforts in prevention, early intervention and treatment programs for military personnel and adequately resource mitigation efforts when all other options fail to help military populations resulting in the commission of violent criminal acts and incarceration.
8. Treatment should be provided for all military personnel and their families with *no repercussion* for seeking treatment with-in their own military system.

G-506-025

**Issue Number 2: The increase in population from the build-up will cause a significant increase in sexual violence against women and children (and other potential victims, regardless of sex).**

DEIS Reference:

The DEIS (Vol 2, Chap 16, pg 88) states that the number of sexual assaults will not be impacted by the increase in population, and proposes that since there will be no significant impact, no actions should thus be taken to prevent or treat these problems among the military and local populations. In other words, no mitigations were proposed to combat this growing violent problem among the military and the populations in which they interact, and will be interacting with, during the proposed military build-up.

Discussion:

The DEIS (Vol 7, Chap 3, pg. 63) states that "military crime rates have been generally low..." in Okinawa, Japan, and that the incidents of violence against women and children (violent rapes) are just "isolated incidents." The DEIS under-reports the Okinawan's direct (and very loud) opposition to the US military's presence there. And as a result, the DEIS proposes NO MITIGATIONS related to the military's sexual crimes against society.

It is very clear that sexual assault and violence against women are a problem in the military. *This is so much the case, that military violence against women became the primary focus of the caucus during the 108<sup>th</sup> Congress.* Congress passed legislation holding the military accountable for acknowledging and providing services to women who have been assaulted by military personnel, and sought for the creation of the Department of Justice's Violence Against Women Office. As you may be fully aware, this Office is up and running here: <http://www.ovw.usdoj.gov/>

On February 3, 2009, during the 111<sup>th</sup> caucus, Congress established the Military Domestic and Sexual Violence Response Act. As outlined by this Act, Rep. Slaughter writes, "Sexual assault and domestic violence are pervasive and serious problems throughout all branches of the military. In March 2007, the Department of Defense (DoD) released their third annual sexual assault report, which stated that there were 2,947 allegations of sexual assaults reported in 2006; a 24 percent increase from 2005. In 2004, the DoD reported 9,000 incidents of

## G-506-025

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.

Finally, the FEIS acknowledges the existing sub-standard conditions of

**G-506-025** spousal abuse. A 2005 Sexual Harassment and Assault Survey of the Service Academies found 6 percent of females and 1 percent of males said they were sexually assaulted in 2004-2005, and less than half the females who experienced sexual assault reported it. In this same survey, 60 percent of female cadets indicated the prevalence of sexual harassment was about the same as when they first enrolled at their academy” (Somerville, 2009). To note, these acts of assault occur both on military *and* on civilian soil by members of the military and there are no limits to victim preference. In addition to violence against women, young girls, and other victims (regardless of sex) are not exempt from experiencing or being exposed to any and all forms of assault (stalking, harassing, etc) by members of the military. All in all, sexual violence is an offense that has a high incidence of re-perpetration among the sex-offender populations. All these facts lead to the understanding that this problem is of insurmountable proportions within the military system and has an effect on the general populations in which they interact. Likewise, this problem is difficult to treat and will require long-term solutions—solutions to which the DEIS proposes there are NONE.

The trauma experienced by these victim populations will require crisis intervention or hospitalization, but more importantly, long-term treatment will be needed to counter the psychological effects of this violence. Available treatment for these victims in Guam, currently, is extremely limited and the funding and resources to maintain long-term treatment is virtually unavailable. To further complicate matters, the military has been generally unresponsive to the prosecution of sexual assaults that occur on their own premises (on military property). As a matter of fact, Somerville (2009) cites that victims are afraid to seek help within the military system due to fears of punishment or job-loss. Therefore, these victims tend to seek help from the local community. As it is, there are not enough resources to help both local and military victims of sexual assault given the lack of resources and funding.

The DEIS cites no proposed solutions, proactive or otherwise, to combat this growing problem of sexual assaults both inside and outside the fence. To ignore this fact in the face of NEPA regulations, the 111<sup>th</sup> Congress, and in the face of those victims is insulting and illegal.

**G-506-026** Acceptable Alternatives: In order to prevent the obvious rise in sexual assaults due to the increase in population from the buildup, we support the “NO ACTION” Alternative for the transfer of military personnel and their dependents and the subsequent increase in population from off-island workers during the proposed construction periods.

**G-506-027** Acceptable Mitigations: In the event that our proposed “NO ACTION” Alternative is rejected by the DoD, we assert the follow acceptable forms of mitigation:

1. DoD secured-federal funding for the *prevention*, early intervention, research, assessment, treatment and elimination of sexual assaults by the military, especially as it affects the local/ civilian populations and regardless of federal or local jurisdictions. Prevention, early interventions, research, assessment, and treatment should be only those shown to be effective with local and indigenous populations.
2. DoD secured-federal funding for the implementation and observation of culturally-appropriate and culturally-sensitive physical and mental health prevention, early

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.

#### **G-506-026**

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

G-506-027

intervention, research, assessment, and treatment for the Chamoru people, and the local population, in order to increase access and utilization of these services. This calls for the use of indigenous healers, use and implementation of traditional medicines/ ways/ knowledge of healing. Chamoru-informed services/ treatments will lead to long-term sustainability of these services. In other words, Chamorus should be the leading informants (as they are the community stakeholders) of these treatments and programs

3. DoD secured funding for the extensive research, assessment, and treatment of the root causes of sexual assault within the military population.
4. DoD secured funding for expanded efforts in prevention, early intervention and treatment programs for military personnel and adequately resource mitigation efforts when all other options fail to help military populations resulting in the commission of violent criminal acts and incarceration.
5. DoD secured funding for the treatment should be provided for all military personnel and their families with *no repercussion* for seeking treatment with-in their own military system.
6. The morals, goals, and mission of the Military Domestic and Sexual Violence Response Act should be fulfilled both inside and outside the fence, regardless of federal or local jurisdiction.

#### IV. ENVIRONMENTAL CONCERNS

These comments are made with regard to environmental concerns pertaining to the proposed action to construct a new deep-draft wharf with shoreside infrastructure improvements, creating the capability to support a transient nuclear powered aircraft carrier in Apra Harbor. Additional comments are presented with concern for the state of the island's water.

This review is by no means comprehensive of this proposed action nor does it address the numerous environmental concerns presented by the other two proposed actions – the relocation of a portion of the U.S. Marine Corps forces currently located in Okinawa to Guam, and the placement of a US Army Air and Missile Defense Task Force (AMDTF) on Guam. However, we would first point out our commitment to environmental justice consistent with NASW's national environmental policy that advocates for and defines "environmental justice."

G-506-028

As noted in NASW's issue statement on Environmental Policy and as cited from the U.S. Environmental Protection Agency, Office of Federal Activities, "environmental justice is defined as 'fair treatment and meaningful involvement of all people regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.' Fair treatment means that no population, because of policy or economic disempowerment, is forced to bear a disproportionate burden of the negative human health or environmental effects of pollution or other environmental consequences resulted from industrial, municipal, and commercial operations or

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.

#### G-506-027

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.

#### G-506-028

Thank you for your comment. DoD has proposed mitigation measures to reduce or avoid environmental impacts of the proposed military relocation that would disproportionately affect minority or low-income communities or children. Comments received from the public regarding the proposed mitigation measures were considered in the preparation of the Final EIS. DoD recognizes the importance of reducing adverse effects on the people of Guam and will continue to work with the people and Government of Guam to ensure that the effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

the execution of federal, state, local, and tribal programs and policies.” (Social Work Speaks, p. 123.)

In addition, “environmental racism” as defined by the Social Work Dictionary (5<sup>th</sup> ed.) is “the practice of operating hazardous businesses or storing toxic waste products in or near areas inhabited primarily by racial and ethnic minorities groups” (Social Work Speaks, p. 123.)

In the DEIS volumes 2 (Marine Corps Relocation), 4 (Aircraft Carrier Berthing), 5 (AMDTF), and 6 (Related Actions) that contain a section on “Environmental Justice and the Protection of Children,” it is clearly acknowledged that Guam’s racial and ethnic minorities, low-income, or children will be disproportionately affected by all proposed project-related impacts. The DEIS states in all aforementioned volumes specific to the chapter on environmental justice:

Normally an analysis of environmental justice is initiated by determining the presence and proximity of these segments of the population relative to the specific locations that would experience adverse impacts to the human environment. The situation on Guam is unique in this regard because racial or ethnic minority groups (as defined by the U.S.) comprise a majority of the Guam population, and the proportions of people living in poverty or who are under 18 years of age are also substantially higher than in the general U.S. population. The analysis is further complicated by the fact that Guam is a relatively small and isolated island, and certain types of impacts would be experienced island-wide. Accordingly, the analysis of environmental justice described in this chapter acknowledges the unique demographic characteristics of the island population and assumes that the project effects could disproportionately affect disadvantaged groups and children because they comprise relatively high proportions of the population.

The above citation is taken from Vol. 4, Ch. 19, p.1 and further states that by the same assumption that the environmental effects will be felt island-wide, so will the impact of any proposed mitigations to counter these environmental hazards. This chapter goes on to conclude that there will be no impacts or less than significant impacts to racial-minorities and children, except with regard to the area of socioeconomic (water quality and recreational resource issues) that will affect both low-income persons and racial minorities, but will be mitigated. Consequently, the DEIS concludes that “there would be no significant environmental justice impacts to disadvantaged populations or children.”

It is our belief that the mere introduction of environmental hazards in the form of noise, traffic, air pollution, water pollution, hazardous waste, toxic materials, and radioactive substances to low-income, racial and ethnic minorities, and children is cause for environmental injustice whether or not mitigations are proposed.

This is consistent with the NASW Environmental Policy that supports and advocates for policies that reduce environmental risks to poor, minority, and disadvantaged communities who have been disproportionately affected.

We are opposed to an *increase* in environmental risks as intended and described by the DEIS to these populations and communities on Guam.

Comments and Recommendations

G-506-029

- The DEIS, Volume 4 proposes two alternatives for the construction of a deep-draft wharf and the berthing of nuclear aircraft carriers in Apra Harbor. Both alternatives require the dredging of Apra Harbor as described below:

**VOLUME 4: AIRCRAFT CARRIER BERTHING**

2.5.3.2 Construction Common to Both Action Alternatives  
Dredging

Standard dredge design has been modified through continuing engineering studies to find the least environmentally damaging alternative for Polaris Point (see *CYN-Capable Berthing Study* [NAVFAC Pacific 2008]). Figure 2.5.6 illustrates the smallest dredge footprint for this alternative. The dredge methods and dredged material disposal options would be the same as those described to support the Marine Corps Sierra Wharf dredging in Volume 2, Section 2.5. Dredging operations have been modeled as a 24 hours per day operation for a duration of 6 to 9 months, but depending upon dredging efficiency, could last from 8 to 18 months. Continuing consultation between the Navy and regulatory agencies would determine the actual operational parameters and duration. The total dredge volume would be approximately 608,000 cy (465,850 m<sup>3</sup>), including a 2 ft (0.6 m) overdredge. The total dredge area would be approximately 53 acres (ac) (21.5 hectares [ha]). Approximately 30% of the dredged material would be generated at the shoreline area of Polaris Point to provide an appropriate slope for the wharf structure. The anticipated dredging production rate is 75 cy/hour (57 m<sup>3</sup>/hour) based on recent mechanical dredging of similar substrate (Volume 9, Appendix E). At this rate, total production would be approximately 1,800 cy (1,376 m<sup>3</sup>) per day.

The thickness of the substrate to be dredged (from existing water depths to proposed water depths) is only 1.6 to 3.3 ft (0.5 to 1 m) throughout most of the project area. Dredging would therefore pass rapidly from site to site; a 75.5 by 75.5 ft (23 m by 23 m) grid area would require only a half day of dredging. The wharf area would require a longer dredging duration because there would be a greater volume of dredged material. Assuming two 4,000 cy (3,058 m<sup>3</sup>) scoops, there would be one to two barge trips per day to the ODMDS or an Inner Apra Harbor wharf for loading trucks and hauling to an upland placement site.

The required Best Management Practices (BMPs) that are not project-specific are described in Volume 7. BMPs to avoid or minimize indirect impacts to nearby reefs would likely include installation and maintenance of silt curtains to contain the re-suspended material within the dredge area. The substrate may require chiseling to roughen the surface prior to dredging to allow the clamshell to grab hold of the material. No blasting would be required.

It is our belief that the dredging of Apra Harbor to accommodate nuclear aircraft carriers is a direct contradiction and affront to environmental justice and if allowed to take place, fosters negligent environmental policy because it will destroy a part of Guam's existing natural resources for both food (fishing) and recreation central to our island cultures. In addition, the dredging completely disregards the complexities of our unique marine ecology and threatens the livelihood of our reef habitat.

G-506-030

While we are not ourselves marine biologists, it has been brought to our attention by University of Guam marine biologists that the following must be considered with regard to the coral reef at Apra Harbor:

- There are almost twice as many coral species in the proposed dredging area in Apra Harbor than in the entire Caribbean.

**G-506-029**

Thank you for your comment. The FEIS has been updated (Volume 4 Chapter 19) to better address the impact of dredging on marine resources as it relates to environmental justice concerns. DoD has proposed best management practices and mitigation measures (summarized in Volume 7 Chapter 2) to reduce or compensate for impacts on marine resources. Comments received from the public regarding the proposed mitigation measures were considered in the preparation of the Final EIS.

**G-506-030**

Thank you for your comment and concern for coral reef ecosystems. The location of the new Navy wharf was chosen as the least environmentally damaging alternative in efforts to affect the least amount of live coral in the area. The proposed dredged area within the active commercial harbor was previously dredged over 60 years ago and maintenance dredging continues. The proposed dredged area consists mainly of a sand, rubble, and algae zone. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. Direct impacts of dredging to the shoal areas within Apra Harbor (Western Shoals, Middle Shoals, Jade Shoals, and Big Blue Reef) will be avoided. The indirect impacts (from sedimentation) to these areas from in-water activities will also be avoided based on computer tide/current modeling performed within the project area (see Figure 11.2-3).

Additionally, the Navy is required to consider the Coral Reef Preservation Act, and has supported many of the Section 2.2 Purposes of this Act. However, the U.S. Army Corps of Engineers (USACE) Compensatory Mitigation Rule, is more appropriate in this situation. The primary goal of the USACE regulatory program is to protect the nation's aquatic resources. This is accomplished through the issuance of permits for projects that have undergone careful evaluation in light of applicable

G-506-030

- Apra Harbor is the only deep water, protected lagoonal area in the entire Marianas Archipelago.
- The coral reefs in Apra Harbor host unique reef assemblages.
- There are certain species of coral in Apra Harbor that have yet to be identified.

Lastly, the DEIS has not offered adequate evidence or studies that the proposed mitigations of using silt curtains to limit the impact of sedimentation from the dredging, and the construction of artificial reefs to replace the destroyed reef will successfully mitigate the environmental destruction imposed upon Apra Harbor.

Consequently, we support the NO ACTION ALTERNATIVE such that Apra Harbor will not be dredged in order to accommodate the berthing of nuclear aircraft carriers.

#### HAZARDOUS SUBSTANCES RELATED TO THE CONSTRUCTION AND BERTHING OF THE CVNS

G-506-031

##### Comments and Recommendations

- It is of great concern that the DEIS has consistently acknowledged an increase in volume of hazardous waste, toxic substances, and radioactive material as a result of the construction of a new deep-draft wharf and the berthing of nuclear aircraft carriers, while simultaneously making conclusive remarks that these increases will have no impact on public health, or the land and water resources on Guam.

Every potential significant impact has been negated by what is explained as the implementation of best management practices (BMP) or standard operating procedures (SOP).

The following are examples:

##### *VOLUME 4: AIRCRAFT CARRIER BERTHING 17-2 Hazardous Materials and Waste*

###### 17.2.2.1 Hazardous Materials

The proposed increase in aircraft carrier berthing days would result in increased opportunities for adverse environmental consequences related to petroleum, oils, and lubricants (POL) hazardous materials. POL includes gasoline, aviation fuels, diesel, oil and grease, kerosene, and other related products... The quantity of hazardous materials generated by these activities over a cumulative total of approximately 63 days per year is estimated to be 160 pounds (lbs) (73 kilograms [kg]). Due to the projected increase in the volume of hazardous materials, Alternative 1 Polaris Point (referred to as Alternative 1) could result in an impact (i.e., to soils, surface water, groundwater, air, or biota). However, the increase in hazardous materials would be handled and disposed of per applicable regulations and best management practices (BMPs) (see Volume 7); therefore, the increase in volume would not result in significant impacts.

###### 17.2.2.2 Toxic Substances

If existing toxic substances are encountered during Alternative 1 activities, specialty contractors would be used to dispose of these substances in accordance with applicable laws and regulations. Therefore, toxic substances would not result in significant impacts as a result of Alternative 1 activities and no potential mitigation measures would be required.

###### 17.2.2.3 Hazardous Waste

Increased days of aircraft carrier berthing would result in an increase in the transport and/or transfer of hazardous waste. Increases in the transport/transfer of solvents, adhesives, lubricants, corrosive liquids,

laws, regulations and policy to insure that no action authorized by the USACE program will have an adverse impact on the overall public welfare. It is their mission to provide strong protection of the Nation's aquatic environment, including wetlands and coral reefs; to enhance the efficiency of the USACE administration of its regulatory program; and, to ensure that the USACE provides the regulated public with fair and reasonable decisions.

The U.S. Army Corps of Engineers permits will likely contain requirements for silt curtains, biological monitoring, restrictions in dredging activities during potential coral spawning months, and compensatory mitigation projects. To compensate for the loss in ecological services provided by coral reef ecosystem, upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination of these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources. In addition, land-based construction BMPs will be implemented to reduce run-off/sedimentation to the ocean, thus protecting the reefs. Additionally, the DoD, as part of the build-up on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

#### G-506-031

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.

aerosols, and other hazardous wastes would be expected. The volume of hazardous wastes generated from Alternative 1 activities is estimated to be 1,500 lbs (680 kg) per year. Due to this projected increase in the volume of hazardous waste generated, Alternative 1 could result in significant impacts (i.e., to soils, surface water, groundwater, air, or biota). However, the increase in hazardous waste would be handled and disposed of per applicable regulations and BMPs and SOPs (see Volume 7); therefore, the increase in volume would not result in significant impacts.

#### 17.2.2.4 Radiological Material Operation

Emergency response, emergent repair and radioactive waste management capabilities exist at Polaris Point. There would be less than significant impacts on the existing operations, and the slight increases in hazardous substances would be managed in accordance with existing BMPs and SOPs. All radioactive waste management operations would be in conformance with Naval Sea Systems Command (NAVSEA) regulations. No radioactive waste would be brought ashore on Guam, therefore, these activities would result in a less than significant impact.

As indicated, many of the actions have been cited as having “no impact” due to the best management practices (BMP) or standard operating procedures (SOP) that will theoretically be followed in order to limit the impact hazardous waste materials, toxic substances, hazardous waste, and radiological materials will have on the island. However, it is unclear whether these BMPs or SOPs are in and of themselves harmful to Guam’s limited water and land resources or whether they will affect the public health of the people.

For instance, as stated in Volume 4, Chapter 18 under Public Health and Safety, when addressing the possibility of standing water and water based vectors such as mosquitoes and related diseases due to construction activities, the DEIS describes the possibility of using pesticides as a best management practice to reduce opportunities for water-related diseases as noted below:

To limit the amount of standing water at construction sites, stagnant water pools, puddles, and ditches would be drained or filled; containers that catch/trap water (e.g., buckets, old tires, cans) would be removed; and if necessary, pesticide application (e.g., *Bacillus thuringiensis*) could be used to help control mosquitoes. Implementing these best management practices (BMPs) would reduce the opportunities for an outbreak of water-related diseases. (DEIS Vol. 4, Ch. 18, p. 3)

It is clear, and the DEIS has stated, that there are indeed risks inherently surrounding hazardous waste, toxic substances, and radioactive materials and that the increase in volume of these dangerous substances is inevitable due to the construction of a new wharf and the berthing of CVNs. It is our concern that despite the implementation of best management practices and standard operating procedures, the people of Guam and our land and water resources are at being put at greater risk of harm from these substances than if the wharf construction and CVN berthing were not to take place at all.

It is our belief that in our current status as a Medically Underserved Area with limited healthcare services, a struggling island economy, and an island already in great need of improvement to our public services and infrastructures in order to serve our current population, that the potential environmental dangers put us at an even greater risk of failing to maintain our people’s quality of life and failing to preserve our limited natural resources.

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.)

G-506-031

Consequently we recommend the NO ACTION ALTERNATIVE such that there would be no increase in aircraft carrier visits and the current tempo would continue at Kilo Wharf.

G-506-032

AIR QUALITY REGARDING CONSTRUCTION AT POLARIS POINT OR THE FORMER SHIP REPAIR FACILITY

Comments and Recommendations

- The DEIS states that increased pollutants associated with construction and operational activities associated with aircraft carrier berthing would be less than significant but also states that “construction and operational activities would result in a measured increase in pollutant emissions, which could result in health impacts to individuals on Guam.” (DEIS Vol. 4, Ch. 18, p. 5)

In spite of the increase in pollutant emissions, it concludes that the impact on public health is less than significant as noted:

*VOLUME 4: AIRCRAFT CARRIER BERTHING 18-4 Public Health and Safety*

18.2.2.1 Air Quality

Air pollution can harm individuals when it accumulates in the air in high enough concentrations. People exposed to high enough levels of certain air pollutants may experience:

- Irritation of the eyes, nose, and throat
- Wheezing, coughing, chest tightness, and breathing difficulties
- Worsening of existing lung and heart problems
- Increased risk of heart attack

In addition, long-term exposure to air pollution can cause cancer and damage to the immune, neurological, reproductive, and respiratory systems. In extreme cases, it can even cause death.

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 or lung diseases, such as asthma (Massachusetts Department of Environmental Protection [MDEP] 2009).

It is anticipated that Guam clinics and hospital would increase staffing to meet current health care service ratios and would 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 construction and operational activities.

It is well documented – including in the DEIS (vol. 2, ch. 16, p. 21) - that two of the three leading causes of death on the island are heart disease and cancer. For example, in 2006 the Center for Disease Control reported the number of deaths due to diseases of the heart per 100,000 population on Guam was 196.7 compared to 200.2 for the entire United States population (CDC, National Vital Statistics Report Volume 57, Number 14, April 2009, Table 29.) A recent local publication by the Guam Comprehensive Cancer Control Coalition indicates that new cases of cancer and death due to cancer have increased from 2002 to 2007. It states that “Between 2003 – 2007, a total of 1,580 Guam residents were

will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.

**G-506-032**

Thank you for your comment. Sensitive receptors, such as asthmatics, children, and the elderly were considered in the air quality analyses presented in DEIS, as the primary standards of the NAAQS specifically address these receptors (see Volume 2, Chapter 5, page 5-1 and Volume 9, Appendix I, page I-30). The NAAQS are used to determine which areas are in attainment of the air quality standards on Guam and which are nonattainment areas. Parts of Apra Harbor, including the partial area proposed for the aircraft carrier berthing, are within a SO2 nonattainment area due to emissions associated with the operation of the Piti Power Plant (see Figure 5.1-1 of Volume 2). Under the GCR, emissions associated with all operational and construction activities from a proposed federal action, both direct and indirect, must be quantified and compared to annual de minimis (threshold) levels for pollutants that occur within the applicable nonattainment area. If direct and indirect emissions are below de minimis level, it can be concluded that potential nonattainment pollutant impacts would be less than significant. The similar de minimis level of 250 tons per year adopted in the DEIS was used for attainment pollutants in an attainment area. Attainment pollutants emissions from construction and operation activities associated with Air Carrier Berthing on Guam would be well below the significance criteria of 250 tons per year (TPY). The predicted SO2 emissions would be below the 100 TPY de minimis level within the nonattainment area. Therefore, all project-specific air quality impacts are considered less than significant for all areas for this action and although a measurable increase is predicted, it would be below the de minimis levels that could result in health effects, inclusive of sensitive populations. As documented in the DEIS, 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

G-506-032

diagnosed with cancer and 720 people died of this disease. On average, this translates to approximately 316 people diagnosed with cancer, and 144 who die annually of this disease, or 1 person every two to three days.” (Guam Cancer Facts and Figures 2003-2007, p. 7)

Our current population already faces high health risks due to present-day health and environmental factors. Our current healthcare facilities, including our local hospital that faces significant staffing shortages and are in serious need of infrastructure repair and expansion. For example, the local hospital does not have the staff to address cardiac care on island. Residents must seek medical attention off-island regarding heart illness. Or, the local hospital flies in a team of California-based doctors annually to provide cardiac care, including open-heart surgeries, echocardiograms and cardiac catheterizations.

To merely “anticipate” that the Guam clinics and hospital will increase staffing to meet health care service ratios and will be able to handle potential increase in air quality-related illnesses as a result of construction to the wharf and operational is not enough. And it is not valid to use this anticipation as a basis to conclude that the increased pollutant emissions will have less than significant impact.

Unless the DEIS specifically states the provision of and/or source and amount of funding that will meet the staffing shortages and infrastructure deficits of Guam’s clinics and hospital to address the potential air quality-related illnesses, it should reassess the probability that air pollutants from the proposed action will have a significant impact on the people of Guam, with particular focus on the prevalence and prevention of heart disease and cancer.

Without the identification of funding to improve local healthcare services and an in-depth reassessment of the impacts the increase in pollutant emissions will have on the health and well-being of the people of Guam given our current healthcare issues, we recommend the NO ACTION ALTERNATIVE such that there will be zero risk of new construction and operational environmental hazards.

G-506-033

**CHAPTER 4. WATER RESOURCES MARINE CORP RELOCATION  
VOLUME 2: MARINE CORPS – GUAM 4-16 Water Resources**

“The Clean Water Act (CWA) of 1972 is the primary federal law that protects the nation’s waters...The primary objective of the CWA is to restore and maintain the integrity of the nation’s waters. In Guam, CWA oversight responsibilities lie with the Guam Environmental Protection Agency (GEPA). Under GEPA, Guam’s Water Pollution Control Program reviews and certifies National Pollutant Discharge Elimination System (NPDES) permit applications and the United States (U.S.) Environmental Protection Agency (USEPA) coordinates, drafts, and issues NPDES permits for storm water and point source pollution discharges. The United States Army Corps of Engineers (USACE) issues permits for the discharge of dredged or fill material under Section 404 of the CWA” (DEIS, 2010).

to fund these services is limited by federal law. However, 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 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 funding sources.

**G-506-033**

Thank you for your comment. DoD would comply with CWA for this proposed buildup.

G-506-034

RESPONSE: Under sections 301 and 502 of the Clean Water Act, any discharge of dredged or fill materials into "waters of the United States," including wetlands, is forbidden unless authorized by a permit issued by the USACE pursuant to section 404. Essentially, all discharges of fill or dredged material affecting the bottom elevation of a jurisdictional water of the U.S. require a permit from USACE. General permits (such as the Nationwide Permits) are issued for fill activities that will result in minimal adverse effects to the environment. When the USACE processes an application for an Individual Permit, it must publish/issue a public notice describing the proposed action described in the permit application. The public notice must be issued no later than fifteen days after the Corps determines the application to be complete. Dredging has occurred on military base installations affecting adjacent coastal water areas. These past and current dredging practices are not noticed as required by federal regulations.

G-506-035

As indicated in the DEIS (2010), "Governing procedures for the use of training areas, ranges, and airspace operated and controlled by the Commander U.S. Naval Forces, Marianas (COMNAV) including instruction and procedures is included in COMNAV Marianas Instruction 3500.4 (Marianas Training Handbook [COMNAV Marianas 2000])."

RESPONSE: Armed services usually use live fire exercises as an opportunity to use real ammunition in a realistically created combat situation. The area in which these tests are conducted will be devoid of people to avoid casualties, and will likely be owned by the government, which authorized the test in the first place. Most live fire tests are conducted either against derelict equipment, such as tanks and ships, or against remotely controlled drones. One cannot address live fire exercises without addressing their potential dangers. In any situation in which hazardous materials are involved there exists the potential for a mishap to occur, and when these mishaps occur the results can be deadly. All forms of ordnance contain some type of explosive charge to launch and, in most cases, detonate, a weapon. If these charges are inappropriately stored or handled the result can be serious injury or death to the person and anyone in the immediate vicinity. Other dangers include faulty guidance and sensory information, which can cause guided ordnance to inadvertently target friendly or neutral units. Advances in technology have helped to reduce, and in some cases eliminate, problems with these materials; nonetheless, extreme care must be given when using or implementing them. For example, the handling of gunpowder demands the use of gloves and an area free of static electricity and other potential sparks which could ignite the powder.

Live fire exercises have occurred in busy community jurisdictions off base. For example, live fire training with military personnel was notably occurring in the

#### G-506-034

Thank you for your comment. As described in the EIS, the Proposed Action would be implemented in compliance with the Clean Water Act.

#### G-506-035

Thank you for your comment. Presently, 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 (SOPs) 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 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.

G-506-035

Tamuning-Tumon villages where the old Guam Memorial Hospital is located. These training exercises occurred less than a ½ mile from Guam Memorial Hospital and on the cliff line of our busiest tourism district. Additionally, live fire training is routinely conducted in the Finegayan area, an abandoned military housing unit. Finegayan is directly adjacent to the busiest and longest road on Guam, Route 1. Further, live fire training was occurring within a five mile radius of Finegayan Elementary School. Finegayan Elementary school has a population of over 500 students between ages 5 to 10 years as well as teachers, administrators, parent volunteers and support staff. These routine live fire training occurs without notice to the civilian community.

G-506-036

“The primary aquifer on Guam is the NGLA that extends from the northern most tip of the island to where the southern highlands start north of Apra Harbor. The NGLA is composed of six distinct sub basins (the Agana, Mangilao, Andersen, Agafa-Gumas, Finegayan, and Yigo-Tumon)... Of the approximately 37 MGd (140 million liters per day [mld]) of water withdrawn from the NGLA, 2.5 MGd (95 mld) is pumped by Andersen AFB; Andersen AFB receives this water from wells located in Andersen South. Water is currently supplied from wells located in the MARBO Annex, stored, disinfected and fluoridated, then pumped to Andersen AFB. The nine production wells are located at Andersen South Annex and the Tumon area and draw water from the NGLA, Yigo Subbasin. Water is currently supplied to Andersen AFB from seven of the nine off-base water production wells. Two wells, Marbo Well No. 2 and Tumon Maui Well, are currently not operational due to the detection of volatile organic compounds (VOCs) in the groundwater at concentrations that exceed USEPA MCLs for drinking water. Other active drinking water wells are either up gradient of or a sufficient distance away from contaminated areas, and are not at risk of contamination” (DEIS, 2010).

RESPONSE: 95mld notably received by Anderson Air Force Base is an incorrect figure. Despite the military’s anticipated build-up by 2014, an insidious build-up has occurred within the past five years. The population in Anderson has increased by approximately 3,000 people. Additionally, pre-build up efforts in construction has increased two-fold. The sub basins do not have the capacity to sustain an increase in military personnel and activities as proposed by the relocation.

G-506-037

“An analysis of chloride concentrations in Andersen AFB water supply wells at Andersen South indicates that chloride is increasing in approximately half of the wells and concentrations in several wells exceed the Secondary MCL (NAVFAC Pacific 2008). The Agency for Toxic Substances and Disease Registry (Agency) evaluated past exposure to contaminants in the affected production wells and determined that drinking this water would not harm individuals or increase their likelihood of developing adverse health effects. The Agency also concluded that it does not expect any public health effects, now or in the future, because of individual’s drinking water from the Andersen AFB water supply or any other wells on Guam. Several reasons for this include:

1) the military’s remediation actions are further reducing contamination at the base; 2) dispersion (i.e., natural mixing of contaminated with uncontaminated water) dilutes chemical contaminants to concentrations well below levels of public health concern; and 3) the mixing of drinking water

### G-506-036

Thank you for your comment. The water demand calculation for Andersen AFB is the sum of the current consumption plus an estimate of the water demand for additional service members and facilities. The current population is estimated at 5,900 including family housing, unaccompanied personnel, transients and civilians working on base, but housed off base. The current average daily demand is 2.1 MGd. An added population of 2,135 is anticipated by 2019. The additional water demand for this population is 1.1 MGd. Current water resources of 4.7 MGd are adequate to meet this average demand. DoD may either supplement the existing water supply to Andersen AFB by maintenance to reduce unaccounted for water losses or installation of five planned wells on the main base.

### G-506-037

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

G-506-037

in the base's distribution system further dilutes the levels of any contaminants in the water before the water reaches the taps. Based on its evaluation of available environmental information, the Agency concluded that exposures to contaminants in groundwater, surface soil, and local plants and animals harvested for consumption are below levels that would cause adverse health effects. The Agency has categorized the base as —no apparent public health hazard because of the Air Force's education efforts, access restrictions and monitoring programs at Andersen AFB (NAVFAC Pacific 2008)" (DEIS, 2010).

**RESPONSE:** AAFB- was listed as a toxic site with dioxin contaminated soil- the Northern aquifer sits below AAFB. Exposure to dioxin is a cancer hazard known to affect one's immune and hormonal systems, birth defects, decreased fertility, endometriosis, diabetes, learning disabilities, and skin disorders. The Guam Environmental Protection Agency who had jurisdiction on testing wells and basins located on and off military property indicated the existed of dioxin presence in a filed report in 1991. Additionally, the DEIS indicates that remediation efforts have been undertaken to reduce contamination on base. Notwithstanding the on base steps to protect the environment, both military and civilian communities share sub-basins and water accessibility (with the exception of Pena lake). The military activities and storage of contaminants over water wells are infiltrated in off base water usage. Finally, the DEIS posits that: "Natural mixing of contaminated with uncontaminated water dilutes chemical contaminants to concentrations well below levels of public health concern... and that... the mixing of drinking water in the base's distribution system further dilutes the levels of any contaminants in the water before the water reaches the taps". Water remediation is the process of ridding the water supply of various types of contaminants, making the water fit for human consumption and use. In addition to rendering the water safe for humans, the process of remediation also seeks to make sure that the residue removed from the water is disposed of in a manner that minimizes the negative impact on the environment. The strategies for remediation include modifications to the pump and treat system, bioremediation, solvent flushing, steam flushing or a combination. Merely mixing non-contaminated water with contamination does not produce or flush toxins from water before it reaches the taps. Additionally, the USEPA, National Risk Management Research Laboratory (1997) indicated in their report that "fractured rock" and other solid, impenetrable ground require technology suitable for such sites. AAFB is comprised of limestone and other fractured rock.

G-506-038

#### 4.1.4 Apra Harbor

Apra Harbor is the largest U.S. deepwater port in the western Pacific and the busiest port in Micronesia. The harbor is the only deep lagoon on Guam and is enclosed on its north and northwest sides by the Glass Breakwater and on its southwest by Orote Peninsula. There are four distinct areas of the harbor: (1) Outer Apra Harbor, deep water with direct access to the Philippine Sea at Orote Point, (2) GovGuam-dredged Commercial Port, (3) Sasa Bay located north of Polaris Point, and (4) Inner Apra Harbor. The Outer Harbor extends from Polaris Point and the Ship Repair Facility (SRF) wharves north and westward to Orote Island and the tip of the Glass Breakwater. GovGuam commercial port is located at the northeast extent of the outer harbor. The Inner Harbor extends from Abo Cove northward to Polaris Point and the SRF wharves.

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.

#### G-506-038

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

**G-506-038** | **Transportation.**

“The Navy re-supplied nuclear submarines and other surface ships at Apra Harbor, operated dry cleaning and printing plants treated building materials with preservatives, transferred munitions and weapons, etc. Many of these activities continue and are now carefully regulated to control pollutants but this was not the case before environmental protection laws and regulations were passed beginning in the 1970s. Industrial activities currently located near or within harbor areas include vehicle and ship repair/maintenance, marine cargo handling, power production, and fuel transfer and storage” (DEIS, 2010).

RESPONSE: The Navy has turned its port at Guam's Apra Harbor into a home for two Los Angeles-class nuclear-powered attack submarines, with a third to come later this year. It also plans to refurbish wharves to accommodate aircraft carriers and to transform Guam into a base for its new Littoral Combat Ship (a shallow-draft stealth ship designed to operate close to shore) and Trident submarines. The Tridents, immense cold-war-era craft converted to fire Tomahawk cruise missiles, can also be used by Navy Special Operations Forces, who can set off on missions in mini-submarines launched through the Tridents' missile ports. Guam is already home to an undisclosed number of Navy SEALs, many of whom have seen duty in the war on terror, and their number will likely grow. Nuclear vessels routinely discharge toxic chemical and toxic radioactive chemical debris into the oceans, poisoning marine life. They are also subject to "abnormal releases" such as the highly radioactive spill in Apra Harbor, Guam, in 1975, after which the level of radioactivity on nearby beaches rose to 50 times the allowable level.

**G-506-039** | “This analysis assumes that proposed aviation training activity (flight operations) and new SUA airspace would have no impact to water resources as flight operations are not expected to affect water resources. However, the potential impacts from the storage, use, and disposal of materials used to support proposed flight operations is analyzed in this section” (DEIS, 2010).

RESPONSE: The study of the EPA in the Andersen Air Force Base dumpsites in Urunao, Guam, states: "Surface soil samples were not analyzed for volatile organic compounds because geological and meteorological conditions on Guam induce volatilization and infiltration". For example, with lead: Airborne dust and dirt with lead may travel long distances, spreading the contamination when it falls from the air (to the) soil and groundwater.

**RECOMMENDATION: NO ACTION**

**G-506-040** | **Navy Barrigada**

“Alternative 1 would not occur at Navy Barrigada; there would be no construction or operations at this location. Therefore, Alternative 1 at Navy Barrigada would result in no impacts to water resources” (DEIS, 2010).

RESPONSE: No new construction will occur in Navy, Barrigada, because construction was completed before the proposed environmental impact statement. Barrigada is a central communication station that has no obvious contamination. However, measuring air quality is an unaddressed issue in the DEIS.

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

**Construction**

“Nearshore Waters. Under Alternative 1, proposed wharf improvements may disturb existing lead and PCB-containing material potentially in the wharfs. Prior to starting improvements, the wharf would be inspected for such materials; any discovered materials would be removed in accordance with all applicable regulations to ensure that there would be no impacts to water resources. Wharf improvements at Victor/Uniform Wharves to support amphibious assault vehicle ships and high-speed vessels would involve the replacement of sheet pile bulkheads and other upgrades required to meet seismic and typhoon design standards. Localized and temporary increases in turbidity and total suspended solids are anticipated as a result of in-water wharf repair activities, including the placement (driving) of sheet piles. Similarly, wharf strengthening at Sierra/Tango Wharves, in order to support escort combatant ships, would also have temporary localized impacts on near shore waters from in-water construction work. Upon completion of construction, water quality is expected to return to pre-construction conditions and would not be significant” (DEIS, 2010).

**RESPONSE:** “Water quality is expected to return to pre-construction conditions and would not be significant” (DEIS, 2010). This statement is a contradiction in terms. Construction to date has resulted in dead coral, dead marine organisms and sediments in the water. Issues in the construction include destruction of coral, rehabilitation, noise, introduced marine organisms, discharge of toxic chemicals, effects on small businesses in the vicinity, effects on parks in the vicinity, sediment in dredging equipment, ballast water, ecosystem damage and the effects on transportation of imported goods. Goods consumed by the population make up 80% of those imported.

“Under Alternative 1, the placement of precast concrete sections below the water line and the paving of the intertidal areas would result in localized impacts to near shore water quality from resuspended sediment; however, these localized impacts would be minimized by implementing BMPs. Assuming an extreme tidal range of 3.5 ft and the additional 3 ft proposed to extend below mean low water, the approximately square footage of paved intertidal area for each ramp would be approximately 712.7 ft<sup>2</sup> and 150 ft<sup>2</sup> for a total paved intertidal area of 862.5 ft<sup>2</sup>. Upon completion of construction, water quality is expected to return to pre-construction conditions. The remaining construction activities would be limited to the upland area and would be conducted in accordance with all applicable storm water, erosion, and sediment control regulations. As a result, they are not anticipated to have any impact on near shore waters. Contaminated runoff or spills and leaks would have the potential to be transported, or directly released, to near shore waters during construction activities in and adjacent to Apra Harbor. However, the OPA that mandates the implementation of the SPCC Plan would reduce the potential for spills and leaks of POLs and hazardous materials. As discussed in the above subsection, Surface Water, all federal, GovGuam, and military orders, laws, and regulations, as well as protective measures such as the implementation of BMPs and the LID Plan, would be followed, which would also serve to reduce potential impacts to near shore waters”. (DEIS, 2010)

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

**G-506-041** **RESPONSE:** “Water quality is expected to return to pre-construction conditions and would not be significant” (DEIS, 2010). This statement is a contradiction in terms. Construction to date has resulted in dead coral, dead marine organisms and sediments in the water. Issues in the construction include destruction of coral, rehabilitation, noise, introduced marine organisms, discharge of toxic chemicals, effects on small businesses in the vicinity, effects on parks in the vicinity, sediment in dredging equipment, ballast water, ecosystem damage and the effects on transportation of imported goods. Goods consumed by the population make up 80% of those imported.

**G-506-042** “Overall, potential impacts on water quality from suitable dredged material permitted for ocean disposal at the ODMDS site are expected to be transient and localized (i.e., contained within the overall boundary of the disposal site) within four hours of the initial disposal activity (USEPA 2009a). Significant dilution is expected to mitigate any potential impacts caused by sediments remaining in suspension beyond the boundary of the disposal site for longer than four hours. With the implementation of potential mitigation measures as identified in Section 4.2.2.6, construction activities associated with Alternative 1 at Apra Harbor would result in less than significant impacts to near shore waters” (DEIS, 2010).

**RESPONSE:** The dredged materials contain varying amounts of hazardous constituents including toxic chemicals, such as mercury, lead, copper, PCBs and pesticides. Even though dredging is sometimes necessary, open water disposal of the dredged materials is not. Some of the alternatives include upland disposal, containment, and/or treatment technologies. Upland disposal in this instance is not feasible due to the immense value of recreational activities, tourism, boating, fishing and commercial enterprises. Additionally, Apra Harbor was noted to contain PCB’s in a documented report of the Guam Environmental Protection Agency in 1991.

**G-506-043** **Assessment Alpha-Bravo Wharves Improvement, Apra Harbor Naval Complex, Guam, Mariana Islands**

“This document states that there would be minor construction phase impacts to near shore Silt curtains and other potential mitigation measures would be used, consistent with past dredging operations in Apra Harbor, to protect sensitive areas including wetlands. While no direct impact (i.e., loss of wetland area) would occur, activities associated with Alternative 1 could temporarily affect the function of the wetland areas. For example, transport dredge activities could introduce additional sediment into the water column, which could then (depending on the currents) to wetland areas where it could settle out in the wetland area. However, these potential impacts would be lessened due to the implementation of dredging BMPs and associated potential mitigation measures, distance to the wetlands, and the prevailing currents (i.e., the prevailing surface water motion in Inner Apra Harbor is generally westward, away from the wetland areas). Therefore, construction activities associated with Alternative 1 at Naval Base Guam would result in less than significant impacts to wetlands” (DEIS, 2010).

**RESPONSE:** Silt curtains are devices that control suspended solids and turbidity in the water column generated by dredging and disposal of dredged material. Consequently, silt curtains are considered an integral and necessary part of the regulatory strategy for many dredging projects. Unfortunately, factors contributing to the effectiveness of silt curtains under different

## **G-506-039**

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

**G-506-043** circumstances are poorly understood by dredging project regulators and the public alike. Dredging contractors attest to the fact that, in their experience, silt curtains do not work under many of the site conditions encountered in navigation and environmental dredging projects. The published literature contains few comprehensive studies that demonstrate how effective silt curtains have been in meeting the intended project objectives (Johanson 1976, 1977; JBF Scientific Corporation 1978; Lawler, Matusky and Skelly Engineers 1983).

**G-506-044** “A new bilge oily waste treatment system facility would be constructed at Victor Wharf but serve other wharves including Sierra and Uniform Wharves. As a result, the increase in bilge oily waste would have no impact on near shore water quality as it would be properly treated and disposed of. The landing craft air cushion vessels and amphibious assault vehicles would be washed on wash racks. While the final design of the wash system is pending, the facility would include sedimentation, oil/water separator/filter pressure buster pumps and pressure, and filters. The wastewater from the system would then be discharged into the sanitary sewer” (DEIS, 2010).

**RESPONSE:** Cocos lagoon was used to wash ships traveling war ships and transport ships. As a result of cleaning in the lagoon, unique fish and marine mammals grew. Cocos lagoon is one of the most contaminated fishing basins today. In 1946, the Naval Station Guam was built on Cocos Island on the southern tip of the island and was used for the decontamination of US ships returning from service in the US nuclear test detonations in the Marshall Islands.

#### Operation

**G-506-045** “This analysis assumes that proposed aviation training activity (flight operations) associated with the Orote Landing Zone at Naval Base Guam would have no effect on water resources. Consequently, no impact analysis of flight operations on water resources was conducted” (DEIS, 2010).

**RESPONSE:** The B-2 Spirit Stealth Bomber is a low observable, strategic, long-range, heavy bomber capable of penetrating sophisticated and dense air defense shields. Operated exclusively by the U.S. Air Force, the B-2 that crashed in Guam’s waters. This is the second military aircraft to crash in the region in a span of two weeks. A navy prowler went down in waters north of Guam recently. The pilot and three crewmembers were able to eject from the aircraft before it crashed to the sea. This occurred in February 2008 and the debris from the crash sites (in water), environmentally toxic chemicals were not removed.

#### Naval Munitions Site

“Proposed training activities would also include the use of explosives. As a result of such activities, the following potential surface water quality impacts may occur: contamination of surface drainage areas from runoff; contaminant accumulation in waters from leaks or spills of POLs and hazardous materials; situation and formation of sediment plumes; and heavy metal and hazardous materials leaching from MEC. In addition, the low volume use of explosives during training activities could result in a potential for a very small amount of remaining, non-consumed material to remain in the remaining explosive case. However, these residual compounds would not present a significant threat to water quality due to their relatively low volume of use and

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.

#### G-506-040

Thank you for your comment. The air quality conditions at Navy Barrigada inclusive of construction that was completed up to the submittal of the EIS are considered part of the existing baseline conditions. As noted in the comment, Barrigada is a central communication center and require no specific air quality measurements.

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

G-506-045

large areal extent in which they would be used. Furthermore, existing BMPs governing the use of explosives and pyrotechnics would be followed to reduce the potential for indirect water quality impacts” (DEIS, 2010).

**RESPONSE:** Munitions storage facilities are sprayed with herbicides. A retiree of the U.S. Navy confirms:” I sprayed the security fence lines, completely encircling Andy I and II, hydrant storage buildings on the flight line around the flight line area at Andersen AFB, the Quality assurance and Liquid Oxygen buildings and Fuels Administrative offices located within the security fence area of Andy I Fuel Tank Farm... Within these security fenced areas were storm drains that led directly into the water shed in the northern part of the island”. Attached to Foster’s letter to Higgins and Young is another note from a fellow veteran, Richard Spinale, who was stationed at AAFB, where he worked as a civil engineer from October 1966 to April 1968. Agent Orange was used from 1961 to 1971, and was by far the most used of the so-called “rainbow herbicides” utilized by the U.S. military for its herbicidal warfare program during the Vietnam War.

According to chemical experts, degradation of Agent Orange, as well as Agents Purple, Pink and Green released dioxins, which have caused harm to the health of those exposed during the Vietnam War. Agents Blue and White were part of the same program but did not contain dioxins.

**RECOMMENDATION: NO ACTION ALTERNATIVE**

analysis. These emissions-based analyses are based on available incremental emissions resulting from the proposed action and do not rely on the baseline condition. Despite 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. Also see response to comments I-1322-001 and K-055-383.

#### **G-506-041**

Thank you for your comment and concern for coral reef ecosystems. The location of the new Navy wharf was chosen as the least environmentally damaging alternative in efforts to affect the least amount of live coral in the area. The proposed dredged area within the active commercial harbor was previously dredged over 60 years ago and maintenance dredging continues. The proposed dredged area consists mainly of a sand, rubble, and algae zone. Since the new wharf is located in a relatively devoid area, the proposed construction would provide increased surface area for invertebrates to attach and potential shelter and forage habitat for juvenile fish. Direct impacts of dredging to the shoal areas within Apra Harbor (Western Shoals, Middle Shoals, Jade Shoals, and Big Blue Reef) will be avoided. The indirect impacts (from sedimentation) to these areas from in-water activities will also be avoided based on computer tide/current modeling performed within the project area (see Figure 11.2-3).

Additionally, the Navy is required to consider the Coral Reef Preservation Act, and has supported many of the Section 2.2 Purposes of this Act. However, the U.S. Army Corps of Engineers (USACE) Compensatory Mitigation Rule, is more appropriate in this situation. The primary goal of the USACE regulatory program is to protect the nation’s aquatic resources. This is accomplished through the issuance of permits for projects that have undergone careful evaluation in light of applicable laws, regulations and policy to insure that no action authorized by the USACE program will have an adverse impact on the overall public

G-506-046 **V. Chamoru Sustainability**

**Political Status**

The *bilateral agreement* between the U.S. and Japan regarding relocation of the U.S.M.C. base from Okinawa to Guam was made without any meaningful dialogue and input from Guam residents, *who are most affected by this move*. This is a prime example of “top-down” decision-making and governance, which disregards the will of the people of Guam, who are only now being asked for their input via the Draft Environmental Impact Statement (DEIS). This could only happen due to Guam’s current political status as an unincorporated territory of the U.S.A., wherein we, the people of Guam, remain powerless politically to say “no” to such an agreement which will affect every aspect of our lives and lifestyles, and those of our future generations.

G-506-047 Allowing Guam residents and leadership a mere 45 days, then 90 days, to comment on the impact of military actions of this magnitude is grossly insufficient and disrespectful to the people of Guam. Such a brief comment period underlines Guam’s colonial status and denies the people of more meaningful voice and participation in deciding their future.

G-506-048 Residents of Guam have not been given the opportunity to voice their acceptance or rejection of this military expansion in their island, aside from “commenting” on the DEIS. Guam’s political leaders have been given only cursory consultations, and Guam’s Congressional delegate has no vote, except in committee.

Comments and Recommendations

G-506-049

- The DEIS Global Strategic Perspective states: “The U.S. maintains military capabilities in the Western Pacific to support U.S. and regional security; economic and political interests; and to fulfill treaty and alliance agreements.” (Vol.1, ES-3) The DEIS explains the various consultations and agreements entered into by the United States of America and the Government of Japan, beginning in December 2002, regarding changes in U.S. force posture in Japan and the Pacific. “These international commitments for funding, and locations of the repositioned forces were re-affirmed on February 17, 2009, in the document titled: *Agreement Between the Government of the U.S. and the Government of Japan Concerning the Implementation of the Relocation of the III Marine Expeditionary Force Personnel and Their Dependents from Okinawa to Guam* (Guam International Agreement), signed by the U.S. Secretary of State and the Japanese Foreign Minister. The Agreement was approved by the Japanese Diet on May 13, 2009 and transmitted to the U.S. Congress in accordance with each party’s respective legal procedures.” (Vol.1 Overview, ES-4)

It is our position that the proposed military expansion in Guam should not take place until actions are taken to resolve long-standing indigenous rights issues such as the quest for self-determination, Guam’s political status, and WWII War reparations.

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.

welfare. It is their mission to provide strong protection of the Nation's aquatic environment, including wetlands and coral reefs; to enhance the efficiency of the USACE administration of its regulatory program; and, to ensure that the USACE provides the regulated public with fair and reasonable decisions.

The U.S. Army Corps of Engineers permits will likely contain requirements for silt curtains, biological monitoring, restrictions in dredging activities during potential coral spawning months, and compensatory mitigation projects. To compensate for the loss in ecological service provided by coral reef ecosystem, upland reforestation (to improve nearshore water quality), artificial reefs (to provide increased fish habitat) or a combination of these and other compensatory mitigation alternatives will be considered by the Navy to comply with federal laws that protect coral resources. In addition, land-based construction BMPs will be implemented to reduce run-off/sedimentation to the ocean, thus protecting the reefs.

The final conceptual determination would not be made until the Record of Decision on this EIS. More detailed identification of potential mitigation would be done during the USACE permit process. Both artificial reefs and watershed management projects would be considered as potential compensatory mitigation, and it is possible that a combination of those potential mitigation efforts that are listed below would be appropriate. 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.

Additionally, the DoD, as part of the build-up on Guam, will participate in the proposed upgrade to the Northern District Waste Water Treatment Plant from Primary to Secondary Treatment. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam.

G-506-050

- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
  - Extend the DEIS comment period for the people of Guam and the CNMI. Address residents' concerns and provide an expanded DEIS with additional information regarding true impacts to the physical and socioeconomic environment of Guam.
  - Involve Guam's political leaders in every aspect of these buildup proposals/process with increased transparency of information, and regular consultation. Allow Guam's Congressional delegate to vote on all matters pertaining to the proposed military expansion *and all matters affecting Guam*.
  - Grant WWII war reparations to the people of Guam without delay to acknowledge their past sacrifices made for the welfare and security of the U.S.A.
  - Fund an education campaign to advise the indigenous people of Guam of their right to self-determination and self-governance, different political status options including independence, and assist local leaders in scheduling a vote to resolve Guam's political status *prior to any military expansion efforts*.

G-506-051

#### Land

The federal government will take more land on Guam for the military buildup, including prime cliff-line properties (Harmon and Pagat, Mangilao) and coastal submerged lands. The federal government already owns and controls 1/3 of the island, which is restricted from economic development. Issues related to forced land condemnations before and after WWII, and unfair compensation for lands taken have yet to be resolved.

#### LAND USE

##### Comments and Recommendations

- DEIS Executive Summary, Table ES-4. Summary of Significant Impacts of the Preferred Alternatives refers to:
  - Federal acquisition of land for main cantonment, firing ranges, and roadway improvements on Guam. Mitigation would include long-term leases of the property instead of purchase
  - Dredging in Outer Apra Harbor that would result in significant direct impacts to the coral reef ecosystem. Potential compensatory mitigation being considered includes watershed management projects and artificial reef construction
  - Property Acquisition and Relocation

We recognize the great economic and cultural significance of land to the people of Guam, especially due to its limited availability on a small island, and in the context of Guam's history of colonization by multiple outside powers.

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.

#### G-506-042

Thank you for your comment. DoD is committed to conducting its mission in an environmentally sound manner. 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, then additional characterization work may be required.

#### G-506-043

Thank you for your comment. The Navy has silt curtain effectiveness data from the Alpha/Bravo Wharf Improvements within Inner Apra Harbor that was close to 90% and this was an assumption used in the sediment transport modeling performed in the HEA report.

The Navy has been monitoring the Kilo Wharf dredging project and is aware of subcontractor silt curtain failures and difficulties. The design was modified to improve BMP effectiveness. There are considerable differences in the ocean/harbor conditions between Kilo Wharf (considerably wavy) and Inner Apra Harbor (calm). The project site within the channel will have similar "less wave" type conditions as Inner Apra Harbor. Additionally, work will cease when there is a failure of the silt curtain and resume only when the water quality is at acceptable levels and the silt curtain has been modified.

#### G-506-044

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

G-506-052

- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
  - No increases in federal land ownership and no condemnation of private lands for use by the military.
  - No re-acquisition of lands that have been or are in the process of being released by the federal government.
  - 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 are areas of concern.
  - Federal government would release South Finegayan and Andersen South.
  - Current public rights-of-way would be retained.
  - No further restrictions on lands (including submerged lands) for recreational use. (DEIS, Vol.2, Land and Submerged Land Use, p 528)

#### IMPACTS ON THE LAND

##### Comments and Recommendations

G-506-053

- The proposed military buildup will have a negative impact on the island environment by:
  - a) increasing pollution (noise, *hazardous waste*, etc.); b) degrading the island's natural beauty due to increase in concrete buildings and pavements, obstructing views, decrease in greenery and critical natural habitat; and c) destruction of coral reefs.
- **DEIS Executive Summary**, Table ES-4. Summary of Significant Impacts of the Preferred Alternatives refers to:
  - Potential fill of wetlands and indirect wetland impacts. Mitigation measures would include creation of replacement wetlands or preservation or improvement of existing wetlands.
  - Special Status Species: loss of habitat for special-status species on Guam and Tinian, including federal threatened and endangered species, from clearing of vegetation.
  - Invasive species introduction, mitigated through existing interdiction plans and policies, and new measures identified in the Micronesian Biosecurity Plan (*being developed*).
- The Guahan Coalition for Peace and Justice recognizes that our community has fallen victim to environmental colonization. This is certainly true when considering that the bulk of toxic and dangerous ordinance on Guam is stored in Naval Magazine in Southern Guam, a rural area where the majority of residents are low-income and indigenous Chamorro.
- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.

G-506-054

- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:

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

G-506-054

- Strict adherence to all U.S. and Guam environmental codes and laws.
- Develop Micronesian Biosecurity Plan *prior to buildup*.
- Full funding for environmental programs to protect critical habitats, restore wetlands, protect and mitigate against invasive species.
- Full transparency and accountability regarding build-up actions and effects of military expansion/actions on the people of Guam.
- Choose build-up alternatives with the least negative physio-socio-cultural effects on Guam's community and environment.
- Reconsideration of alternatives for the berthing of aircraft carriers in Apra Harbor to avoid reef destruction.
- Full disclosure of environmental effects of ocean disposal of dredged materials from Apra Harbor, with reconsideration of alternatives.
- Full funding for extensive mitigation efforts to avoid and minimize adverse impacts to Guam's multicultural society and the beauty of Guam's island environment.

G-506-055

### Culture

The proposed military buildup will have significant adverse impacts on the historical and cultural properties of the indigenous Chamoru people, as well as the preservation of the Chamoru language. These adverse impacts include: disturbance and destruction of historic and cultural sites, weakening and increased loss of Chamoru language, loss of and restricted access to cultural properties and historic landmarks, loss of native habitats which support endangered species of fauna and flora, and loss of critical reef habitat.

#### Comments and Recommendations

- The DEIS, Vol.2, Cultural Resources 12.2.7 Summary of Impacts states: 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.

*We support all efforts of the indigenous Chamoru people of Guam, as well as the larger community of Guam, to protect and strengthen their cultural heritage, their values and vision, and the unique aspects and assets of their island community.*

- We recommend the NO ACTION alternative for all proposed Department of Defense actions covered in the DEIS.

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.

### G-506-045

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

- In the event that our recommended NO ACTION alternative is rejected by the DoD, we propose the following:
  - DoD-secured federal funding for War Reparations;
  - DoD-secured federal funding for a Chamorro language immersion program for grades K-12;
  - DoD-secured federal funding for after-hours Language programs for Adults;
  - DoD-secured federal funding of the Guam Museum;
  - DoD-secured federal funding of a Chamorro Cultural Center;
  - DoD-secured federal funding of an Artisans-in-Training program at GCC;
  - DoD-secured federal funding for a Chamorro Studies Program at UOG;
  - DoD-secured federal funding for Chamorro language publications;
  - DoD-secured federal funding for Chamorro cultural performance organizations;
  - DoD-secured federal funding for the preservation of historic structures both on and off-base;
  - DoD application of Sumay Village as a National Historic District.
  - Federal funding for medical detoxification unit for alcoholism and other chemical addictions
  - Federal funding for an island-wide educational program regarding Guam's quest for self-determination and political status options (including unique sovereignty status as defined by Chamorus on Guam)
  - Non-federal funding for a vote to resolve Guam's political status prior to the proposed military buildup – vote restricted to those residing on Guam at the time the Organic Act was passed and their descendents.
  - EXTENDED TIMEFRAME for the buildup so as to mitigate overwhelming environmental and social stressors created by "too much change in too short a time."
  - DoD-secured federal funding for continued public discussions/forums regarding military expansion/buildup activities throughout buildup process.
  - DoD-secured federal funding for development and implementation of cultural curriculum for the purpose of educating and sensitizing newcomers to Guam (military personnel, their dependents, contract workers, etc) to: a) the unique history of Guam and its political status, b) cultural etiquette (dos-and-don't) and respectful social interactions with residents, c) government and other services available to help in their transition.
  - DoD-secured federal funding for development and implementation of cultural curriculum for the purpose of educating and sensitizing residents of Guam (students, business people, families) to: a) the unique problems and challenges facing various immigrant and worker groups (military, non-U.S. citizens, CNMI, FSM, and other Micronesian islanders) as they transition to Guam) cultural understanding (dos-and-don't) and respectful social interactions with new residents.

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. 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.

#### **G-506-046**

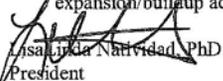
Thank you for your comment. Topics such as the political status of Guam are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with longstanding federal-territorial status issues outside 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

## VI. CONCLUSION

**G-506-057** In order to protect the resources of Guam, the **Guaahan Coalition for Peace and Justice supports the “NO ACTION” Alternative for all proposed Department of Defense actions covered in the DEIS.**

**G-506-058** In the event that our proposed “NO ACTION” Alternative is rejected by the DoD, we assert all recommendations discussed in this response statement and reiterate the essential recommendations listed below:

1. DoD to explore alternative sites for the proposed actions to include U.S. states of Hawaii, Alaska, and 29 Palms in California;
2. Re-do this DEIS Process to include a more comprehensive review on the impact of the build-up on areas of concern raised above outside of the military footprint and with direct involvement of the affected population groups;
3. If the Guam build-up proceeds, then DoD to facilitate a Status of Forces Agreement between the United States and the Government of Guam to specifically address all the terms of the proposed relocation;
4. DoD-secured federal funding to increase the infrastructural capacity of the Department of Mental Health and Substance Abuse, the Department of Public Health and Social Services, and the Guam Memorial Hospital Authority;
5. DoD-secured federal funding to increase the infrastructural capacity of the island’s NGO, human service organizations;
6. The provision of statistics to Guam regarding military personnel and their dependants with potential services needed in order to provide better planning for our human service agencies;
7. DoD-established Memorandum of Understandings addressing the payment structure and services to be provided by Government of Guam agencies to military personnel and other persons associated with this build-up;
8. DoD to ensure it cleans up the various toxic sites (Ex: SuperFund sites, FUDS sites, etc.) throughout the island with clean-up practices that result in US Environmental Protection Agency (USEPA) approval BEFORE any development activities connected to the build-up are conducted;
9. DoD to ensure that practices are put in place to ensure the protection of Guam’s land and water consistent with U.S. EPA standards;
10. DoD-secured federal funding for War Reparations;
11. Non-DOD funds to support Chamorro political status concerns;
12. DoD-secured federal funding for Chamoru language programs and publications, Chamoru cultural programs and curriculum, and Chamoru cultural institutions; and
13. DoD-secured federal funding for continued public discussions/forums regarding military expansion/buildup activities.

  
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February 17, 2010

Guam community.

### **G-506-047**

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.

### **G-506-048**

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

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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.

### G-506-049

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 DEIS.

### G-506-050

Thank you for your comment. Many of the items identified in this comment are not part of the proposed action and are therefore not addressed in the EIS. Analysis in the FEIS has been expanded in response to public and agency comments.

### G-506-051

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.

**G-506-052**

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.

**G-506-053**

Thank you for your comment. With the use of DoD standard operating procedures and best management practices for managing hazardous substances, and compliance with all federal, local, and DoD laws and regulations, the proposed military relocation would not have significant impacts related to hazardous substances. Therefore, there would be no associated high adverse effects disproportionately impacting minority or low-income populations or children. DoD recognizes the importance of reducing adverse effects on the people of Guam and will continue to work with the people and Government of Guam to ensure that the effects

of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**G-506-054**

Thank you for your comment. The FEIS addresses your issues. Volume 7 provides a comprehensive listing of mitigation measures that the DoD has proposed to minimize any adverse effects on the natural and built environment that would result from implementation of the proposed actions. The Record of Decision (ROD) would identify those mitigation measures the DoD would commit to.

**G-506-055**

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.

**G-506-056**

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.

**G-506-057**

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.

**G-506-058**

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.

# PORT USERS GROUP GUAM



## Draft Environmental Impact Statement (DEIS) / Overseas Environmental Impact Statement (OEIS) GUAM AND CNMI MILITARY RELOCATION Comment Sheet

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The Port Users Group Guam is comprised of the local managers of the companies that are customers of the Port of Guam. These companies include Ambyth Shipping, Horizon Lines, Inc., Inchepe Shipping Services, Kyowa Shipping, Mariana Express Lines, Inc., Marianas Steamship Agencies, Inc., Matson Navigation Company, Inc., Saipan Shipping and Seabridge. One of the primary missions of the Port Users Group Guam (PUGG) is to support the on-going modernization effort at the Port of Guam. The Port's modernization effort will create better, safer and more efficient facilities for the Port's employees to work in. Since its construction in 1969 the Port has remained largely unchanged and its modernization is long overdue. With many areas near capacity, congested or unusable, the expansion of the Port's facilities and equipment upgrades will enable the Port Authority of Guam to create operational efficiencies.

**On behalf of the Port Users Group Guam I would like to submit the following comments related to the DEIS:**

Guam's economy is far more dependent on the Port than most people realize. The Port, currently managed and operated by the Port Authority of Guam, is a critical link in the supply chain that brings over 90% of all imports to the island. It is the deepest seaport in the Western Pacific and its central location to the rest of the islands in the region make it a logical shipping hub and conduit for interisland commerce. Every person living on Guam and throughout the region depends on the Port. Our lifestyle and living standards are directly tied to the Port and ocean surface transportation.

Critical improvements to the Port's infrastructure have been neglected over the past 40 years. A long history of limited funding, substandard maintenance, and lack of repair have all contributed to the poor conditions at the Port. Many of the Port's assets are reaching the end of their useful lives as well as being out of compliance with modern codes and standards. If upgrades to the Port's infrastructure and equipment are not undertaken, the Port will not be able to accommodate future

### G-507-001

Thank you for your comment. In regard to the conditions of the existing facilities at the Port, 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.

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). While DoD is not directing the Port improvements, an amendment to the 2010 Defense Appropriations Bill is proposed in Congress which calls for the transfer of \$50M of DoD FY10 funds to the Department of Transportation to fund Phase I of the port improvements.

G-507-001

G-507-001

growth and Guam's standard of living will be significantly reduced and price levels will be substantially higher. The impact on every day consumer goods will be especially pronounced.

G-507-002

The Port Authority of Guam (PAG) has received the Guam Legislature's approval for Phase 1 of its Master Plan 2007 Update and was designated as the United States' 16<sup>th</sup> Commercial Strategic Port by the SDDC in September 2009. The Port Authority of Guam's Master Plan is a comprehensive and system wide strategy to address current and projected port improvement requirements, to meet immediate and future demand. Its designation as a Strategic Port by the SDDC has elevated the status of the Port within the Department of Defense as a critical link in the military supply chain.

While PAG, under the leadership of its current Board of Directors, has made positive steps forward by putting together a road map for modernizing the port, obtaining three newly refurbished gantry cranes through a public-private partnership arrangement, and acquisition of a mobile harbor crane and two new top picks, much work remains and time is running short. In February of 2009, the U.S.-Japan Defense Posture Realignment Initiative (DPR) Program was signed through a bilateral treaty with the goal of relocating Marine Expeditionary Force personnel and their dependents to bases on Guam from Okinawa. Construction activity to support this move will start in the latter part of 2010 and by the year 2016, Guam's population will increase more than 20% (PAG TIGER 1). These factors will contribute to a sharp rise in demand for cargo to the island, increasing cargo throughput over the port. At this time, the Port Authority of Guam is still seeking funding to implement major infrastructure projects and construction has yet to commence.

G-507-003

The urgency to implement the Port Improvement Project is primarily driven by the need to develop its functions to handle the increased throughput due to the military construction. The Port Authority of Guam must utilize all means to guarantee unobstructed flow of cargo to accommodate the demand. The end users, Guamanians and private businesses of the island depend on the ability of the Port to uphold its vital role in the supply chain. Through Port modernization, the supply chain would be supported during and after the military buildup.

**I. Current State of PAG**

The current physical condition of the Port, leaves many to contemplate if it could handle the major influx of containerized and break bulk cargo brought on by the buildup, as well as, sustaining the domestic cargo growth. The aged infrastructure at the Port is in dire need of repair, replacement, or demolition. The layout of buildings and other structures were constructed to handle 1960's cargo (all break bulk) where as today's cargo is majority, containerized. Utilities and other items such as security must be upgraded for the safety of personnel and the facility. There are many challenges today in which the Port's customers, the users of the Port must deal with on a daily basis. The deteriorating condition of the Port's cargo handling equipment – cranes, top picks, tractors, etc, and the lack of adequate manning power create an environment that will not be capable of handling Guam's growth. From equipment failures and lack of man power to service a ship to slow port

**G-507-002**

Thank you for the background information on the programmed needs of the Port of Guam.

**G-507-003**

Thank you for your comment. In regard to the conditions of the existing facilities at the Port, 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. 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). While DoD is not directing the Port improvements, a amendment to the 2010 Defense Appropriations Bill is proposed in Congress which calls for the transfer of \$50M of DoD FY10 funds to the Department of Transportation to fund Phase I of the port improvements.

G-507-003

documentation processes, the Port's customers feel the negative impacts of the delays in a time driven industry.

As a service provider, the Port Authority of Guam workforce is the most vital asset to efficient operations at the Port. Efficiency is hindered at the Port as technical staff members may not have the ability to maintain their equipment. This occurs because of lack of training or background of the existing technical staff which results in slow repairs and/or lack of maintenance on equipment. A comprehensive review of senior management (exclusive of the GM and DGM) capabilities must be addressed so that they may provide the visionary efforts to lead the workforce into a world class operation – an operation that is good for Guam and its people. The Performance Management Contractor, explained in more detail below, will be greatly beneficial to integrating the operational processes at the Port. Recognizing what the PMC offers, the Port must also take immediate action to ensure efficient and productive operations.

G-507-004

**II. Master Plan**

The Port Authority Master Plan Update was given conditional approval by the Legislature in December 2008. In September of 2009, final approval came as conditions given by the Legislature were met, where an Implementation Plan, Economic Impact Statement, and Financial Plan were developed. Collectively, the Master Plan will return critical port assets to a good state of repair, increase capacities of the port to meet immediate and future demands, and incorporate new investments essential to modern port operations.

**a. Implementation Plan**

The implementation plan provides the approach, framework, and sequencing for the execution of the Master Plan 2007 Update recommendations. The implementation plan will be sequenced in two phases. The time frame for Phase 1 is years 2010-2013, where all facilities necessary to address the peak cargo demands are completed. The Phase I priorities include: expansion of lay down area, relocation of gate and automation of gate system, implementation of a terminal operating system for planning and tracking containers in yard, utilities upgrades, existing berth rehabilitation and modernization, addition of new buildings and extensions, and procurement of modern cargo handling equipment. Phase 2 occurs after year 2031, and addresses future capacity issues by adding more container storage to the yard and lengthening berthing space. Phase 1 will be completed in two stages. Work during the Phase 1-A period will primarily emphasize the upland facilities, equipment, utilities and systems necessary to quickly boost operating efficiencies at the terminal. This will assure that the terminal capacities in critical bottlenecks of the terminal are brought on line early in Phase I. Phase 1-B work will rely on the completion of the National Environmental Policy Act (NEPA) process for the existing F-4, F-5 and F-6 berths so as to receive permits for in-water construction work; activities that will focus on existing berth rehabilitation, the adjacent existing yard areas and other remaining items (Report to the Legislature 21). Critical to Phase 1 is the maximization of the container lay down area. The

G-507-005

**G-507-004**

Thank you for providing the status for the master and implementation plans for Port of Guam improvements.

**G-507-005**

Thank you for your comment. The Port 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. While DoD is not directing the Port improvements, a amendment to the 2010 Defense Appropriations Bill is proposed in Congress which calls for the transfer of \$50M of DoD FY10 funds to the Department of Transportation to fund Phase I of the port improvements.

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.

## G-507-006

Thank you for your comment.

G-507-005

foreseeable congestion inside the Port as containerized and break bulk cargo vie for space would intensify delays. The Port must settle the litigation for the Hotel Wharf dock to alleviate space concerns for break bulk and passenger ships. Further congestion in the container yard area will be caused if an area for wheeled chassis is not identified. Container availability will be most affected as customers will face longer delays when retrieving their containers.

As indicated in the 2007 Master Plan Update, the ideal mode of operations for Guam's port is the combination wheeled/top-pick (grounded) system. Customers of port stakeholders rely on the capability of the port and its users to have their cargo readily available. The port must maximize the discharging of cargo on "wheels" and when necessary, utilize the top-pick (grounded) system to deal with the cargo increase. This combination system best meets the needs of the island community during the buildup period.

The need to ensure the availability of cargo to customers also relies on Guam Customs and Quarantine to clear cargo to be released to customers. The slow speed of manual processing relative to clearing cargo to be released or accepted by the Port further increases delays in cargo availability to the customers and overall port operations. Solving this issue can be attributed to using a pre-clearance system between customs and the ocean carriers. The development of a pre-clearance system will streamline the clearance process, thus minimizing any interruptions. Reviewing each ship's cargo during transport whilst establishing electronic accounts with carriers will also improve the Port's ability to manage its cash flow. Customs is a very important factor to the economy and it shouldn't impede the supply chain.

G-507-006

**b. MARAD**

U.S. Public Law 110-417, Section 3512 designates the Maritime Administration (MARAD) as the lead federal agency for the Port of Guam Improvement Enterprise Program. It authorizes MARAD to receive and disburse public appropriations and grants to "provide for the planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities." It also permits MARAD to administer supplementary PAG-supplied funds or other sources of financing that may be necessary to carry out the program (Report to the Legislature 16).

**c. Program Management Team**

In order to accomplish the design and construction aspects of its responsibility, MARAD is seeking to hire a Program Management Team, who will be responsible for performing detailed engineering, procurement, construction and delivery of the facilities. It is anticipated that this would apply to most of the program components delivered over the next four years (Report to the Legislature 16). The contract is expected to be awarded December 2009.

**d. Financial Plan**

The financial plan in support of the Port's implementation plan is estimated in 2010 dollars to cost \$206.9 million. The plan being pursued includes the Port Authority borrowing up to \$54.5 million dollars, investment by the Port's PMC operator of up to \$4.4 million, and Federal funding \$156.9 million. PAG's borrowing includes two instruments. The first is a \$50 million USDA loan for Master Plan Phase 1 construction and a \$4.5 million USDA loan for terminal equipment that will be purchased by March 2010. Included in the plan is an upfront investment by the PMC operator of up to \$4.4 million, but a more definitive number will not be available until the issuance of a Request for Proposal is completed. Completion of the RFP is stated for early 2010. The federal funding proposed to complete Phase 1-A of the implementation plan comes from the U.S. Transportation Investment Generating Recovery (TIGER) discretionary funds under the American Recovery and Reinvestment Act (ARRA). The first phase of the implementation plan is dependent on the Port receiving the funds they are applying for.

**e. Performance Management Contract**

The Performance Management Contract (PMC) operator will have the responsibility of managing cargo operations, maintenance, and other functions of the Port. The PMC operator would be knowledgeable in the field of Port Operations and management which would bring operating cost savings because of their increased efficiencies and higher productivity. These savings would be the source of PMC compensation and return on investment. The compensation would come in the form of management fees to cover fixed costs. They would also receive incentive payments based on efficiency and productivity goals. Along with an upfront investment, the PMC would be responsible for terminal equipment replacements throughout the life of the contract (Report to the Legislature 26).

The PMC operator will also be utilized to improve the workforce situation at the Port as they will provide the technical aid, training and management expertise to support port operations during the buildup and in the long term. The PMC is also beneficial to a procurement process at the Port which, today, is not suitable for efficient operations. Long delays in procuring equipment, parts, services, and other needs increase the inability for the Port to reliably and efficiently service their customers uninterrupted.

**f. TIGER Grants**

In September 2009, the Port Authority submitted its \$49.7 million application for the TIGER grants under ARRA. This application is critical to the success of the Phase 1-A of the implementation plan as the success of garnering the USDA loans is contingent upon the success of the TIGER Grant being awarded to the Port Authority. Letters of support have been given to the Port in support of the application from The Joint Guam Program Office, the Office of Insular Affairs, MARAD, Congresswoman Bordallo, and the Port Users Group.

G-507-006

**g. Alternative Financing Solution**

The Users of the Port have brought up concerns with the Port's financing plan relative to a contingency plan in case the Port does not receive all the expected Federal funding. A plan must be developed now as the date for awarding of the grants is fast approaching and the solution may come through the exploration of revenue bonds.

G-507-007

**h. Economic Impact**

The Port will be one of the first critical and immediate infrastructural components in Guam that will experience tremendous impacts from the impending surge in cargo demand. The modernization of the berths, wharves and upland areas upon completion of the engineering and environmental studies would provide the critical and immediate infrastructure improvements necessary to handle the increased cargo demands and improve cargo handling operations and efficiency. The proposed modernized port will generate revenue for the Port and the island economy as a whole (Report to the Legislature 29).

There are several positive financial impacts to the Port directly related to the Port Improvement Plan. The impacts, in the form of reduced operating costs of the port, increased revenues, and positive cash flows, will leave the Port Authority in a sound financial condition. The modernization of port operations will increase efficiency and productivity, thus reducing operating costs to the Port. The additions of new equipment, a terminal operating system, gate system, and new facilities, will improve integration, accuracy, processing, and functionality of the Port as a whole, while reducing maintenance costs because of new equipment and better financial management developed in the plan.

G-507-008

The modernization improvements will increase cargo handling capacity approximately 150% over current levels, enabling PAG to handle the anticipated DOD cargo buildup in the coming years as well as the organic cargo growth in the long term. Containerized and break bulk cargo volume are expected to increase 75% and 125% respectively during the buildup. After the buildup, the containerized volume is still expected to be 50% more than the 2007 number of 99,630. Annual operating revenues are projected to increase from approximately \$26 million in 2009 to \$44 million in 2015 (2009\$) based on volume alone, without tariff increases.

The plan also ensures that the Port will have positive cash flows that will be sufficient to cover PAG direct and indirect operating expenses, debt service on the \$50 million USDA loan and maintenance & replacement capital requirements (Report to Legislature 30).

G-507-009

**III. Impacts due to Military Buildup**

According to the Draft Environmental Impact Statement released in November 2009, the proposed buildup is expected to add about 30,190 inclusive of permanent military personnel, dependents, transient military personnel, and DOD civilian workforce from off island. The three main components of the buildup are:

**G-507-007**

Thank you for your comment.

**G-507-008**

Thank you for your comment. The Port 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.

**G-507-009**

Thank you for your comment.

G-507-009

1. *Marine Corps.* (a) Develop and construct facilities and infrastructure to support approximately 8,600 Marines and their 9,000 dependents relocated from Okinawa to Guam. (b) Develop and construct facilities and infrastructure to support training and operations on Guam and Tinian (CNMI) for the relocated Marines.

2. *Navy.* Construct a new deep-draft wharf with shoreside infrastructure improvements creating the capability in Apra Harbor, Guam to support a transient nuclear powered aircraft carrier.

3. *Army.* (a) Develop facilities and infrastructure on Guam to support relocating approximately 600 military personnel and their 900 dependents to establish and operate an Army AMDTF.

The proposed action for the Marine Corps includes personnel from the units being relocated and the associated base support personnel that must also be present at an installation to support the military mission.

Project-related construction work is expected to begin in 2010 and reach its peak in 2014. The military assumes that most of the Marines and their families would arrive on Guam in 2014. Since the peak in construction activities and expenditures would coincide with the arrival of Marines and their families, 2014 represents the peak year for population increase (DEIS Executive Summary 13)

G-507-010

**a. Cargo increase**

In order to accommodate the thousands of military personnel, civic personnel, and construction related workers, facilities and infrastructure must be built. More than 90% of the materials and supplies for the military construction and workforce housing and logistics will pass through the Port. Containerized cargo is expected to increase from 103,000 containers to 176,000 containers. Break bulk cargo are expected to increase from 155,000 tons to about 316,000 tons. The Port Authority in its current state and based on these numbers will not be able to serve the surges throughout the buildup, nor the future demand.

If the Port does not modernize itself, this dramatic increase in cargo will have negative effects on the flow of cargo. Delays would occur as ships would be waiting in the harbor to be serviced, trucks would be queuing along the port access road because of long truck processing times, and cargo flow would be further hindered as equipment and yard configuration are not suited to handle the capacity (PAG TIGER 2)

**IV. Benefits due to Military Buildup**

G-507-011

**a. Job Creation**

The first phase of Port improvements will coincide with buildup related construction (4 year period). Direct impacts from the Port modernization are 342 full time jobs per year and \$40

**G-507-010**

Thank you for your comment. The Port 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.

**G-507-011**

Thank you for your comment.

G-507-011

million for the period. Indirect impacts related to the modernization are 419 full time jobs per year and \$45.8 million for the period (Report to Legislature 38).

**b. Economic Stimulus**

The redevelopment of the Port of Guam will facilitate development of several projects by the Department of Defense (DOD). This includes the construction valued at approximately \$15 billion and introduction of approximately 12,510 new active duty personnel and 11,450 dependents. This will generate substantially greater economic impacts for the citizens of Guam.

G-507-012

**c. Environmental Benefits**

The onset of the buildup has furthered the cause to modernize the Port Authority as stated through this paper. It should be noted that the natural environment the Port inhabits would also benefit.

Air quality around the Port would benefit from the improvements as trucks would move through the terminal with less delay, and ships would shorten their dwell time, which both reduce carbon dioxide, diesel particulate matter, and sulfur oxide emissions and fuel consumption. The new buildings and structures that are built would operate more efficiently by building to Leadership in Energy and Environmental Design (LEED) standards. The most important resource to the Port, the water in the harbor, would benefit as well through improved storm water management systems to comply with local and federal regulatory standards and codes.

G-507-013

**d. Safety**

The modernization would bring overall improvement to safety and security at the Port. OSHA compliant lighting for night operations, newer (safer) equipment, new terminal layout and traffic flow design, and safer buildings will allow the Port to operate more efficiently and safely, further reducing costs for PAG.

The improvements in security will further the efficiency and productivity goals at the Port as additional security infrastructure and equipment will be added. The safety of the Port's employees and assets are a priority. It would also be in tune with security requirements of a strategic port, which the Port has already received.

G-507-014

**V. Conclusion**

The Port must continue to pursue federal grants and identify alternative funding sources so that it may implement required infrastructure improvements. Every effort to secure funding for the Port Improvement Project must be exerted and support must come from all levels of government, the Department of Defense, the Guam business community, the Port employees, and the people of Guam.

**G-507-012**

Thank you for your comment. We concur that the modernization of the Port should bring long-term environmental benefits. The FEIS includes a very general estimation of air emissions if Port improvements are not implemented. This is described in Volume 2 Chapter 14 (Marine Transportation) of the FEIS.

**G-507-013**

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 recommendations and updates address future expansion and development based on typical commercial growth, as well as the impending military buildup. 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.

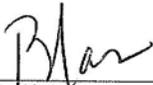
G-507-014

A tremendous amount of work has still yet to be completed and infrastructure projects are behind schedule. The Port must act quickly execute the RFP for a Performance Management Contract and move in unison with MARAD in awarding a Project Management Team, to take the Port Modernization project to the next step.

G-507-015

If the proposed Port modernization plans are not followed through, the Port will not have the capacity to support the \$15 billion DPRM program and Guam's organic growth. This will have a negative impact on the quality of life for *the people of Guam and the region*.

Sincerely,



Paul L. Blas  
President  
Port Users Group Guam

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).

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 will 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 will conduct the required inspections. As noted above, funding for Port improvements, including increased customs and agricultural inspection requirements, will be funded from federal agencies, GovGuam, and private sources. DoD will 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.

**G-507-014**

Thank you for your comment. DoD agrees with your comments about the importance of the Port to the Guam economy and to its contribution to the ability of the military to fulfill its missions. DoD will continue to support the Port of Guam in its efforts to efficiently move waterborne cargo.

**G-507-015**

Thank you for your comment. The Port 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.