



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

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.

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

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".

(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).

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

used by transient US and foreign soldiers who are actually stationed elsewhere (not on Guam/CNMI).

(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.

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.

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.

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.

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.

Comments and Recommendations

- 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?
- 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

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

- 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.
- 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.

- 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).
- 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.
- 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.

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 2nd 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

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

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.

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.

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.

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).

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.

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.

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.

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

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 continued 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, Parmley, 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 111th 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

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!

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.

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

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.

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 108th 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 111th 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

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 111th Congress, and in the face of those victims is insulting and illegal.

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.

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

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."

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.)

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.

THE DREDGING AND DESTRUCTION OF CORAL REEFS IN APRA HARBOR

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 *CVN-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.

- 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

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,

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 thuringensis*) 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.

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.

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

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 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.

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).

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.

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

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.

“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.

“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

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 Fena 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.

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.

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.

“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

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.

VOLUME 2: MARINE CORPS – GUAM 4-86 Water Resources

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 ft² and 150 ft² for a total paved intertidal area of 862.5 ft². 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)

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.

“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.

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

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).

“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

“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

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

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.

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)

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.

- 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*.

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.

- 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

- 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.
- 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.

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 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.

VI. CONCLUSION

In order to protect the resources of Guam, **the Guahan Coalition for Peace and Justice supports the “NO ACTION” Alternative for all proposed Department of Defense actions covered in the DEIS.**

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.

LisaLinda Natividad, PhD
President
P.O. Box 22945 GMF
Barrigada, GUAM 96921

February 17, 2010

REFERENCES

- Civilian Military Task Force, Sub-committee on Health and Social Services Environmental Scoping Comments Report (May 2007).
- Centers for Disease Control and Prevention, National Vital Statistics Report Volume 57, Number 14, April 2009.
- Collins, James J., and Susan L. Bailey. Traumatic Stress Disorder and Violent Behavior. In *Journal of Traumatic Stress*, Vol. 3, No. 2, 1990. Obtained from the CARL Library.
- Daniel, D.L. (2008). *Post-Traumatic Stress Disorder and the Casual Link to Crime: A Looming National Tragedy*. US Army, Combined Arms Center, Fort Levenworth, Kansas, US, 66207-1352. URL: <http://www.cgsc.edu/>
- [Health Disparities Among Native Hawaiians and Other Pacific Islanders Garner Little Attention.](#) Disease Notes and Reports, 15(2), Spr - Sum 2002. pp. 14-17, 20-21, 24-27.
- Guam Cancer Facts and Figures 2003-2007. Department of Public Health and Social Services, Comprehensive Cancer Coalition.
- Louise M. Slaughter, Rep. Slaughter Introduces the Military Domestic and Sexual Violence Response Act, Feb 3, 2009. Military Domestic and Sexual Violence Response Act, H.R. 840, 111th Congress (2009).
- Mccubbin, L.D. Reducing health Disparities among indigenous populations. Presentation, APA, 750 First Street NE, Washington, D.C. 2009.
- National Association of Social Workers. (2009). *Social Work Speaks* (8th ed.). Washington DC: NASW Press.
- Rosen, L.N., Parmley A.M, Knudson, K.H., & Fancher (2002). Intimate partner violence among married male U.S. army soldiers: Ethnicity as a factor in self-reported perpetration and victimization. *Violence and Victims*, 17, 607-622.
- Rapadas, Juan M. (2007). Transmission of Violence: The Legacy of Colonialism in Guam and the Path to Peace. *Journal of Pacific Rim Psychology*, Vol. 1, No. 2: 33-40.
- Somerville, K. (2009). The military report card concerning domestic violence and sexual assault, including compliance with the Lautenberg Amedendment. *Family Law Quarterly*, Summer, 43(2).
- Taft, C.T, Monson, C.M, Hebenstreit, C.L., King, D.W., & King, L.A. (2009). Examining the correlates of aggression among male and female Vietnam veterans. *Violence and Victims*, 24(5), 639-652.