



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 2, 2014

Joint Guam Program Office Forward  
P.O. Box 153246  
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Re: Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land Comment on the Draft Supplemental Environmental Impact Statement

*Hafa adai!*

Attached are comments provided on behalf of the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land Comment on the Draft Supplemental Environmental Impact Statement (SEIS). These comments have also been submitted via the project website.

As Chairman of the Guam Legislative Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, I am providing comments relevant to the impact on our environment as a whole, including the overall Environmental Impact Statement (EIS) process and the proposed expansion as it affects our economic posture and our overall well-being as a people of Guam.

Notwithstanding the current proposed action for military relocation that is less in scope and number than the 2010 proposed action, the footprint outlined in the 2014 Draft SEIS is still increased and expected to affect the quality of life for the people of Guam, such that this burden would impede the ability of our people to maintain control over our homelands and protect what is culturally sacred, and moral for the Chamorro people.

Previously, I have made the point that in 2007 the United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples, and that perhaps more so than ever, such a document continues to be relevant to our experience now, specifically, Article of 30 of the UN Declaration:

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.

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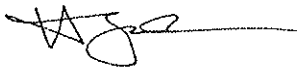
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2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

The current administration of our government has largely chosen to get behind the military relocation with less than significant consideration of the substantive impact this will have on the people of Guam. The Final EIS should include detailed data and analyses of the impact of expanded military activity on indigenous rights to self-determination. Further concerns regarding the Draft SEIS are detailed here.

Should you have any questions or concerns, please feel free to contact me.

Si Yu'os Ma'åse',



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## **Supplemental Environmental Impact Statement Comments, Questions, and Recommendations**

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## **OVERVIEW**

In comments submitted for the 2010 Draft Environmental Impact Statement (DEIS), I pointed out that an accompanying document for proper analysis would have been the Installation and Natural Resources Management Plan (INRMP). The INRMP is an important management tool that ensures military operations and natural resources conservation are integrated and consistent with stewardship and legal requirements. Regardless of this concern, the Department of Defense (DoD) responded that the specific requirements for the INRMP are not an integral component of the 2010 Environmental Impact Statement, and that the DoD has worked and will continue to work with the Government of Guam on management of biological resources on Guam. Recently, however, I was made aware that both the local and federal entities that manage biological resources on Guam, the Guam Department of Agriculture and the U.S. Department of Interior (DOI) Fish and Wildlife Service (FWS) did not concur with the current INRMP due to a number of unresolved issues, one of which was the coordination between the Guam Department of Agriculture, the FWS and the DoD, as required by the Sikes Act, to reach a mutual agreement regarding the conservation, protection, and management of fish and wildlife resources. Indeed this is concerning since the INRMP (as established each by Andersen Air Force Base and the Navy) would allow for the direct and concerted effort to manage the strategies and enforcement policies for use of the Overlay Refuge lands, those lands focused in the Draft Supplemental Environmental Impact Statement (SEIS) as alternative options for the Marine live-fire training range and cantonment/housing facilities. Were the authors of the Draft SEIS able to review the INRMPS that impact the Overlay Refuge lands? If so, what is their evaluation? If the INRMPS under the Joint Region Marianas have been updated to address the scope of the 2014 Draft SEIS, will they be included in the Final SEIS? Details of the issues that remain to be resolved regarding the INRMP between the concerned parties should be further outlined in the Final SEIS.

Also to include in the Final SEIS, is further discussion of the Programmatic Agreement (PA). The PA is a critical component of the Guam and CNMI DoD Military Relocation and requires a more integrated analysis in the DSEIS. The PA, through Section 106 of the National Historic Preservation Act (NHPA), establishes alternative processes for the management of historic preservation compliance for routine actions or when effects of an undertaking are not known in advance. In light of the significant changes made in the SEIS, I continue to suggest that an entirely new PA be coordinated so that the scope of this project is fully addressed.

While the Draft SEIS falls under the National Environmental Protection Act (NEPA) process, it is important that the Section 106 process (i.e., cultural resource reports issued under the PA) be detailed and discussed in relation to the alternatives outlined in the

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Draft SEIS to assist in making available the most comprehensive information for public comment.

The DoD recognized that a cumulative adverse effect on historic properties would result from its buildup activities on Guam, and agreed to solicit public input and prepare an access plan for the historic sites and cultural properties on DoD controlled land. Since April 2011, there have been 29 PA Memos issued however only three out of the 29 projects listed on the Cultural Resources Information website ([go.usa.gov/kZWG](http://go.usa.gov/kZWG)) received public comment. The Final SEIS should better integrate discussions on the proposed projects listed in the PA, particularly as they relate to the proposed alternatives outlined in the SEIS, as well as detail any efforts or plans to better solicit public comment and involvement in this important process.

Below are additional concerns highlighted for the record.

#### *Public Access*

The Draft SEIS more or less discounts public access, stating “Public access to recreational resources on DoD lands on Guam may be affected by development of Joint Region Marianas Access Plan, which is a commitment to the 2011 PA” (Draft SEIS, page 4-37). The Public Access Plan has yet to be released for public comment. Frankly, such a document should have been released prior to the deadline for the Draft SEIS so that the public is aware of the parameters for accessing our cultural and historic sites. Certainly, public access limited to only military personnel and their guests is unacceptable.

#### *Military Housing Privatization Initiative (MHPI)*

Earlier this year the U.S. House of Representatives had passed their version of the Fiscal Year 2015 National Defense Authorization Act (NDAA) which included a provision requiring that the Secretary of Defense provide a report on the feasibility of utilizing public-private housing ventures (PPVs) on Guam. This MHPI study could have benefitted the DEIS and the current Draft SEIS to allow for a mutually beneficial housing arrangement and a favorable gain for cultural preservation and endangered species protection by eliminating the need for expansive cantonment alternatives being considered as part of the SEIS. The Final SEIS should consider the inclusion of this study and an evaluation for consideration in place of the cantonment/housing options outlined.

#### *Government Agency Response*

To summarize, the government agencies provide at the outset in their review of the Draft SEIS that there are significant shortfalls already existing within our government facilities, there is a lack of resources and materials to meet the current demands from the organic population growth, and indicate a need for additional resources to adequately service the

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current population, as well as the projected population growth with the military population.

To note, there are comments provided by government agencies that still require more information and analysis. There are 45 government of Guam agencies, and to date there remains approximately 19 agencies that have not submitted their response to the Draft SEIS as posted via the government of Guam website, [www.oneguam.com](http://www.oneguam.com).

In some of the responses submitted, support for the Marine relocation is primarily based on the idea that the economic development of Guam will improve; yet the data to show a long-term and viable plan for sustainable economic growth is lacking. The reduced numbers and scope of the military projections as well as extended time frame is not merely enough reason to support the military relocation and expansion. The Final SEIS should include a thorough analysis of the data and comments provided by the government of Guam. Additionally, there should be a concerted effort by DoD in collaboration with Guam's Executive Administration to obtain comments from those agencies that have yet to submit their responses, and whose comments would further supplement the impact of this relocation on our entire island community (e.g., Bureau of Budget Management and Research, Department of Agriculture and the Guam Economic Development Authority).

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## **CULTURAL RESOURCES**

**Comment:** There is a lack of available citations. The sources quoted by the Draft SEIS are not readily available. This is the largest criticism I have. When a public document like this quotes specific studies, these studies need to be publicly and readily available for scrutiny. This is especially important in the case of a public document that solicits public comments. The public has every right to criticize or support the information the Draft SEIS is putting forth. However, this is difficult to do if the foundation of the Draft SEIS—its sources and citations—is not accessible. Every facet of this document needs to be scrutinized—especially, where the document received its information. Although we expect the authors of the Draft SEIS to do their due diligence in reporting and citing valid information, the public needs to do their part in corroborating this information: trust but verify. In the case of cultural resources, the examination of the methodology of analysis for these resources is important—even for lay people. The public needs to be able to see how and why archaeological sites were deemed National Register of Historic Properties (NRHP) eligible or not eligible. Any indication or insight would help the public understand the justification of the supposed cultural value of one site over another.

**Question:** How is the general public expected to decipher the scientific conclusions and jargon and then be able to appropriately provide comments within 75 days when your scientists and experts had almost a year to create the Draft SEIS?

**Comment:** According to the NRHP, Criteria D involves things “that have yielded or may be likely to yield, information important in history or prehistory.” Since many of these sites are given “D” criteria, the description is ambiguous as to whether we have already received important information from these sites. Assuming these sites may yield information, the proposed impact on these sites could be a significant cultural loss. Significant impacts to cultural resources, especially those with a criterion of D, would be a grave loss for Guam’s culture. That said, mitigation measures need to be sensitive enough to address these priceless losses. Even if we knew the value of these sites, the impacts to the sites would be irreplaceable and culturally invaluable. Moreover, if we do not know the value of these sites, the effects of significant impacts are even more compounded and therefore, un-mitigatable. Lastly, mitigation through data recovery and education are not appropriate measures considering we are losing valuable cultural resources. Rather, these mitigation plans are minimalist in their effort to lessen the impact of the loss of cultural resources. The adverse impact on cultural resources will further destroy the identity of the people who call Guam home. When you take away Guam’s cultural resources, what does that mean for the Chamorro people? As such, mitigation measures need to be sensitive and appropriate for any impacts to cultural resources.

**Comment:** All the alternatives for the cantonment and live fire training range require the removal of limestone forest for construction. With an action that is not dependent on the

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alternative chosen, it is incomprehensible that the proposed mitigation is the mitigation plan at all. For an action that is without doubt going to be done, this is idle work. Although each site may offer a different array of culturally important natural resources, there is no semblance of a definitive core plan. For instance, there is no discussion on the access traditional healers will have (if any) for alternatives located within DoD property. Obviously, access for traditional healers is subject to safety, security, and other types of concern. Again, however, with no discussion of a meaningful and viable plan, these mitigation plans will not suffice and impede the ability of traditional healers to carry out their expert skill. As such, the mitigation for the removal of limestone forest is too general in its discussion and does not allay fears that the significant impact to culturally important natural resources will be mitigated. Moreover, it is not the practice of traditional healers to destroy cultural resources. Rather, it would be imperative that the mitigation is not destructive. If the only alternative involves destruction, then the plan is not acceptable. Partnering with education institutions such as the University of Guam, the Department of Chamorro Affairs, the Department of Agriculture and traditional practitioners to find solutions that perpetuate the continuation of such resources and not its destruction should be required and included in the Final SEIS.

**Comment:** Construction of off-site utilities and expansion of two schools would adversely affect 12 known NRHP eligible structures. Additionally, nine unevaluated structures would be affected. These structures need to be evaluated to identify the historic value of these structures. Additionally, all of the remaining Alternatives listed, including the “no action alternative” are not suitable alternatives as they list in excess of 45 historic properties, 6 unevaluated buildings and 13 unevaluated archaeological locations and are illegal based on the NRHP Act.

**Comment:** Operation of Live-firing Range Alternative 1 would not result in restricted access to Pagat Site (village and cave). This is contrary to what was disseminated before. If Alternative 1 was selected for a firing range there does not seem to be a way to reconcile safety for the public and security of DOD operations, nor has an agreeable access plan been communicated to the people of Guam. Additionally, the DoD has not reconciled the NRHP listing of Pagat (Route 15) and its compatible use as a live-firing range and SDZ.

**Comment:** Within the proposed SDZ of Alternative 2, there are 71 NHRP eligible sites and an additional 27 sites that have not been evaluated. There is already a plethora of historically important sites and evaluating the 27 other sites may add to that number.

**Comment:** Under Alternative 3 there are 211 NHRP eligible archaeological sites and 2 that need to be evaluated. This alternative has one of the largest numbers of NHRP eligible sites. Mitigation should not be acceptable based on the large number and extensive NHRP eligible sites.

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**Comment:** Under Alternative 4 there are 214 NHRP eligible archaeological sites and 26 that need to be evaluated. This alternative has the largest number of NHRP eligible sites and mitigation is insufficient to remedy its destruction and/or disruption including public and academic access.

**Comment:** Under Alternative 5, Public Access to Ritidian Cultural resources is not discussed enough. There is no solid mitigation plan on how DOD will reconcile public access with range operations to sites that currently enjoy unfettered public access.

**Comment:** The Draft SEIS states equally for all “alternatives”, “An increase in noise associated with live-fire operations may adversely affect historic properties for which solitude, quiet, or contemplation contribute to or define their significance.” All alternatives have locations where essentially the quietness adds to the cultural significance of an area. The Draft SEIS states that all alternatives will have an increase in noise from 65 dB to 85 dB. At its lowest, the noise increase to 65 dB is the equivalent of a conversation with a person three feet away. At its highest, the noise increase to 85 dB is equivalent to city traffic inside a car. Albeit, this noise increase is nowhere near the loudness of a landing airplane, this is still a significant change from the stillness and quiet of the forest. Although not physically noteworthy in change, the symbolic ramification of a lessened cultural experience is an important one to consider for those who seek time away in peace and solitude.

**Comment:** The Route 15 alternative is not compatible with the area since it is listed on the National register of Historic Properties that contains priceless cultural resources.

### **VISUAL RESOURCES**

**Comment:** The visual consequences of the construction of housing Alternative A are primarily regarding certain viewpoints becoming cluttered with construction materials. Perimeter fencing, the entrance gate, and vertical infrastructure are all obstacles that are of large concern. The SEIS does a great job of mentioning that there will be less of an impact as there might have been since the total amount of marines and possible dependents has been reduced. The document speaks positively about a lot of the reductions in size of the amount of total marines and dependents that are now scheduled to come to the island of Guam and how this will bring about fewer consequences. The SEIS states that there will be less impact. It fails to speak about what the exact impacts will be, even with the reduction of total marines.

**Question:** Will the construction of Alternative A affect local tourism or local businesses? How much less of an impact is there due to the reduction of marines? What are the possible mitigation measures that can be made to address the visual consequences?

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## **GEOLOGICAL AND SOIL RESOURCES**

**Comment:** The SEIS states that 11 new wells are planned for installation and that Guam's freshwater aquifers are susceptible to contamination from surface activities.

**Question:** What statistics does the DoD have in regards to lead contamination related to the live-fire training activities and range maintenance?

**Comment:** Those statistics are invaluable given the rate of contamination at other Marine Bases such as Cherry Point, Camp Pendleton, and Camp Lejeune as well as class action lawsuits currently underway.

**Comment:** The SEIS brings to light there would potentially be an increased fire potential due to the live-fire range operations within the boundaries of the multiple alternative sites for the range. The mitigation measures proposed include a "Range Fire Management Plan" that would be established in case of a potential fire. This proposed management plan would include a list of protocols that would be taken if there were an occurrence of a fire in the future.

**Question:** Are there any proposed plans to account for the forestation that could potentially be lost in the occurrence of a fire risk? What are the mitigation measures in case of a fire? Have there been occurrences of fire due to live-fire training ranges? If so, what were the outcomes of such occurrences? Are there safety precautions that have not yet been looked into that could lessen the potential for a possible fire due to the live-fire range operations? Have studies been conducted to analyze the negative effects that the terrestrial biological species in the area of the LFRTC could face in the occurrence of a fire?

**Comment:** The DEIS states that of the 18,538 acres of primary and secondary limestone forest found on Guam, approximately 13,110 acres or 71% are found primarily within AAFB, Finegayan, and the NAVMAG (USFS 2006). Under Alternative A, approximately 1,020 acres of limestone forest would be removed primarily within Finegayan (see Table 4.1.8-2). Therefore, given the importance of limestone forest habitat for native species and the continuing loss of limestone forest across Guam, the conversion of 1,020 acres of limestone forest on Finegayan to developed area would be significant but mitigatable impact to the regional vegetation community and its function.

**Comment:** What methodology was used to determine how Alternative A would be mitigatable to the regional vegetation community and its function? (It was also discussed in the SEIS, in the section above that the function of limestone forest is essential to wildlife, plant life, fire prevention and clean water.)

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**Question:** How, aside from implementing a Best Management Practice (BMP), would the DoD mitigate limestone forest destruction? How does one replace a limestone forest? And why is a final mitigation plan unavailable until the Record of Decision? How can the people of Guam make an accurate determination if the final mitigation plan is unavailable during the comment period?

**Comment:** Every mitigation measure under every alternative is unacceptable.

**Comment:** The SEIS states, “within the Alternative 1 footprint, there are major differences in elevation in the areas planned for construction of the MPMG Range, MRF Range and KD Rifle Range. There would be substantial changes to surface elevation for construction of the MPMG Range, MRF Range and KD Rifle Range. Because of the major elevation changes, the substantial alteration of the surrounding landscape, and the amount of excavation, filling and contouring that would occur; construction of the Alternative 1 is expected to have a significant direct, long-term impact on topography. Potential mitigation is not considered feasible for this impact because smaller cut/fill volumes would not provide the necessary level surfaces for the referenced ranges and roadway. This significant impact to topography would occur with implementation of any LFTRC Alternative (i.e., the impact would be similar for all alternatives).”

**Comment:** Because mitigation is not feasible, none of the alternatives including the no-action alternative is feasible and therefore none should be accepted or selected.

**Question:** How can any alternative for the LFTRC be considered given the language contained in CHAPTER 5 Affected Environment and Environmental Consequences at Live-Fire-Training Range Complex Site Alternatives which states that no potential mitigation is considered feasible?

## **MARINE TRANSPORTATION**

**Comment:** This Marine Transportation Analysis applies to all of the cantonment/housing alternatives. The only impact within this section is the expected rise in traffic within the harbor of Guam. The port contains Naval Base Guam, Coast Guard Sector Guam, and José D. Leon Guerrero Commercial Port.

**Comment:** Providing a list of plan arrivals and departures well in advance, I feel would be the best mitigation measure than can be taken for this expected rise in traffic. Timing of arrivals and departures of ship traffic is critical for managing the potential traffic.

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## **WATER RESOURCES**

**Comment:** As stated in the SEIS, groundwater withdrawal would be likely to increase.

**Question:** How will additional groundwater withdrawal affect overall water quality? What guarantees does the Government of Guam have that the people of Guam will not experience a loss because of the additional burden of 5,000 Marines, dependents and support staff?

**Comment:** Page (5-360) discusses possible contamination of northern aquifer due to exercises from the LFTRC. It further states that DoD sets a 5-year period for removing expended rounds from live-fire ranges.

**Recommendation:** Because of the lead contained in the rounds to be expended at the firing range, its location above the Northern Aquifer, the high likelihood of rain on the island and based on academic studies, it is imperative to shorten the stated 5-year clean-up period to a 6-month clean-up period within the Marine Corps Range Management Policies and Procedures.

**Comment:** The Route 15 alternative is not compatible with the area since it is listed on the National register of Historic Properties as well as being located above an aquifer.

**Observation:** As provided by the U.S. Fish and Wildlife Service, "For all alternatives analyzed in the SEIS where live-fire training occurs over or near aquatic environments, the SEIS should evaluate the impact of those activities on freshwater or marine environments. These impacts could include ammunition fired directly into the water, ammunition debris left in the water, toxic impacts associated with the ammunition, physical impacts associated with the spent ammunition moving during surge or storms, and impacts associated with dislodged rocks or sediments that may fall or wash into the freshwater or marine environment."

**Comment:** The Final SEIS must address this concern by U.S. FWS.

## **UTILITIES**

**Comment:** The Significant Impact (SI) within the Utilities sections deals with potable water. The document states that new piping and water mains are required to convey water to the future DOD installations. The document does not express any urgency in whether or not there would potentially be a shortage of fresh drinking water. The SEIS fails to discuss any possible effects the installation of the new piping systems would have on the local community surrounding the project area.

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**Question:** Will the installment of the piping create another construction zone, therefore causing potentially more traffic in and around the area? Will the community surrounding the construction area suffer any shortages of fresh water being supplied to their households and businesses?

**Comment:** Our Consolidated Commission on Utilities (CCU) states that Guam has more than enough water resources to accommodate this marine relocation. The Final SEIS should include studies showing that the capacity for water resources at the northern aquifer meets the required needs of the organic growth of Guam as well as the increase in population due to a military relocation.

### **AIR QUALITY**

**Comment:** Air quality will be affected due to increased emissions due to construction at all housing alternatives. Emissions will increase including CO<sub>2</sub>. Based on a DOI study, <http://www.blm.gov/pgdata/etc/medialib/blm/ny/information/NEPA/cfdocs/howell.Par.2800.File.dat/25apxC.pdf>, CO<sub>2</sub> levels greater than 0.5% have adverse health affects in humans, animals and plants. The SEIS however, does not list the percentages of emissions.

**Question:** Are the figures provided in the SEIS for increases in CO<sub>2</sub> above 0.5%?

**Comment:** The SEIS states that air quality housing alternative construction sites will be affected due to increased emissions due to construction at all housing alternatives. The SEIS views this as a less than significant impact (LSI).

**Question:** If levels of hot-spot particulate matter, carbon monoxide, and mobile source air toxics happen to rise, what are the proposed safety precautions that will be taken?

**Comment:** A safety procedure should be drafted for all intense purposes even though the likelihood of a rise in the elements listed above is unlikely.

### **NOISE**

**Observation:** Alternative 1 Live Firing Range (Route 15) – “Noise levels would exceed land use guidance and create a direct, long-term, significant impact from the sound exposure to nearby residences. An estimated 88 people (22 homes) would be affected in Noise Zone 2 (65-74 dB) and no people would be affected in Zone 3 (greater than 75 dB). Mitigation includes using sound berms and foliage to reduce the levels to below significance. If this alternative is chosen for implementation, a detailed noise reduction plan would be developed to reduce impacts to below significance levels.”

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**Observation:** Noise from the firing range would affect a large enough number of people. In addition to a detailed noise reduction plan, DOD needs to talk to these families about mitigation measures they would want/prefer since they will be the most impacted.

**Question:** How does DOD plan to reduce noise impacts in this area?

**Observation:** Alternative 3 NAVMAG North/South - "Approximately 70-80 homes along Route 12 would experience noise levels between 55-60 dB, and 100 homes in Agat near the Pagachao Guam House and Urban Renewal Authority Housing Area would experience noise levels between 55-68 dB; however, noise exposure at this level is considered compatible for residential use, and the actual noise may be reduced due to existing topography and vegetation."

**Observation:** Even if noise levels are not expected to have a significant impact, there should be a tentative and detailed noise reduction plan. This is to accommodate future changes that may happen in the affected areas (for example: construction of more homes, clearing of vegetation, etc).

**Question:** How does DOD plan to reduce noise impacts?

### **TERRESTRIAL BIOLOGICAL RESOURCES**

**Observation:** The SEIS states that approximately 255 acres out of the 18,538 total acres of primary and secondary Limestone Forest will be used in the construction of the LFTRC Alternative 1. The proposed mitigation measure is to implement a forest enhancement process.

**Comment:** This mitigation is unacceptable. Every acre of pristine land that we give is an acre we will never get back. We do not get a second chance to protect and preserve.

**Question:** Given the nature of the Wildlife Refuge and its service as a critical habitat for endangered species, how would the proposed mitigation be adequate for future and current U.S. Fish and Wildlife actions of preservation, research, recovery and monitoring of endangered species as well as provide public educational and recreational resources?

**Comment:** It is estimated that about 669 acres of the Mariana Fruit Bat's habitat would be disturbed by the operations conducted of the LFTRC for approximately 39 weeks out of the year. It is mentioned that the bat's habitat will not be physically harmed; yet the operations may cause the bats to "temporarily" move.

**Question:** Does the government expect the fruit bat to move entirely out of the area surrounding the LFTRC once it is built? What are the more specific mitigation measures

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that are targeted in creating a safe habitat for the Marianas Fruit Bat?

**Question:** Does the SEIS cover the indirect impacts to the Marianas Fruit Bat? If so, what were the indirect impacts that were covered by the mitigation measures? What studies support the specific mitigation measure used to allay the indirect impacts to the Marianas Fruit Bat?

**Comment:** Green waste will be generated during the utilities and site improvements construction. Such waste could potentially harbor and transport invasive species such as the coconut rhino beetle if not disposed of properly.

**Question:** What assurances can be given the people of Guam that invasive species such as the Coconut Rhino Beetle will not be transported between utility and site improvement construction sites and other areas of Guam while transporting green waste?

**Observation:** Haputo Estuary Reserve Area (ERA) will potentially see an increased use by military and civilian personnel. The proposed mitigation measures are to put up fencing to limit use and to create educational and informational materials about the area, including the placement of signage. These mitigation measures should be re-evaluated in order to conclude how much of the conservation area will be used and how the remaining area of land will be protected.

**Comment:** More fencing is not an acceptable form of mitigation.

### **GROUND TRANSPORTATION**

**Comment:** The significant impacts regarding ground transportation off base according to the SEIS, would include additional traffic congestion, slower speeds in construction zones, and short detours that may be caused by truck and equipment movements, construction worker vehicles, the delivery of construction materials and equipment, and removal of construction debris. The SEIS covers a wide array of the likely impacts upon traffic that the housing alternative will bring, but its' solution for the potential problem does not necessarily mitigate the issue to its full capacity. The mitigation measures propose to incorporate "appropriate work zone traffic management strategies." These do not specifically help mitigate the potential traffic congestion.

**Question:** What are the projected statistics for the traffic congestion for every housing alternative? What will the management strategies do to help ground traffic? Are there certain preparations that could be taken before construction that starts in order to hopefully minimize traffic?

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**Comment:** Although the Draft SEIS states there is Low Significant Impact, a history of construction in the area of Pagat will show otherwise. With only one lane going in each direction, any construction is bound to stall traffic in both directions. Route 15 is used by many residents of Guam including DoD personnel and any construction activities in that area will severely impact traffic in both directions.

### **HAZARDOUS MATERIALS WASTE**

**Comment:** The SEIS states that the transportation of hazardous materials coming from on and off military installations occurs on public roads and through civilian communities. The traffic and movement of hazardous materials is only expected to increase with the installation of the housing alternatives.

**Question:** Is there an emergency action plan, inclusive of a federal emergency response team, created in the event that there is an incident involving hazardous materials? Due to the estimated rise in traffic of hazardous materials, how does the DoD expect to coordinate the rise in traffic with the public when transporting these toxic materials?

### **HAZARDOUS SUBSTANCES**

**Comment:** Implementation of this alternative would result in an increase in the use, handling, storage, transportation, and disposition of hazardous substances.

**Question:** What hazardous substances will increase?

**Comment:** With regard to exposure to airborne toxic dust related to live-fire training activities and range maintenance, lead is the primary contaminant of concern. Very small lead particles can become airborne if wind, foot traffic, or maintenance activities disturb lead-contaminated soil.

**Question:** What mitigation measure will be implemented to prevent soil from eroding or entering the northern aquifer by runoff or due to extreme/prolonged rain?

### **PUBLIC HEALTH AND SAFETY**

**Comment:** Housing Alternative A is expected to bring about more groundwater withdrawal, an increase in mental illness, and a 5% increase in potential traffic incidents.

**Question:** What sort of mental illness can the island expect with the influx of 5,000 marines? Will there be increased traffic organization with the expected rise in potential traffic problems? How will groundwater withdrawal affect salination levels in the aquifer?

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### **ENVIRONMENTAL JUSTICE AND THE PROTECTION OF CHILDREN**

**Comment:** There is a projected 2% increase of people that would be in need of public health and human services with the influx of marines and dependents. During the construction period, public health service agencies may experience staff shortages, which could prove detrimental to the health of Guam residents. This shortage would impact minority, low-income, and children populations.

**Question:** Is there possibility of acquiring more staff to accommodate for the potential rise in population? Do the public health and human service agencies need to look into gathering more resources and supplies as well as staff before the influx of more people?

**Comment:** Given the high rate of cancer on Guam (Guam has the highest rate of particular types of cancer per capita in the nation), it is difficult to understand that any increase in likelihood of cancer rates is mitigatable OR less than significant.

**Question:** Are there any mitigation measures the DoD will use to reduce the incidence of cancer over the next 30-70 years? If not, why not given the high rate of cancer on Guam?

**Question:** How was the target cancer risk threshold number created? What methodology was used?

**Question:** Were Guam cancer rates used to estimate the threshold number? If not, why not?

**Question:** How is any increase in estimated cancer rates associated with this project in Guam acceptable?

### **MARINE BIOLOGICAL RESOURCES**

**Comment:** The SEIS discusses the likelihood of ammunition hitting marine wildlife when fired. What the SEIS fails to discuss is the effect that the ammunition debris may have on the water. The SEIS should discuss any potential toxic effects the ammunition debris may have on ocean water over a long period of time, any effects the debris may have on marine life such as coral or marine animals, and the potential physical effects the ammunition may have when there is runoff from future storms.

**Question:** What plan does the DoD have to mitigate such impacts? How will impacts be mediated or remedied?

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## **AIRSPACE**

**Observation:** Alternative 1 Route 15 – “Operational activities have the potential for significant impacts to civilian aviation; however, if this alternative is selected potential impacts and mitigation would be further studied through the DON/FAA/Air Force consultation process. Studies identified potential issues to aviation within the following: Guam International airspace and instrument approach procedures, Standard Instrument Departures and Standard Terminal Arrivals, IFR/VFR traffic flows and terminal operations, known but uncharted high volume routes, existing SUA/Terminal Radar Service Area, and VFR Reporting Points. The general types of mitigation measures that could be employed may include adjusting airspace through FAA coordination. However, no specific mitigation measures are proposed at this time.”

**Comment:** Although the impact is listed as significant, the parameters of those potential impacts are not explored and have not been communicated. Minutes of the consultation process should be included in the Final SEIS.

**Question:** How can we address mitigation when there is no information on the specific impacts? How can the people of Guam comment without knowing any details about the consultation process?

**Comment:** Moreover, having no specific mitigation proposals is not acceptable. To the very least, there needs to be a general overview of what the mitigation measures want to accomplish, such as the rerouting of air traffic that circumvents the impacted area.

**Question:** What are the anticipated significant impacts and mitigation measure of those impacts?

**Observation:** Alternative 2, 3, and 4 East/West, North/South and L-Shaped – “Operational activities have the potential for significant impacts to civilian aviation. Studies identified potential issues to aviation within the following: Guam International airspace and instrument approach procedures, Standard Instrument Departures and Standard Terminal Arrivals, IFR/VFR traffic flows and terminal operations. However, if this alternative is selected, potential impacts and mitigation would be further studied through the DON/FAA/Air Force consultation process.”

**Comment:** There is no information on specific impacts and no potential mitigation measures.

**Question:** What are the specific impacts and potential mitigation measures?

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**Observation:** Alternative 5 NWF – “Alternative 5 would have potentially significant impacts to military air operations in and around Andersen AFB that require deconfliction.”

**Comment:** There is no specific mitigation for this significant impact. Although DOD may sort this out between the USMC and USAF, mitigation measures need to be publicly disclosed. The change of military air traffic and routes could affect a new group of civilians. For instance, the change of air traffic could drastically increase noise levels in certain areas. Another area of concern is that the change of military air traffic may also affect civilian air traffic. With tourism a significant contributor to Guam’s economy, any change to civilian air traffic needs to be scrutinized.

**Question:** What are the specific deconfliction actions the USMC and USAF may approve to address the significant impacts?

### **VEGETATION**

**Comment:** Conversion upwards of 250 acres of limestone forest will be converted to developed areas. Forest enhancement mitigation measures are proposed. These measures do not address the possibility of other factors that will be affected by the destroying of the forest, such as habitats of endangered species that will be destroyed.

**Question:** Why were the foraging, nesting and other indirect impacts to endangered species habitat been overlooked in the proposed mitigation measures especially given the size and scope of limestone and vegetation destruction?

**Comment:** Large amounts of limestone forest ranging upwards of 1,300 acres will be excavated for construction sites. Forest enhancement mitigation measures are proposed to replace the limestone forest that will be taken away.

**Comment:** The destruction of habitat will lead to the extinction of species protected under the Endangered Species Act.

### **TERRESTRIAL CONSERVATION AREAS**

**Comment:** Haputo ERA will potentially see an increased use by military and civilian personnel. The proposed mitigation measures are to put up fencing to limit use and to create educational and informational materials on the land.

**Question:** How do the proposed mitigation measures make up for the loss of land? Do the mitigation measures sufficiently protect the land from future destruction from the increased activity?

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**Comment:** These mitigation measures should be re-evaluated in order to conclude how much of the conservation area will be used and how the remaining area of land will be protected.

**Comment:** Overlay Refuge at alternatives 2, 3, 4, and 5 will be affected. No ground disturbing activities will take place at alternative 2. Conversion upwards of 250 acres of overlay refuge at alternatives 3, 4, and 5 will be converted to developed areas. No specific mitigation measures are presented to replace the land that will be lost.

**Question:** What are the proposed mitigation measures that will make up for the lost of overlay refuge in the multiple firing range alternatives?

**Comment:** Proper mitigation measures should be created in order to ensure that the land that will be lost would be mitigated properly.

**Observation:** The 2010 Record of Decision stated, "Planners suggested that Andersen AFB Northwest Field be eliminated for the reasons noted in Volume 2, Chapter 2 of the FEIS. *Additionally, Andersen AFB Northwest Field contained groundwater wells that supported Andersen AFB, various environmental restoration sites, two endangered species, and endangered species habitat management units covered by longstanding agreements with the U.S. Fish and Wildlife Service (USFWS). Finally, relocation of USFWS National Wildlife Refuge lands located below the cliff line was likely not possible due to endangered species recovery efforts.*"

**Question:** What has changed since the 2010 ROD to support the inclusion of the NWF as an acceptable Alternative in the SEIS given the endangered species and the conservations efforts currently underway in the area?

### **PUBLIC ACCESS**

**Comment:** The PA Agreement discusses Haputo ERA access for non-DoD personnel. The Draft SEIS is silent in these regards. Without access restrictions in this Draft SEIS document, the general public has no way of providing commenting and therefore, the process is flawed and excludes a good number of Guam's population. Furthermore the Public Access Plan under the PA has not received the public attention required for adequate comment from the people of Guam with regard to accessing cultural and historical sites.

**Question:** How is the general public expected to properly comment on the issue of public access to any of the cultural/historical sites contained in any of the alternatives listed in the SEIS if there is little or no advertisements equal to advertisements of the DSEIS or the ending of its comment period? If there are public access restrictions for non-DoD personnel, what are they? Why are such restrictions not a part of the SEIS document?

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**Comment:** The SEIS states, “new restrictions on public access to the land and submerged lands encumbered by the NWF LFTRC could have long-term indirect adverse sociocultural impacts due to the potential that access restrictions will deteriorate social networks (i.e., if groups of people currently [or traditionally] use areas that would be restricted to hold social gatherings, then the access restrictions could impact those groups by deteriorating the social networks inherent in those groups). Also, as social networks may deteriorate due to the access restrictions, feelings of injustice may arise.” It was further stated that, “Given the presence of other public recreation areas nearby, potential impacts are determined to be less than significant.”

**Comment:** Just because there is a beach, as an example, further down the coast does not mean that the impact would be less than significant.

**Question:** If the Government of Guam were to close Tarague Beach to DoD personnel, would it be acceptable or viewed as less than significant because just down the coast is Tumon Beach? Would that not be a significant impact to military personnel and in the case of the SEIS, a significant impact to the people of Guam?

**Comment:** The 2010 Record of Decision (ROD) states that DoD will ensure that the Guam National Guard (GNG) is afforded the opportunity to utilize all DoD ranges on Guam for training purposes. Utilization of the DoD ranges by the National Guard will be coordinated with DoD Range operators to avoid scheduling conflicts. The GNG also raised this training concern in their comment submittal to the SEIS as it, the SEIS, remains silent on the issue. If the GNG is allowed to train at any of the proposed ranges in Guam:

**Question:** How will this impact the timeline with which range activities were communicated during the SEIS scoping meetings given the timeline of 39 weeks which was estimated according to the SEIS and subsequent scoping meetings?

**Question:** Is the proposed timeline of 39 weeks included in the number of days/weeks requested by the GNG or agreed upon in the 2010 ROD?

**Question:** If not, why was this not factored into the timeline of usage at the range especially since the ROD stated full cooperation with the Guam National Guard?

**Comment:** If the 39 weeks does not include GNG range activities, then public access will once again be limited. Such access is not discussed within the SEIS and should have taken GNG training activities into account so comments can be provided.

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**Comment:** The Route 15 alternative is not compatible with the area since it is listed on the National Register of Historic Properties.

### **NEARSHORE WATERS**

**Comment:** Increased wastewater is seen as a significant direct impact at all alternative housing locations and are proposed to be mitigatable by finding funding to upgrade Northern District WWTP and Agana WWTP.

**Question:** If funding to upgrade the Northern District WWTP and Agana WWTP are not approved, is there a backup measure that will protect near shore waters from the expected increased levels of wastewater?

**Comment:** A backup plan of action should be created for implementation in case the funding for upgrades to be requested is not approved.

### **GROUNDWATER**

**Observation:** Alternative 1 Route 15 – “Potential for stormwater to reach Northern Guam Lens Aquifer. Stormwater runoff and sinkhole protection measures would serve to protect groundwater quality, resulting in less than significant direct or indirect short-term impacts.”

**Comment:** During construction, measures for stormwater runoff and sinkhole protection must be ensured to prevent any adverse affects to the Northern Guam Lens Aquifer.

**Question:** What specific measures will be done to protect against stormwater runoff?

**Observation:** Alternative 2, 3, and 4 East/West, North/South and L-Shaped - “Minor potential for stormwater to reach local aquifers (not the Northern Guam Lens Aquifer). Stormwater runoff protection measures would serve to protect groundwater quality, resulting in less than significant short-term impacts.”

**Comment:** During construction, measures for stormwater runoff and sinkhole protection must be guaranteed to prevent any adverse affects to the affected aquifers.

**Question:** What specific measures will be done to protect against stormwater runoff?

**Observation:** Alternative 5 NWF – “Similar to Alternative 1, there would be a potential for stormwater to reach Northern Guam Lens Aquifer. Stormwater runoff and sinkhole protection measures would serve to protect groundwater quality, resulting in less than significant direct or indirect short-term impacts.”

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**Comment:** During construction, measures for stormwater runoff and sinkhole protection must be ensured to prevent any adverse affects to the Northern Guam Lens Aquifer.

**Question:** What specific measures will be done to protect against stormwater runoff?

**Observation:** Alternative 1 and 2 Route 15 and NWF (Operations) – “Minor increase in localized recharge rates and in pollutant loading potential to the NGLA.”

**Comment:** No specified mitigation measures. Any increase needs to be monitored closely.

**Question:** What will be done to address the slight increase in pollutant loading potential?

**Observation:** Alternative 2, 3, and 4 East/West, North/South and L-Shaped (Operations) - “Minor potential for stormwater to reach local aquifers (not the NGLA).”

**Comment:** Need to ensure measures that protect against stormwater runoff is in place.

**Question:** What specific measures will be done to protect against stormwater runoff?

**Observation:** Alternative A, B, C, and D Finegayan, Finegayan/South Finegayan, AAFB, and Barrigada – “Short-term, direct impacts from potential for stormwater to reach NGLA. Stormwater runoff and sinkhole protection measures would serve to protect groundwater quality. Siting and construction of wells would be implemented according to GEPA regulations.”

**Comment:** Need to ensure measures that protect against stormwater are in place.

**Question:** What specific measures will be done to protect against stormwater runoff?

**Observation:** Alternative A, B, C, and D Finegayan, Finegayan/South Finegayan, AAFB, and Barrigada (Operations) - Long-term increase in annual groundwater production of 1.7 MGd could result in a localized significant impact to the NGLA. Potential Mitigation Measures: The DoD would, as appropriate, implement enhanced water conservation measures for the proposed action, improve existing DoD water systems to reduce system leaks, adjust pumping rates at DoD wells, use existing wells, and/or increase the use of surface water from Fena Reservoir, in order to reduce withdrawals from the NGLA. The DoD would continue to support the Guam Water Resources Development Group and would support USGS’s recommendation to rehabilitate and expand the hydrologic data collection network and monitoring necessary to ensure sustainable management of NGLA. The FY2014 NDAA directed the Secretary of Defense to convene the EAC in part to develop an implementation plan which will

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address assistance to support public infrastructure requirements necessary to support the preferred alternative, and may address groundwater-related issues.”

**Question:** What specific public infrastructure requirements will the Secretary of Defense support to address groundwater-related issues?

**Observation:** The 2010 Record of Decision stated, “Planners suggested that Andersen AFB Northwest Field be eliminated for the reasons noted in Volume 2, Chapter 2 of the FEIS. *Additionally, Andersen AFB Northwest Field contained groundwater wells that supported Andersen AFB, various environmental restoration sites, two endangered species, and endangered species habitat management units covered by longstanding agreements with the U.S. Fish and Wildlife Service (USFWS). Finally, relocation of USFWS National Wildlife Refuge lands located below the cliff line was likely not possible due to endangered species recovery efforts.*”

**Question:** What has changed since the 2010 ROD to support the inclusion of the NWF as an acceptable Alternative in the SEIS given the groundwater wells that support Anderson AFB and a large part of the greater community?

### **SPECIAL STATUS SPECIES**

**Comment:** The only known Serianthes Tree on Guam is located in the northwest corner of the proposed firing range site at Alternative 5. The proposed mitigation factors are to fence off the tree with a 100-foot buffer. Access to the tree would only be for research/conservation uses. The sole Serianthes Tree on Guam remains undisturbed and surrounded by natural vegetation.

**Question:** What is to say the tree will not suffer any damage by the removal of the environment around it? Does the tree rely on resources from its surrounding natural habitat in order to survive?

**Statement:** Additionally, there will be indirect impacts to the tree given the mitigation described in the SEIS.

**Question:** What guarantees or assurances can the DoD provide to protect the Serianthes tree given the increased risk of fire from the live-fire training range? Have there been studies to prove a 100-foot buffer will protect the tree from damage due to Typhoons if all the natural vegetation is removed except for the 100-foot buffer? If not, why not?

**Observation:** The 2010 Record of Decision stated, “Planners suggested that Andersen AFB Northwest Field be eliminated for the reasons noted in Volume 2, Chapter 2 of the FEIS. *Additionally, Andersen AFB Northwest Field contained groundwater wells that*

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*supported Andersen AFB, various environmental restoration sites, two endangered species, and endangered species habitat management units covered by longstanding agreements with the U.S. Fish and Wildlife Service (USFWS). Finally, relocation of USFWS National Wildlife Refuge lands located below the cliff line was likely not possible due to endangered species recovery efforts.”*

**Question:** What has changed since the 2010 ROD to support the inclusion of the NWF as an acceptable Alternative in the SEIS given the endangered species and the conservations efforts currently underway in the area?

### **WASTE WATER**

**Comment:** The SEIS states that the total future flow at the steady state year 2028 for Alternative A is estimated to increase the average baseline flow by 53% at the Northern District WWTP.

**Question:** If the Northern District WWTP is not currently in compliance and no funding source has been secured as of June 30, 2014, how will the DoD ensure that GWA will have the capacity to accommodate a 53% increase in baseline flow by 2028? What projects have been funded or have begun that will accommodate a 53% increase in wastewater usage at the Northern District WWTP?

**Question:** Given that we are currently not in compliance, how is Guam able to accommodate for any population increase especially during the construction and operation phases of the proposed military expansion?

### **POTABLE WATER**

**Comment:** The SI within the Utilities sections deals with potable water. The document states that new piping and water mains are required to convey water to the future DOD installations. The document does not express any urgency in whether or not there would potentially be a shortage of fresh drinking water. The SEIS fails to discuss any possible effects the installation of the new piping systems would have on the local community surrounding the project area.

**Question:** Will the installment of the piping create another construction zone, therefore causing potentially more traffic in and around the area? Will any community in Guam suffer potable water shortages of fresh water being supplied to their households and businesses? If so, why was this not addressed?

**Comment:** In Section 4.1.14.2 Environmental Consequences – Page 4-104: DoD Potable Water System, it states, “Some of these wells may need to be relocated or abandoned, or

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their continued use negotiated with the GEPA due to the proximity of proposed cantonment facilities that are within the wellhead protection zone and could cause groundwater contamination. *Alternative approaches could be future adjustments to the layout of the proposed facilities to shift them out of the wellhead protection zone, or enhancement of the proposed facilities during the design phase to prevent impacts from their operation on groundwater.*"

**Question:** When will the DoD decide on the alternative approach to be used (in *italics* above)?

**Comment:** Currently, 7 wells service Alternative A or Finegayan.

**Question:** Will all 7 wells need to be moved at some point in the future? If so, has that number been included in the number of new wells that need to be drilled (It was communicated that only 11 new wells in total would be needed as per the SEIS)?

### **PUBLIC SERVICES**

**Comment:** The method for establishing the required amount of personnel for public services to maintain efficient service is not properly conveyed in the SEIS. On page 3-101, it specifies how the author quantified the appropriate number of additional employees. However, this breakdown is not specific enough to scrutinize the authors' methodology. Namely, this is important because the numbers provided do not seem adequate to continue serving the population. This is perhaps because the present baseline numbers for public service agencies are misleading. As an example, GPD maintains (based on their comments from the Draft SEIS Round Table and Comments to JGPO) that 370 officers would be adequate in keeping the peace and security of the island. The current number of GPD officers is currently at roughly 300. There is an obvious deficit between the current number and ideal; there have been enough public complaints to show the inadequacy of GPD service. As such, it is easy to argue that the ideal baseline of 370 that GPD espouses may not be enough for our current population. (As a side note, the Draft SEIS lists the current number of GPD officers at 146).

This issue is highlighted by the large number of crimes (major and minor) committed within the past year. Similarly, other public services such as GBHWC and DPHSS are experiencing service shortfalls; their baseline numbers may also be misleading in identifying the ideal ratio for adequate service. In summary, unless the public is provided with the complete methodological breakdown of the key staff to service population ratio, we will not be able to determine if the recommended numbers for these services is reliable. As for the Additional Service Populations listed in the tables the numbers are misleading. For instance, on Table 4.1.15.18 the stated Max Year Additional Service Population for GMHA is 5,137 people. The Steady State Additional Service Population is

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895. Both these numbers do not accommodate the nearly 6,000 Marine personnel and dependents coming to Guam. As such, true numbers for Additional Service Populations for GMHA is, during the Max Year, approximately 11,000 people. This dramatically changes the number of key personnel needed to accommodate adequate service for the anticipated population growth. Lastly, the numbers of key personnel does not include necessary vehicles as in the earlier example of GPD. Any additions in GPD personnel will require corresponding vehicle—which has not been addressed in the SEIS.

**Question:** Why are emergency vehicles and other essential personnel vehicles not factored into the impacts to public services?

**Observation:** The Public Safety Services Staffing Impacts, Table 4.1.15-21, lists inaccurate staffing patterns (e.g current staffing level for GPD is listed at 146). Based on current GPD staffing levels the agency is at 306. Also in the table, during the Max Year, an additional 9 officers will be necessary.

**Question:** If the table uses the 146 officer level and the current staffing pattern at the department is at 306, how will that change the number of officers necessary during the Max Year and beyond to the steady state?

### **SOCIOECONOMIC AND GENERAL SERVICES**

**Comment:** The DSEIS states that the rate of usage and wear and tear (deterioration) of the recreational resources would be lower than previously analyzed due to a lower number of users.

**Question:** What methodology is used to determine this statement? What assumptions were used to determine rate of usage? As an example, if the beach were a nice area, wouldn't it be of frequent use?

**Comment:** The SEIS also states that it is important to note that recreation is not the primary function of an ERA. One of the management objectives of the ERA management plan (contained in the INRMP) is to fence the eastern boundary of the reserve to prevent unauthorized activities, as well as prevent Philippine deer and feral pigs from accessing the reserve area. Some direct impact to existing recreational resources would still be anticipated due to the long-term increased population of Marines and their dependents on Guam. However, managing access to the ERA may minimize potential impacts from the increase in potential users and unauthorized activities (e.g., camping and fires).

**Question:** What mitigation efforts will be in place to restrict, not minimize, all unauthorized activities in that area?

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**Comment:** The SEIS MUST include access restrictions to Haputo ERA to both Installation personnel and guests and should involve the routine check of Military Police personnel. The restrictions must also include but not be limited to fines and criminal prosecution. The area is a refuge for a number of endangered species and culturally significant sites. Education and signage are simply not enough of a deterrent to minimize what could potentially be significant cultural impacts to the area.

**Comment:** Since installation personnel and guests primarily have access, it will be difficult if not impossible for the Government of Guam to know that the ERA will remain in good condition and the federal government accountable for its upkeep.

**Question:** What assurances do the people of Guam have with respect to cleanliness and preservation of cultural resources in the area?

**Comment:** On Page 4-52 – Terrestrial Conservation Areas: it states, “use of Haputo ERA is not expected to increase as a result of construction activities; therefore, there would be no impact associated with construction personnel.”

**Recommendation:** Access to Haputo ERA is to be restricted to all construction personnel during construction activities.

**Question:** How long will the construction phase last at the Finegayan alternatives?

**Comment:** The SEIS does not explore the ramifications of the increased military presence regarding Guam's political status. Any increased military presence, especially construction of permanent DOD structures and investments, would change the relationship between Guam and the United States. Moreover, some of the mitigation measures listed as Sociocultural Issues does not seem appropriate to the impact. For instance, one of the proposed measures is the appropriation of \$12 million for a Guam Cultural Repository facility, which will serve as a source of culture for Guam. Although this is a proposed mitigation for the loss of cultural resources, this does not mitigate the tension of the sociocultural issues that plague the century's long Guam-US relationship that will be magnified by this buildup.

**Comment:** Furthermore, Congress has not allowed for passage of language in the NDAA to allow for a cultural repository. If it has seemed that the funding for the repository will not pass, a more acceptable mitigation should be provided in the SEIS.

**Question:** What will happen when Congress does not provide funding for culturally sensitive mitigation efforts such as the cultural repository? If Congress does not appropriate the funds for the cultural repository, what will the mitigation be? Is there then no mitigation?

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**Question:** How can we continue to have these discussions about congressional funding when the Senate has been clear that it will not move forward and provide necessary funding for mitigation items such as the cultural repository without first receiving and reviewing DoD's Master Plan?

**Observation:** The SIAS states that sociocultural impacts will be less because of the anticipated smaller population increase and the period of time would be extended, thus allowing for a smoother period of adjustment (SIAS, Section 4.5 Sociocultural Impacts, page 4-96, D-210).

**Observation:** "Most sociocultural impacts are due to the overall population increase due to the proposed action, not the unique characteristics of any particular population" (SIAS, Section 4.5.1 Impacts on Crime and Social Disorder, page 4-96, D-210).

**Comment:** Military's actions, tours of duty here are temporary but the actual impacts as a result of their actions on the people and the community of Guam are long-term and, in many instances, permanent. The Final SEIS should include data and analyses on gendered violence in communities where the US military is present. Organizations including Okinawa Women Act Against Military Violence and East Asia-US Women's Network Against Militarism have published numerous studies on the impact of having to accommodate military personnel in their communities.

### **ECONOMY, FINANCE, AND TAXES**

**Observation:** Proposed Economic Benefit - Marine population influx to be augmented by civilian military workers and off-island construction workers [Chapter 2, page 2-2]

**Comment:** If this influx in population is to benefit Guam economically, it would be necessary that studies and critiques demonstrating this as an economic benefit in other similar communities/islands be included to further substantiate this position. Perhaps Okinawa should be provided as an example, not Hawai'i.

**Observation:** The DoD seems to state that because the military footprint is much less in this Draft SEIS, only about 10,000 people moving to Guam, the government of Guam should be able to figure out on its own how to address this socioeconomic impact. The DoD agrees to help somehow but did not quantify how tax revenues will pay for the impacts.

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**Comment:** This is not sufficient. The citizens of Guam do not deserve a decrease in the quality of life as a result of the military's planned action. Quality of life must be sustained for all people of Guam, not just a select few.

**Observation:** Economic activity is classified as less than significant impact.

**Question:** Are the funds anticipated to support the relocation enough to offset the socioeconomic impacts outlined, enough to give our communities the resources needed to sustain ourselves through the relocation efforts and beyond, and enough to mitigate for the alternatives outlined? There are significant impacts but less than significant funds. The socioeconomic impact analysis is not sufficient to justify a decision to move forward with these preferred alternatives.

### **COMMENTS ON THE SIAS**

**Comment:** During 2008, the Marine Corps made several changes to help prevent misconduct among its service members in Okinawa. Some of the changes included an expansion of uniformed courtesy patrols, a new liberty card policy, checks of outgoing vehicles at Marine Corps installations, and additions to the orientation and education seminar that all newcomers must attend (Allen 2009).

**Question:** Will these same measures be immediately implemented on Guam? If not, why?

**Comment:** The SIAS references GPD statistics from 2010 to 2012 for military crimes but overall, there exists limited crime data and statistics on individual branches of the armed forces. There are fears in the general public of crimes committed by Marines overseas.

**Question:** Why are there still limited crime data and statistics on individual branches of the armed forces? When service members are arrested and/or prosecuted for crimes (off-base/on-base) why does the DoD not keep statistics?

**Observation:** IMPLAN Model used (Minnesota IMPLAN Group, Inc. [MIG] 2013) based on Honolulu: "structural capacity as economic hubs for island chains and where tourism and military activity are important industries" (SIAS, Section 2.2.1 Economic Model, page 2-5, D-39).

**Comment:** Along with the plans for the Mariana Islands Training and Testing /Mariana Islands Range Complex (MITT/MIRC), this Undertaking outlined in the Draft SEIS is one of the largest military expansion efforts Guam is expected to contend with.

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**Question:** Why is there not a specific model tailored for Guam?

**Comment:** Hawaii and Guam not comparable – Hawai'i is a state; Guam a territory. Funding appropriations are very distinct from each other.

**Question:** Were Guam economists involved in the development of the adjustment of this model? If not, why not, and how much would it have cost to involve local economists in the development of such a model?

**Question:** How is the Rotational Marine spending pattern customized to represent a visitor? If a visitor is a tourist, tourist spending is arguably different from the spending patterns of rotational military personnel.

### **COMMENTS ON THE NO-ACTION ALTERNATIVE**

**Comment:** Page 60 of the 2010 Record of Decision under 2. Potable Water (Guam) states, "The FEIS concluded that if the DoD should fail to secure necessary financing from the Government of Japan (GoJ) significant environmental impacts on the GWA system noted above will continue to occur. These impacts may include water supply shortage for both DoD and Guam's civilian population, low water pressure, and loss of reliable water service to portions of the island. As mitigation for this scenario DoD will implement APM which will reduce impacts to the GWA potable water system by lowering peak population levels during construction, thus also lowering peak water demand."

**Question:** How is the Adaptive Program Management (APM) one of the key mitigation measures for the No-Action alternative? How can the DoD accept that any water supply shortage for both DoD and Guam's civilian population is satisfactory and moral?

**Comment:** The APM is not sufficient to address the serious deficiency of mitigation efforts, as the alternative will severely burden Guam's infrastructure. Given the size of the "No-Action" alternative, a better, more comprehensive strategy that lasts beyond the construction phase is necessary.

**Comment:** The SEIS should have the impacts and mitigation proposed even if it is contained in the 2010 ROD. It is unacceptable to reference the ROD in the SEIS when all the information the people of Guam need is contained in a separate source and expected to provide comments on the contents of the ROD.

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**Question:** What is the reason for referencing a different document outside of the SEIS, when there should be a concerted effort to discuss both documents in relation to each other?

**Comment:** The proposed No-Action alternative is also an alternative in the SEIS. The DoD should have kept the No-Action alternative as an actual No-Action.

**Observation:** This alternative reverts back to the 2010 Record of Decision (ROD), which defers the LFTRC and establishes cantonment for 8,600 marines and 9,000 dependents on federally deemed lands at Finegayan. This alternative would reauthorize the continuation of actions not applicable to proposed military relocation efforts [ES-4.2 No-Action Alternative, page ES-9].

**Comment:** The No Action Alternative under the stipulations outlined in the 2010 ROD should therefore be amended to maintain the spirit of No Action. The Navy should consider elimination of such an implementation that is obsolete in the case of the 2010 ROD. Until a No Action plan is truly implemented, an analysis or further study should be done to report on the present-day impact of the existing training activities and cantonment construction as required for the Draft SEIS. A No-Adverse Impact Plan should be exercised: Any action alternative that has any impact, significant or mitigable, should not proceed.

**Comment:** The No-Action alternative is not compatible with the Mount Lam Lam and Mount Jumullong Manglo area since it contains areas of religious significance and cultural significance.

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### GENERAL COMMENTS

As we look at Asia and America's posture in Asia in terms of its rebalance, Guam finds itself with one of the biggest challenges as well as opportunities Guam is looking at with regard to the transfer of marines from Okinawa to Guam, and how this speaks to the balance in our community. As in every community ours is most impacted because of the small size of our community. Any influx of people in our community affects the balance in our community. Now the balance in this increased military presence is supposed to come from the Supplemental Environmental Impact Statement, executed with the change in scope of the marine relocation from Okinawa to Guam. One of the challenges we face is whether this move will be balanced for our community. Based on our reading of the Draft SEIS, and our reading of the previous 2010 DEIS there will still be an imbalance in this marine relocation for Guam. When that imbalance exists the burden then falls on the communities forced to carry the load, our everyday and outside-the-fence population. Additionally, the revenues expected to be generated by the movement of marines to Guam, by construction and so forth, will still be less than what we need to provide for our education, our workforce training, our criminal justice department, our safety and our overall wellbeing as a people of Guam.

The other issue that is very contentious for us is land. Land is our identity as an indigenous people of the world, as Chamorros of Guam. Without land we lose our identity. In this Draft SEIS, contrary to the alternatives and statements proposed, the military looks at alienating more land from the Chamorro people, and that is with regards to Ritidian. In trying to balance this military buildup, we find ourselves, rather than moving closer to the return of excess lands like the Ritidian area, further away from a balanced way of life with the integration of the Ritidian area as a surface danger zone for the live-fire training range. We believe that if you take a look at the SEIS and you remove one single element of the firing range requirement for the marines' active training on Guam, the .50 caliber machine gun, you can remove the placement of the surface danger zone over the Ritidian Wildlife area. This needs to be examined further in the Final SEIS. Consider the option of excluding that aspect of the plan, so that we can continue to work with the federal government in the future.

Ultimately, these proposed actions not only impede our quality of life but also our rights as indigenous peoples, and our ability to make decisions with regard to indigenous self-determination. Even, the DoD recognized in previous EIS proceedings that the increase of military personnel plus the increase of a civilian population to support increased military activity on Guam will have a negative impact on the rights of the local people and the ability of the native inhabitants of Guam in the exercise of its self-determination as provided for under the United Nations international treaties and charters.

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Although the people of Guam are becoming increasingly familiar with this process, the EIS is still not one that is routine or even rational to our culture and our way of life. The people of Guam have become self-taught in our own right around the issues that concern our quality of life, and now even more so as related to an expanded military footprint in our region.

While the EIS is supposed to provide communities the opportunity to be knowledgeable of and provide comment on the impacts to the environments affected, the process and the execution of the project, the roadmap or the master plan for the people of Guam is in no way an exercise of true democracy. The document is written by those not from here who have a vision for Guam that is not necessarily representative of and in line with our own. Clearly, this plan represented in part by this document was not something that the people of Guam came up with on our own. It was desired and decided by those not from here, and then the burden placed on us to comment on and determine the scope of DoD's plan. The people of Guam have been subjected to a plan that fulfills the DoD's mission to maintain global military dominance and security through war and violence. As such, this relocation is not truly intended for the economic benefit of our community or our region. Our involvement in the overall plan is just a matter of fulfilling the legal obligation required of this process.

Throughout the Draft SEIS, DoD says that the build-up is scaled down significantly, and that perhaps the message is that the People of Guam should be pleased that the DoD listened to our concerns. But, the reality is that the initial 2010 DEIS was a project so massive in its inception that to assume this scaled-down version, the 2014 Draft SEIS, should now be more palatable, more acceptable is but an insult on all of our lives and on the lives of many Chamorros, including the 1100 often forgotten, who suffered the loss of life due to wars and actions of violence fought not in our own regard.

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# Guam and CNMI Military Relocation (2012 Roadmap Adjustments) Supplemental Environmental Impact Statement



## Guam and CNMI Military Relocation (2012 Roadmap Adjustments) Supplemental Environmental Impact Statement (SEIS) Comment Form

Thank you for submitting your comments. Your comments will be reviewed and if you have selected to be a part of the mailing list, you will be emailed notifications of updates. If you would like to submit additional comments, please enter them and resubmit.

Written comments become part of the public record associated with this proposed action. Individual respondents may request that their name and/or home addresses be withheld from public disclosure, which will be honored to the extent allowable by law. If you do not want your name publicly posted, please create a nickname in the SEIS User Name field which we can use to identify your comment publically. All submissions from organizations or businesses, and from individuals or officials representing organizations or businesses, will be made available for public inspection in their entirety.

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We will not post any content that is offensive in nature, including profanity, personal attacks on any individuals, expressions of racism, or use of abusive language.

SEIS User Name (see top paragraph for explanation)

Senator Vicente (ben) C. Pangelinan

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### Company/Organization

32nd Guam Legislature

### Topic of Comment

Draft SEIS

### Date:

7/2/2014

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