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August 18, 2023

ManTech International Corporation
Attn: EIAMD EIS Project Support
PMB 403, 1270 N. Marine Corps Drive, Suite 101
Tamuning, Guam 96913-4331

RE: Official Response to the Proposed Guam Missile Defense System

Håfa Adai.

On behalf of the government of Guam, I submit our formal response to the Missile Defense Agency's (MDA) proposed Enhanced Integrated Air and Missile Defense (EIAMD) system in Guam. We appreciate the commitment by MDA to enhance regional security, acknowledging Guam's pivotal role in upholding a free and open Indo-Pacific region. While we recognize the changing security dynamics in the Indo-Pacific, it is essential to exercise prudent deliberation regarding the potential impacts and costs associated with the EIAMD system, with a particular focus on its effects on Guam's population, environment, and cultural heritage.

I underscore the significance of fostering meaningful engagement with the public throughout the entire development process of the EIAMD system. I ask that the MDA provide regular updates and opportunities for public input, ensuring that the concerns and viewpoints of the people of Guam are given due consideration. In conclusion, while we recognize the need for a robust missile defense system for the security of Guam, it is imperative that the proposed EIAMD system planning addresses the concerns contained in the attached document.

We appreciate the MDA's commitment to public scoping and look forward to continued collaboration to protect the people of Guam's environment, cultural heritage, and socioeconomic well-being.

Senseramente

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Maga'hågan Guåhan

Governor of Guam

Attachment: Government of Guam Public Scoping Comments

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OFFICE OF THE GOVERNOR OF GUAM

GOVERNMENT OF GUAM PUBLIC COMMENTS

SCOPING COMMENT PERIOD
NOTICE OF INTENT TO PREPARE AN
ENVIRONMENTAL IMPACT STATEMENT FOR AN

ENHANCED INTEGRATED AIR AND MISSILE DEFENSE
(EIAMD) – GUAM

AUGUST 18, 2023

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GUAM ENVIRONMENTAL PROTECTION AGENCY

The Guam Environmental Protection Agency (Guam EPA) recognizes the need for the placement of an Enhanced Integrated Air and Missile Defense (EIAMD) system for the island of Guam. Guam EPA provides the following comments and requests that these comments be included in the development of the Draft EIS (DEIS) and the Final EIS (FEIS).

This document serves as the Guam EPA's official response to the Notice of Intent (NOI) issued by the Missile Defense Agency's (MDA) responsibility to produce an Environmental Impact Statement (EIS). At a minimum, the MDA's DEIS and FEIS should address laws, regulations and policies which are, or will be pertinent to the EIAMD system, pursuant to 40 Code of Federal Regulations (CFR) Subchapters A – U, Guam Code Annotated (GCA) Title 10, Chapters 45 – 51, and Guam Administrative Rules (GAR) Chapters 1, Chapters 5 – 12, 15, 20, 25, 30, 45 and 50, with particular emphasis on the following:

Infrastructure, Wastewater:

Wastewater collection and disposal systems must comply with Guam EPA Wastewater Regulations. The projected increase in numbers of Department of Defense (DoD) personnel and families precludes the use of individual wastewater disposal systems. As is implemented elsewhere on DoD properties on Guam, connection to the public sewer system is required.

For small and remote installations, other alternatives that meet Guam EPA Water Quality Standards need to be evaluated. Currently, Guam's laws and regulations do not allow for any on-site wastewater disposal options other than a septic tank and leaching field for small residential uses only. Partnership of DoD with the Guam Waterworks Authority (GWA) on comprehensive upgrades of total facilities may be required. The DEIS must propose and evaluate alternatives that may best serve both the civilian and the military communities on Guam through a comprehensive island-wide approach with GWA. The recent GWA Master Plan was developed to cover the period of the planned military expansion but was done before the information on increased military expansion was available. The DEIS process should revise the GWA Master Plan to include new military impacts.

Infrastructure, Drinking Water:

Plan review for expansion of the drinking water systems to service all DoD facilities will be required by US EPA and Guam EPA. Regardless of their owners and operators, the water distribution systems, including water storage tanks and water line connections must be inspected for compliance to meet Guam and U.S. Safe Drinking Water Standards. Existing capacities, projected needs and recommended approaches to meet those needs should be considered. The impacts of using alternative sources of drinking water should be assessed.

These alternatives should consider surface water, ground water, recycled water, desalination

and various treatments needed for future water sources and combinations of these sources. Partnership of DoD with GWA on comprehensive upgrades of total water facilities should be part of the DoD expansion. Impacts on Guam's population of such cooperative development of infrastructure versus separate DoD developed and operated systems must be addressed.

The EIS process shall address the cumulative impact of the EIAMD System on the most recent Guam Water Resource Master Plan to include the DoD's proposed future developments and evaluate alternatives that may best serve both the civilian and the military communities on Guam through a comprehensive island-wide approach with GWA. Accelerated replacement of leaking GWA and DoD water lines and development of new planned storage reservoirs should be emphasized to recover and store the lost water in lieu of developing new water sources. Such alternatives must be considered as well as water conservation and recycling.

The recently proposed federal rulemaking (maximum contaminant level - MCL) on per- and poly-fluorinated alkyl substances (PFAS) is expected to result in all, or nearly all of Guam's Public Water Systems (PWSs) being found in violation of the MCL if it goes forward as proposed. The DEIS should address alternate forms of drinking water and/or the installation of treatment systems to be sure that safe drinking water is provided not only to the new personnel expected as part of the proposed EIAMD system, but also to existing residents whose water supplies are impacted by the increased population demand.

Groundwater:

A series of assessments on ground water must be carried out as part of the DEIS. Cumulative impacts of military expansion and relocation on the US EPA recognized sole source aquifer of Guam need to be addressed. Increased pumping from the aquifer for all DoD uses shall be assessed relative to its corresponding sub-basin's sustainable yield. Extension of sewer facilities to unsewered developments off federal lands done in a coordinated comprehensive approach with GWA to protect the Guam Northern Aquifer while developing expanded sewer facilities for military customers must be considered.

Storm Water Management:

The Guam EPA requires that all stormwater disposal systems comply with the requirements of the 2006 CNMI & Guam Stormwater Management Manual, as adopted by Executive Order 2012-02. Permits for and upgrades to stormwater management systems will be required to accommodate the large expected increases to the flows and decreases to quality of the storm water, whether discharged to the ground or to surface waters.

New expansion construction and upgrades to airstrips, wharves, roads, parking areas or other impervious surfaces should have management controls consistent with the Government of

Guam's legally applied Stormwater Management practices and this must be recognized as part of the mitigation under the DEIS. Special attention to the Federal Sole Source Aquifer designation of the aquifer under Northern Guam must be included in the DEIA/OEIA.

Erosion Control:

All proposed activities involving clearing and grading should comply with best management practices applied throughout Guam. Agency permit fees shall be paid where applicable. Environmental Protection Plans (EPP) are required for clearing and grading activities. Stormwater best management practices and erosion control measures shall be implemented for construction and post-construction phases. Vegetative waste should be composted, mulched and diverted from the waste stream going to the landfill. Prior to the commencement of earthmoving activities, local government clearances from the Guam EPA (e.g., for water quality impacts) Department of Agriculture (for wildlife and endangered species), Department of Parks and Recreation Historic Preservation Office (for historical and archeological concerns) must also be obtained.

Quarries:

Expanded demand for quarried materials for military construction and off-base construction must be assessed and matched to existing quarries. Due to the finite amount of usable quarried material on island, impacts to this maximum volume should be addressed. The EIS must propose and evaluate alternative quarry materials sources, to include aggregate importation, that may best serve both the civilian and the military communities on Guam through a comprehensive island wide partnership (shared development).

The use of submarine and/or beach sources of sand is prohibited for new construction. Beneficial reuse of dredged material is encouraged.

Radon Abatement:

Guam EPA encourages that all new proposed dwellings, dormitories, barracks, classrooms and offices in northern Guam be designed as Radon Resistant New Construction Buildings, since they will be built over limestone topography may meet or exceed 4.0 pCi/L as the level established by the US EPA for action to address radon gas. Impacts of not doing so should be addressed in the EIS.

Air Pollution:

Impacts of emissions due to potential increase of demands from existing power suppliers or the construction of new power sources, including standby power sources need to be assessed at all potential Guam sites. Impacts of increased vehicle and vessel emissions on Guam air quality should be addressed.

Solid Waste and Construction and Demolition (C&D) Debris:

Methods of solid waste management must be described in detail. The solid waste management plan must consider all phases of the EIAMD system – inclusive of pre- and post-construction, operation and closure at each proposed site, and all other sites which may serve as support for the EIAMD system. Given the island’s current capacity for heavy equipment, permitted solid waste facilities and contractors, a robust solid waste management plan should be developed and addressed in the DEIS – particularly with emphasis on the impacts on all permitted landfills, hard fills and processing facilities. DoD is encouraged to ensure that waste diversion takes place whenever feasible. Alternatives on military property should not be proposed without assessment of their impacts on development of the Layon Landfill.

C&D debris from DoD activities should be recycled as much as possible. Capacity to recycle old concrete from demolition sites exists on Guam. If the hardfill material resulting from demolition in DoD projects is to be disposed of off-Base, then the current Guam EPA permitted hardfill sites must be evaluated in the DEIS to determine if they have the capacity to accommodate the quantity of hardfill expected to be generated. If there is not assured capacity, alternatives must be proposed. Alternatives that may best serve both the civilian and the military communities on Guam through a comprehensive island-wide partnership (shared development) for hardfill management should be evaluated. A recycling program encompassing all federal and non-federal activities on Guam should be considered. Eligible materials include aluminum cans, cardboard, paper, plastics, glass, metals, wood and green waste. Impacts of not doing so should be assessed.

Hazardous Waste and Installation Restoration Sites:

Management practices and impacts of hazardous waste, inclusive of waste propellants, explosives, pyrotechnics, used oil and other materials defined in 40 CFR § 261.3 must be addressed. Potential hazardous wastes from construction, demolition, training, restoration and support services must be included. DoD should have alternative plans that outline procedures that DoD will adhere to in the event that they find adverse environmental conditions during the EIAMD System construction, operation and closure – which may include but not be limited to buried or submerged drums/containers, contaminated soil/water and mutations of concern (MEC).

If selected sites considered for the EIAMD System include Installation Restoration (IR) sites such as the Military Munitions Response sites, then remediation should be performed on these sites and at all other considered alternative development sites. MEC and other widespread and often unrecorded military contaminants have been reported in undeveloped, highly vegetative areas and submerged lands all over the island.

This can impact site selection and costs of new developments. Known IR sites and timelines for cleanup actions need to be considered in the DEIS review of alternative development sites.

Toxic or Environmentally Harmful Chemicals:

Impacts from increases in imports or in generation or storage of toxic chemicals or chemicals that may harm the environment must be addressed. Specifically what new chemicals, hazardous materials associated with the deployment, storage, use and disposal of missiles and its components.

Pesticides Use:

Impacts of the use of insecticides, fungicides, rodenticides, and microbicides in DoD operations, construction renovation and maintenance should be addressed. A Pesticides Use Plan should be required for all DoD activities.

Explosives Hazards:

Land use and water use impacts and potential natural resources impacts, especially to native species, from military explosive use, storage and disposal must be addressed.

Missile Deployment Site Impacts:

For the planned location of missile deployment areas, the EIS must look into the Impact of the noise, electromagnetic fields (EMF), and electromagnetic radiation that may disturb the normal activities of native species as well as human uses of land and waters. Impacts to the environment from the training, maintenance and storage of all missiles and residuals must be addressed in the EIS. The impacts of all missile defense systems on the environment should be assessed over the life of the missile system. Clean-up of these training wastes must be planned and therefore launching out to sea cannot be acceptable. If an alternative includes launching over the marine environment, the methods and costs of removal of debris from the coral reefs protected by US Executive Order must be addressed.

Electromagnetic Radiation Impacts:

Any possible or perceived impacts from electromagnetic radiation related to military activities and possible health and land use impacts must be addressed. Maps depicting the areas affected should also be included.

Nuclear Radiation Impacts:

Any possible or perceived impacts from nuclear radiation related to military activities and possible health and land and water use impacts must be addressed. What types of radioactive

monitoring or surveying are done on military installations and at Guam sites external to the bases? What are the types of samples, periodicity of sampling, the isotopes and radiation of concern and locations of sampling? What monitoring processes are employed? What is the turnaround time for results? What federal and Guam agencies receive these monitoring results? Will there be a cumulative increase in background radiation levels due to the additional missile activities both on and off base and at proposed sites?

Native Species Habitats:

Significant cooperative activities among the DoD, and U.S. and Government of Guam agencies concerned with endangered species and native species conservation have progressed over many years. Habitat areas on DoD property have been used for cooperative conservation projects. The DEIS must note impacts to both locally and federally listed species and address protection of their habitats, including providing improved studies and re-evaluation of their habitats near DoD development sites. The EIS must propose and evaluate natural resource conservation alternatives that may best serve both the civilian and the military communities on Guam through a comprehensive island-wide partnership. Management through accepted ecosystem approaches should be described.

Special attention must be given to native Guam tree snails which have been inadequately addressed in previous impact studies. All native tree snails have been badly impacted by human activities, especially removal of vegetation and introduction of alien species. Three of these species are listed as endangered on Guam.

Loss of vegetation serving as habitat and food sources for endangered tree snails, birds and bats and impacts on native species from all new developments and from DoD related population growth needs attention in the DEIS. Information on impacts to Guam species and alternatives and activities to mitigate impacts on these species should be addressed. We believe that a comprehensive mitigation plan is needed in regards to overall impacts on living plants and animals from all the proposed DoD activities. This should include recommendations on mitigation banking possibilities for future impacts.

Cumulative impacts to the health of ecosystems, including coral reefs, must be addressed.

Also, improved management of impacts from introduced species and procedures to prevent new introductions on land and in fresh and marine waters should be addressed

Cumulative Impacts:

The Guam EPA has reviewed the scoping needs for the impacts expected from the actions noted

in the NOI for the DEIS, as a separate group of impacts, not encompassing the significant interactive and cumulative impacts of related DoD proposed developments not only to current local conditions, but also to proposed or anticipated local development or growth. The overall cumulative impacts of additional projects and developments directly and indirectly caused by military expansion on Guam need to be addressed as thoroughly as possible in the DEIS. For example, some of the many interrelated DoD activities that are ongoing and planned for development on Guam include the redevelopment of munition igloos at Andersen AFB, establishment of Global Hawk activities, the proposed Beddown of Training and Support Initiatives at Northwest Field, the expansion of Kilo Ammunition Wharf, the improvements to support nuclear submarines, the development of on-base schools, associated sports facilities directly related to school activities, library expansion, military education center expansion, facilities outside of the DoDEA school and higher education systems to provide collaborative opportunities and joint program planning for K-16 yet to be determined, barracks, housing and supermarkets, etc.

We request that the DEIS include more than summary tables of the ongoing and expected projects. The cumulative and interactive impacts of each proposed project need to be addressed along with local future development/growth. Discussion should be provided on compatibility and interdependency of projects and ways to mitigate overall impacts. Comprehensive approaches to accommodate infrastructure needs and the lessening of any resulting negative impacts overall need to be addressed in light of all DoD activities.

The inclusion of impacts from transient DoD personnel and construction and service workers must be added to impacts of those based on Guam in all issues addressed in the DEIS.

Cumulative impact analyses should include not only direct impacts, but also impacts indirectly caused by military activities. Many indirect impacts due to the proposed EIAMD system covered by this DEIS are already occurring, such as increased property sales, production of barracks for construction workers, increased immigration or return of previous residents to Guam, etc. Statistics and projections on these changes and impacts must be generated for the EIS.

The logical reference point for measuring cumulative impacts must be established, such as environmental conditions at a certain point in time, e.g., 2023.

Mitigation:

Previous mitigation by the DoD on Guam and in the CNMI for environmental impacts has not been successful, such as the Navy mitigation for construction of Kilo Wharf. Much improved and permanent mitigation must be planned in this DEIS. We believe that a comprehensive mitigation plan is needed in regards to overall impacts on living plants and animals from all the proposed DoD activities on Guam. This could include recommendations on mitigation

banking possibilities for future impacts. Impacts and mitigation for other islands should also be addressed. Mitigation for impacts to the human environment should consider provision of DoD lands for public uses such as recreation or a new public landfill and sharing of DoD resources such as those for mass transportation.

Impacts on Regulating Agencies:

We are particularly concerned over the anticipated impacts of increased military presence on Guam on the ability of Guam Environmental Protection Agency to provide the services which we are mandated to perform under US and Guam laws. The same concerns apply to other Government of Guam regulatory agencies.

Although plans, sites and detailed information on the relatively huge and sudden establishment of new facilities to be addressed in this EIS are not yet available, as well as information on other possible DoD projects and secondary impacts, these must be taken into consideration. In the previous Supplemental EIS (SEIS), an additional staffing need of 10 full time employees (FTEs) was estimated to enable Guam EPA to accommodate the permitting and inspection of just the Marine Corps Relocation activities alone. In reality, Guam EPA has shrunken in total staffing since the SEIS publication, and with peak Marine Corps Construction nearing, permitting and inspection resources are completely overwhelmed. The DEIS must provide an additional estimate of Guam EPA FTEs needed to accommodate the proposed new Missile Defense activities, and also must propose mechanisms by which these additional FTEs will be provided, in addition to how the current FTE gap will be addressed. As has been proven, Guam EPA has been unable to obtain additional funding or to even recruit additional qualified FTEs (e.g., engineers and inspectors) due to wage competition driven by military construction. It is worth noting that Guam EPA's FTE shortfall negatively affects DoD's pace of construction.

NEPA Process:

What circumstances would override, modify or cancel the NEPA requirements applied to this proposed action and the development of the EIS?

Cooperating Agencies:

Does any of the Cooperating Agencies have a "Veto" power into the NEPA requirements for this proposed action?

Off Base Impacts:

An increase in off-base population would occur as a result of the importation of labor necessary for construction. Most of the laborers for DoD construction would have to be temporarily brought into Guam.

Housing Facilities for Temporary Workers (Barracks) will cause many impacts involving land use

and infrastructure permitting and planning by Guam EPA staff to mitigate and control. Likewise, related increases in traffic and government services for the imported workers will demand Guam EPA attention. The DoD may not assume primary responsibility for these impacts, making the work of Guam EPA even more difficult. The immediate increased demands on water, sewage and solid waste disposal from the influx of new workers will only aggravate the existing severe violations of environmental standards, which will be further compounded by Guam EPA's staffing shortfalls.

New road construction has always been a regular burden on Guam EPA reviewers and permitting staff and this should greatly expand with urgent requirements for roads needed by the military. The expected DoD construction both off and on Base will require massive amounts of quarried materials that will also lead to more review, permitting and inspection work by Guam EPA staff. During the on-going ramp-up of construction for the Marine Corps relocation, The government of Guam as a whole has already observed severe abuses of Guam's regulatory system for quarrying, with massive environmental impacts to private property and public resources by contractors attempting to obtain stone materials without obtaining the proper zone change approvals and related permits.

The DEIS should propose institutional controls which will discourage such activities, for example, by requiring stone products utilized on all DoD construction projects to be obtained from properly permitted quarries, not "grading" of private or public properties.

Wherever they are located, military developments, private and public developments triggered by the DoD expansion and even plans for expanded programs, will generate extensive EIA/EIS documents with strict timelines for review and comment. Guam EPA is already understaffed in manpower able to conduct these reviews and provide required formal comments.

Coordination with Government of Guam:

All regulatory agencies of the Government of Guam will apply their permitting and regulatory responsibilities, as required by US National laws and Guam laws, to the activities undertaken by the DoD and its contractors to support relocation and expansion of the military on Guam. To avoid problems and delays in the progress of the support actions, regular dialog and communication among the DoD, its contractors and Guam agencies, including the Guam Bureau of Statistics and Plans, the Guam Environmental Protection Agency, the Guam Department of Agriculture and the Guam Department of Parks and Recreation should be held. The permits, approvals and consultations needed from Government of Guam Agencies as well as from other Federal Agencies should be noted as part of the draft EIS/DEIS.

Guam EPA Personnel Challenges and Pitfalls

Besides directly generating much more work for the Guam EPA staff, the urgent and

well-funded DoD development projects promise to lure more and more capable staff trained by Guam EPA to abandon the Agency for more lucrative positions in support of the military expansion. Several extremely important and experienced staff have already made this move in the last year. And even though Gov Guam has recently increased salaries across the board, federal and industry salaries far exceed what Gov Guam can offer, and Guam EPA has been unable to attract any applicants at all in some badly needed professions such as engineering. This is crippling the ability to fulfill Guam EPA mandates, while the demands and workloads are simultaneously greatly increasing. The EIS must address impacts on the permit processing resources and resulting delays in permit approvals and discuss the secondary impacts and costs resulting from these delays.

General Comments/Questions:

- What are the training requirements for the proposed assets? Will the MITT be updated to reflect these requirements? A discussion on all proposed asset training requirements should be included.
- What will be the Safety Danger Zone for the expected assets? How will these be incorporated with the existing ones? What new restrictions are expected.
- Will a map depicting the estimated operational range of assets be produced and distributed? What is the range in relation to Guam's exclusive economic zone EEZ? What are the impacts to Guam's territorial sea? Will there be restrictions to either or both?
- What is the composition of the propellants for all assets? Liquid, solid, or a combination? Is there a service/maintenance schedule for the assets? Please expound on the leak and containment requirements for the propellants as a majority of the proposed sites are over the northern aquifer. Ground water monitoring for these chemicals and constituents should be included in all water quality monitoring plans.
- If there is a delay in local permitting, will MDA cancel or override the NEPA process to meet its stated timeline for deployment?
- A discussion and associated maps for all buffer zones that need to be established for all proposed assets.
- The Government of Guam recommends that light and noise pollution impacts be assessed and considered in order to avoid or reduce disturbances in the nearby communities
- Numerous components of a missile can cause harmful effects because of the loud noise and plume of a missile. Please ensure MDA provides mitigation plans or please share existing mitigation or policy that ensures this, such as controlled debris, explosives or toxins from reaching the public

STATE HISTORIC PRESERVATION OFFICE

- The EIS should include a vegetation survey and cultural resource survey of each proposed sites.
- The impacts of cultural resources need to be determined. Our office needs three (3) full-time Secretary of the Interior archaeologists to perform the work on the twenty (20) sites.
- Suruhanu (traditional healers) and other cultural practitioners need access to the selected sites to pay respect at cultural sites and collect medicine or amot.
- Dental isotopes of human remains found should be provided to our office.
- The EIS should include a study of seeds to determine the diets of the human remains found during construction at the selected sites.
- Cultural awareness briefings should be conducted for all DoD personnel.
- Nearby places of historic significance need to be protected from noise pollution and contamination.
- The EIS should include the status of the Integrated Cultural Resources Management Plans (ICRMP) and whether or not ICRMPs have been updated.
- The EIS should include a cultural resource survey for each of the 20 sites and any cultural resource within the affected areas will be evaluated for inclusion in the National Register of Historic Places.
- Technology has become more available and is a useful tool to help tell the story of our past. Human remains found during the construction phase can yield information on how they lived. We would like to see dental isotope testing done on human remains. We would also benefit as a community with the testing of seeds found often next to human remains. Seed studies will give us more information on the diets of our ancestors.
- The EIS should identify mechanisms or practices to protect nearby places of historic significance from noise, vibration, and contamination during construction and operation of 20 missile sites.
- SHPO staff must be assured of ready access to all 20 missile sites during every phase of responsibility to ensure diligent monitoring of sites for preservation of items of cultural and historic significance. Approved access passes, badges and procedures must be implemented to avoid long waits in multiple lines at different military front gates that discourage monitoring.
- In addition to the Guam SHPO seeking greater access to ensure monitoring of sites, the DOD archaeologists should be required to increase onsite visits to sites to ensure compliance with protective measures.
- Guam SHPO intends to adopt Guam specific archaeology survey standards to supplement the Secretary of Interior standards of identification. DOD is encouraged to work with SHPO to develop archaeology standards that are appropriate to Guam.

- SHPO policy on discovery of artifacts is to avoid the area and leave in place.
- Culturally important trees and plants must be made available to canoe builders, wood workers and artists once collected from the construction phase of the 20 missile sites.
- Baseline photos documenting historic buildings in the vicinity of the missile sites must be done and updated annually. Proximity to missile testing could have a detrimental effect on historic buildings.

BUREAU OF STATISTICS AND PLANS

The Coastal Zone Management Act of 1972 (CZMA) provides a framework for the effective management, beneficial use, protection, and development of the coastal zone. Since 1979, The Bureau of Statistics and Plan's (BSP) Guam Coastal Management Program (GCMP) has been the approved coastal zone management program (CZMP) for Guam, applying its capacities towards preserving, protecting, developing, and where possible, restoration or enhancement of the resources of Guam.

CZMA Section 307 provides a strong voice for approved state CZMPs in the process of federal decision-making when it comes to federal actions, including federal activities, federal development projects, federal approval of federal licenses and permits, and federal funding provided to state and local government.

As stated in 15 CFR §930.37, a federal agency may use its NEPA documents as a vehicle for its consistency determination or negative determination, but "the federal agency's federal consistency obligations under the [CZMA] are independent of those required under NEPA and are not necessarily fulfilled by the submission of a NEPA document." The section continues, "If a Federal agency includes its consistency determination or negative determination in a NEPA document, the Federal agency shall ensure that the NEPA document includes the information and adheres to the timeframes required by this subpart. Federal agencies and State agencies should mutually agree on how to best coordinate the requirements of NEPA and the [CZMA]."

The proposed EIS for the EIAMD system will involve a series of decision-making actions which would be subject to federal consistency, especially for federal activities and federal development projects. GCMP takes the position that a phased consistency determination approach is best for the review of the various activities covered under the EIS.

The rationale for using a phased determination approach is described in 15 CFR 930.36(d), which reads:

In cases where the Federal agency has sufficient information to determine the consistency of a proposed development project or other activity from planning to completion, the Federal agency shall provide the State agency with one consistency determination for the entire activity or development project. In cases where federal decisions related to a proposed development project or other activity will be made in phases based upon developing information that was not available at the time of the original consistency determination, with each subsequent phase subject to Federal agency discretion to implement alternative decisions based upon such information (e.g., planning, siting, and

design decisions), a consistency determination will be required for each major decision. In cases of phased decision-making, Federal agencies shall ensure that the development project or other activity continues to be consistent to the maximum extent practicable with the management program.

GCMP believes that the scope of the activity, and the planning and decision-making stages for its implementation would favor a phased approach for the preparation of consistency determinations, supporting evaluations GCMP's enforceable policies with regard to the activity, and description of the included activities, associated facilities, and their coastal effects.

This would involve the submission of the first phased consistency determination upon the completion of the draft EIS on the consistency of the overall activity and related development projects, which would ultimately be subject to the decision document, followed by other consistency determinations on specific activities or development projects as final decisions are intended to occur, subject to the timeline set forth in 15 CFR §930.36(b)(1) or a different requirement should there be mutual agreement as provided in 15 CFR §930.36(b)(2).

The contents of a consistency determination are described in 15 CFR §930.39, subsection (a) of which reads:

The consistency determination shall include a brief statement indicating whether the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the management program. The statement must be based upon an evaluation of the relevant enforceable policies of the management program. A description of this evaluation shall be included in the consistency determination, or provided to the State agency simultaneously with the consistency determination if the evaluation is contained in another document. Where a Federal agency is aware, prior to its submission of its consistency determination, that its activity is not fully consistent with a management program's enforceable policies, the Federal agency shall describe in its consistency determination the legal authority that prohibits full consistency as required by § 930.32(a)(2). Where the Federal agency is not aware of any inconsistency until after submission of its consistency determination, the Federal agency shall submit its description of the legal authority that prohibits full consistency to the State agency as soon as possible, or before the end of the 90-day period described in § 930.36(b)(1). The consistency determination shall also include a detailed description of the activity, its associated facilities, and their coastal effects, and comprehensive data and information sufficient to support the Federal agency's consistency statement. The amount of detail in the evaluation of the enforceable policies, activity description and supporting information shall be commensurate with the expected coastal effects of the activity. The

Federal agency may submit the necessary information in any manner it chooses so long as the requirements of this subpart are satisfied.

Impacts to Coastal Uses and Natural Resources

The federal activities and federal development projects covered by the proposed EIAMD system EIS shall be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the management program. As mentioned above, the consistency determination will require detailed description of the activity, its associated facilities, their coastal effects, and data to support MDA's consistency statement. Full consideration of the activities, facilities, and their coastal effects will require more detailed information that will likely be available for the draft EIS, which is partially why a phased determination process is preferred. In addressing consistency with GCMP, MDA will need to determine the coastal effects that the proposed activities and facilities will have upon GCMP's enforceable policies, which are the 18 policies adopted by Executive Order 78-37.

Should MDA intend to develop or acquire land outside current federal holdings, the activity/development project may be subject to enforceable policies which are not typically applied to federal projects which are outside of the coastal zone but otherwise have effects upon GCMP's enforceable policies, for example, some of the development policies under Executive Order 78-37.

For most of the proposed sites, which are located on federally-controlled property, MDA's evaluation of its proposed activities and facilities should address reasonably foreseeable effects on Guam's coastal zone.

Reasonably foreseeable effects can be direct or indirect (cumulative and secondary) which result from the activity. In accordance with 15 CFR §930.11(g), "Indirect effects are effects resulting from the incremental impact of the federal action when added to other past, present, and reasonably foreseeable actions, regardless of what person(s) undertake(s) such actions." Coastal uses or resources are described in 15 CFR §930.11(b), which states:

The phrase "any coastal use or resource" means any land or water use or natural resource of the coastal zone. Land and water uses, or coastal uses, are defined in sections 304(10) and (18) of the act, respectively, and include, but are not limited to, public access, recreation, fishing, historic or cultural preservation, development, hazards management, marinas and floodplain management, scenic and aesthetic enjoyment, and resource creation or restoration projects. Natural resources include biological or physical resources that are found within a State's coastal zone on a regular or cyclical basis. Biological and physical resources include, but are not limited to, air, tidal and nontidal wetlands, ocean

waters, estuaries, rivers, streams, lakes, aquifers, submerged aquatic vegetation, land, plants, trees, minerals, fish, shellfish, invertebrates, amphibians, birds, mammals, reptiles, and coastal resources of national significance. Coastal uses and resources also include uses and resources appropriately described in a management program.

However, there is one candidate property which is not on current federal property. It should be noted that use of non-federal land is subject to more GCMP enforceable policies and enforceable mechanisms because whereas excluded lands are subject to evaluation of spillover effects, the effects to coastal uses or resources under Guam's jurisdiction are more direct.

The following are issues that would likely be relevant in the review of federal consistency under GCMP's enforceable policies including but not limited to:

- (1) As stated above, there is increased potential for reasonably foreseeable effects for activities outside of land solely under federal jurisdiction. Development policies and certain resource policies which are less subject to spillover effects may be more relevant than otherwise, for example the development policies on hazardous areas or erosion and siltation or the resource policy on agricultural lands.
- (2) Effects on air quality should be evaluated for both the construction phase and operational phase of the proposed development projects and activities covered under the EIAMD, including their effects, on the coastal zone and GCMP's enforceable policies. Appropriate BMPs should be included in plans reviewed by GCMP to minimize impacts to air quality in the coastal zone during both phases.
- (3) Effects to water quality should be evaluated for both the construction phase and operational phase of the proposed development projects and activities covered under the EIAMD, including their effects, on the coastal zone and GCMP's enforceable policies. Appropriate stormwater BMPs should be included in plans reviewed by GCMP to minimize impacts to water quality in the coastal zone in both phases. Nine of the twenty proposed candidate sites are above the Northern Guam Lens Aquifer (NGLA), Guam's Sole Source Aquifer, and the source of about 85% of Guam's drinking water. Development above the NGLA has a reasonably foreseeable effect upon water quality, which should be addressed by appropriate permanent and temporary BMPs installed consistently with the CNMI and Guam Stormwater Management Manual. In addition, low impact development practices should be implemented. Some low impact development practices are identified in the Island Stormwater Practice Design Specifications, A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Effects to estuaries and reefs should also be considered and subject to strictly applied stormwater BMPs. Use of water and

wastewater systems should comply with Guam Waterworks Authority's applicable regulations and permitting requirements.

- (4) Development of fragile areas should be avoided, minimized, and mitigated appropriately, particularly historic and archaeological sites, wildlife habitats, pristine marine and terrestrial communities, limestone forests, and mangrove stands and other wetlands. Part of the protection of marine communities is managed through the marine preserves also known as the Marine Protect Areas. Destruction of habitats for endangered and threatened species should be avoided. Take of endangered or threatened species should not occur, with implementation of appropriate measures to avoid intentional or inadvertent take.
- (5) Impacts to living resources within Guam's territorial waters should be minimized. It should be understood that owing to the free flowing nature of waters and the movement of species that some impacts to and/or within federal submerged lands can result in impacts to living marine resources within Guam's coastal zone.
- (6) Impacts to visual quality should be evaluated and proposed activities and development projects should be located so as not to degrade significantly views from scenic overlooks, highways, and trails.
- (7) Impacts to land use. Beaches, recreational areas, urban and rural areas within the coastal zone should not be subject to incompatible development and or incompatible/conflicting land uses.
- (8) Public access shall be ensured for beach areas, recreation areas, parks, scenic overlooks, conservation areas, other Government of Guam public lands and submerged lands. This also includes offshore uses such as fishing, including indigenous fishing, recreational water use, and traditional seafaring and related activities.

The foregoing should not be taken as an exhaustive list of considerations relevant to federal consistency with GCMP under the CZMA.

DEPARTMENT OF AGRICULTURE (DOAG)

Established under Public Law 3-103, effective August 1, 1956, the Department was established to protect and promote the agricultural resources and economy of the Territory of Guam by research, quarantine, control and conservation. The Department of Agriculture continues this work by developing and protecting the island's agriculture, natural resources, and aquatic and wildlife resources for the island of Guam. Within the organization are the following divisions:

- Aquatic and Wildlife Resources
- Forestry
- Biosecurity Division
- Agriculture Development Services (ADS)
- Conservation Law Enforcement
- Animal Health/Animal Control

For the purpose of addressing the proposed EIAMD system for Guam, the DOAG has developed the following questions for the EIAMD planning team to respond to:

1. Detailed information about the locations of the 20 candidate sites is needed to help determine habitat, species presence, and potential impacts to biological resources in the area and nearby areas where systems will be deployed and operated from.
2. The location of the Malesso candidate site needs to be clarified in the EIS.
3. The EIS should identify how much of an area is needed per system and road access for each site.
4. Identify Best Management Practices for the deployment and operations of the systems to be placed. BMPs must include preventative measures to avoid impacts to biological resources that may occur on and off-site of the system's locale.
9. The EIS should define the needed buffer and safety zone arcs.

DEPARTMENT OF LAND MANAGEMENT (DLM)

The DLM serves as the Government's main entity that maintains and effectively manages the destiny of all public lands considering the social and economic factors to include control of developments determined to be in the best public interest for its continued social and economic welfare.

The EIAMD system poses many questions for the DLM particularly with regard to land needs. The EIS should provide any and all information regarding:

1. Acreage required for each EIAMD site
2. Size of the setbacks and/or buffer areas and whether or not the sites are component specific
3. Sites that may be contiguous to private residential areas
4. Sites on or near conservation areas and whether sites contain habitats for endangered species
5. Required or additional non-Federal property that may be unregistered and how those properties will that be treated/processed
6. Sites within buffer areas on or near school sites?

SITE SPECIFIC QUESTIONS:

1. For the NBG Dandan site: what is the planned access road?
2. For the Malesso site: what is the planned access road?
3. Will any of the northern sites fetter existing access to private landowners in Jinapsan?
4. Is the NBG Former Nimitz Hill Housing Area site near the Turner Road private residential areas? Will access to this area be fettered?
5. Is the NBG Apra View/Apra Palms site contiguous/near the private residential areas?
6. Is the NMS Northeast site contiguous/near private residential areas?
7. Is the Malesso site in the municipality of Malesso or is it in Inalahan or is it in Humatak?

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA)

The proposed action to deploy and operate a comprehensive, persistent, 360-degree EIAMD system on multiple sites throughout the island raises a number of concerns relative to the economic wellbeing of the island of Guam. While a greater defense budget circulates more dollars in the local economy and subsequent multipliers, where the island's economy stands in the long term is a necessary area in need of exploration.

In the last decade, outside of the COVID-19 pandemic environment, economic indicators have trended positively. However, there is evidence of inequity in the distribution of wealth in the economy, structural employment issues, housing affordability concerns, and inflationary pressures most especially felt in the construction industry. Of equal concern is the ability for the island to maintain its position as a key visitor destination for the Asian region, as well as diversify the economy across multiple industries.

Land and Home Development

The median home price in Guam prior to the military realignment was \$245,000. The current median home price hovers around \$430,000 (Cornerstone Valuation Guam, Inc.). The most significant factor associated with this increase is the shortage of manpower for construction available for non defense aligned work. The construction workforce is made up of a small local workforce augmented by H2B Visa holders. As of the time of the scoping exercise, there are more than 4,500 H2B Visa holders engaged in local construction projects. These workers, however, are only allowed to work on defense aligned projects.

Understanding the scale of construction of the 360-degree EIAMD system is critical to further examining the effects of any additional strain to the supply of workers on the island. The cumulative effect of all regional defense activity has major implications on housing already evidenced by the home price increases. Any further strain will drive a further chasm between housing for military personnel versus non-military personnel. Further examination of the current policy for H2B visa must be performed prior to moving forward.

Additional land concerns include the effect of land valuation near proposed sites and any restrictions concerning development. The Government of Guam is unaware of the scope of the construction and how it may enhance or hinder development. As the process continues, it is necessary to understand any restrictions to development that may arise as a result of the geographical placement of the missile systems. There are also variables outside of the environmental type of restrictions such as the NIMBY concerns of local residents and possible effects on the visitor experience as a result of the project locations that warrant further exploration prior to proceeding.

Utilities - power, water, and wastewater - are submitting separate comments. However, through the economic lens, an integrated expansion of utilities including underground power and the expansion of the sewer system island wide is viewed positively from a development standpoint. An integrated utilities plan factoring in the cumulative effect of the military expansion inclusive of the MDA, coupled with the Government of Guam's long term land use, and any reported private sector expansion plans in industries such as tourism and telecommunications is necessary to minimize the disruption of development.

Wealth distribution in the economy

The Small Business Administration recently reported that 16% of awarded projects in Guam were made to local small businesses. This is higher than the national average. However, only approximately 5% of local businesses participate in federal contracting.

Further, according to the Department of Revenue and Taxation, gross receipts of off island headquartered construction companies reported gross receipts that were nearly ten times the size of gross receipts of on island construction companies. This is one representation of the slow movement of capital to the island such that local companies may scale their operations to become viable vendors of the federal government.

The SBA's closest Procurement Center Representative is located in Hawaii. In any "status quo" defense environment, this reporting structure is likely acceptable. However, with the current frenzy of activity, more efforts to engage local small businesses in federal contracts is necessary including the increased resources to the Guam SBA Office. Prior to commenting on the full effects of the 360-degree EIAMD system, there needs to be a full review of services available to Guam's small businesses including the consideration of placement of on the ground support personnel for a period of no less than ten years.

Of equal importance, is the structural employment issues being exacerbated by the cumulative defense presence on the island. The Government of Guam recently had to implement a 22% pay increase across all government line agencies to keep up with the pace of movement of employees from the local government to the defense sector. During the COVID19 pandemic, the tourism industry declined for a two year period. Workers seeking employment migrated "inside the fence" to construction and service related jobs on the military bases. When visitors from Asia returned, the tourism sector faced employee shortages.

Most employees of the defense sector are given base pay, cost of living allowance, and allowed to shop and fuel their vehicles on the military base. While the greater pay leads to greater spending power, the share of the dollar that is circulated outside the base is unknown. At the current time, it is not reported how many military personnel will be activated for the 360-degree EIAMD system projects, if there will be personnel and dependents, as well as any civilian

contractor requirements. It is concerning that this project will further strain the local workforce and the growing divide between defense aligned occupations and non-defense aligned occupations.

Wealth distribution is complex because short term numbers reported are high because of the flurry of construction activity. This jubilation, however, is not an indicator of the long term health of the island's small businesses and overall workforce. Understanding and planning in this area will mitigate the fragmented distribution of wealth in the economy.

Preservation of the Tourism Industry and Economic Diversification

Preserving Guam's *first* industry, tourism, is of critical importance. Additionally, in the last five years, the Government of Guam has committed millions of dollars in support of diversification in industries including agriculture, aquaculture, additive manufacturing, and others. The best outcome would be the interdependence of these industries that lift them all together in the coming decades.

Tourism

Developing Guam as a global leisure destination is the focus of the Guam Visitors Bureau. As visitors from Asia and other destinations arrive, the island aesthetic must be preserved. The numerous locations of the projects and how they may appear to visitors is a growing concern. In addition, Guam's overall destination appeal with the imposing military presence is currently unknown, and requires further study and examination as to the effects on this billion dollar industry for the island.

It is reported that visa approvals are already slower than average for foreign nationals. Would an increased military presence create a more stringent protocol for visitors? This question needs to be addressed as the island continues to develop outside its primary markets of Japan and Korea. Restrictions in air space activity would also be viewed as a hindrance to tourism promotion, such as the use of international film crews to film drone footage of the island's beauty. Along with that, preserving Guam's cultural sites and minimizing any disruption to the natural aesthetic is critical in maintaining the appeal to visitors.

Overall, more information as to the scale of the projects and how they are perceived by visitors is of primary importance to the visitor industry. While there are certain opportunities, including domestic tourism such as "staycations" for military members or extended visitor visits from family, the volume of visitors and profit margin from Asia is on what the industry has been built and its preservation and growth are critical.

Economic diversification

In the last five years, the Government of Guam has dedicated resources towards diversifying the economy in the areas of agriculture, aquaculture, additive manufacturing, and other industries. The Guam Economic Development Authority, who oversees this project, is primarily responsible for attracting foreign investment. In working with investors, Guam is viewed positively for its position as US soil and its existing economy built on tourism and defense spending.

The main concerns for continuing to attract external investment include the higher than average construction costs and availability of contractors relative to other states and territories, the workforce and its current shortages in certain pockets of the economy, and any slow downs in the permitting process as a result of the number of projects in the queue. GEDA is unaware of the scope of the new projects and construction and the skill level needed for any civilian workforce requirement. **This impacts the inflow of capital to new industries and needs further examination, the EIS should include an assessment to address the above concerns.**

GUAM HOUSING AND URBAN RENEWAL AUTHORITY

Historically, assessments of Guam's housing challenges have generally focused on three points, limited housing inventory, labor shortages, and the cost of construction. This is likely due to viewing the territory's housing challenges from the lens of the housing market. In consideration of future military expansion, it is paramount that the Government of Guam consider lessons gained from recent activities to mitigate new issues and the exacerbation of the existing housing crisis. One of the most significant events to Guam's housing climate began with the announcement of the relocation of Service Members and their families from Okinawa to Guam. While the initial move has changed shape over the years, the severe impact hasn't diminished over the years.

The final Socioeconomic Impact Assessment Study (SIAS) was published in December 2014 as a stand-alone technical study to support the Supplemental Environmental Impact Statement (SEIS) published in July 2015. The report was prepared by the Naval Facilities Engineering Command Pacific. The SAIS analyzed the potential impact on housing and at the time should have identified projected needs. However, the analysis was predicated on policies that contradicted the Department of Defense (DoD) policy. The Department of Defense Housing Manual [DoDM 4165.63 (2010)] states "it is the DoD policy to rely on the private sector as the primary source for housing accompanied DoD personnel stationed at locations within the United States". The "community first" policy has not changed.

In its Approach to Analysis [SAIS Chapter 2] and assessment of Civilian Housing Demand [SAIS 2.2.2.1] active-duty military and their dependents were excluded from consideration as it was assumed they would live in the Main Cantonment. The misrepresentation is evidenced again in Housing [SAIS 4.3.3] "Current plans are for on-base housing to be provided for all military personnel and thus this population is not included in the housing analysis", further providing that any shortfalls would fall to the island economy [SAIS 2.2.2.2]

The statements were made to our community in response to direct housing inquiries:

i. Public Comment - "Comment ID: #138 Higher Housing Cost due to increase in rent because of preferential desire to provide housing to military personnel will create a rental ceiling that those in low-income families may not be able to meet. Understanding the housing requirements and the amount of money the military received for rent, rental owners would prefer to rent to the military because they know that they can get more money. The unfair advantage that the military personnel receive for housing resources is such a huge gap between the locals who rent and the military that poverty will be high and since the military is planning on staying here the gap will never decrease. Therefore, I oppose any military buildup that would allow poverty to increase because of military operations." [SEIS 138: G Appendix G, Part 1]

ii. DoD Response – “138: G – The economic impacts from the Military Relocation would be beneficial, leading to increased employment and standards of living as compared to baseline conditions. Furthermore, estimated increases in GovGuam tax revenues would likely compensate for any increased demand on these public services that would occur.

The SEIS anticipates that military housing would be built within the main cantonment area. It is anticipated that the majority of Marine families would rent units in the military housing and generally would not compete with Guam residents for available housing units. It is likely housing prices and rent will increase in the short term. After the construction period, housing and rental prices could decline because the construction labor force (not including the H-2B who will live in dormitory type quarters) would leave Guam. Civilian military workers may vie for Guam housing; however, residential housing needed for these long-term workers would likely be about 285 units by 2028 (Socioeconomic Impact Assessment Study, Table ES-3).” [SEIS 138: G Appendix G, Part 1]

While additional examples exist, the qualitative data supports that the socioeconomic impact was not considered or may have been inaccurate when the Record of Decision was issued, conservatively classifying the impact as significant, causing a gap in information for the Government of Guam to mitigate, further allowing local and foreign market forces to take advantage of this vulnerability.

In summary, any further expansion of defense activities must be accompanied by a Socio-Economic Impact Assessment. Specific to housing, the DoD should conduct a Joint Housing Requirements and Market analysis that incorporates the following:

1. An analysis of the extent to which military installations on Guam have affected the availability of housing on the island;
2. The number of members of the Armed Forces and their dependents residing in privately owned housing located outside of each military base
3. A cost-benefit analysis of implementing a requirement for each member of the military assigned to a duty station on Guam to reside in housing located on the base to which the member is assigned;
4. An assessment of strategies to reduce the effect of members of the military and their dependents on the availability of rental housing on the island, including strategies to provide military members and their dependents alternative housing options;
5. The optimal stock and occupancy rate of military housing units on Guam
6. An estimate of the cost of the DoD to maintain such optimal stock and occupancy rate;
7. An assessment of the feasibility of expanding housing on the military installation to create housing intended to be occupied by civilian employees and contractors of DoD
8. An identification of limitations and challenges if any, to data collection and analysis in determining Joint Housing Requirements and Market analysis;
9. Strategies to:

- a. Address such limitations and challenges;
- b. Standardize methods of data collection and analysis for conducting a Housing Requirements and Market Analysis under section 10 USC Section 2837

The scope of the housing assessment should be properly coordinated with the Government of Guam to ensure viability and accuracy. In addition, any future housing assessments must consider future temporary workforce and consistent command policies for off-base housing. Any further expansion of defense activities without careful analysis, planning, and mitigation will negatively impact the local community, exacerbating housing insecurity with secondary and tertiary socioeconomic orders of effect.

The Government of Guam anticipates the need for monetary assistance or other support or programs to help residents, especially low-income or minority residents, address the impact that missile defense sites may have on their property and corresponding decreasing property values.

GUAM MEMORIAL HOSPITAL AUTHORITY (GMHA)

- Bed capacity – our 161-bed capacity for adult inpatient care units is limited as well as our ED/ER hence, with the anticipated influx of military personnel (active, dependents and contractors) it will indubitably affect us ability to accommodate the additional number of individuals seeking Emergency Room services, inpatient admissions and long-term care/skilled nursing services.
- Facility Capabilities – as assessed and determined by a credible team of expert engineers from the U.S. Army Corps of Engineers, GMHA is a fragile and old building with outdated electrical capacities/fixtures/structures
- Parking – extremely limited parking space and no options or land space to expand.
- Operating Room Suites – we currently only have four (4) OR Suites to accommodate emergency and elective surgeries
- Workforce – it's an ongoing/perennial issue with recruiting and retaining our human resources particularly in the areas of nurses, physicians (especially in the practice of cardiology, neurosurgery and orthopedic surgery), radiology techs, respiratory techs, etc.; on the non-clinical/non-medical workforce side of the hospital, the influx of patients will impact the staff coverage, demands and processes of our Fiscal and Operations Divisions
- In terms of processes that will be exacerbated may include Compliance with Regulatory Requirements/Standards, Fire Safety Standards, Infection Control & Prevention Standards, Nurse-Patient Ratios, Patient Safety Standards, Materials & Procurement of Pharmaceutical & Medical/Surgical Supplies and, Visitation of Family Members/Supports
- Traffic Congestion due to limited entrance and exit points

GUAM BEHAVIORAL HEALTH & WELLNESS CENTER (GBHWC)

Overall: GBHWC is the single state Mental Health Agency and Substance Use Authority for Guam. Discussion of a Missile Defense System on island causes great concern/worry, anxiety, depression, among the residents of Guam and therefore the need for expanded mental health and substance use services provided by GBHWC will be required.

Workforce: A challenge to recruit professional staff has always existed on the island. The need for more psychiatrists, psychologists, doctors, nurses, counselors, social workers, psychiatric technicians and other para – professional staff will be required and the challenge to recruit will be greater. The need to collaborate with the military in recruitment as well as access to their Mental health professional staff is paramount as GBHWC already provides services to the military community.

Financial Investment: As a health and human service department personnel costs make up the largest portion of GBHWC operation budget. GBHWC's need for more professional staff would require an increase in personnel costs (inclusive of fringe benefits).

Infrastructure: An increase of services being accessed would require larger GBHWC facilities with expanded Crisis Stabilization Units for Adults (AIU) and Children (CIU) as well as larger Detox units. Currently, each unit has a maximum bed capacity of 16, the need for double 32 beds for AIU, CIU and Detox would be required. In the current location, a multi-level parking structure would need to be built for more staffing and clients use.

*The need for a Medical Campus with a new and larger Hospital, GBHWC and Public Health is critical.

DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES (DISID)

- The development and production of an enhanced missile system could potentially affect factors like inflation, job markets, and overall economic stability. This, in turn, could indirectly impact the resources available for disability services.
- It is a concern that highly skilled individuals in fields related to disability services, such as therapists, social workers, service providers, and support staff, might be drawn to work on military-related projects due to attractive compensation packages. This could lead to an increased shortage of skilled professionals in the disability services sector.
- Attention towards military strategies and defense, which may potentially divert the focus away from social welfare issues like disabilities. This could result in less favorable policies or legislative efforts for individuals with disabilities as well as reducing public support or awareness for disability services, making it more challenging for the agency to advocate for its beneficiaries.

DEPARTMENT OF YOUTH AFFAIRS (DYA)

- MDA large scale buildup will monopolize contractual work/workers on island and local capital improvement projects will be pushed aside for more lucrative MDA spending. DYA's Administrative Building/Supply Depot is currently in the design phase.
- The proposed increase of 700 military personnel and dependents associated with the EIAMD system will burden already fragile public safety, health and social services systems, inclusive of corrections. DYA services may see an increase with an increase to Guam's population.
- Noise pollution- blasting during buildup; frequency of sonic boom or seismic activity during testing

GUAM DEVELOPMENTAL DISABILITIES COUNCIL (GDDC)

The Guam Developmental Disabilities Council does not provide direct services. As a result, the MDA EIS will have no direct effect on the function and operation of the Council. However, resources that are currently directed towards community disability resources may be impacted. If this were to occur, the GDDC will work with partners and stakeholders within the disability community organizations in addressing issues that arise regarding the provision of services for individuals with disabilities and their families.

GUAM FIRE DEPARTMENT (GFD)

The Guam Fire Department (GFD) mitigates and responds to all threats to life, property, and the environment throughout the island of Guam and its surrounding waters through education, prevention, and an effective response to fire, medical, and environmental emergencies. GFD operations include fire suppression, fire prevention, emergency medical services, search and rescue, hazardous materials response, and emergency medical dispatch. As of 2021, GFD employed 187 Uniformed Personnel, 17 Emergency Medical Dispatchers, and 8 Civilian Personnel.

- The EIS should include any and all information pertaining to and an assessment of impacts to the Department's operational capability and capacity due to the increase in military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies) associated with the construction and operation of the EIAMD system. The assessment must include considerations of equipment, personnel, facilities, fiscal capacity, and DoD's capacity to supplement local resources and operations.
- The development of an EIAMD system assumes Guam's position as a target for missile threats. The EIS should include any and all information pertaining to and an assessment of potential scenarios involving missile strikes and resulting mass civilian casualty events. The assessment must include potential casualty figures, GFD's ability to respond to such events, and DOD's capacity to respond to such events and supplement local response.
- The EIS should include any and all information pertaining to the results of scenarios/wargames, relative to potential impacts and casualties resulting from missile strikes and other military strikes in and around Guam.
- In addition to mission facilities, MDA has indicated that both mission support and life support facilities/ systems must be in place for use, inclusive of fire stations. The EIS should include information on and an assessment of the GFD's ability to avail of DoD resources during times of emergency.
- The EIS should include any and all information pertaining to and an assessment of the use of hazardous and/or chemical, biological, nuclear, and radiological materials associated with the proposed action, taking into consideration potential misuse/accidental/disaster events and subsequent potential impacts to civilian life and property, GFD's ability to respond to such events, and DoD's capacity to respond and supplement local response.
- The EIS should include any and all information pertaining to and an assessment of

potential impacts to public safety and GFD operations caused by live ordinance relative to the deployment and operation of the EIAMD system and potential missile strikes or other military strikes in and around Guam.

- The EIS should include an assessment of the local E-911 system and potential impacts relative to the increase in population and system demand associated with the proposed action.
- This assessment must include considerations of the E-911 system's current capabilities and capacity, project demand, and integration and interoperability with federal systems. The assessment must also consider the system's capabilities and capacity in the event of events such as missile strikes, strategic strikes, mass casualty events, communication network failures, etc.
- Notably, activities conducted by the Department of Defense significantly add to the United States' emission of GHGs¹, which subsequently contribute to the changing global climate.² The effects of climate change include rising temperatures, which have increased the risk of wildfires and heat-related risks in Guam.³ A growing demand by the community for services from GFD due to the impacts of climate change may strain its capacity. The EIS should include an assessment of the GHG emissions that may be produced in the deployment and operation of the EIAMD system components, mission support facilities, and life support facilities. Additionally, the EIS should outline adaptive and mitigative actions DoD will conduct to address the potential impacts of climate change in Guam.

¹ In April 2023, the Office of the Under Secretary of Defense for Acquisition and Sustainment reported on the Department of Defense's (DOD) Greenhouse Gas (GHG) emissions for FY 2021. Ultimately, DOD's scope 1 & 2 emissions totaled 51 million metric tons of carbon dioxide equivalent.

² Office of the Under Secretary of Defense for Acquisition and Sustainment. "Department of Defense Plan to Reduce Greenhouse Gas Emissions." April 2023.

<https://media.defense.gov/2023/Jun/16/2003243454/-1/-1/1/2023-DOD-PLAN-TO-REDUCE-GREENHOUSE-GAS-EMISSIONS.PDF>.

³ Grecni, Z., W. Miles, R. King, A. Frazier, and V. Keener. "2020: Climate Change in Guam: Indicators and Considerations for Key Sectors. Report for the Pacific Islands Regional Climate Assessment." 2020. <https://www.eastwestcenter.org/PIRCA-Guam>.

GUAM POLICE DEPARTMENT (GPD)

The Guam Police Department (GPD) serves as the premier law enforcement agency and is responsible for protecting life and property; enforcing the laws, and maintaining order for all citizens. GPD provides police services throughout the Island of Guam and its waterways, covering an area of 210 square miles with a population of approximately 167,294. There are currently around 254 sworn officers and 59 civilian staff to uphold Guam laws by preventing crimes, responding to emergencies, and providing police services.

Environmental Impact

- **Threshold of Significance** – The proposed EIAMD system project will have a grave impact on police service, which would be significant with the population growth. Development of the specified organization, staffing, and equipment of units or tables of distribution and allowance for the EIAMD system would result in a substantial need for additional police services and enforcement. The ongoing military build-up due to the relocation of U.S. Marines from Okinawa, Japan to Guam and the proposed Medical Hospital construction built along Route 15 in Mangilao not only brings concerns about population growth but also the increase in traffic movement throughout our roadways. The locations of each EIAMD system strategically situated throughout the island can potentially serve military personnel off-base housing for them and their family members and support staff, thus further increasing policing demands.
- GPD is currently challenged in increasing the number of Officers and the proposed action would substantially diminish the Department's ability to provide adequate levels of service. The adequacy of police service is based on the availability of police personnel and equipment, response time, and GPD's considerations for projected needs (e.g., anticipated crime rate and police activity level) in the area.
- **Development Impacts** – Development of the proposed EIAMD system would result in an increase in the number of military personnel and their dependents, DoD civilian personnel and their dependents, contractors (i.e. foreign labor workers, U.S. companies), support staff, and visitors to the project and surrounding areas. This will potentially increase in the level of service calls, dependent on the number of personnel relative to the proposed action. In line with police officers per capita the current police service coverage throughout the island subsequently increases the factors in the thresholds, thus increasing police service population. Responses to thefts, stolen vehicles, burglaries, robberies, assaults, traffic-related incidents, and crimes against persons are anticipated to increase as well. Road traffic and traffic-related incidents will increase throughout the island. The GPD's current

Organizational Structure reflects staffing levels that are less than adequate to serve the project areas, and unique law enforcement problems would result from the project's development. Therefore, impacts on police services would be significant.

Cumulative Impacts

- Deployment and operation of the EIAMD system in conjunction with the other related military build-up activities would increase demands for police services. Growth in population and employee use on the island would increase average response times, primarily for non-emergency calls. However, the impacts created by the proposed action will necessitate a growth in GPD's ability to police and respond to events occurring in areas beyond military police force jurisdiction, thus having significant cumulative effects on police services.
- Increased Security Concerns – While the EIAMD system is designed to improve national security, its presence may also raise security concerns related to potential vulnerabilities or breaches. Security measures associated with the national defense system of a High-Value Targeted location shall incorporate mechanisms to enhance community safety awareness.

Mitigation Measures

- As significant impacts to police service have been identified, the EIS should outline mitigative measures required to prepare security measures for terroristic behaviors and civil disturbances. The action shall be included as a condition to minimize the demand for police services associated with the proposed EIAMD system. Mitigative measures shall incorporate enhancements to police enforcement, equipment, and training.
- Community Engagement and Trust – Introducing the EIAMD system in our community may elicit mixed social responses and perceptions among residents. Police services must engage with the community diligently, address concerns, and maintain trust to ensure that policing efforts remain effective and efficient. The EIS should identify resources to support such efforts. Additionally, the EIS should assess the current relationship between the military and local communities and identify recommendations to better integrate the military and local communities.

Additional Concerns:

A report by the Outreach and Research Subcommittee of the Guam Human Trafficking Task Force asserted that historically, “militarization increases the demand for trafficking based on sexual and labor services.”⁴ The deployment and operation of the EIAMD system will bring additional military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies) that will contribute to the growing number expected to relocate to Guam due to the military build-up. An increase in military presence via personnel, contractors, mission systems, and mission and life support systems, raise concerns on increased vulnerability to human trafficking given historical precedence. The EIS should include an assessment of action DoD will take to prevent and address sexual and labor trafficking that may occur.

⁴ Posmanick-Cooper, L. and Rustick, H.M. “An Analysis of Human Trafficking Indicators on Guam.” 2016. https://www.uog.edu/resources/files/schools-and-colleges/college-of-liberal-arts-and-social-sciences/pos_manick-cooper-rustick-trafficking.pdf.

JUDICIARY OF GUAM

The Judiciary of Guam serves as the equal and independent third branch of the Government of Guam. It comprises the Superior Court of Guam and the Supreme Court of Guam. Their mission is to administer justice by interpreting and upholding the laws, resolving disputes in a timely manner, and providing efficient and effective judicial services.

The EIS should include an assessment of potential growth in demand for services including court clearances, traffic clearances, and case-related services relative to the increase in military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies) in Guam associated with the proposed action.

CUSTOMS & QUARANTINE AGENCY (CQA)

The Guam Customs & Quarantine Agency (CQA) is charged with securing all of Guam's ports of entry and is therefore tasked with the inspection and clearance of passengers at ports of entry, trade facilitation for the entry processing of imports, and interception of pests, diseases, drugs, etc. As of 2021, manpower resources include 120 Uniformed Officers and 18 Civilian Staff. There is a notable shortage of officers, which may impact the CQA's ability to secure Guam's ports of entry. The deployment and operation of the EIAMD system will further exacerbate this issue as the effects will create greater demand for services from the CQA.

- The EIS should include any and all information directly related to the proposed action for CQA to determine the requirements for CQA operations to meet the demands of military growth. The assessment must include items to be imported and personnel to be brought into Guam. This assessment must include considerations of personnel, facilities, equipment, fiscal capacity, to determine CQA's overall ability to effectively manage inspection of incoming passengers, biosecurity threats, communicable diseases, and intercept invasive species, and illegal narcotics and drugs.
- The EIS should include any and all information pertaining the proposed action to determine the requirements for CQA to mitigate and respond to the illegal arrival and entry of individuals, such as foreign nationals in and around Guam, including CQA's coordination with DoD and other federal entities especially as it relates to potential arrivals and entries occurring in federally-controlled lands/waters, at ports of entry, and beyond ports of entry.
- The rate of introduction of invasive species in Guam has grown exponentially. One factor has been the transportation of goods by military cargo ships.⁵ The EIS should include any and all information pertaining to potential impacts from the introduction of invasive species due to the transportation of materials in relation to the deployment and operation of the EIAMD, mission support, and life support systems. Additionally, the EIS should include the identification of resources, inclusive of funding, for the mitigation, eradication, and management of invasive species.

- Invasive species have threatened native plants and animal populations and if removed, has cascading effects to the ecosystem.⁶ This has harmful consequences to Guam’s traditional practices and food sources. The EIS should include an assessment of the potential for the transportation of invasive species and DoD’s efforts to mitigate their introduction in Guam. Additionally, the EIS should include the identification of resources to protect native plants.
- To address the demand in services from CQA that the deployment and operation of the EIAMD system will create, the EIS should include that DoD identify a provision of additional funding resources to support CQA’s operations, especially those impacted by the proposed action and inclusive of additional manpower. The Government of Guam would need additional support for the construction of its Satellite Inspection Facility.

⁵ According to a 2017 report from the Guam Invasive Species Council, the introduction of invasive species to Guam is 10,000 times the natural rate. Historically, the transportation of goods by military cargo ships has led to the introduction of invasive species, such as the Brown Tree Snake.; Guam Invasive Species Council and the Office of the Governor of Guam. “2017-2019 Interim Guam Invasive Species Management Plan.” [https://](https://www.sprep.org/attachments/VirLib/Guam/nissap-2017-2019.pdf)

⁶ Guam Invasive Species Council and the Office of the Governor of Guam. “2017-2019 Interim Guam Invasive Species Management Plan.”

<https://www.sprep.org/attachments/VirLib/Guam/nissap-2017-2019.pdf>.

DEPARTMENT OF CORRECTIONS (DOC)

The Guam Department of Corrections (DOC) is responsible for the control and rehabilitation of law offenders. DOC operates three detention facilities, which house both local and federal pre-trial detainees, post-sentencing inmates, and immigration detainees. As of 2020, the department consisted of 200 sworn officers and 21 civilian personnel. The deployment and operation of the EIAMD system, mission support, and life support systems raises concerns for the potential increase in demand of services from DOC.

- The deployment and operation of the EIAMD system will bring an influx of military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies). Given the historical data of recorded criminal offenses by SOFA Status Personnel in the region, increased presence of personnel in relation to the deployment and operation of the EIAMD system may lead to greater demands for services from DOC. The EIS should include an outline containing mitigative measures by DoD to prevent a potential rise in criminal offenses.
- Given the potential increase in need for services from DOC, the EIS should identify potential funding to adequately repair existing infrastructure and/ or build new infrastructure (i.e. detention facilities) to meet the demand. Additionally, funding to employ additional officers and civilian personnel should be identified in the EIS

GUAM HOMELAND SECURITY/OFFICE OF CIVIL DEFENSE (GHS/OCD)

The Guam Homeland Security/Office of Civil Defense (GHS/OCD) coordinates and facilitates all government of Guam, military, and federal liaison response agencies and their resources in mitigating, preparing, responding, and recovering from any and all types of emergencies to protect the lives, environment, and property of Guam. GHS/OCD operations include multi-agency preparedness and response seminars, workshops, tabletop exercises, games, drills, functional exercises, and full-scale exercises; community outreach; emergency management and response training; and community early warning and emergency alerts.

- The EIS should include an assessment of integration and interoperability of GHS/OCD systems w/DoD command & control systems, relative to real-time tracking and awareness of incoming missile threats for the purposes of notifying and providing early warning to the community of potential threats and taking appropriate civil defense.
- The EIS should include an assessment of integration and interoperability of the All Hazards Alert Warning System relative to notifying and providing early warning of potential threats. This assessment must include considerations of additional sites for AHAWS systems as well as construction, operation, maintenance, and funding considerations.
- The EIS should include an assessment of existing emergency alert notification systems and the need for potential implementation, developments or advancements relative to notifying and providing early warning to the community of potential threats. This assessment must include considerations of the ability and viability of phone-based alerts, text message alerts, radio alerts, television alerts, and other types of alerts, as well as their ability in the event of missile strikes, strategic strikes, mass casualty events, communication network failures, etc. The assessment must also include considerations of improvements to existing systems and the development, implementation, and operation of new systems, including funding considerations.
- The EIS should include an assessment of the local E-911 system and potential impacts relative to the increase in population and system demand associated with the proposed action. This assessment must include considerations of the system's current capabilities and capacity, project demand, and integration and interoperability with federal systems. The assessment must also consider the system's capabilities and capacity in the event of events such as missile strikes, strategic strikes, mass casualty events, communication network failures, etc.

- The EIS should include any and all information pertaining to the results of simulated scenarios/wargames, relative to potential impacts and casualties resulting from missile strikes and other related events.
- The EIS should include any and all information pertaining to and seeks an assessment of potential evacuation and/or shelter sites for civilians in the event of a missile/strategic strike in Guam.
- The EIS should include any and all information pertaining to and seeks an assessment of potential strategic strikes and missile strikes on critical local infrastructure including that related to public safety, communications, emergency response, transportation, government operations, etc. This provision of information and assessment must consider the potential destruction and inoperability of and inaccessibility to critical infrastructure and subsequent impacts to public safety.
- The EIAMD system is intended to “defend the entirety of Guam against the rapidly evolving threats of advanced cruise, ballistic, and hypersonic missile attacks from regional adversaries.”⁷ Such threats may necessitate the evacuation of civilians from U.S. regional allies and the hosting and care of such refugees in Guam, as Guam has historically served as a refugee intake and care site such as for Operation New Life. The EIS should include any and all information pertaining to and an assessment of the DoD’s potential use of Guam as a refugee host site in the event of regional conflict. This provision of information and assessment must include considerations of impacts to infrastructure, public safety, socioeconomics, increased military activity, etc.

⁷ Missile Defense Agency. “Enhanced Integrated Air and Missile Defense System on Guam - Environmental Impact Statement.” May 2023.

DEPARTMENT OF PUBLIC WORKS (DPW)

The Department of Public Works (DPW) was established in 1952 by Public Law 1-88. The department is chartered with five essential services, including 1) Public Safety, 2) Transportation, 3) Highway Maintenance, 4) Government-Wide Support, and 5) Capital Improvement Projects. In relation to transportation, DPW oversees capital improvement projects, highway maintenance and construction, highway safety, bus operations, and transportation maintenance. As of 2021, DPW employed approximately 248 individuals.

- The EIS should include any and all information identifying the roadways that will be primarily utilized for the transportation of resources, equipment, and personnel between and among the 20 potential sites.
- The deployment and operation of the EIAMD system will lead to increased transportation to and between the 20 potential sites. The EIS should include an assessment on the impact of the transportation to roadways and the efforts that may be taken to respond or mitigate the potential effects. Consideration must be given to the transport of oversized/heavy loads transported on roadways.
- The EIS should include an assessment of potential strategic strikes on major roadways and major civilian infrastructure in Guam and the potential impact on public safety, government functions, and civilian activity.
- The EIS should include an assessment of impacts to traffic patterns, roadway quality, congestion, new roadway construction and existing roadway repair, relative to the addition of military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies) in Guam associated with the proposed action.
- Notably, activities conducted by the Department of Defense significantly add to the United States' emission of GHGs⁸, which subsequently contribute to the changing global climate.⁹ The effects of climate change, such as increasingly intense tropical cyclones, may damage Guam's infrastructure (i.e. roadways). The EIS should include an assessment of the GHG emissions that will be produced in the deployment and operation of the EIAMD system components, mission support facilities, and life support facilities. Additionally, the EIS should identify funding sources and outline DoD action for climate change adaptation of transportation infrastructure in Guam.

⁸ In April 2023, the Office of the Under Secretary of Defense for Acquisition and Sustainment reported on the Department of Defense's (DOD) Greenhouse Gas (GHG) emissions for FY 2021. Ultimately, DOD's scope 1 & 2 emissions totaled 51 million metric tons of carbon dioxide equivalent. ⁹ Office of the Under Secretary of Defense for Acquisition and Sustainment. "Department of Defense Plan to Reduce Greenhouse Gas Emissions." April 2023.

<https://media.defense.gov/2023/Jun/16/2003243454/-1/-1/1/2023-DOD-PLAN-TO-REDUCE-GREENHOUSE-GAS-EMISSIONS.PDF>.

GUAM REGIONAL TRANSIT AUTHORITY (GRTA)

The Guam Regional Transit Authority (GRTA) provides reliable, accessible and cost-effective public transportation to the general public and individuals with disabilities within Guam. The two primary services provided by GRTA include Fixed Route and Paratransit transportation. With the deployment and operation of the EIAMD system is expected to bring in additional military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies); the demand in services from GRTA may increase.

The deployment and operation of the EIAMD system will lead to increased transportation to and between the 20 potential sites, as well as larger islandwide impacts due to increased travel between various areas and facilities throughout Guam and the subsequent increase in demand caused by the addition of military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers, U.S. companies) in Guam associated with the proposed action. **The EIS should include an assessment of the effects of transportation during construction, deployment, and operation of the EIAMD system to traffic flows throughout Guam and public transit demand and operations.**

PORT AUTHORITY OF GUAM

Background

The Port of Guam (Port) serves as the only commercial seaport on the island of Guam and is the primary transshipment hub for neighboring islands in the Southwest Pacific region, such as the Commonwealth of the Northern Mariana Islands (CNMI), Federated States of Micronesia (FSM), Republic of the Marshall Islands (RMI), and Palau.

The Port handles approximately two million tons of cargo annually and remains a vital contributor to the island's economic trade activity. Guam's citizens and the citizens of neighboring islands depend on the Port to provide essential goods, most notably food products, medical supplies, building materials, and fuel. Currently, more than 90 percent of the total volume of goods and supplies needed to support activities on Guam flows through the Port.

Guam's Strategic Importance

Dubbed as America's "Tip of the Spear" for its strategic location, Guam is home to the U.S. Air Force, U.S. Navy, U.S. Army, U.S. Coast Guard, the Guam National Guard, and several key federal agencies. In addition, the Department of Defense (DOD) plans to relocate 5,000 Marines and their families from Okinawa, Japan to Guam will increase the military's presence on the island. Approximately 30 percent of the total cargo currently moving through the Port is military-related, which is forecasted to increase with the scheduled realignment of personnel.

Guam's importance to military operations is evidenced by the Port's designation as the 16th commercial Strategic Seaport with Special Consideration status by the U.S. Transportation Command (USTRANSCOM) in 2016. In his letter to the Secretary of the Department of Transportation (DOT), General Duncan McNabb of the USTRANSCOM expressed the criticality of modernizing the Port. In 2014, then-Deputy DOD Secretary Bob Work said, "Guam has always been a central part of our plans. Certainly, a central part of the Navy's plans, but now a central part of DoD's entire plans." Currently, there is ongoing dialogue between the Port and the USTRANSCOM to restore the Port of Guam to its original 2009 designation as a Commercial Strategic Seaport.

Because the Port plays a central role in providing critical support for our military's readiness in the context of the Indo-Pacific Strategy and the Pacific Deterrence Initiative, the PAG must

secure the resources to build resilience and capacity at the Port of Guam by rehabilitating or replacing its aging facilities and equipment.

Port of Guam Challenges

The geopolitical climate in the Indo-Pacific region makes it a critical time for Guam, especially for the Port, as it must: 1) have the capacity to provide full service to ocean vessels in support of loading and unloading cargo operations to prevent economic disruption, 2) support activities related to the military realignment and buildup activities, and 3) meet the logistical and sustainability demands that comes with the installation of an Enhanced Integrated Air & Missile Defense System

Specific initiatives that require DOD and federal agencies' support in order to achieve resiliency and capacity to support the proposed Enhanced Integrated Air & Missile Defense System (EIAMD) system project are, but not limited to:

1. **STS Gantry Crane Replacement** - The three operational Ship-to-Shore (STS) Gantry Cranes are reaching the end of their use life (40 years with a mid-life refit) and need to be replaced as soon as possible to support the military buildup and continued commercial and military future uses. Currently, there are no domestic manufacturers producing this equipment.
2. **Heavy Duty Container Yard Equipment** - similar to the acquisition of STS gantry cranes, the acquisition of CY equipment poses the same challenges; utilization of federal funds must adhere to the Build America Build America Act (BABAA)
3. **Fuel Pier Replacement** - The Port operates two fuel piers, Golf Pier and F1 Pier. These piers are the primary source of fuel for Guam residents, Guam Power Authority (GPA) and a secondary source for the military. These facilities are in critical condition and need to be replaced very soon to avoid costly and disruptive loss of service;
4. **Wharf Replacement** - The Port handles containers, general cargo and bulk cargo at Berths F2 through F6. These berths are 1960s vintage assets that have exceeded their useful life, are susceptible to earthquake damage, and are remaining operational with costly service life extensions. These facilities need to be hardened by replacing deteriorated structural elements and upgrading the structures to ensure future resiliency;

5. **Area A Fuel Storage Facility Rehabilitation/Upgrade** - replacement of above- ground fuel storage tanks and infrastructure to serve as an ideal secondary/alternate fuel depot to support DoD's anticipated fuel capacity requirements in the Indo-Pacific Theater
6. **IT Improvements** - Upgrade the Terminal Operating System (TOS), develop supporting IT Infrastructure and Cyber Security roadmaps to enable the PAG to operate and collaborate with DOD and port users more efficiently and securely; and
7. **Port Buildings Demolition & Replacement** - Demolition of buildings that were built in the 1960s that have exceeded their useful life and development of replacement structures to accommodate current and future functions.

The Port's impact on the quality and sustenance of life for the island, the region and our entire nation cannot be understated. **Although the Port is making strides to upgrade and harden their facilities for the future sustainability of our island's only commercial seaport, while focusing on the critical role that the Port plays on DOD's Indo-Pacific Strategy and Pacific deterrence efforts, IT NEEDS FEDERAL FUNDING ASSISTANCE.**

Geopolitical matters make this a pivotal point at the Port and as such, it is imperative that the Federal Government take the next step in assisting the Port secure the resources to build capacity and resiliency.

Impact of the EIS to stakeholders

Because there will be visits to prepare sites for any construction required for supporting infrastructure or to distribute components of the system, the proposed EIAMD system will not only impact stakeholders at the Port, but also the entire island of Guam. The Missile Defense Agency's (along with the U.S. Department of the Army, U.S. Department of the Navy, U.S. Department of the Air Force, and the Federal Aviation Administration as cooperating agencies) preparation of an Environmental Impact Statement (EIS) to deploy the EIAMD system will identify potential impacts on natural resources, cultural resources, land use, socioeconomics, air quality, noise, other environmental factors, as well as public health and safety.

The EIS process involves several steps that will require manpower resources' involvement. Because the Port is a critically important component of the overall deployment of the System, it may be required to provide input, comments, and recommend alternatives and mitigation efforts for its successful completion, which would require administrative personnel

involvement and action. The key components of the EIS process that may involve Port input with regards to the EIS' immediate impact to the Port of Guam are:

- Scoping Period - public comments
- Draft EIS availability - public review and comments
- Final EIS - public comments are included in the final EIS
- Record of Decision - notifies the public of the decision made on a proposed action and presents reasons for the decision

The extent of the potential interruption, exacerbation, and other EIS related activities that will impact Port operations and its stakeholders will be based on the type of information that is required from and expected by the Port.

At this point in time, the Port does not have any idea what the occurrences will be and how long.

GUAM INTERNATIONAL AIRPORT AUTHORITY

As stated on the EIAMD system website, the proposed action is to deploy and operate a comprehensive, persistent, 360-degree EIAMD system to defend the entirety of Guam against the rapidly evolving threats of advanced cruise, ballistic, and hypersonic missile attacks from regional adversaries. We understand that the Missile Defense Agency (MDA), along with the U.S. Department of the Army (Army), U.S. Department of the Navy, U.S. Department of the Air Force, and the Federal Aviation Administration (FAA) are cooperating agencies in preparing an EIS to evaluate the potential environmental impacts and potential mitigation of deploying such a system in Guam.

GIAA Engaged with Airline and Aviation Stakeholders on Guam

The GIAA has engaged with our airline partners and other aviation stakeholders to notify them of this public scoping period, as well as the public scoping meetings that were available. Although we have not received any of their comments directly to include in this letter, we are hopeful for their participation toward ensuring their perspectives are included.

Additionally, we have engaged our local FM representatives relative to the FAA's involvement as a cooperating agency and understand that the airspace/aeronautical piece of the EIAMD system may be under a separate process. As we understand, the EIAMD system involves layered systems to detect attacks and track, intercept, and destroy missiles in flight. What is being proposed for Guam under the EIAMD system includes potentially twenty (20) missile defense sites on the island of which plans may continue to evolve. These systems could be fixed position or mobile, as well as land-based or on maritime vessels. It additionally involves other components, such as a command-and-control center, sensors, and radars.

Airspace Modifications/Restrictions Process

We understand that airspace modifications will likely be necessary at sites where radars would be located, such as restricting the flight of aircraft in airspace where high intensity radiated fields (HIRF) would exceed FAA certification standards for aircraft electrical and electronic systems. This will affect airspace use and potentially, the availability of flight paths further impacted by weather or wind direction. The 360-degree arc and proposed radar sites mean that flight paths into Guam or specifically, the GIAA, may intersect with a component or components of the EIAMD system.

Because of the resulting proposed establishment of restricted airspace and change in federal

airways and instrument flight procedures to accommodate the new restricted airspace, such impacts to airspace management are stated by the MDA to be considered in this EIS or perhaps a supplemental EIS. And that the MDA and Army would not begin continuous operation of the EIAMD system until the FAA actions related to restricting the flight of aircraft are complete.

Because the anticipated airspace restrictions are not more detailed and the FAA appears to still have its own process for the restricting of what is considered public airspace, it is difficult to determine in specificity, the impacts directly on the GIAA.

It is GIAA's hope that when additional information becomes available through this EIS process- or another supplemental EIS or FAA-required safety risk mitigation process-that another opportunity to review these impacts to airspace can be afforded to Guam's only commercial airport to provide additional and more detailed comments on how the EIAMD system may or may not impact Guam Airport and airline operations.

GIAA's Part 150 Study Ongoing

For informational purposes, the GIAA is currently undertaking a Part 150 Noise Compatibility Study Update at the Guam Airport to assess land use compatibility with noise exposure from current and forecast aircraft operations, evaluate the effectiveness of measures in place to improve land use compatibility, and to determine means to continue to improve land use compatibility at the Guam Airport. The Part 150 Study has two phases to include the Noise Exposure Map (NEM) and the Noise Compatibility Program (NCP).

The NEM, among other things, documents aircraft operations and noise exposure from those operations and the resulting land use compatibility. Because of the need for more information, it is unclear how the proposed EIAMD system may or may not impact this ongoing Part 150 Study and the potential airspace modifications/restrictions and impact to flight paths to and from the Guam Airport.

The EIS should provide information and assessments in response to the following:

As we await more information relative to airspace modifications or restrictions, the GIAA does have some general inquiries that may assist in determining further comments in the future. Such inquiries may also assist our airline partners in determining the impact on their operations at the Guam Airport.

1. Regarding the potential impact on commercial aircraft activity, will there be airspace restrictions or a strict prohibition on commercial flight activity? Where would those

- exact locations be? (i.e., above each system whether it be inactive, being tested or goes "hot," or around each new radar system and in what radius?)
2. Regarding aircraft emergency and safety, will divert airfields including the Commonwealth of the Northern Marianas Islands (**CNMI**) or military fields in **CNMI** be made available?
 3. Regarding aircraft fuel efficiency, will flight paths that promote fuel efficiency or reduce noise impacts be suspended or terminated?
 4. FAA navigation systems such as an Instrument Landing System (ILS) and aircraft avionics are carefully calibrated. Will the EIAMD system radar signals interfere with these key life safety features? If so, how can such interferences be mitigated?
 5. Regarding the potential impact to aviation fuel supply on Guam, what type of fuel will each **EIAMD system** require?
 6. Will there be a separate part of this process to discuss the potential impact to civilian air travel, including Guam's tourism industry?

Once again, we appreciate the opportunity to provide comments during this public scoping period. It is the GIAA's hope that we continue to work toward ensuring the safety and security of the traveling public to and from Guam.

COMMISSION ON DECOLONIZATION (COD)

The Commission on Decolonization (COD) was established in 1997 by the 24th Guam Legislature (P.L. 23-147). COD is charged with educating Guam's community on decolonization, Self-determination, the need for political status change, and the three political status options, as well as ascertaining the intent of the Native Inhabitants of Guam as to their future political relationship with the United States (1 GCA, Chapter 21). The Commission works in collaboration with three political status task forces (Statehood, Independence, Free Association).

- The EIS should provide the specific criteria that was utilized to select Guam as a candidate for the EIAMD system. A comparison of the missile defense system currently used in Guam to the proposed EIAMD system should be included. Additionally, the EIS should include an assessment of regional threats that justify the implementation of the EIAMD system, especially data on wargames/scenarios in which Guam is involved, as well as potential sites in the region which were considered in the siting process of the EIAMD system.
- The EIS should include any and all information pertaining to and an assessment of how the proposed action further expands and embeds Guam's role in U.S. geopolitical and military strategy, and subsequently hinders Guam's attainment of political status resolution. This provision of information and assessment must include potential avenues that may exist for DoD's advocacy and support, in the form of Executive advocacy and action, Congressional lobbying, and funding, etc., of Guam's Self-determination efforts, the Commission on Decolonization's community education mandate, and the holding of a political status plebiscite consistent with Guam law.
- The EIS should include any and all existing information, as well as an assessment, of the impacts that the deployment and operation of the proposed system will have on island-wide community awareness, knowledge, and understanding of Guam's political status. This provision of information and assessment must include considerations of how an increased military presence will further embed community notions of Guam's dependence on the U.S. and/or the U.S. military. The EIS should also identify forms of support, inclusive of funding, to mitigate the potential social impact that an increased military presence will have on community perceptions regarding political status. Forms of support should be identified for COD's community education mandate. Additionally, DoD should outline actions they will take to support the work of COD.
- The EIS should include any and all information pertaining to and an assessment of socioeconomic impacts caused by the influx of military personnel and their dependents, DoD civilian personnel and their dependents, and contractors (i.e. foreign labor workers,

U.S. companies) and the subsequent impacts to Guam's voter demographics and overall demographics. This provision of information and assessment must include considerations relative to the minoritization of the indigenous CHamoru people, the decreased voting power of existing residents caused by the aforementioned influx of personnel.

- The EIS should include any and all information pertaining to and an assessment of the short-term and long-term socioeconomic impacts relative to outmigration of residents due to perceived dangers related to Guam's likely increased position as a target of missile strikes, military strikes, and other threats. This provision of information and assessments must include considerations of brain drain, decreased economic opportunity/potential, workforce impacts, fiscal impacts, etc.

GUAM CULTURAL REPOSITORY [I SAGAN FANDIPOSITON KOTTURÁT GUÅHAN (ISF)]

The Guam Cultural Repository, also known as I Sagan Fandipositon Kotturát Guåhan (ISF), is a joint program between the University of Guam and the Department of Chamorro Affairs-Guam Museum (Office of the Governor) to provide long-term curatorial services for the material remains recovered in the island of Guam (and its surrounding areas) and their associated records.

- Information on alternative sites and the criteria for selection should be included in the EIS.
- The EIS should include which ancestral and historical landscapes are being proposed for use; to what degree they will be used, and the landscapes that will be crossed to access to the 20 sites; the full APE (Area of Potential Effect) of each site; the creation of roads to access the proposed sites; and, the full range of ancestral and historical landscapes that will be impacted owing to movement of mobile units from site to site. The EIS should include an assessment of how DoD will collaborate with relevant Government of Guam agencies to examine the cultural significance of each site and the potential impact the deployment and operation of the EIAMD system will have.
- The types of units per location must be clearly outlined in the EIS. The EIS should include comprehensive information on the types of units that will be utilized in the EIAMD system and where they will be located.
- The EIS should include an assessment of the risks and potential adverse impacts mobile units place on ancestral and historical sites.
- Non-specificity obstructs the ability to determine which laws may apply. Locations, types of activities, and other aspects about the proposed action should be made as clear as possible and clear to understand.
- A multi-site, complex proposed action will have social, cultural, political, environmental, and economic impacts. What must be part of the consideration is what these types of impacts will mean for Indigenous cultural identity and cultural resources, and the continuity of each of these. The EIS should include considerations of how DoD will collaborate with the ISF to maintain Indigenous traditions, knowledge, practices, and connections to material culture.
- The EIS should include information on research, development, testing, effectiveness, and capabilities of each of the components and the overall EIAMD system.

- The EIS should assess the impacts that the deployment and operation of the EIAMD system will have on ancestral, cultural, and historic assets as well as potential significant demographic changes. Intangible connections are key components to heritage. As has been shared, currently, Guåhan has a “rich cultural heritage and a strong indigenous presence.”¹¹ The EIS should identify and/or recommend an annual budget to support any recommendations stemming from the study for social and cultural programs that aid in the preservation of ancestral, cultural, and historical heritage.
- It is recommended that the EIS outline the processes for preserving sacred sites that may be found during the deployment and operation of the EIAMD system, mission support, and life support systems. Additionally, the EIS should identify programs and funding to promote the preservation of traditional knowledge, intergenerational transmission of skills, and cultural diversity to mitigate potential adverse impacts due to the proposed system.
- **Consultation throughout the process.** The EIS should identify individuals and local organizations that DoD will consult to enact programs to preserve the indigenous culture and mitigate potential adverse impacts due to the deployment and operation of the EIAMD system, mission support, and life support systems. It is important to preserve ancestral, cultural, and historical heritage within the setting of a cultural repository in the case when heritage has been displaced, but it is more powerful and meaningful, and preferred, to preserve in place. This is why both local and federal laws and guidelines advocate for this, as does *I Sagan Fandipositon Kottoråt Guåhan*.

¹¹ Taguacta, J.L. “Letter: Impact of planned Missile Defense System on Guam's culture, indigenous land rights.” July 2023.
https://www.guampdn.com/opinion/letter-impact-of-planned-missile-defense-system-on-guams-culture-indigenous-land-rights/article_15ac719a-1a37-11ee-9c20-338a832f6538.html.

**KUMISIÓN I FINO' CHAMORU YAN I FINA'NÁ'GUEN I HISTORIA
YAN I LINA'LA' I TAOTAO TÁNO' (KUMISIÓN CHAMORU)**

I Kumisión I Fino' CHamoru leads nation-building efforts to ensure the continuity of our CHamoru peoplehood and nationhood by fostering the restoration and revitalization of our language, culture, and history as the indigenous people of Guåhan.

- The EIS should include any and all information pertaining to and an assessment of public access to all proposed sites and requests that public access plans and procedures be implemented to mitigate cultural impacts relative to the CHamoru people's connection to their indigenous land and the cultural knowledge, practices, and spirituality inherent of this connection.
- Military defense systems require personnel. The EIS should include any and all information pertaining to and an assessment of the minoritization of the indigenous CHamoru people of Guåhan due to the influx of personnel and others associated with the deployment and operation of an EIAMD system.

END OF SCOPING COMMENTS