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Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

March 16, 2010

Ms. Nancy Sutley
Chair
Council of Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Dear Ms. Sutley:

In November 2009, the Department of Defense (DOD) completed close to an 11,000 page Draft Environmental Impact Statement (DEIS) that attempted to detail the impact on Guam of relocating 8,000 Marines and 12,000 dependents from Okinawa, dredging the only harbor to allow visiting Aircraft Carrier Berthing, and the creation of an Army Air and Missile Defense Task Force.

During the ninety day comment period, the citizens of Guam, many of them professionals in the environmental field outlined and submitted thousands of comments identifying defects in the analysis of how the proposed activity will impact Guam and her residents.

On February 17, 2010, the United States Environmental Protection Agency (USEPA) issued a ninety-five page report titled: *EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE GUAM AND CNMI MILITARY RELOCATION, GUAM AND CNMI*. In the report, USEPA issued a rating of Environmentally Unsatisfactory; Inadequate Information (EU-3); the worst rating that the USEPA could assign to the DEIS.

Review of USEPA's comments indicate that the DEIS is "unsatisfactory from the standpoint of public health or welfare or environmental quality," and thus subject to referral by USEPA to the Council of Environmental Quality pursuant to Section 309 of the Clean Air Act. It is also clear that the issues raised are of national importance because of the threat to the national environmental resources or policies.

In July 2006, the Civilian/Military Task Force (C/MTF) established a working group between the government of Guam, federal agencies and the DOD to create a Master Plan for the proposed buildup and address all the environmental and socioeconomic issues created by this unprecedented peace time troop movement.

Subject matter experts from government of Guam agencies that signed confidentiality agreements with the DOD were provided an advanced copy of the DEIS before its release in order to identify any gaps or issues that were not properly addressed.

Between the creation of the C/MTF, the advance review of the DEIS and the official release of the DEIS, the government of Guam has documented its concerns with the scope and severity of the potential impacts of these projects.

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The contents and substance of the DEIS evidences that little or no progress was made in resolving these differences between government of Guam, its agencies, federal agencies, and the DOD. This is further evidenced by the periodic reports by the United States Government Accountability Office on the progress of the DOD projects on Guam over the time period between the scoping meeting and the release of the DEIS. Review of the DEIS makes clear that the potential adverse environmental impacts are extreme in each of the following categories:

- (a) Possible violation of national environmental standards or policies.
- (b) Severity.
- (c) Geographical scope.
- (d) Duration.
- (e) Importance as precedents.
- (f) Availability of environmentally preferable alternatives.

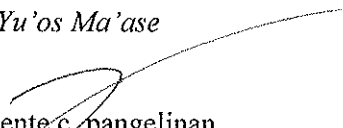
As a senior member of the Guam Legislature representing over 150,000 United States Citizens on our island, I am requesting that Council of Environmental Quality be proactive by ordering a Supplemental Environmental Impact Statement (SEIS) be performed that addresses the many issues identified by USEPA and the citizens of Guam during the comment period.

The SEIS must include corrections to erroneous analysis, identification of compatible alternatives and equitable mitigation. In addition, the SEIS must be completed prior to the issuance of the Final EIS and the Record of Decision (ROD) by the Department of Defense in light of the volume and scope of the DEIS, and in order to allow the citizens of Guam to fully review and comment on the new plans and revised studies.

Guam continues to answer the call to support the United States with her resources and citizens; however, we are in need of assistance to ensure that the interests of the Federal Government, especially the Department of Defense are not placed above the vitality, viability and equitable survival of our homeland and our people.

Thank you for taking an interest in these important matters that affect both our environment and quality of life. It is my sincerest hope that the Council will act expeditiously to protect Guam from any unnecessary and irreversible harm resulting from any proposed actions of the Department of Defense.

Si Yu'os Ma'ase


vicente c. pangelinan
Senator

cc: President Barack Obama
Chairman Carl Levin, United States Senate Armed Services Committee
Chairman Ike Skelton, House Armed Services Committee
Administrator Lisa P. Jackson, United States Environmental Protection Agency
Governor of Guam
Lt. Governor of Guam
All Guam Senators