



PCIS releases technical responses to two separate U.S. military environmental proposed actions.

August 1, 2024. Hagåtña, Guam—The Pacific Center for Island Security (PCIS) today released technical responses to two separate U.S. military environmental proposed actions (attached). The Proposed Actions are the U.S. Missile Defense Agency’s “Guam Flight Test” and the U.S. Department of the Air Force’s “F-15 Beddown and Infrastructure Upgrades at Andersen Air Force Base, Guam.” Both are proposed on Andersen Air Force Base (AAFB). PCIS regards both Proposed Actions as deficient.

“These are two different actions with deadlines for comments occurring in the same week. As we note, both proposals are deficient and both proposals attempt to ignore negative and disruptive impacts on the Guam community. When looked at together, these proposed actions make clear that the security of Guam is not the principal objective of these so-called ‘build-up’ activities.”

PCIS Chair, Robert Underwood

While the comments submitted are in response to the technical aspects of environmental reviews, below are several unusual characteristics of the proposals.

On Missile Testing.

- Missile testing is typically conducted on existing missile test ranges.
 - A Department of Navy letter to private landowners notes that during testing, restrictions on access may be taken “out of an abundance of caution.”
 - The Proposed Action refers to access being “restricted for safety purposes.”
 - While the possibility of catastrophic failure at, or shortly after, launch may not be high, this possibility is the reason the testing of a two-stage rocket is usually conducted on established ranges that are in isolated geographic locations and in controlled environments.
- The proposed missile test is not a test of the much discussed 360° capability.
 - The test would be in a pre-set direction to the North/Northeast of Guam.
 - If a Guam Flight Test is consistent with the MDA’s much criticized practice of pre-managing the test environment, the test may be delayed, and the real-world value of the test will remain in question.
- The MDA seems in a rush to reach a “Finding of No Significant Impact.”
 - The Proposed Action was released just before new, more defined rules for Environmental Assessments took effect July 1, 2024.

- The MDA did not attempt to contact landowners in preparation of the Proposed Action, only attempted to contact them after the release of the Proposed Action and is still working on related details (e.g. booster debris) after its release.
- It appears that the MDA's rush to conduct the first test in December 2024 has short-circuited the process, and as we point out, cut corners that make the Proposed Action deficient.
- The MDA is likely to be in Phase 2 planning for a December event with pre-planning having commenced up to two years ago. ([The MDA's Integrated Master Test Plans are usually 24 months in duration](#))

On Republic of Singapore F-15s at AAFB

- Housing assumptions ignored the cumulative impact of military population on Guam Housing market.
 - We specifically looked at the issues related to additional housing requirements and found the assumption that *all personnel would reside in off-installation housing* was deficient.
 - On a cumulative basis, the assumptions of the DEIS would contribute to continuing socio-economic disruptions because of on-going and additional military personnel pressures on the Guam civilian housing market.
 - The use of data to address the housing issue is substandard.
 - The Department of the Air Force did not even use budget justification documents for on-going housing developments at AAFB which identify the acute on-installation housing shortage.
- Economic impact assumptions are overstated and incorrect.
 - The modeling for the economic impact of Guam and foreign labor, and the impact on Gross Island Product ignore the effect of wage repatriation by foreign labor.
- The Proposed Action may be a sign of more to come.
 - The Senate Armed Service Committee FY25 NDAA Committee Report (Sec. 1255) encouraged DOD to “consider whether there are additional opportunities to host the military forces of other foreign partner countries on a permanent or rotational basis at Andersen Air Force Base or other existing DOD facilities in Guam.”

Attachments:

PCIS Responses to Proposed Actions (as noted)

PCIS Comments
Proposed Final Environmental Assessment/Overseas Environmental Assessment
Guam Flight Test at Andersen Air Force Base, Guam

The following Substantive Comments are offered by the Pacific Center for Island Security in response to technical items in the Missile Defense Agency’s Proposed Final Environmental Assessment/Overseas Environmental Assessment, “Guam Flight Test at Andersen Air Force Base, Guam,” that require further review, correction, and action.

Generally, the proposed Environmental Assessment (EA)/Overseas Environmental Assessment (OEA) and proposed Finding of No Significant Impact (FONSI) reflects an intent to carry out Flight Experiment Mission (FEM) – 02 from Guam in December of 2024. The Proposed Action is incomplete in its scope and fails to address a range of significant issues that would be appropriately considered in an Environmental Impact Statement (EIS).

As detailed below, the truncated environmental process of a Final EA/OEA, proposed FONSI that the Missile Defense Agency (MDA) released (24-MDA-11798) is mission driven rather than environmentally comprehensive. Driven by haste to perform a missile test in Guam in late 2024, the Proposed Action does not address the context and intensity of all areas that are acknowledged to be impacted. Had the Proposed Action encompassed a thorough review of the region of interest that is referenced but not analyzed, the range of issues rise to the level of an Environmental Impact Statement review. As a result, the Proposed Action is deficient. To ensure that the necessary range of issues is addressed, a full Environmental Impact Statement should be conducted.

Following are examples that illustrate that the Proposed Action prioritizes a missile test in Guam over the significance of the relevant environmental review.

1. The EA/OEA, proposed FONSI exceeds the recommended (now mandated) page limit.

EAs and proposed FONSI are recommended when an agency has concluded that there are no significant environmental impacts projected to occur as the result of a proposed action. Because of the less rigorous environmental standard than an EIS, the evidence that the human and physical environmental consequences of the proposed project are limited should be readily apparent. Reflecting the limited consequences (if any), an EA and proposed FONSI are supposed to be included in a document not more than 75 pages (excluding references and attachments).

The Proposed Action for the Guam Flight Test action is 174 pages long. This is *prima facie* corroboration that the proposed Guam Flight Test is a complex environmental project. That this lengthy EA/OEA, proposed FONSI also fails to account for the full range of impacts (as discussed below) further bolsters the necessity that this project be subject to a higher environmental standard through an EIS. The common sense “look before you leap” requirement (*Laclede Gas Co. v. FERC*, 873 F.2d 1494, 1499 (D.C. Cir. 1989), and the NEPA requirement that agencies prepare “detailed statement[s],” for “every recommendation...(and) Federal actions significantly affecting the quality of the human environment” make clear that this project be subject to an EIS.

The role of an EA, proposed FONSI for proposed projects, and the permission to use this lower standard, is evident in the most recent rules (effective July 1, 2024) that the 75-page limit is a hard and fast standard. The prior rules, under which this Proposed Action was released, permits a higher page count if a “senior agency official approves in writing an assessment to exceed 75 pages and establishes a new page limit.” This EA, proposed FONSI, however, contains no record of a senior agency official approving of a page limit above 75 pages.

2. Flight test range

Based on conversations with staff supporting the MDA’s public meeting in Guam on 25 July, 2024, it is clear that the scope of the area that might be impacted by the booster debris was not defined before the Proposed Action was submitted. Two presenters (separately) explained that the Potential Booster Drop Area was only recently definitized. In the case of those conducting biological and cultural resource assessments, the area finally identified came after the release of the Proposed Action.

Moreover, the description of the “potential” area belies the potential of booster debris impacting much broader areas (that were not fully surveyed in the Proposed Action).

3. The Proposed Action does not meet the legal requirement to involve “the public, State, Tribal, and local governments, relevant agencies, and any applicants, to the extent practicable in preparing environmental assessments.”

The Proposed Action is deficient in that it does not meet the legal standard required of an EA to involve a wide range of relevant parties in the preparation of the EAs.

a. *Public.* The document does not provide information on any effort to involve the affected public in preparing even though it recognizes that an unspecified set of private landowners will be affected by the action. As noted below, the Proposed Action does not anticipate the range of impacts on private landowners that should have been incorporated into an NEPA process. Of significance, no attempt to contact landowners that the Proposed Action intends to restrict from access until after the release of the Proposed Action. This post-release attempt to reach landowners was apparently less than successful given the recent efforts to get landowners to register with the MDA. A wide range of insubstantial actions on the part of the MDA flows from this failure. These include, but are not limited to, understanding the nature of property uses in the area the MDA proposes to restrict access and biological and cultural resources that would be impacted by circumstances that drives the Proposed Action's restricted access requirement.

Additionally, the MDA has a list of parties interested in the wider action (the proposed Enhanced Integrated Air and Missile Defense System) because of an MDA scoping meeting in Guam in June 2023. The proposed action contains no evidence that either landowners or any other known interested public parties were involved in the preparation of the proposed EA.

b. *Relevant Agencies.* The proposed action includes only two non-DoD federal agencies and two Guam agencies. Among the highly relevant agencies not contacted were the US and Guam Environmental Protection Agencies, and the Guam Department of Agriculture. In not involving these agencies the EA, proposed FONSI ignored copious evidence on many of the issues raised by the project. Additionally, given the commercial zoning of private land where access is identified to be closed, relevant Guam visitor industry and economic development agencies should have been included in preparation of the proposed action.

Additionally, the EA does not indicate that the U.S. Department of State was involved in this action although it involves the area managed by the International Seabed Authority (ISA). This seems highly relevant since only 10.5 % of the debris zone is the US EEZ, the rest falling in international areas where sea bottom resources are managed by the ISA.

4. The proposed action does not review the complete area that may be affected by access restrictions during Flight Tests and therefore cannot be a complete analysis.

Restrictions to privately held land are anticipated under the proposed action, but the Proposed Action only generally identifies this area. Figure 4.9-1 Roadblock and Gate Closures, makes clear that access to all privately held land on either side of

the NWLR area will be restricted during tests. The MDA presentation of 16 July 2024 at slide 5 illustrates these areas and designates them as a “Potentially Restricted Area.”

While the Proposed Action indicates that the impact on public health and safety is less than significant, this determination can only be accomplished by restrictions to privately held property. Moreover, the Proposed Action’s failure to recognize the significance of the impact on public safety from flight tests at NW Field, are undercut by the proposal’s elimination of a test site on the Orote Point runway on Naval Base Guam. Specifically, the Orote Point location was eliminated:

Due to potential safety considerations, including the proximity to ammunition storage, impacts on airspace, and performance requirements.

Proximity to Naval housing and the ammunition wharf make the launch area at Orote Point unacceptable. But, private (civilian) landowners and ammunition bunkers at AAFB are acceptable and not significant under the Proposed Action?

Of additional significance, subsequent to the release of the proposed Action on 16 May 2024, or 30 May 2024, the U.S. Department of the Navy, Joint Region Marianas send letters by certified mail to private landowners noting:

“Once the MDA and UNINDOPACOM complete further analysis, JRM will reach out directly to the select landowners with additional information.”

The absence of a definitized identification of affected areas in the Proposed Action and the subsequent acknowledgement that “further analysis” would be required is evidence that the EA does not include all possible human safety, biological and cultural resource impacts of the proposed action.

Finally, the Proposed Action did not conduct an effective environmental review of the potential impact on biological and cultural resources in the areas that private landowners would be restricted from during tests. Such reviews should be completed to assure NEPA compliance.

5. The EA, proposed FONSI does not appear to appropriately anticipate the issues related to planning for displaced persons and other restriction on private property use and development.

The proposed action notes that the US Department of Defense “coordinate with affected private landowners to relocate during this time period at no cost to the landowners.” It also notes that “permanent impacts on land use as a result of the Proposed Action are not

anticipated.” These assumptions fail to address federal requirements as well as Guam zoning regulations and commercial land use in areas that are likely affected.

The claim that property restrictions would occur at “no cost to the landowners” is an unsustainable declaration. First the proposed action does not address the effect of the Uniform Relocation Act (Title 49, Subtitle A, Part 24). This U.S. legal requirement is likely expansive given the commercial operations of potentially affected landowners and that private landowners in an area that is indicated to be closed have expansive commercial rights (land zoned “Resort-Hotel” under Guam law).

These issues with respect to private landowners underscores (1) the importance of the legal requirement that affected public parties be involved in the preparation of EAs and (2) the incomplete nature of the proposed action.

a. Incorrect and incomplete evidence in the proposed action involves native species.

The proposed action indicates that there are "no native reptiles" in the Region of Influence. This claim ignores the high the *Varanus tsukamotoi* which should be expected in the survey areas. Surveyors might not have known that it is a native reptile.

The coconut crab is not identified as a species in Section 3.5.2.2. This is an important species culturally and for consumption.

Section 3.5.2.2 notes surveys conducted in 2020 and in 2023 but does not appear to include data from the 2023 survey.

6. The EA should have separated the land- and sea-based launch options in the Alternatives Considered.

Land-based launch systems for interceptors and sea-based launch systems for interceptors have materially different environmental impacts. The sea-based systems should be able to proceed with minimal review since these tests are regularly staged in exercises and other tests. Moreover, Aegis-equipped vessels currently provide interceptor capabilities off-shore of Guam.

Land-based interceptors represent a significantly different environment and community impact that sea-based launchers. This is evident in the Government of Japan deciding against a U.S.-supplied Aegis Ashore capability given the debris risk to population areas. Instead, the government of Japan is developing a next generation sea-based Aegis interceptor capability. The undefined impact on areas in Guam that is represented by the Proposed Action’s restriction on access to public and private property underscores this fundamental difference between land- and

sea-based launch systems. The fact that the Proposed Action cannot define the area that may be affected by “safety concerns” accentuates both the failure of the EA to determine the impact of the Proposed Alternative and the significant difference between land- and sea-based launched systems.

Note: Submitted 31 July 2024

PCIS Comments
Draft Environmental Impact Statement (DEIS)
“F-15 Beddown and Infrastructure Upgrades at Andersen Air Force Base, Guam”

The following Substantive Comments are offered by the Pacific Center for Island Security in response to technical items in the Draft Environmental Impact Statement (DEIS) for “F-15 Beddown and Infrastructure Upgrades at Andersen Air Force Base, Guam” that require further review, correction, and action.

1. Housing.

DEIS Assumptions. The DEIS states that it “is assumed that all personnel would reside in off-installation housing on Guam” (EIS at p. 2-3). The DEIS use of US Census Bureau (USCB) data to project available houses in the local housing market is not likely to be an accurate indicator of houses available in 2029 given (a) the peculiarities of data collection during COVID-19, (b) the almost decade separation between the USCB collection and the housing need that is assumed, and (c) the status of “available houses” in view of US military requirements for occupancy, units in legal probate, and other legal and transactional issues (foreclosure, settlement, renovation).

Demand and Displacement Assumptions. It is unclear how many Republic of Singapore Air Force (RSAF) personnel (number accompanied?) and US Department of the Air Force (DAF) personnel (35 accompanied?) are included in the proposed action. The number of 440 (Table 2-4) is assumed, but in discussions with designated representatives during the public meeting in Yigo we found that there was confusion about the source, number, and daily presence of personnel that would be attendant to this action.

Notwithstanding the final headcount of personnel and dependents, any assumption that *all personnel would reside in off-installation housing on Guam* fails to account for the socio-economic disruption that is caused by the U.S. military not providing adequate housing for personnel assigned to Guam. This is both an issue of supply and the price effect of the application of the Overseas Housing Allowance (OHA) program that is available to U.S. military personnel assigned to Guam.

(a) **By way of example.** The average household income in Guam (2020 Census) was just less than \$60,000, yielding a 30% allocation for housing of \$1,500 per month. An E-4 military personnel is eligible to almost \$4,000 per month for housing and related allowances under the OHA program. Given the cumulative impact of an assumption that the personnel associated with this proposed action would live off-base, a more thorough analysis of military personnel on the Guam housing market (and its effect on local resident displacement) needs to be conducted in the EIS.

(b) **Cumulative Impact.** The U.S. military does not appear to have a regular publicly available source of information tracking housing requirements and personnel use of off-base housing and housing allowances. However, it is widely acknowledged (U.S. National Defense Authorization Act FY2024, recent DoD Requests for Information) that there is an acute shortage of housing for military personnel in Guam and that there is an impact on the off-base housing market. Specific to housing at AAFB, data from the FY24 and FY 25 U.S. Navy Military Construction Justification Book budget submissions indicates that after adding 281 accompanied units at AAFB by 2029 (at a cost of just over \$400 million), the unmet on-base housing requirement will be over 1,750 units. This unmet requirement, together with the number of units required under this Proposed Action will have a cumulative impact that must be accounted for in the EIS.

Naval Support Activity and Camp Blaz Personnel at AAFB FY22-FY28					
<i>Fiscal Year</i>	<i>Population</i>	<i>Effective Requirement</i>	<i>DoD Housing</i>	<i>Total Not Met</i>	<i>Not met (% of requirement)</i>
FY 2022	2,681	1,444	729	715	49.5%
FY 2023	2,795	1,336	699	637	47.7%
FY 2027 (est)	7,848	2,479	852	1,617	65.2%
FY 2028 (est)	7,492	2,351	852	1,756	74.7%

Source: DoD J Book Budget Submissions FY24 and FY25

Note: "Total Not Met" includes "under contract," "Private," and "Deficit."

(c) **Foreign Labor.** The EIS does not account for the effect on the local housing market of foreign labor that will be involved in the construction. In not addressing what is usually contractor provided housing, the EIS overlooks a socio-economic impact on the local housing market. "Barracks" for foreign labor that once characterized the provision of foreign labor housing in Guam have given way to use of apartments (and even repurposed former hotel facilities). The use of local housing market facilities by foreign labor creates additional stress on the limited housing supply in Guam and need to be included in the cumulative impact measurements definitized in this EIS.

(d) **New Home Construction.** The Guam civilian housing market needs new home construction. The Guam Housing and Urban Renewal Authority's (GHURA) 2020 Housing Assessment estimated that 9,000 new units were needed to address rising housing insecurity in the community. New housing construction at magnitude is not occurring and not likely to occur in view of the current heightened level of military construction. Guam's local construction workforce (5,000 individuals) is largely engaged in on-base activities, and the civilian market's access to foreign labor that the military uses is not legally available. Under these conditions, as the GHURA has noted, "It's not the time for us to try to build anything....Then with the military buildup, so it's very complicating and the demand is much greater than the supply,

and it's been like that for several years.” (GDP, 13 April 2024). The factors weighing against new home construction in the Guam market are directly related to on-going and future military construction projects and must be considered part of the cumulative impact of any proposed federal action regarding housing requirements.

Unless a final EIS can address the issues related to the direct and cumulative substantial impacts related to the housing requirements of the Proposed Action, including the socioeconomic, sociocultural impacts and causal damage to environmental justice communities in the off-base community, all housing requirements anticipated in the DEIS should be provided by new construction of on-base units.

2. **Headline Economic Impact Assumptions**

We have not conducted a bottom-up review of the economic assumptions presented in the DEIS. However, the significantly incorrect presentation of the headline economic impact from the Proposed Action raises concerns about the materiality of correctness throughout the economic assumptions.

DEIS Assumptions. At Table 3-18 (Summary of Estimated Economic Impacts on Jobs, Income, and GIP), the DEIS presents economic impacts from local and foreign labor.

- The assumption that foreign labor would comprise 70% of the labor requirement over five years appears to be an arbitrary (guesstimate) determination. Moreover, the DEIS fails to address the housing requirement for this imported labor that is assumed to be necessary.
- Even with the assumed dependency on foreign labor, the assumed local labor force participation in the project is material or over 25% of the local construction labor pool. The impact of this drawdown and displacement from local construction needs to be addressed.
- As shown in the table below, which averages the DEIS provided total labor force and GIP by job creation, the impact of foreign labor on labor force income and GIP are equal to or greater than the economic impact of the local labor force. The averages indicate that the headline economic impact data in the DEIS is fundamentally flawed, since a defining characteristic of foreign labor income flows is income repatriation to the source country. If the higher average foreign labor impact on GIP arises from an assumption of housing rental, the DEIS fails to account for the related housing displacement in the local community. Whatever the assumptions, the projection of an equal (or higher) impact from foreign labor is logically incorrect. Such an obvious misunderstanding of macro- and multiplier- economic impacts raises questions about the validity of other economic assumptions in the DEIS.

Local	Foreign	Totals and Averages
1,338	3,122	Job Creation
\$60,000,000	\$140,000,000	Total Labor Force Income
\$44,843	\$44,843	Average Labor Force Income
\$106,400,000	\$253,000,000	Total Gross Island Product
\$79,522	\$81,038	Average Gross Island Product

Note: Submitted 29 July 2024