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Mr. Donald R. Schregardus

Deputy Assistant Secretary of the Navy

Energy, Installations, and Environment

100 Navy Pentagon

Washington, DC 20350

Dear Mr. Schregardus,

This letter serves to provide comments from the Guam Boonie Stompers, Inc., a consulting party, on the February 16, 2011 version of the draft Programatic Agreement.

First, I would like to commend you and your fellow federal workers on the recent revisions to the draft PA. It is clear that a lot of thought and effort went into the revisions. This is indeed an historic PA agreement, unlike any previous agreement. This is only fitting, since the planned military buildup is also historic in its size, scope, and impacts on our island.

Despite the changes made, Guam Boonie Stompers, Inc. still cannot support signing the PA in its current form. We offer the following reasons:

1. On page 4, the change from Consulting Parties to Concurring Parties is unacceptable. Agree with us or be shut out of the process is blackmail. With almost every decision changed to "further evaluation required", you are limiting major decisions on the future of this island to only your minions. This violates the spirit of public input, consensus, trust, and "One Guam". If you truly wanted to work cooperatively with the people of Guam, the PA document would contain clear processes for continued involvement of the public in decision making, especially those who question your decisions. Saying the public is involved by posting notices on an obscure website with short comment periods and no process for feedback in not involvement.

2. On pages 10 and 11, section F, the provisions for resolution of disputes are unacceptable. At every step in the resolution process DOD will consult and then inform others of its decision. This questions any efforts at cooperation and negotiation, since DOD can just stonewall for a given period of time and do whatever it wants anyway. This process has been clearly evident since before our involvement with the development of the PA and continues to the present (i.e.: concurring parties, threats to sign or lose everything, final signature deadlines, etc.) DOD will clearly not take the needs of our island or its people into account unless it is convenient or suits their needs, and can't be trusted with final decisions.

3. On page 12, section V, Guam Boonie Stompers from the beginning has disputed both the DOD's determination of effects and the process used to determine these effects. By listing every project as "further evaluation required" and limiting input to "concurring parties", a radical change from previous earlier versions of the PA, you nullify previous criticisms without addressing the core issues and remove those with questions from the process. Given historical, past, and present treatment of the island and its people by DOD, this must be viewed as continued, blatant, autocratic attempts to eliminate any opposition to DOD's wishes. The profound effects this buildup will have on the island will be irreversible and not in the best interests of the island or its people. Every detail must be clearly spelled out and detailed, with clear process for public input and cooperative decision making at every step in the process. We deserve nothing less.

4. On page 15, section C, Guam Boonie Stompers, Inc. will require much more detail and clarity before considering signing the PA. A consensus definition of "Pagat, Pagat village, or historical areas" has yet to be reached, so impacts and effects can't be clearly defined. As you yourselves admitted, DOD made the decision to use Pagat for its firing range back in 2006, all previous efforts to identify and evaluate other locations were merely an exercise in ensuring the planned outcome, not real evaluation or decision making. The current language is merely another exercise in lip service and complying with minimum requirements in order to mislead the public and again achieve whatever you originally wanted in the first place. All of these changes mislead the public into believing substantive changes have been made when in fact they have not. DOD would not be trying to make concessions on Pagat if they were not determined to place the live fire ranges they, no matter what.

5. On page 16, section 3, the Pagat area was listed as within the surface danger zone and the only current trails, and the traditional usage, were right through the planned ranges. We have seen no documentation indicating that access trails and the Pagat area will now be outside the surface danger zones. If access 24/7 means entering at danger to one's

safety, that is not real access at all. Documentation must be provided showing Pagat as completely outside the standard surface safety zones, and how this shift will affect other areas

6. On page 16, section 4, seems to be redundant. Why is a range mitigation plan needed if the area is outside the danger zone, GovGuam retains ownership, and access is 24/7? Is section 4 needed because section 3 is not a true commitment? Why does the RMP become effective without the signatures of the consulting parties? This seems like an attempt to preplan changes after the fact without public input.

7. On page 19, section C, the draft PA again ignores the direct impact in cultural, historical, and traditional properties outside the fence. Do to publicity and increased population, the Guam Boonie Stompers, Inc. itself has been overwhelmed by increased participation even before the buildup begins. We have seen first had the degradation and destruction of important sites due to overuse. The PA in essence ignores the direct impact and destruction of cultural, historical, and traditional use sites, and as general mitigation offers only, on base educational programs, a promise of at best the same limited controlled access to on base cultural and historical properties that already exists and is once again subject to military whim, the harvesting of destroyed forests, and possible access by suruhanus. This is no avoidance or mitigation at all and is unacceptable.

8. On page 21, section B3, the draft PA does not address the effects of increased foot traffic by the military on the existing trails that already suffer from overuse and erosion. It does not detail if construction will occur on the trails. It does not address the impact of the helicopter landing zones on the mountains. The draft offers no assurances that the closure times of one week per month (25%) will not be radically altered in the near future. Before it can sign, Guam Boonie Stomper, Inc. will need more detailed planning for this area.

9. Page 22, section C, again offers little substantive mitigation for direct impact and cumulative effects. We find it evocative and symbolic that DOD's main plan for the mitigation of widespread destruction and degradation of our island and the devastatingly negative impact on island culture, language, and 5,000 year old tradition is a repository for dead bones and artifacts, and that more than likely this will be situated on federal property. Given the political and economic climate in Washington, no one could believe that promises of support in obtaining federal money for a repository and museum have any substance. As the main point of mitigation for island wide effects, these promises are essentially worthless

10. On page 33, Stipulation XIII, sole decision making authority in the draft PA again rests with DOD with only a statement to "take into

account" objects before making a final decision. Given the history of the draft PA process, the history of DOD on Guam, and the immense outside pressures to proceed without change or delay, this amounts to no conflict resolution at all. Guam Boonie Stompers, Inc. would need to see a more shared decision making process that actually addresses the concerns of the community before agreeing to sign the PA.

Guam Boonie Stompers, Inc. feels that resolution of outstanding issues in the Draft PA can be accomplished if all parties are willing to continue negotiation. We hope to continue to be a part of this process.

Thank you for your time and efforts and we look forward to seeing your response to the comments of the community.

Sincerely,

Ed Feely

Vice President

Guam Boonie Stompers, Inc.