

Appendix H

Coastal Consistency Determination (CCD)

1. Status of Federal Agency Coastal Zone Management Act Consistency Determination for Proposed Actions in the Territory of Guam
2. Status of Federal Agency Coastal Zone Management Act Negative Determination for Proposed Actions in the Commonwealth of the Northern Mariana Islands
3. Negative Determination for Tinian: Letter from Navy to Coastal Resources Management Office

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Appendix H - Coastal Consistency Determination (CCD)

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**STATUS OF FEDERAL AGENCY COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION FOR
PROPOSED ACTIONS IN THE TERRITORY OF GUAM**

A coastal zone consistency determination (CCD) assessment was submitted to Government of Guam Bureau of Statistics and Plans (BSP) on March 26, 2010. The assessment encompassed all proposed actions described in the November 2009 Draft Environmental Impact Statement/Overseas Environmental Impact Statement (DEIS) for the Guam and CNMI Relocation. The BSP reviewed the submittal and responded with a letter dated May 28, 2010 recommending CCDs be prepared for each phase of the project. This approach is supported, as described in 15 CFR 930.36(d) and OPNAVINST 5090.1C CH-25, 30 October 2007, which states:

“25-43.1(a)3. Phased Consistency Determinations. Phased Consistency Determinations may be provided in cases where the decisions of the Navy action proponent related to a proposed development project or other action will be made in phases based upon developing information that may not be available at the time of the original consistency determination. In this case, a consistency determination will be required for each major decision.”

The first phase CCD assessment is being prepared and is limited to construction projects proposed for fiscal year 2010 and 2011. The CCD submittal is not available for inclusion in the Final EIS.

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**STATUS OF FEDERAL AGENCY COASTAL ZONE MANAGEMENT ACT NEGATIVE DETERMINATION FOR
PROPOSED ACTIONS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

A coastal zone negative determination (ND) assessment was submitted to Commonwealth of the Northern Mariana Islands (CNMI) Coastal Resources Management Office (CRMO) on April 1, 2010. The assessment encompassed all proposed actions described in the November 2009 Draft Environmental Impact Statement/Overseas Environmental Impact Statement (DEIS) for the Guam and CNMI Relocation. At the request of CNMI CRMO the ND was resubmitted and received by CNMI CRMO on April 27, 2010. Pursuant to 15 CFR Section 930.35(c), the CNMI CRMO was not obligated to respond to the ND, and since the CNMI CRMO did not respond to the ND within 60 days, the CNMI CRMO concurrence with the ND was presumed.

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DEPARTMENT OF THE NAVY
COMMANDER, JOINT REGION MARIANAS
PSC 455, BOX 152
FPO AP 96540-1000

IN REPLY REFER TO:
5090
Ser J4/0190
April 01, 2010

Dr. John B. Joyner
Director
Coastal Resources Management Office
P.O. Box 10007
Morgen Building, 2nd Floor, San Jose
Saipan, MP 96950

Dear Dr. Joyner:

SUBJECT: COASTAL ZONE MANAGEMENT (CZMA) NEGATIVE
DETERMINATION NOTICE FOR THE GUAM AND CNMI MILITARY
RELOCATION

The Navy wishes to inform you of its negative determination under the CZMA for the subject proposed action. As detailed in the draft Guam and CNMI Military Relocation EIS/OEIS separately provided to you in January 2010, the proposed federal action is to relocate U.S. Marine Corps forces from Okinawa to Guam, including the construction and operation of four small ranges on Tinian.

Summary of Proposed Action

The Guam and CNMI Military Relocation EIS/OEIS proposes additional training activities to those addressed in the draft Mariana Islands Range Complex EIS/OEIS. Enclosure 1 summarizes the proposed Department of Defense training capacities on Tinian that are addressed in the draft MIRC EIS/OEIS. Volume 3, Chapter 2 of the draft Guam and CNMI Military Relocation EIS/OEIS describes the proposed action, which includes the following:

1. Firing ranges:
 - a. Automated combat pistol/multipurpose (MP) firearms qualification course,
 - b. Rifle known distance (KD) range (5.56 mm, 1,000 yards [yd] [914 meters {m}]),
 - c. Platoon battle course, and
 - d. Field firing range.

2. Airspace use: The vertical hazard area associated with the proposed firing ranges would be managed to ensure that aircraft could safely operate in airspace overlying the proposed firing ranges and aviation training would occur in airspace overlying and near Tinian. Establishment of Special Use Airspace is not required over small arms ranges, and is not part of the proposed action evaluated in the Guam and CNMI Military Relocation EIS/OEIS.

3. Facilities

All facilities are proposed within the Military Lease Area (MLA).

- Firing positions (location from which weapons are fired) and range facilities are proposed in the Leased Back Area (LBA). The weapons firing would be directed toward the Exclusive Military Use Area (EMUA) located north of the LBA.
- Surface Danger Zones (SDZ) are generated by each range. SDZs are three-dimensional areas that delineate that portion of the earth and the air above, in which personnel and/or equipment may be endangered by ground weapons firing or detonation activities because of ricochet or fragmentation hazards. SDZs must be devoid of unrelated facilities and while training is ongoing, and access to the SDZ is restricted to those involved in the conducted training. Depending on the type of restriction, these spaces are monitored by range control during firing for safety. All of the proposed SDZs lie over land.
- All training would be considered “expeditionary” with the Marines bringing all necessary equipment to the ranges, bivouacking (i.e., camping in temporary structures) onsite, and removing all equipment following completion of the training activities. No utility infrastructure or tie-ins to existing infrastructure is proposed. No sanitary sewer systems would be required as commercial portable toilets would be contracted. Potable water would be provided via water truck and supplemented with bottled water. If required, fire fighting would be provided by the local fire department. Solid waste would return with the forces to Guam, pending completion of a new local landfill.
- Range facilities required:

a. Rifle KD Range: Designed for training rifle marksmanship and target engagement techniques, would be constructed. This range would be used to train personnel on the skills necessary to identify, engage, and hit stationary targets in a static array from a known distance. This range would require 25 firing points with a range width of 100 yd (91 m) and a length of 1,000 yd (914m); firing line berms and back-stop berms; grading and vegetation clearing that is

approximately 1,050 yd (960 m) by 100 yd (91 m), or 22 acres (ac) (9 hectares [ha]); and the notional SDZ for this range, limited to firing of 5.56 millimeter (mm) ammunition, would extend 2.17 miles (mi) (3.5 kilometers [km]) horizontally, with a vertical hazard distance of 388 yd (355 m)

b. Automated Combat Pistol/Military Police Firearms Qualification Course: Designed to meet training and qualification requirements with combat pistols and revolvers and used to train and test personnel on the skills necessary to identify, engage, and hit stationary infantry targets. All targets would be fully automated for scored training. The range would be suitable for 9 mm and .45 caliber weapons. This range would require up to 25 firing points with a maximum range distance of 50 yd (46 m); grading and vegetation clearing that is approximately 55 yards (50 m) by 50 yd (46 m) wide, or 0.6 ac (0.2 ha); and the notional SDZ would extend 1.12 mi (1.8 km) horizontally, with a vertical hazard of 109 yards (100 m).

c. Platoon Battle Course: Designed for the training and qualification requirements of infantry platoons, either mounted or dismounted, on movement techniques and operations. This course would be used to train and test platoons on the skills necessary to conduct tactical movement techniques, detect, identify, engage, and defeat stationary and moving armor and infantry targets in a tactical array. Targets would not be fully automated and would not have the capability to execute computer driven/scored training scenarios. Weapons would include 5.56 mm carbines, rifles, and Squad Automatic Weapons. This range would require capacity for small units up to approximately 40 personnel to train in tactical scenarios, engaging targets at varying distances and angles while moving, range footprint would be approximately 1,312 yd (1,200 m) long and 656 yd (600 m) wide, encompassing approximately 178 ac (72 ha). Within that footprint, target pits, access ways, and back stops would be constructed, and a range observation/safety tower would be located at the initial firing line. The range SDZ would extend 2.17 mi (3.5 km) from the farthest firing position down range, with a vertical hazard distance of 388 yd (355 m). The notional SDZ for this range reflects control of the target engagement distance to maintain lateral limits of fire to 30 degrees on either flank of the range.

d. Field Firing Range: Designed to support training target engagement techniques with the rifle, including identifying, engaging, and hitting stationary infantry targets. This would be a scored range with automated targets for use with the 5.56 mm rifle, but also would be suitable for the M4 Carbine and Squad Automatic Weapons. The range would be approximately 219 yd (200 m) wide by 547 yd (500 m) long, or approximately 25 ac (10 ha). The length of the notional SDZ is approximately 2.17 mi (3.5 km) long from the firing line and 388 yd (355 m) vertically.

e. Security Fencing and Gates, Range Flags, and SDZ Observation: The range training area (RTA) would need to be secured and surveyed to verify the area is clear of non-participating personnel during live firing to avoid the potential for injury from ricochet or misdirected shots; therefore, fences, range flag poles (on which red flags would be flown during range operations),

and security gates would be constructed to allow closure of land access to all or portions of the RTA, during training. The extent of fencing has not been determined, but roads will be gated and range control personnel would survey the area for unauthorized people.

f. Storage: No storage of equipment or ammunition would occur on the ranges. The training units would bring all equipment, supplies, and ammunition necessary to conduct training and would be responsible for its transportation in accordance with DoD and U.S. Department of Transportation policies for movement of materials with hazardous classification.

g. Emergency Services: No permanent medical or emergency facilities would be constructed. A fire management plan is being developed and permanent water storage facilities or pump trucks may be required.

h. Roadway and Range Access: Range roads are typically graded gravel roads with drainage and culverts as needed. Each of the ranges would have an access roadway from the existing adjacent road, with associated parking for vehicles and space for assembly of training personnel. Ranges would include dirt or gravel access ways for target emplacement and pick up. Parking areas are estimated at 0.5 ac (0.2 ha) and range roads are estimated at 5 mi (8 km) for all four ranges combined.

i. The RTA would be managed in accordance with Marine Corps Orders 3550.10, *Policies and Procedures for Range Training Area Management*. Other than the facilities listed above, no facilities were identified to support the RTA management.

4. Range Management and Operations. The maximum usage of the proposed ranges would be 24 weeks out of the year including the 16 weeks for firing range training and the 8 weeks (assuming 4 two-week field training events) for major training events. Training will likely occur once per month for one week intervals. It is possible the major training events would coincide with the range training; however 24 weeks of restricted access is a conservative estimate. Training would include approximately 200-400 Marines for the proposed one week per month company-level training exercises. Further information can be found in Volume 3 Section 8.2.2.1 of the draft Guam and CNMI Military Relocation EIS/OEIS. Enclosure 2 provides a summary of the estimated annual range utilization for each of the ranges proposed for Military Leased Lands on Tinian and described in the draft Guam and CNMI Military Relocation EIS/OEIS. This is the typical range use scenario. There may be circumstances in which range use could occur for longer periods of time than indicated herein. The ranges as proposed would be used by up to 400 military personnel at a time. Ranges would primarily be used during daylight hours; however, some training is required during nighttime hours, typically between the hours of 7:00 p.m. and 6:00 a.m. Further information is available in Volume 3 Section 2.3.3.1 of the Guam and CNMI Military Relocation EIS/OEIS, DEIS/OEIS.

5090
Ser J4/0190
April 01, 2010

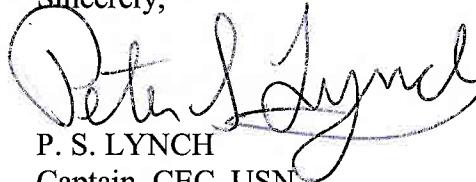
Pursuant to Section 7 of P.L. 3-47 [2 CMC Section 1513] federal lands in the CNMI are excluded from the CNMI Coastal Resource Management Program. The proposed four ranges and their associated safety danger zones are located within the Military Leased Area on Tinian, and therefore excluded from Tinian coastal management zone. The lease of these public lands, enacted under the 1976 *Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America*, "made available to the United States by lease to enable it to carry out its defense responsibilities" for an initial period of 50 years with an option to renew the lease for another 50 years. For purposes of evaluating federal consistency of federal activities under the Coastal Zone Management Act, these lands are excluded under the CNMI Coastal Resources Management Program.

The Navy evaluated whether the construction and operation of the four small ranges would have reasonably foreseeable direct or indirect effects on any coastal use or resource of the coastal zone of the CNMI. The Navy determined that the proposed action would not result in spillover impacts which directly or indirectly affect the CNMI coastal zone; therefore the proposed action would be, to the maximum extent practicable, consistent with the CNMI Coastal Resource Management Program.

A copy of this negative determination is being provided to you under 15 CFR 930.35(3), as the Navy undertook a thorough consistency determination before arriving at the negative determination.

The Navy welcomes your concurrence with the negative determination. If you have any questions on this matter, please contact Mr. Robert Wescom, at (671) 339-2349 or by email at robert.wescom@fe.navy.mil.

Sincerely,



P. S. LYNCH
Captain, CEC, USN
By direction of the
Commander

Copy to:
Naval Facilities Engineering Command, Pacific (EV)

Enclosures: 1. MIRC EIS/OEIS Training Capability on Tinian
2. Daily and Annual Use of Proposed Small Arms Qualification Ranges on Tinian

Enclosure 1. MIRC EIS/OEIS Training Capability on Tinian

Type of Training	Description
Surveillance and Reconnaissance	Training to evaluate the battlefield, enemy forces, and gather intelligence.
Field Training Exercises	Battalion and its combat and combat service support units deploy to field locations to conduct tactical operations under simulated combat conditions.
Ship to Objective Maneuver	Conducted to gain a tactical advantage over the enemy in terms of both time and space.
Non-Combatant Evacuation Order	Noncombatants are evacuated from foreign countries when their lives are endangered by war, civil unrest, or natural disaster to safe havens or to the U.S.
Assault Support	Provide helicopter support for command and control, assault escort, troop lift/logistics, reconnaissance, search and rescue, medical evacuation, reconnaissance team insertion/extraction, and Helicopter Coordinator duties.
Direct Action	Offensive actions including raids; ambushes, standoff attacks by firing from ground, air, or maritime platforms; designate or illuminate targets for precision-guided munitions; support for cover and deception operations; and sabotage inside enemy-held territory. Units involved are typically at the squad or platoon level staged on ships at sea. They arrive in the area of operations by helicopter or small rubber boats across a beach.
Hydrographic Surveys	Survey underwater terrain conditions and report findings to provide precise analysis typically in support of amphibious landings and precise ship and small craft movement through cleared routes.
Combat Search & Rescue	Train rescue forces personnel the tasks needed to be performed to affect the recovery of distressed personnel during war or military operations other than war.
Field Carrier Landing Practice	Practice landings and take-offs from a simulated carrier landing deck which are observed by a landing signal officer who grades or critiques each landing.
Obstacles/Breaching	Practice breaking through or secure a passage through natural or manmade obstacles.
Military Operations in Urban Terrain	Close quarter battle techniques used on urban terrain conducted by units trained to a higher level than conventional infantry.
Amphibious landings	Tracked amphibious vehicles and large landing craft are used to deliver troops and equipment from ships.
Night Vision Goggle (NVG) Training	Use NVGs while flying multiple circular or oblong patterns in the vicinity of a designated airfield to practice landing in a remote airfield with little or no ambient light.

Enclosure 2: Daily and Annual Use of Proposed Small Arms Qualification Ranges on Timian

Range	Weapon	Ammunition Type	Typical Use Estimate			Ammunition Expenditure Estimates (Busy Day)(b)		
			Crews or Personnel	Hours	Days Per Year ^(a)	Day	Night ^(c)	Annual ^(d)
Known Distance (KD)	Rifle	5.56mm	100	8:00-12:00 7:00-9:00	80	12,000	0	960,000
	Automated Combat Pistol/ Multipurpose Firearms Qualification	Pistol (M9) 9mm	100	8:00-10:00 7:00-9:00	60	3,750	1,250	300,000
Field Firing Range	45	.45caliber	50	8:00-10:00 7:00-9:00	20	3,750	1,250	100,000
	Rifle	5.56mm	120	8:00-4:00 7:00-1:00	80	9,000	3,000	960,000
Platoon Battle Course	Rifle	5.56mm	120	8:00-4:00 7:00-1:00	80	6,750	2,250	720,000
	SAW	5.56mm	40	8:00-4:00 7:00-1:00	80	2,250	750	240,000
Total								3,280,000

Legend: mm = millimeters, cal = caliber, SAW = Squad Assault Weapon

Notes:

- (a) The figures for number of days of use are determined based on an estimated use of the ranges up to 16 weeks per year (1 week per month plus 1 additional week per quarter), 5 days per week. Range use would occur periodically throughout the year, with no predictably busy or non-use periods.
- (b) Estimates based on the maximum number of shooters per day who could make use of each proposed range (calculated by multiplying the number of firing points or lanes by the number of firing relays), firing the number of rounds prescribed for a standard string of fire. This estimate is consistent with the ammunition allocation for the relocated units.
- (c) Night refers to non-day/night hours that are generally 7:00 p.m. – 6:00 a.m. on Timian.
- (d) The estimate of annual numbers of rounds expended is consistent with the ammunition allocation based upon relocation.

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