



Draft

Environmental Impact Statement /
Overseas Environmental Impact Statement

GUAM AND CNMI MILITARY RELOCATION

Relocating Marines from Okinawa,
Visiting Aircraft Carrier Berthing, and
Army Air and Missile Defense Task Force

Volume 9: Appendices

November 2009

Comments may be submitted to:

Joint Guam Program Office
c/o Naval Facilities Engineering Command, Pacific
Attn: Guam Program Management Office
258 Makalapa Drive, Suite 100
Pearl Harbor, HI 96860

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Guam and CNMI Military Relocation EIS/OEIS

Volume 9: Appendices

Table of Contents

PUBLIC INVOLVEMENT MATERIALSAPPENDIX A

COOPERATING AGENCIES APPENDIX B

AGENCY CORRESPONDENCEAPPENDIX C

PROJECT DESCRIPTION TECHNICAL APPENDIXAPPENDIX D

HABITAT EQUIVALENCY ANALYSIS (HEA) APPENDIX E

SOCIOECONOMIC IMPACT ASSESSMENT STUDY..... APPENDIX F

EIS/OEIS RESOURCE TECHNICAL APPENDIX..... APPENDIX G

 Recreational Resources

 Terrestrial Biological Resources

 Marine Biological Resources

 Cultural Resources

 Hazardous Materials and Waste

 References

COASTAL CONSISTENCY DETERMINATION (CCD)..... APPENDIX H

AIR QUALITY IMPACT ANALYSIS DATAAPPENDIX I

 AECOM Technical Services, Inc.

 Parsons Transportation Group/Parsons Brinckerhoff Team

SUPPLEMENTAL AIRCRAFT CARRIER MARINE SURVEYS.....APPENDIX J

ADDITIONAL REPORTS..... APPENDIX K

VOLUME 5: WEAPONS EMPLACEMENTS SITES ANALYSISAPPENDIX L

Appendix C
Agency Correspondence



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

March 26, 2007

Senator Judith T. Won Pat
Payless Corporate Office Bldg. Ste 102
116 Chalan Santo Papa
Hagatna, Guam 96910

Dear Senator Won Pat:

Thank you for your letter of 26 March regarding the public scoping meetings. The scoping meetings are intended to give the public the opportunity to comment on the proposed military activities so we can better define the scope of the issues to be analyzed in the Environmental Impact Statement (EIS). There will be opportunities for the public to address their concerns with the appropriate subject-matter experts in different forums during each session. Our goal is to acquire verbal and written comments that will help define the scope of the environmental analysis. The purpose of each session is to receive information.

The National Environmental Policy Act, which mandates environmental analysis for federally funded projects is essentially a law of disclosure. It ensures that agencies provide decision makers with well-thought-out societal gains and losses that could result with each decision. Public comments and inputs to the scoping process are important because it helps us collect information and identify concerns and issues prior to conducting the actual analysis. We anticipate the environmental analysis to take approximately three years to complete. The analysis will look at all viable alternatives and will be used as a decision tool for the proposed military activities on Guam.

The process involves the participation of many, including several Federal Agencies and Departments, the Government of Guam and agencies, the Government of the Commonwealth of Northern Mariana Islands and agencies, the public, and other interested parties. Copies of the Draft Environmental Impact Statement will be available for public review and comment. No decision will be made to implement any alternative until after the EIS process is complete, and the Record of Decision is signed by the Assistant Secretary of the Navy (Installations and Environment).

The demographic information that you requested for the relocating Marines and their families is as follows:

	Total	Married	Percent Married
General Officer	4	4	100
Field Grade	247	221	89.4
Company Grade	629	398	63.25
Junior Enlisted	3350	1266	37.8
Non-Commissioned Officer	3563	2515	70.58
Senior Enlisted	207	184	88.9

Thank you again for your involvement in this process. I look forward to seeing you again.

Sincerely,



David F. Bice
Executive Director
Joint Guam Program Office

Fuestsan Famalao'an
P.O. Box 7932 Tamuning, Guam 96931

March 26, 2007

Mr. David F. Bice, Executive Director
Joint Guam Program Office, Office of the Assistant Secretary of the Navy
Installations & Environment
2221 S. Clark Street, Suite 9000
Arlington, Virginia 22202

Dear Mr. Bice:

This is a formal letter of appreciation for the time given to us when we met with you recently. At that meeting, we spent substantial time sharing with you the concerns that we feel are critical considerations for girls and women in the plan for the increased militarization on Guam. The areas of education, economic development, housing, health care, human services and political status were paramount in this discussion. You were very engaging in this session and we appreciate your openness as you listened and spoke about the position of the military and the U.S. Government at this point.

You mentioned the plans for a hearing that we understood then, would be an opportunity for your office to reveal its plans for the transfer of some 8,000 marines, their families and support staff to Guam. We believed that the hearing would include time for local residents to provide verbal and written testimony on what they perceived to be their concerns. At one point in the meeting, we recall you stating that the hearing would result in the gathering of information that would lead to environmental impact studies on land and ocean resources, noise pollution, and socio-cultural-economic and educational issues. Upon completion of these studies, the U.S. government would then make its final determination as to the movement of the marines to Guam which you indicated is not yet final.

We write you now to seek **clarification on the decision making process** to come to a final determination that Guam will be the site for the transfer of the marines here. We would also appreciate that you assist us in gaining **clarity on the purpose, scope, structure and format for the hearings** scheduled for April 3rd on Guam. Can you also include the **Profile of the Marines, their families and support staff** that you assured us of receiving?

We await your expeditious response and we look forward to testifying at the April 3rd hearing.

With best regards,

Judith WonPat

Lou Leon Guerrero

Hope A. Cristobal

Sarah M. Thomas-Nededog

Vivian L. Dames

Lisa Cipollone

Therese M. Terlaje



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

March 29, 2007

Governor Felix P. Camacho
P.O. Box 2950
Hagatna, Guam 96932

Dear Governor Camacho:

Thank you for your letter requesting we provide additional opportunity for public comment to the NEPA process. We will certainly support your request. I have asked Captain Lee to coordinate with your office on a suitable date and location. We will provide all necessary support and assistance. Thank you again for your very public support to our Guam military enhancement initiatives and for your continued support to our military men and women and their families.

Sincerely,

A handwritten signature in black ink that reads "David F. Bice".

David. F. Bice
Executive Director
Joint Guam Program Office



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

Mr. David Bice, Executive Director
Joint Guam Program Office
Department of the Navy
1000 Navy Pentagon
Washington, DC 20350-1000

Dear Mr. Bice:

Hafa Adai! I hope all is well in Washington, and I look forward to seeing you here next week.

A preliminary meeting with Acting Director of the Joint Guam Program Office Forward, Captain Robert Lee, III, and Defense Coordinating Officer Roy Tsutsui to educate our Civilian Military Task Force and the media on the Environmental Impact Statement/Overseas Environmental Impact Statement processes and set expectations for the April 3, 2007 scoping meeting was just held and well attended. Thank you for continuing to work with us in this partnership.

As you know, this military project is so expansive and critical to our island's future and every opportunity to hear from the people of Guam is noteworthy.

Although the scoping meeting next week will take place as planned, I'd like to humbly request we have a subsequent meeting (or additional meetings as necessary) to give everyone a chance to provide input. May I suggest the week of April 16, 2007 in a community-based venue which we can host as a commitment to our ongoing collaboration.

I sincerely appreciate your confirming your agreement for additional meetings as necessary, and I look forward to your reply.

Sinseru yan Magahet,

FELIX P. CAMACHO
I Maga' Lahen Guahan
Governor of Guam



Office of the Governor of Guam

P.O. Box 1950 Hagåtña, Guam 96932
TEL: (671) 477-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

CC
CV
CCE MOC
Handwritten notes and signatures in the top right corner.

FWD MSG/CC/CCES
36 WG/JA
O 5 OCT 2007

Brigadier General Douglas H. Owens
Commander
36th Air Wing
Andersen Air Force Base
Unit 14003
APO AP 96543-4003

Dear Brigadier General Owens:

Hafa Adai! The Marbo Base Command "B" at Andersen Air Force Base in Yigo, Guam was set aside by the U.S. Air Force and transferred to the U.S. Department of Education (US DOE) on October 23, 1992 to be used for the educational needs of the people of Guam.

While the Guam Public School System's 10 Year Facilities Master Plans call for a high school to be built in Northern Guam on the Marbo Base Command Site, there are clearly numerous challenges that make it difficult to comply with the terms of the agreement entered into with the Government of Guam and the U.S. Department of Education Federal Real Property Assistance Program Office about 15 years ago.

In December, 2005, Guam Education Financing Foundation (GEFF) won an RFP to design, build, finance and maintain a new school on the approximately 80-acre Marbo Base Command "B" site and planned to proceed with the project after completing the financial closing of 4 other new schools in October 2006. In November 2006, I received a letter from US DOE specifying closing requirements for the Marbo project and asserting that US DOE had a right of reversion on the Marbo property if it was used for anything other than educational purposes. Due to the fact that water wells had been installed on this site during a previous administration, there exists an obvious conflict with the US DOE requirements and potential cause for execution of the reversion in the future.

I remain committed to building a school in Northern Guam. And as I have committed to the U.S. Department of Education to facilitate the construction of a school facility at the Marbo Site that conforms to all federal and local requirements, I believe it is in the best interests of the people of Guam to look at alternatives to make this project a reality.

I humbly ask for your support to allow the Government of Guam to secure 60 acres of land south of the designated Marbo Base Command "B" location, near Ysengsong Road and fronting Route One at Marine Corps Drive. The area has been determined by local government planners and federal government attorneys familiar with the Marbo Site Project as an ideal site to construct a Northern Guam school in an area closer to the population center of Dededo, Guam.

The Marbo site is central to the Andersen Air Force Base South Housing Area and also directly over the water lens that supplies northern military bases. The Air Force has identified two potential alternative school sites on Andy South that are isolated from the other land at Andy South. In addition these sites are more suitable for schools because of their more favorable development characteristics and access to Marine Corps Drive.

All power, water and waste water infrastructure is positioned much closer to this area versus the construction of such facilities at the Marbo "B" site which I believe would be significantly more economical for all phases of a project at this alternate site.

This option also includes the partnering with the Department of Defense Education Activity to fund portions of this school project as the area has been identified to be used by the U.S. Marine Corps as part of the "U.S.-Japan Alliance: Transformation and Realignment for the Future" approved by the U.S.-Japan Security Consultative Committee in 2005. We expect the upwards of 8,000 Marines would look to a school in the Marbo Area to address the education needs of the dependants that would accompany them to Guam over the next couple of years.

I also understand that the deeding of any new site could be included in the Defense Authorization Act so in order to allow us to proceed promptly with this needed school, time is of the essence.

I appreciate very much the willingness of the Air Force to work with the Government of Guam to improve education.

Sinsertu yan Magähel.



FELIX P. CAMACHO
I Maya'Láhen Guáhan
Governor of Guam

CC: Admiral William French-Commander, U.S. Naval Forces Marianas
David Bice-Executive Director, Joint Guam Program Office
Barbara Shawyer-Federal Real Property Assistance Program, U.S. Department of Education



Preserving America's Heritage

May 16, 2007

Leighton G. M. Wong
Business Line Manager
Environmental
Naval Facilities Engineering Command, Pacific
258 Makalapa Dr., Ste. 100
Pearl Harbor, HI 96860-3134

Ref: Notification of Adverse Effect for Guam Build-Up Project, Mariana Islands

Dear Mr. Wong:

The Advisory Council on Historic Preservation (ACHP) recently received your notification of adverse effect regarding the proposed "Guam Build-Up" project within the Mariana Islands. In accordance with 36 CFR § 800.6(a)(1) of the regulations, "Protection of Historic Properties" (36 CFR Part 800), implementing Section 106 of the National Historic Preservation Act, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of the regulations is met. Specifically, we believe the proposed undertaking may have the potential to present important questions of policy or interpretation.

We have provided written notification, copy enclosed, of the ACHP's decision to enter the consultation on this project to Mr. Donald C. Winter, Secretary of the Navy, as required by 36 CFR § 800.6(a)(1)(iii). We look forward to consulting with the Navy, the Guam State Historic Preservation Officer, and other consulting parties. Should you have any questions or wish to discuss this matter further, please contact Kelly Yasaitis Fanizzo at 202-606-8583, or by EMAIL at kfanizzo@achp.gov.

Sincerely,

Reid Nelson
Assistant Director
Federal Property Management Section
Office of Federal Agency Programs

Enclosure

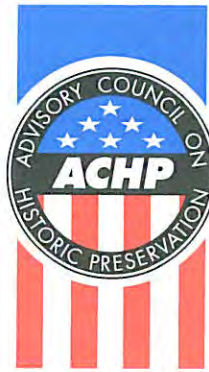
ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

John L. Nau, III
Chairman

Susan S. Barnes
Vice Chairman

John M. Fowler
Executive Director



Preserving America's Heritage

May 16, 2007

Honorable Donald C. Winter
Secretary
1000 Navy Pentagon
Washington, DC 20350-1000

Dear Secretary Winter:

In response to a notification by the United States Navy, Naval Facilities Engineering Command, Pacific, we wish to inform you that the Advisory Council on Historic Preservation (ACHP) will participate in the consultation to resolve adverse effects for the proposed "Guam Build-Up" project within the Mariana Islands. Under Section 106 of the National Historic Preservation Act and the ACHP's implementing regulations, "Protection of Historic Properties" (36 CFR Part 800), the Navy is required to provide the ACHP a reasonable opportunity to comment and to consult with the Guam State Historic Preservation Officer and other consulting parties to develop and evaluate alternatives or modifications to its undertaking that could avoid, minimize and/or mitigate potential adverse effects on historic properties. Our decision to participate in this consultation was made based on Appendix A to Part 800, "Criteria for Council Involvement in Reviewing Individual Section 106 Cases," and our understanding that the proposed undertaking may have the potential to present important questions of policy or interpretation.

As head of the Department of the Navy, we are required by 36 CFR § 800.6(a)(1)(iii) to provide you with this notice. We have also notified Mr. Leighton G. M. Wong, Business Line Manager, Naval Facilities Engineering Command, Pacific. At this time, we are requesting no further action from your office.

We look forward to working with the Navy and other parties in this consultation.

Sincerely,


John M. Fowler
Executive Director

Enclosure

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND, PACIFIC
258 MAKALAPA DR., STE. 100
PEARL HARBOR, HAWAII 96860-3134

5750.5

Ser EV2/ 736

06 APR 2007

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Don Klima
Director, Office of the Federal Agency Programs
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW, Suite 803
Old Post Office Building
Washington, DC 20004

Dear Mr. Klima:

SUBJECT: GUAM BUILD-UP PROJECT

In accordance with 36 CFR §800.6(a)(1), the Navy is notifying the Advisory Council on Historic Preservation (ACHP) of the adverse effect finding regarding the proposed "Guam Build-Up" project within the Mariana Islands.

We would like to invite the ACHP to participate in the Section 106 consultation as the proposed project may have an adverse effect upon the historic resources within the area of potential effect. Enclosed is the consultation letter sent to the Guam (State) Historic Preservation Officer that provides the supporting documentation as required by 36 CFR §800.11, see enclosure (1). Please advise us if the ACHP will participate in the consultation.

Should you have any questions, they may be directed to **Dr. Eric West**, Supervisory Archaeologist, of our Environmental Planning Product Line at (808) 472-1415 or by E-Mail at eric.west@navy.mil.

Sincerely,

LEIGHTON G. M. WONG
Business Line Manager
Environmental

Enclosure: Supporting Documentation



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND, PACIFIC
258 MAKALAPA DR., STE. 100
PEARL HARBOR, HAWAII 96860-3134

5750.5 314
Ser EV2/314
04 APR 2007

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ms. Lynda B. Aguon
Guam Historic Preservation Officer
Historic Resources Division
Department of Parks and Recreation
490 Chalan Palasyo
Agana Heights, Guam 96910

Dear Ms. Aguon:

SUBJECT: GUAM BUILD-UP PROJECT

Pursuant to Section 106 of the National Historic Preservation Act, we are requesting your participation in the consultation process for the proposed "Guam Build-Up" project. In accordance with the implementing regulations for Section 106 of the National Historic Preservation Act, we have reviewed the project and determined that it is an undertaking as defined in 36 CFR 800.16(y).

a. Background and Project Description

(1) The Guam Build-Up project proposes to move elements of the Marine Expeditionary Force from Okinawa to Guam, establish new port facilities for naval vessels to be forward deployed to Guam, create new training areas, and construct various new operations facilities, family/bachelor housing, and other associated infrastructure.

(2) A Notice of Intent for the Guam Build Up project was recently published in the Federal Register on March 7, 2007 as required by the National Environmental Policy Act of 1969. The NEPA process will be conducted concurrently with Section 106 procedures to facilitate consultation as early as possible in the Section 106 process.

b. Area of Potential Effect

(1) The area of potential effect (APE) on Guam encompasses lands administered by the US Navy and US Air Force in the following installations: Main Base, Ordnance Annex, Barrigada, Naval Hospital, Naval Computer and Telecommunications Station (NCTS) Finegayan, Andersen Air Force Base, and Andersen South, see enclosure (1).

c. Identification of Historic Properties

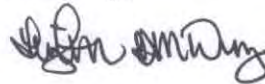
(1) The size, intensity, and nature of the proposed project will require the Navy to conduct additional archaeological inventory surveys in order to adequately identify all historic properties that may be affected by the undertaking, see enclosure (2). Thus, the Navy is planning to conduct an extensive archaeological survey and testing for areas identified in enclosure (3) as never been surveyed, or inadequately surveyed. Survey and testing work shall be limited to areas identified in enclosure (1) as potential construction or training areas supporting the Guam Build-Up project.

d. Determination of Effect

(1) Based on the information that is currently available and the scope of the proposed undertaking, the Navy has determined that this project may have an adverse effect of the known historic resources within the APE. If you concur with our determination, we will continue our consultation with your office to formulate and evaluate alternatives that could minimize or mitigate the adverse effects on the historic properties. We look forward to working with you and your staff in developing and solidifying these stipulations in a Memorandum of Agreement.

Should you have any questions about this proposed project, please contact Mr. Eric West of our Environmental Planning Product Line at (808) 472-1415.

Sincerely,



LEIGHTON G. M. WONG
Business Line Manager
Environmental

- Enclosures:
1. Map of Area of Potential Effect
 2. Scope of Work for Archaeological Survey and Testing
 3. Archaeological Assessment Study in Support of the Strategic Forward Basing Initiative, Guam, and the Commonwealth of the Northern Mariana Islands



Department of Parks and Recreation

Dipattamenton Plaset Yan Dibuetsion

Government of Guam

490 Chalan Palasyo

Agana Heights, Guam 96910

Director's Office: (671) 475-6296/97; Fax (671)477-0997

Parks Division: (671) 475-6288/89

Guam Historic Resources Division: (671) 475-6294/95/72;

Fax (671) 477-2822

EVZ
EW
Joseph W. Duenas

Director

Gregory A. Matanane

Deputy Director

In reply refer to:
RC2007-0782F

May 17, 2007

Leighton G. M. Wong
Business Line Manger
Environmental
Department of the Navy
Naval Facilities Engineering Command, Pacific
258 MAKALAPA DR., STE. 100
Pearl Harbor, Hawaii 96860-3134

Subject: Section 106 Consultation:
Project: Guam Build Up Project

Dear Mr. Wong:

We have reviewed your Section 106 determination for the Guam Build-Up Project and have the following comments.

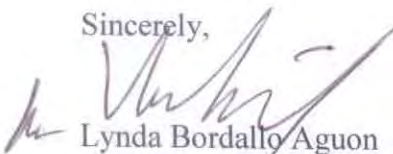
We agree that the magnitude of this project will require significant amount of archaeological work. Some of the areas identified in the map that you provided have been surveyed previously, but we also believe that some of them may not have been adequately documented. This can be verified by the archaeologist who will be hired to conduct the survey through review of the available reports of these areas.

We concur with your determination of "Adverse Effect" as well as your determination of the "Area of Potential Effect." A Memorandum of Agreement that will be used as a mechanism to mitigate the adverse effect can be developed based on the Statement of Work that you submitted.

We look forward to meeting with Eric West and Valerie Curtis on June 12, 2007 to discuss this and other issues pertaining to Naval Station, Guam.

If you have questions in the meantime, please call me or Vic April, State Archaeologist at (671) 475-6294/6295/6272 or e-mail addresses at laguon@mail.gov.gu or vicapril@mail.gov.gu.

Sincerely,


Lynda Bordallo Aguon
State Historic Preservation Officer



Ministry of Defense

5-1 Ichigayabonmura-cho
Shinjuku-ku, Tokyo 162-8801, Japan

March 28, 2008

Mr. David F. Bice
Executive Director
Joint Guam Program Office

Dear Mr. Bice,

Thank you very much for providing the materials such as "Training range requirements and land use issue" and a sample of "Programmatic Environmental Assessment" dated February 1.

We are sending the current training requirements of JSDF as attached for Environment Impact Statement (EIS) on Guam.

The attached list is the current maximum requirements which are prepared for EIS so that they may be greatly changed during our study process. Also as to the facilities requirement, this does not commit any facilities development exclusive for JSDF or training participation of JSDF.

Furthermore, please inform us and coordinate on the contents of JSDF related part of EIS or Master Plan beforehand when making an official announcement because it may cause various problems.

Attachment : Training requirements for JSDF on Guam, for Environment Impact Statement

松本隆太郎

Ryutaro MATSUMOTO
Deputy Director General
Bureau of Defense Policy
Ministry of Defense, Japan

取扱厳重注意

FOR OFFICIAL USE ONLY // SENSITIVE // REL US and JPN

Training requirements for JSDF on Guam, for Environment Impact Statement
EISのためのグアムにおける自衛隊の訓練所要

Unit ユニット	Type of training 訓練タイプ	Duration 期間	Personnel 要員	Scale 規模	Place 場所	Required Size 所要面積	Contents of training 訓練内容	US facilities necessary for JSDF's deployment 自衛隊の展開時に必要とする米軍施設	notes 備考
Joint exercise 統合訓練	Conduct joint training mainly with USF 主として米軍との共同訓練	1 month x 1 time/year	About 3000 persons (including 1300 aircraft persons)	Rifle ライフル Recoilless Rifle 無反動砲 Machine Gun 機関銃 Type 01 Anti-Tank Missile(personnel carried) 軽対戦車誘導弾 Type 87 Anti-Tank Missile(middle range) x 4 対戦車誘導弾 Missile(middle range) x 4 対空ミサイル AH-64 x 2 攻撃ヘリ UAV x 1 無人偵察機 81mm Mortar x 6 迫撃砲 120mm Mortar x 3 迫撃砲 35mm Anti-Air Gun x 2 空対空機関銃 Personnel Surface to Air Missile 携帯地对空誘導弾 16HSF Artillery x 5 榴弾砲 TK x 8 戦車 Light Armored Vehicle x 6 軽装甲機動車 Wheeled Armored Personnel Carrier x 3 装甲裝甲車 HMV x 3 高機動車 GH-47 x 3 輸送ヘリ UH-60 x 3 多用輸ヘリ DD x 4 陸揚艦 SS x 1 潜水艦 LST x 1-2 輸送艦 LCAC x 2-4 LVT(A)ブロー AOE x 1 補給艦 P3C or P1 x 3-8 哨戒機 UP-3D x 1 多用機 Fighter x 8-12 攻撃戦闘機 AWACS x 1-2 早期警戒管制機 E2C x 2-3 早期警戒機 EC-1 or YS-11 x 1 中継輸送機 C-130 x 1-4 輸送機	Guam Island Tinian Island Pagan Island Surrounding sea area and Airspace グアム島 チニアン島 パガン島 訓練海・空域	Required maneuver area, including the coast of the islands 所要の演習場、海岸地域を含む	- Training for warning and surveillance, prevention of attacks on island, and destruction of enemy after occupation, by using surface ships, submarines, patrol planes, fighters and ground forces in sea area and airspace surrounding Guam and on the Guam, Tinian and Pagan Islands. (using radar, sonar, sonobuoy, chaff, and live fire by conditions) ・グアム周辺海・空域及びグアム島・チニアン島・パガン島において、警備艦、潜水艦、哨戒機、戦闘機、陸上兵力を使用し、警戒監視、敵の島嶼部を攻撃阻止、占領された島の敵を撃破する訓練。(レーダー・ソナー・ソノブイ、チャフ、状況により実弾を使用) ・Force transportation and deployment training under joint operation. (including beaching using LCAC, airborne operation, helicopter) ・統合運用による部隊の輸送・展開訓練。(LCACを使用したのビーチング、空挺降下、ヘリボーン降着を含む)	airfield 飛行場 runway 滑走路 apron 駐機場 dining facility 食堂 berthing 停泊地 port 港湾施設 accommodation 宿泊所 office space 事務所 office equipment 事務所設備 storage 倉庫 ammunition storage 弾薬庫 communication 通信施設 maintenance facility 整備施設 hanger ハンガ―	
		7 days x 3 time/year 7日 x 3回/年			Required airport, port and maneuver area including the coast of the islands 所要の空港、港、演習場、海岸地域を含む	Training for transportation by JGSDF, JMSDF and JASDF, landing from sea and deployment to the operational area for on the assumption of International Disaster Relief Activities etc. by using aircrafts and transportation ships on the Guam, Tinian and Pagan Islands. (including beaching using LCAC) グアム島・チニアン島・パガン島において、航空機及び輸送艦等を使用し、国際災害救助等を想定した、陸揚兵力による空輸・海上からの上陸及び活動地域までの部隊展開訓練(LCACを使用したのビーチングを含む)			
	Force deployment training 部隊展開訓練	7 days x 3 time/year 7日 x 3回/年			Required maneuver area 所要の演習場	Integrated training of EA and EP against ships, airspace and ground attack and defense in training sea area and airspace and the Guam Island. (including use of counter measure dispenser like chaff) 訓練海・空域及びグアム島を利用した、対艦・対空・対地上攻撃・防衛における電子攻撃(EA)・電子防護(EP)の総合訓練。(欺瞞等のためのチャフも散布)			

<p>JGSDF 陸上自衛隊</p>	<p>kind of IRON FIST (Bilateral Exercise) 米国におけ る共同訓練</p>	<p>kind of Bilateral exercise with III MEF 第3海兵機動 展開部隊との 共同訓練</p>	<p>Remote Island Operation 離島の作戦</p>	<p>7 days x 3 time/year 7日 x 3回/年</p>	<p>About 600 persons (JGSDF: 300) (USMC: 300) 約600名 (内訳) 陸自:300名 米海兵隊:300名</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>RF x 2-4 偵察機 UH-125 x 1-2 飛行点検機 UH-1 x 1-2 救難ヘリ C-1 or CX x 1-4 中型輸送機 PAC-3 battery x 1 PAC-3中隊</p>	<p>Deployment training for PAC-3 unit to conduct detection, tracking and interception exercise with the maximum capability, which is difficult in Japan. PAC3部隊をグアム島に展開させて国内では訓練困難(周波数、高出力等)な最大性能を発揮しての補足・追属・迎撃訓練</p>	<p>Landing, deployment and transportation training to transport expatriate Japanese nationals using aircrafts, destroyers etc, on the Guam Island. グアム島において航空機、護衛艦等を使用し、在外邦人救出を想定した、部隊の上陸・展開・輸送訓練</p>	<p>beach front 2000~4000m depth on the sea 5000m depth on land 500~2000m 海岸正面 2000~3000m 海上航行 5000m 陸地航行 500~2000m</p>	<p>Beach of Guam, Tinian and Pagan. グアム、テニアン、パガンの海岸地域</p>	<p>Required airport, port and maneuver area including the coast of the Guam Island 所要の空港・港 灣・演習場、グ アムの海岸地 域を含む</p>	<p>Concealed landing by ORRC. Loading to LCAC and landing by LCAC. Dropping by helicopter. Airborn Operation. (JMEF's & U.S. Navy LCACs and Helicopters) (live fire.) (Blank cartridges and fireworks are used.) コムポートによる隠密着入 LCACによる搭載・揚陸 ヘリボーンによる降着 空挺降下 (LCAC等・ヘリは海兵隊の装備を使用) (実弾射撃) (空包・火学加工品を使用)</p>	<p>defining facility office space office equipment storage ammunition storage maintenance facility billetting facility 宿泊施設</p>	<p>* JGSDF has no intention to build JGSDF's facility in Guam and would like to utilize USF's facilities. グアムにおいて陸上自衛隊専用施設を建設することは考えておらず、米軍の施設を使用したいと考えている。 The future concept of bilateral exercise with JGSDF and USMC is under coordination between JGSDF and USMC, so if any new training requirement comes up, JGSDF will submit them as additional needs within 3 months. 今後の日米共同訓練のコンセプトについて、現在、陸自と米海兵隊との間で調整が実施されていることから、新たな訓練ニーズを提出する必要性が生じたならば、追加的なニーズとしてこれを3ヶ月以内に提出する。</p>
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JMSDF	海上自衛隊	Anti-submarine warfare	対潜戦訓練	Conduct joint training mainly with US Navy	主として米海軍との共同訓練	2 weeks x 4 time/year	2週間 x 4回/年	About 1050 persons (including 200 aircraft persons)	約1050人(うち航空約200人)	DD x 1 護衛艦 SS x 1 潜水艦 ARC x 1 敷設艦 P3C or P1 x 3-8 哨戒機	Guam Island, Marianan Islands.	グアム島 マリアナ群島	All of surrounding sea area and airspace	訓練海域、訓練空域の全域	Training for searching and attacking submarines which are deployed in a training sea area. P-3C will conduct search, tracking, and simulate attack training by using mainly sonar-buoy. Warship will conduct search, tracking, and simulate attack training by mainly using active sonar and Helicopter.	訓練海域において、同海域に展開する潜水艦を探知・攻撃する訓練を行う。P-3C哨戒機は主としてソナーを使用しての捜索、追尾、機銃攻撃訓練を実施。艦艇はエイブソーナーを使用しての捜索、追尾、機銃攻撃訓練を実施。P-3Cは飛行場から離発着し、艦艇は補給・休養のために軍港を利用。	accommodation 宿所 dining facility 食堂 office space 事務所 office equipment 事務所設備 storage 倉庫 ammunition storage 弾薬庫 maintenance facility 整備施設 logistics 兵站施設 airfield 飛行場 runway 滑走路 apron 駐機場 port 港務施設 berthing 停泊地 hanger ハンガール	* If JMSDF can not use enough US military facilities for trainings, JMSDF will consider whether JMSDF should acquire some of the air facilities listed left, as dedicated JMSDF facilities in Andersen Air Base with JASDF. 米軍の施設を十分に使用することができない場合は、左に掲げた航空施設の一部を航空自衛隊と共に自衛隊専用としてアンダーセン空軍基地に取得することを検討する。
	Air defense training	防空戦闘訓練				1 month x 1 time/year	1ヶ月 x 1回/年	About 490 persons (including 100 aircraft persons)	約490人(うち航空約100人)	DD x 2 護衛艦 EP-3 x 3 多用機 OP-3 x 2 多用機			Training for simulating attack by radar detecting, identifying and targetting fighter in training area. Shoot training toward target on water, in air by using missile or artillery.	訓練海域において、攻撃のため進入する戦闘機をレーダーにより探知・識別・捕捉し、機銃攻撃訓練を実施。 水上・飛行中の標的に対し、ミサイル、砲を使用した撃墜訓練を実施。				
	Electronic warfare	電子戦訓練											Training for defending attack aircraft by chaff or electro attack in anti-ship attack in training area. Target ship conduct radar search training in this condition.	訓練海域で使用した対艦攻撃時、攻撃機防護のため、欺瞞用のチャフの散布、電子攻撃を実施。目標となる艦艇は、その環境下で敵艦捜索を実施する訓練。				
	Information Surveillance Reconnaissance training	情報監視偵察訓練											Shooting training by missile or gun against surface or air target Training for keeping surface picture by ELINT aircraft or search radar of reconnaissance aircraft in training area. Presume joint training using US military(UAV) as targets.	訓練海域において、電子情報収集機、索敵機等のレーダー等を使用し、敵の展開状況、行動内容等サーフェスピクチャーを維持する訓練。 米軍(UAV)をターゲットにした共同訓練も想定。				

JASDF 航空自衛隊	kind of Cope North コーブノース	Conduct joint training mainly with USAF 主として米空軍との共同訓練	Air combat training (Under EW environment) 戦闘機戦闘訓練	2 weeks x 6 times/year 550 sorties x 6回/年 550ソーティー x 6	About 700 persons 約700人	Fighter x 16-18 戦闘機 AWACS x 1-2 早期警戒管制機 E2C x 2-4 早期警戒機	Surrounding Airspace of Guam and Mariana Islands グアム、マリアナ諸島の訓練空域	90,000 sq nms	Air combat training (including dog fight training) at the training airspace surrounding Guam. グアム島周辺の訓練空域において、戦闘機相互の戦闘(格闘戦を含む)訓練。 *With regard to the problem of distance, closeness, positional angle, cross angle and turning space with relation to other aircrafts, training will enhance the steering technique of aircraft by perceiving the situation and adding the judgment ability by taking advantage over either aircraft to occupy position for weapon launch, eliminating the possession of weapon launching position of opponent or powerless to launch the weapon of opponent. *距離、接近率、位置角、交角及び旋回余裕の問題を他機との関係において、どちらかが武器発射の位置に優位に占位し、対抗相手の武器発射位置への占位を排除し又は対抗相手の武器発射を無力とするように状況を認識し、判断する能力を付加し航空機の操縦技術を上させる訓練。 *Training to give proficient skill of formation mobility, by simulating shoot down and performing defensive measures among several aircraft in designated area. *あらかじめ定められた場所において、複数の航空機により模擬撃墜・被撃墜防御を行い、編隊の機動技術を熟練させる訓練。 Co-operation training by fighter unit, air control and warning unit and so on to intercept fighters, etc. at the airspace surrounding Guam. グアム島周辺の訓練空域において、戦闘機部隊、航空警戒管制部隊等が連携して、戦闘機等を要撃する訓練。 Training to drop 500 pound (MK82) to a target on the ground at Farallon De Medinilla Range. フアラロン・デ・メディニラ島の射撃場に於いて、500ポンド実弾(MK82)を地上目標に対して投下するための訓練。 *Training to drop real bomb and simulated one. *実際に爆弾を投下する訓練と模擬投下を実施する訓練。	accommodation 宿泊所 dining facility 食堂 office space 事務所 office equipment 事務所設備 storage 倉庫 ammunition storage 弾薬庫 maintenance facility 整備施設 communication 通信施設 airfield 飛行場 runway 滑走路 apron 駐機場 hanger ハンガー	* If JASDF can not use enough US military facilities for trainings, JSDF will consider whether JSDF should acquire some of the facilities listed left, as dedicated JSDF facilities in Andersen Air Base. 米軍の施設を十分に使用することができない場合は、左に掲げた施設の一部を自衛隊専用としてワンダーセン空軍基地に取得することを検討する。
			Air defense training (Under EW environment) 防空戦闘訓練			Fighter x 16-18 戦闘機 AWACS x 1-2 早期警戒管制機 E2C x 2-4 早期警戒機 RF x 2-4 偵察機 U-125 x 1-2 飛行点検機 UH x 1-2 救急ヘリ	FDM range フアラロン・デ・メディニラ島の射撃場	90,000 sq nms			

<p>Air to Air refueling 空中給油訓練</p>	<p>KC767 x 1-2 空中給油機 Fighter x 16-18 戦闘機 AWACS x 1-2 早期警戒管制機 RF x 2-4 偵察機 UH x 1-2 救難ヘリ C x 1-2 輸送機</p>	<p>Surrounding Airspace, Guam, Mariana Islands グアム、マリアナ諸島の訓練空域</p>	<p>40,000 sq nms</p>	<p>Training for a combat aircraft to receive fuel from air tanker in the air at the training airspace surrounding Guam. グアム島周辺の訓練空域において、戦闘機等が空中給油機と合流し、上空において空中給油機から給油を受けるための訓練。 - Usually, the training is conducted before or after the air defense combat training, etc. - 通常、防空戦闘訓練等の訓練の前後に併せて実施。 Training for a reconnaissance aircraft to collect information data (visible picture, infrared picture, radio wave information, etc.) necessary for SDF's tactics. 自衛隊の作戦に必要な情報資料(可視画像、赤外線画像、電波情報等)を偵察機により収集する訓練。 - Training over the sea and ground for air reconnaissance training. - 洋上及び陸上における航空偵察訓練。 - It may be conducted during air defense combat training - 防空戦闘訓練の中で実施する場合もあり。</p>
<p>Air reconnaissance 航空偵察訓練</p>	<p>RF x 2-4 偵察機 AWACS x 1-2 早期警戒管制機 E2C x 2-4 早期警戒機</p>		<p>80,000 sq nms</p>	
<p>Air rescue 航空救難訓練</p>	<p>U-125 x 1-2 飛行点検機 UH x 1-2 救難ヘリ AWACS x 1-2 早期警戒管制機 E2C x 2-4 早期警戒機</p>		<p>90,000 sq nms</p>	<p>Training related with the search, rescue, leading aircraft, and gathering and transmitting information by rescue aircraft regarding air crew rescue. 救難機による航空機の乗員の救難に係わる捜索、救助、航空機の誘導送達及び情報の収集、伝達訓練。 - It may be conducted during air defense combat training. - 防空戦闘訓練の中で実施する場合もあり。</p>
<p>Tactical Navigation 戦術航法訓練</p>	<p>C-1, C-130, C-X x 2-3 輸送機 AWACS x 1-2 早期警戒管制機</p>	<p>Surrounding Airspace, Guam, Mariana Islands グアム、マリアナ諸島の訓練空域</p>	<p>40,000 sq nms</p>	<p>Training to fly at very low altitude over the sea etc. 海面を超低空飛行する等の訓練。 Training to make a taking off and landing on a unpaved runway or field. 不整地から離着陸する訓練。</p>
<p>Taking off and Landing on a unpaved runway and field 不整地離着陸訓練</p>	<p>C-1, C-130, C-X x 2-3 輸送機</p>	<p>Andersen AFB アンダーセン空軍基地</p>		

		Air Drop 空中降投下訓練	C-1, C-130, C-17 * 2-3 輸送機	Andersen AFB アンダーセン空軍基地	Training to drop freight to a target on the ground. 搭載貨物を空中から地上目標に投下する訓練。
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Notes (IMPORTANT) 重要な注釈

- * This list is prepared for EIS and does not commit construction of facilities and/or trainings by JSDF in the future.
本リストは、EISのための資料であり、将来にわたり自衛隊が施設の建設や訓練の確実な履行を約束するものではない。
- * As for details of the plan for utilization of Guam, we recognize them as changeable depending on situations in the future.
グアムの利用方法の詳細については、将来の情勢の変化等により、その都合変わるものと認識している。
- * JSDF intends conducting the JSDF's trainings by utilizing US facilities.
我々は米軍の施設を使って自衛隊の訓練を行いたいと考えている。
- * As for JSDF's exclusive facilities, we will decide whether to construct or not, considering situation of US facilities construction and use in the future.
自衛隊専用施設は、今後の米軍施設の建設状況、利用状況等を考慮しつつ、実際の建設の判断を行う。



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND MARIANAS
PSC 455, BOX 195
FPO AP 96540-2937

1050
Ser 00/151
July 24, 2009

Mr. David Manning
Gershman, Brickner & Bratton, Inc.
5528 Saddlewood Lane
Brentwood, TN 37027

Mr. Manning:

SUBJ: LETTER OF INTENT, GUAM SOLID WASTE FACILITY

It was a pleasure to meet you earlier this week. I appreciate the background you provided on the landfill project and the information you provided regarding the way ahead. I also appreciate your patience as we close out this issue regarding the Department of Defense's Letter of Intent regarding our desire to become a customer of the landfill you are building on Guam.

As I mentioned briefly in the telephone message, request your continued support as we finalize the previously referenced Letter of Intent (LOI). Enclosed are the original and three (3) certified copies of the signed LOI. I ask that you initial all the line-outs on all four (4) documents as Admiral Biesel, Governor Camacho and I have done. Then return the original and two (2) of the copies to me, and retain one of the certified copies for your records. I will then return one of the copies to Admiral Biesel's Staff, retain one of the copies for my files and return the original to the Governor's Office.

Thank you for your assistance and I look forward to working with you and your firm over my tour in Guam.

Sincerely,

A handwritten signature in black ink that reads "Peter S. Lynch". The signature is written in a cursive style with a large initial "P".

P. S. LYNCH

Captain, CEC, U. S. Navy
Commanding Officer

LETTER OF INTENT

This Letter of Intent is dated this 17th day of July, 2009, and is made by and between the **COMMANDER NAVY REGION MARIANAS (COMNAVREG), NAVAL FACILITIES ENGINEERING COMMAND MARIANAS (NAVFAC), the ~~JOINT GUAM PROGRAM OFFICE (JGPO), GERSHMAN, BRICKNER & BRATTON, INC. FOR THE DISTRICT COURT OF GUAM, TERRITORY OF GUAM (Receiver) and the GOVERNMENT OF GUAM (GOVGUAM).~~**

JMB

JMB
JMB

RECITALS

WHEREAS, on March 17, 2008 Gershman, Brickner & Bratton, Inc. of Fairfax, Virginia was named Receiver by the federal District Court of Guam to achieve compliance with the Consent Decree entered February 11, 2004 between GovGuam and the United States; and

WHEREAS, compliance with the Consent Decree will require among other things the construction of a new municipal solid waste landfill unit (MSWLF) compliant with all applicable environmental standards, the closure, post-closure monitoring and post-closure care of the existing Ordot Dump; programs, facilities, and equipment to assure proper diversion and management of Household Hazardous Waste (HHW), recyclable materials, compostable materials and other solid waste subject to waste reduction and waste recycling that can be diverted from disposal in the future MSWLF; and

WHEREAS, the Department of Defense has a continuing requirement to ensure proper solid waste management and reduce solid waste disposal volumes and cost through appropriate waste reduction and recycling strategies for existing DoD installations on Guam, and will have increased solid waste management and waste reduction requirements associated with future DoD growth on Guam, including the relocation of U.S. Marine Corps forces from Okinawa; and

WHEREAS, the Commander, Navy Region Marianas (COMNAVREG) will be responsible for installation management functions for Navy and Air Force installations on Guam upon the completion of associated realignment efforts; and

WHEREAS, the Naval Facilities Engineering Command, Marianas (NAVFAC), as the execution agent for COMNAVREG, currently provides solid waste management services, waste reduction, and recycling programs for the Navy on Guam, and will similarly assume such responsibilities for Anderson Air Force Base under current DoD plans for realignment of shore installation management services in a joint region; and

~~*WHEREAS*, the Joint Guam Program Office (JGPO) has responsibility for the facilitation, management, and execution of requirements associated with the rebasing of Marine Corps Assets from Okinawa to Guam and the implementation of realignment efforts to establish a Joint Base on Guam, and~~

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WHEREAS, the existing Integrated Solid Waste Management Plan for Guam, developed by Guam Environmental Protection Agency and accepted by the Guam Legislature, and current Federal and Department of Defense regulations and policies each

set forth similar goals and programs for the management of solid waste and recyclables;
and

and
WHEREAS, COMNAVREG, NAVFAC, ~~and JGPO~~ desire to cooperate with the Receiver and GovGuam to achieve a solid waste management system for Guam that will meet all applicable environmental standards, and will be mutually beneficial with DoD interests, and cost-effective. *DB*

NOW THEREFORE, in furtherance of the above recitals, COMNAVREG, NAVFAC, ~~JGPO~~, the Receiver and GovGuam agree to the following Letter of Intent concerning DoD involvement in Guam's future solid waste management system presently being developed pursuant to the Consent Decree. *DB*

1. Definitions: The following definitions are applicable to this Letter of Intent:

- a. Closure – actions taken by the owner or operator of a solid waste site or facility to cease operations and to ensure that all such facilities are closed in conformance with applicable regulations at the time for such closures and to prepare the site for the post-closure period.
- b. Commercial solid waste – all types of solid waste generated by stores, offices, restaurants, warehouses, multiple dwellings of five or more units, hotels, motels, bunkhouses, ranger stations, crew quarters, camp grounds, picnic areas, and day use recreation areas and other non-manufacturing activities, excluding residential and industrial wastes.
- c. Construction and Demolition waste – the waste of building materials, packaging, and rubble resulting from construction, remodeling, repair and demolition operations on pavement, houses, buildings, and other structures.
- d. Disposal – the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituents thereof may enter the environment or be emitted into the air or discharged into any waters, including ground water.
- e. Household Hazardous Waste (HHW) – household waste products which exhibit characteristics for reactivity, ignitability, corrosivity, toxicity, and persistence similar to hazardous waste. Examples include, but are not limited to drain cleaners, latex and oil paint, motor oil, antifreeze, fuel, poisons, pesticides, herbicides and rodenticides, fluorescent lamps, lamp ballasts, smoke detectors, medical waste, some types of cleaning chemicals, and consumer electronics (such as televisions, computers, and cell phones).
- f. Household Waste – any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (of single and multiple residences of up to four units).

- g. Industrial solid waste – solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under subtitle C of the Resource Conservation and Recovery Act (RCRA) or Guam’s Hazardous Waste Management regulations.
- h. Material resource recovery facility – a facility where recyclable materials such as scrap metal, aluminum, newspaper, and paper are accepted for recycling.
- i. Municipal Solid Waste Landfill (MSWLF) unit - a discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile , as those terms are defined in 40 CFR 257.2. A Municipal Solid Waste landfill may also receive other types of RCRA Subtitle D wastes, such as commercial solid waste, nonhazardous sludge, small quantity generator waste and industrial solid waste.
- j. Post-Closure - requirements placed upon disposal sites after closure to ensure their environmental safety for at least a 30 year period or until the site becomes stabilized (i.e. little or no settlement, gas production or leachate generation)
- k. Recoverable resources – materials that still have useful physical, chemical or biological properties after serving their original purpose and can, therefore be reused or recycled for the same or other purposes.
- l. Recovery – the process of obtaining materials or energy resources from solid waste
- m. Recycled material – a material that is used in the place of a primary, raw, or virgin material in manufacturing a product
- n. Recycling – the process by which recovered materials are transformed into new products.
- o. Solid waste – any garbage, or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. 1342, or source, special nuclear, or by-product materials as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923)
- p. Solid waste management – the systematic administration of activities which provide for the collection, source separation, storage, transportation, transfer, processing, treatment , and disposal of solid wastes, including the recovery and recycling of materials from solid waste, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof.
- q. Tipping Fees – Fees charged to dispose of or deposit solid waste in a municipal solid waste landfill unit or transfer station.

- r. Transfer station – any intermediate waste facility in which solid waste collected from any source is temporarily deposited and stored while awaiting transportation to another solid waste management facility.
- s. Waste reduction – reducing the amount or type of waste generated.

2. ^{and} **COMNAVREG, NAVFAC, and JGPO** hereby state their intent to pursue appropriate contractual arrangements consistent with federal laws with the future solid waste agency, authority, or organization, to be authorized by the Receiver, in consultation with GovGuam, for solid waste management of DoD generated household waste, household hazardous waste, commercial solid waste, and industrial solid waste subject to the following terms and conditions:




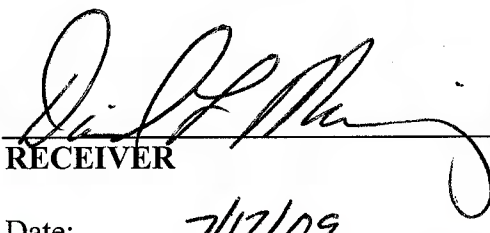
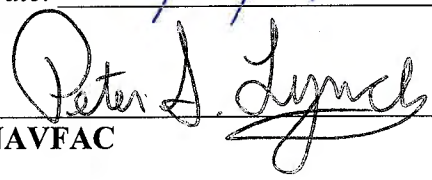
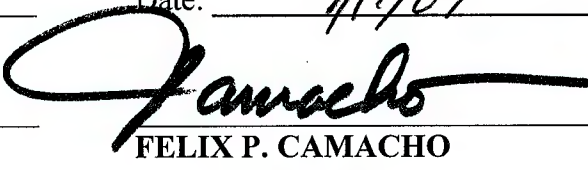
- a. The development and execution of a time schedule for both the new MSWLF currently being developed by the Receiver pursuant to the Consent Decree and a solid waste management program that meets existing and future DoD military requirements
 - b. The establishment of a long-term regulatory and institutional management structure that ensures the financial viability of an integrated solid waste management program and new MSWLF, operated in accordance with applicable regulations and requirements.
 - c. Permitting and construction of a new MSWLF unit fully compliant with all terms and conditions of the Consent Decree and applicable environmental laws and regulations.
 - d. Agreement on appropriate and reasonable tipping fees and other charges covering solid waste management of DoD generated household waste, household hazardous waste, commercial solid waste, and industrial solid waste.
 - e. Development of appropriate waste reduction, resource recovery, and recycling plans for Guam and DoD generated household waste, household hazardous waste, commercial solid waste, and industrial solid waste.
 - f. Development of appropriate plans for disposal of construction and demolition waste generated by DoD activities. The parties, in consultation with GovGuam, may explore alternate uses or disposal options for some construction debris and demolition wastes.
3. It is the intent of the parties that tipping fees and other charges covering solid waste management of DoD generated household waste, household hazardous waste, commercial solid waste, and industrial solid waste will be subject to periodic adjustment as agreed by the parties and subject to review and approval by appropriate regulatory authorities such as the Guam Public Utilities Commission.





4. It is the intent of the parties that tipping fees and other charges covering disposal of DoD generated household waste, household hazardous waste, commercial solid waste, and industrial solid waste into the to be constructed new MSWLF unit on Guam and associated solid waste management costs associated with waste reduction, resource recovery, and recycling efforts shall be based on a per ton rate covering:
 - a. Costs to plan, procure, finance, build, expand, operate, and maintain the new MSWLF and associated facilities on Guam to handle solid waste management of household waste, household hazardous waste, commercial solid waste, and industrial solid waste generated by the residents, businesses, and institutions of Guam and that generated by DoD over a period of at least 20 years from the date of initial operation, which is currently projected to be [TBD ~2011]
 - b. Costs for closure, post-closure monitoring, and post closure care efforts for the to be constructed new MSWLF, including certain financial reserves as may be necessary and required.
 - c. Costs to plan, procure, finance, build, operate, and maintain new material resource recovery facilities for the management of HHW generated by the residents, businesses, and institutions of Guam and that generated by DoD. Charges for use of such facilities shall be net of revenues, if any, gained from the sale of recoverable resources, to the extent DoD contractually agrees to use such new HHW material resource recovery facilities.
 - d. Costs to plan, procure, finance, build, operate, maintain, and manage any new material resource recovery facilities and equipment associated with waste reduction, resource recovery and recycling of solid waste other than HHW generated by the residents, businesses, and institutions of Guam and that generated by DoD. Charges for use of such facilities shall be net of revenues gained from the sale of recoverable resources, to the extent DoD contractually agrees to use such new material resource recovery facilities.
 - e. Costs associated with periodic updates of the Integrated Solid Waste Management Plan for Guam that account for solid waste generated by the residents, businesses, and institutions of Guam and DoD.
5. It is the intent of the parties that tipping fees and other charges covering disposal of DoD generated household waste, household hazardous waste, commercial solid waste, and industrial solid waste into the to be constructed new MSWLF unit and solid waste management costs associated with waste reduction, resource recovery, and recycling efforts shall include costs and programs only to the extent that DoD contractually agrees to use the programs and facilities giving rise to such costs.

6. It is the intent of the parties to cooperate in development of an island-wide program to dispose of HHW generated by the residents, businesses, and institutions of Guam and that generated by DoD. It is further the intent of the parties that costs for operation of programs HHW management, facilities, and equipment will be shared by the parties in proportion to contractual arrangements which shall be based on anticipated DoD quantities of HHW collected, processed and sold or disposed through such a joint program.
7. It is the intent of the parties to cooperate in development of an island-wide program for waste reduction, resource recovery and recycling of solid waste other than HHW generated by the residents, businesses, and institutions of Guam and by DoD. It is further the intent of the parties that costs for operating new material resource recovery facilities and equipment will be shared by the parties in proportion to contractual arrangements which shall be based on anticipated DoD quantities of solid waste , or recyclable materials, as applicable, other than HHW collected, processed and sold through such a joint program.
8. It is the intent of the parties that existing DoD waste reduction, resource recovery, and recycling efforts will continue, to the extent desired by DoD and that DoD shall maintain control over existing DoD materials resource recovery facilities and the revenues generated from the waste reduction, resource recovery and recycling of DoD generated solid waste. It is further the intent of the parties that DoD shall maintain control over disposal of construction and demolition waste generated by DoD activities and associated MSWLF units currently operated by DoD. The parties may explore alternate uses or disposal options for some construction debris and demolition waste.
9. It is the intent of the parties that DoD will bear the cost of collecting household waste, household hazardous waste, commercial solid waste, and industrial solid waste generated by DoD on its installations on Guam and that charges agreed to be paid by DoD shall not include costs of collecting other household waste, household hazardous waste, commercial solid waste, and industrial solid waste generated by the residents, businesses, and institutions of Guam on areas other than DoD installations on Guam.
10. It is the intent of the parties to reduce truck traffic into the to be constructed new MSWLF and the associated effects by using a properly permitted and located transfer station or stations.
11. It is the intent of the parties that all vehicles used for transporting household waste, household hazardous waste, commercial solid waste, and industrial solid waste either directly to or from transfer stations to the to be constructed new MSWLF shall use routes designated for such traffic in accordance with a routing plan to be developed in consultation with the Director of Public Works of the Government of Guam.

12. It is the intent of the parties that the to be constructed new MSWLF on Guam be operated in an efficient, cost-effective manner employing best practices to protect the environment and maximize its useful life.
13. It is the intent of the parties to plan and work cooperatively in joint solid waste management and recycling projects and programs as may be in their mutual interest.
14. It is the intent of the parties that this Letter of Intent may be amended, subject to the mutual written agreement of the parties.
15. It is the intent and understanding of the parties that no federal funds are obligated by this Letter of Intent. Furthermore, no provision of this Letter of Intent shall be interpreted to require obligation of funds by the Navy in violation of the Anti-Deficiency Act, 31 USC Sections 1301, 1341, 1342, and 1517.
16. It is the intent and understanding of the parties that this Letter of Intent may be terminated by any party upon providing 30-days written notice. The parties acknowledge such an action would be undertaken with all due consideration to potential adverse impacts on successful development of the critically required new MSWLF.

SO UNDERSTOOD AND AGREED by the parties hereto. Any reference to the date of this Letter of Intent shall be to the date as first stated at the beginning of this Letter of Intent.

 <hr/> COMNAVREG Date: <u>7/21/09</u>	 <hr/> RECEIVER Date: <u>7/17/09</u>
 <hr/> NAVFAC Date: <u>22 July 2009</u>	 <hr/> FELIX P. CAMACHO Governor of Guam Date: <u>17 July 2009</u>

  **JGPO**
  Date: _____