

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
Informational Briefing/ Oversight Hearing / Roundtable Hearing

REPORT	STANDING COMMITTEE / SENATOR	DATE	DATE FILED	NOTES
<p style="text-align: center;">Informational Briefing</p>	<p style="text-align: center;">Committee on Guam-U.S. Military Buildup, Infrastructure, and Transportation</p>	<p style="text-align: center;">08/18/17 10:00 a.m.</p>	<p style="text-align: center;">9/07/17 3:01 p.m.</p>	<p style="text-align: center;">Committee Report on the Informational Hearing of the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS).</p>



SEP 06 2017

The Honorable Benjamin J.F. Cruz

Speaker

I Mina' Trentai Kuâtro Na Liheslaturan Guâhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable Régine Biscoe Lee

Chairperson, Committee on Rules

RE: Committee Report on the Informational Hearing of the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS).

Dear Senator Régine Biscoe Lee:

Transmitted herewith is the Committee Report, pursuant to Section 11.06(a) of Rule XI, on the Informational Hearing of the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS).

Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Buildup | Infrastructure | Transportation

I Mina' Trentai Kuâtro Na Liheslaturan Guâhan | 34th Guam Legislature

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I MINA' TRENTAI KUÁTRO NA LIHESLATURAN GUAHAN | 34th GUAM LEGISLATURE



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COMMITTEE REPORT

ON THE

INFORMATIONAL HEARING

OF THE

2015 FINAL MARIANA ISLANDS

TRAINING AND TESTING (MITT)

ENVIORNMENTAL IMPACT STATEMENT

(EIOS/OEIS)



Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

1st Notice – Informational Hearing on Friday, August 18, 2017 at 10:00 AM

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>

Fri, Aug 11, 2017 at 12:10 PM

To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Cc: "Senator Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Committee <committee@frankaguonjr.com>, Communications <communications@frankaguonjr.com>, Rosanna O'Mallan <staff@frankaguonjr.com>, Senator Aguon's Assistant <officeassistant@frankaguonjr.com>, "T.J. Quichocho" <outreach@frankaguonjr.com>, Tricia Benavente <media@frankaguonjr.com>

Bcc: cbabauta@guampdn.com, editor@pacificislandtimes.com, janela@k57.com, kmora@guam.gannett.com, louella@postguam.com, michael@spbgum.com, nick@kuam.com, parroyo@k57.com, Gaynor Daleno <editor@postguam.com>, Guam PDN <news@guampdn.com>, Janela Buhain Carrera <janela@spbgum.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, John O'Connor <john@postguam.com>, Krystal Paco <krystal@kuam.com>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Neil Pang <neil@postguam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shawn Raymundo <rraymundo@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Valerie Maigue <valerie@kuam.com>, roy.tsutsui@fe.navy.mil, john.f.salas@fe.navy.mil, Randel Sablan <randel.sablan@fe.navy.mil>, chuck.ada@guamairport.net, eduardo.ordonez@clb.guam.gov, eleanor.borja@dpw.guam.gov, felix.benavente@dpw.guam.gov, gabriel.jugo@englekirk.com, gerardb@guamairport.net, Glenn Leon Guerrero <glenn.leonguerrero@dpw.guam.gov>, governor@guam.gov, jeana@guamairport.net, Joy Jean Rabon Arceo <jrarceo@portguam.com>, maria.flores@revtax.guam.gov, marie@guam-peals.org, mecristi@pacificsoilsguam.com, mruth@traguam.com, myra.abaya@grta.guam.gov, penelope.gates@grta.guam.gov, peterroy@guamairport.net, phnotice@guamlegislature.org, rally.pilipina@grta.guam.gov, ray@guam-peals.org, rolenda@guamairport.net, rosieb@guamairport.net, "Alfred F. Duenas" <afduenas@portguam.com>, Andrew Tydingco <pokilabot@gmail.com>, Enrique Agustin <rick.agustin@grta.guam.gov>, felix Pangelinan <frpangelinan@portguam.com>, Gerard Cruz <gerard.cruz71@gmail.com>, Ginger Porter <ginger.porter47@gmail.com>, "Joanne M.S. Brown" <jbrown@portguam.com>, "John P. Camacho" <john.camacho@revtax.guam.gov>, "joseph. duenas" <joseph.duenas@guam.gov>, Joy Unpingco <joy.unpingco@guam.gov>, Marge Duenas <mduenas@portguam.com>, Maria Perez <maria.perez@clb.guam.gov>, Maria Taitano <mdrtaitano@gmail.com>, "Marie M. Benito" <marie.benito@revtax.guam.gov>, Mark Calvo <mark.calvo@guam.gov>, Melanie Mendiola <melmendiola@gmail.com>, Ray Tenorio <ray.tenorio@guam.gov>, "Vice Mayor Frank A. Benavente" <frankabenavente17@gmail.com>, bmomayor@teleguam.net, hagatnamayor@hotmail.com, mcogadmin@teleguam.net, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, talofofomayor@gmail.com, vicemayor_allan.ungacta@yahoo.com, Agat Mayor <agatmayorsoffice@hotmail.com>, Anthony Sanchez <yigovoice@gmail.com>, Barrigada MayorsOffice <bmoadmin@teleguam.net>, Dale Alvarez <daleealvarez@gmail.com>, Diana Sojo <yigomayorsoffice@gmail.com>, Doris Lujan <mayordorisfloreslujan@gmail.com>, Ernest Chargualaf - Merizo <mayorerneestc@yahoo.com>, inarajan municipality <inarajanmayorsoffice@gmail.com>, Jessie Gogue <ocp.mayor@gmail.com>, Joana Margaret Blas <mayorjmcblas@gmail.com>, ken ada <kenjoeada@yahoo.com>, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, "melissa.savares@gmail.com" <melissa.savares@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, jesse.alig@pitiguam.com

August 11, 2017

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: SENATOR FRANK BLAS AGUON, JR.

Subject: 1st Notice – Informational Hearing on Friday, August 18, 2017 at 10:00 AM

In accordance with the *Open Government Law of Guam*, relative to notice for public meetings, please be advised that the *Committee on Guam U.S. Military Buildup, Infrastructure, and Transportation*, will convene an **Informational Hearing on Friday, August 18, 2017 at 10:00AM at the Guam Congress Building public hearing room.** Included on the agenda for discussion are the following topic(s):

1. Informational Briefing by members of the Navy team leading the efforts on the preparations of a supplemental analysis to the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS); and
2. Open discussions with the Navy's Pacific Fleet (PACFLT) briefing team on the purpose and scope of the supplemental analysis to the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS).

The Hearing will broadcast on local television, *GTA Channel 21 and Docomo Channel 117* or streamed online at: www.guamlegislature.com.

The Committee requests that, if written testimonies are to be presented at the Informational Hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr. at Suite 503 DNA Bldg. 238 Archbishop Flores St. Hagåtña, Guam, or via fax to 475-GUM3(4863), or via email to: aguon4guam@gmail.com. Individuals requiring special accommodations, auxiliary aids, or services should contact our office at 475-4861/62. Please feel free to contact my office should you have any questions or concerns.

Un Dangkolo Na Si Yu'os Ma'ase!

--

Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Build-Up, Infrastructure and Transportation
SUITE 503, DNA BLDG. 238 ARCHBISHOP FLORES STREET HAGÁTÑA, GUAM 96910
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August 11, 2017

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Un Dangko Na Si Yu'os Ma'ase!

SENATOR FRANK BLAS AGUON, JR.

Committee Chairman on Guam U.S. Military Buildup| Infrastructure | Transportation
I Mina' Trentai Kuatro Na Liheslaturan Guahan | 34th Guam Legislature

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Senator Thomas A. Morrison Vice Chairman

Senator Dennis G. Rodriguez, Jr. Member

Senator Joe S. San Agustin Member

Senator Régine Biscoe Lee Member

Senator Louise Borja Muña Member

Senator Fernando B. Esteves Member

Speaker Benjamin J.F. Cruz Ex-Officio



Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

2ND Notice – Informational Hearing on Friday, August 18, 2017 at 10:00 AM

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>

Wed, Aug 16, 2017 at 8:17 AM

To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Cc: "Senator Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Committee <committee@frankaguonjr.com>, Communications <communications@frankaguonjr.com>, Rosanna O'Mallan <staff@frankaguonjr.com>, Senator Aguon's Assistant <officeassistant@frankaguonjr.com>, "T.J. Quichocho" <outreach@frankaguonjr.com>, Tricia Benavente <media@frankaguonjr.com>

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August 16, 2017

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: SENATOR FRANK BLAS AGUON, JR.

Subject: 2ND Notice – Informational Hearing on Friday, August 18, 2017 at 10:00 AM

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Un Dangkolo Na Si Yu'os Ma'ase!

--

Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Build-Up, Infrastructure and Transportation
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August 16, 2017

MEMORANDUM

To: All Senators, Media, and Stakeholders

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Subject: 2ND Notice – Informational Hearing on Friday, August 18, 2017 at 10:00 AM

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SENATOR FRANK BLAS AGUON, JR.

Committee Chairman on Guam U.S. Military Buildup| Infrastructure | Transportation
I Mina' Trentai Kuatro Na Liheslaturan Guahan | 34th Guam Legislature

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Senator Thomas A. Morrison Vice Chairman

Senator Dennis G. Rodriguez, Jr. Member

Senator Joe S. San Agustin Member

Senator Régine Biscoe Lee Member

Senator Louise Borja Muña Member

Senator Fernando B. Esteves Member

Speaker Benjamin J.F. Cruz Ex-Officio



Guam U.S. Military Buildup | Infrastructure | Transportation

I MINA' TRENTAI KUÁTRO NA LIHESLATURAN GUÁHAN | 34th GUAM LEGISLATURE

August 18, 2017

MEMORANDUM

To: All Senators
Fr: SENATOR FRANK BLAS AGUON, JR.
Subject: Navy Pacific Fleet Presentation on Supplemental Analysis to the 2015 Final MITT EIS/OEIS

Buenas yan Háfa Adai! Thank you for attending the presentation on the purpose and scope of the supplemental analysis to the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) by the U.S. Navy's Pacific Fleet (PACFLT) briefing team.

- A pdf copy of today's presentation, as well as a hard copy delivered to your senatorial mailbox;
an electronic copy of the two discs that had been submitted to the Committee by PACFLT;
Disc 1- U.S. Navy, Pacific Fleet, Marianas Island Range Complex Marine Species Monitoring Reports (2007-2016)
Disc 2- U.S. Navy Pacific Fleet, Marianas Island Range Complex Terrestrial Endangered Species Monitoring Reports covering field work conducted from 1997 to 2016;
For an electronic copy, please contact Mr. Joe San Agustin at: email: protocol@guamlegislature.org or call him at: 472-3499.
Please note that a link will be provided on the legislative website once the Committee report is completed, pursuant to Section 11.06(a) of Rule XI of the Standing Rules.
An electronic copy of the Public Scoping Comment Form.

Please feel free to contact my office should you have any questions or concerns.

Un Dangkolo Na Si Yu'os Ma'ase!

Handwritten signature of Senator Frank Blas Aguon, Jr.

SENATOR FRANK BLAS AGUON, JR.
Committee Chairman on Guam U.S. Military Buildup| Infrastructure | Transportation
I Mina' Trentai Kuátro Na Liheslaturan Guáhan | 34th Guam Legislature

CC: Media/Stakeholders

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Senator FRANK B. AGUON, JR. Chairman

Senator Thomas A. Morrison Vice Chairman

Senator Dennis G. Rodriguez, Jr. Member

Senator Joe S. San Agustin Member

Senator Régine Biscoe Lee Member

Senator Louise Borja Muña Member

Senator Fernando B. Esteves Member

Speaker Benjamin J.F. Cruz Ex-Officio



Senator
FRANK B. AGUON, JR.
Chairman

Senator
Thomas A. Morrison
Vice Chairman

Senator
Dennis G. Rodriguez, Jr.
Member

Senator
Joe S. San Agustin
Member

Senator
Régine Biscoe Lee
Member

Senator
Louise Borja Muña
Member

Senator
Fernando B. Esteves
Member

Speaker
Benjamin J.F. Cruz
Ex-Officio

INFORMATION HEARING
Friday, August 18, 2017 at 10:00am

AGENDA

- I. Call to Order at 10:00am
- II. Opening remarks / Announcements
 - Informational Briefing by members of the Navy team leading the efforts on the preparations of a supplemental analysis to the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS)
 - Open discussions with the Navy's Pacific Fleet (PACFLT) briefing team on the purpose and scope of the supplemental analysis to the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS).
- III. Closing Remarks
- IV. Adjournment

COMMITTEE ON GUAM U.S. MILITARY BUILDUP, INFRASTRUCTURE & TRANSPORTATION

I Mina' Trentai Kuatro Na Liheslaturan Guahan | 34th Guam Legislature



SENATOR FRANK B. AGUON, JR.

CHAIRMAN

Informational Hearing

Friday, August 18, 2017 at 10:00 AM

Informational Hearing - 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS)

Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony		
Julie Rivas	Navy	808-358-5285	✓			
David O'Dowd	Navy	349-5291				
Jenny Flores	JRM	349-6398				
ROY TSUTSU1	JRM	349-5094				

COMMITTEE ON GUAM U.S. MILITARY BUILDUP, INFRASTRUCTURE & TRANSPORTATION

I Mina' Trentai Kuãtro Na Liheslaturan Guåhan | 34th Guam Legislature



SENATOR FRANK B. AGUON, JR.

CHAIRMAN

Informational Hearing

Friday, August 18, 2017 at 10:00 AM

Informational Hearing - 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS)

Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony		
Gary Padido	Sa. Espido	727-3631				
VAN NAME TAMN	US NAVY	808 471 1714	✓			
John F. Salas	JRM	349-4420	✓			



DEPARTMENT OF THE NAVY
COMMANDER
UNITED STATES PACIFIC FLEET
250 MAKALAPA DRIVE
PEARL HARBOR, HAWAII 96860-3131

RECEIVED
OFFICE OF SENATOR FRANK B. AGUON, JR.

34th GI AUG 08 2017
11:38am
STE 503, DNA BLDG.
238 ARCHBISHOP FLORES STREET HAGATNA, GU 96910



IN REPLY REFER TO:
5090
Ser N465/0822
July 19, 2017

The Honorable Frank B. Aguon, Jr.
34th Guam Legislature
238 Archbishop Flores St., DNA Building, Suite 503
Hagåtña, GU 96910

Dear Senator Aguon, Jr.:

SUBJECT: NOTICE OF INTENT TO PREPARE A SUPPLEMENTAL ENVIRONMENTAL
IMPACT STATEMENT/OVERSEAS ENVIRONMENTAL IMPACT
STATEMENT FOR MARIANA ISLANDS TRAINING AND TESTING

This letter is to inform you that the Department of the Navy (Navy) is preparing a supplement to the 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) to assess the potential environmental impacts associated with ongoing military readiness activities conducted within the MITT EIS/OEIS Study Area (hereafter referred to as the "Study Area"). Military readiness activities include training and research, development, testing, and evaluation (hereafter referred to as "training and testing"). The Navy is requesting your comments on the scope of the analysis, including potential environmental issues or viable alternatives to be considered during the development of the Draft Supplemental EIS/OEIS.

The Navy previously completed an EIS/OEIS in May 2015 for training and testing activities occurring within the Study Area. The supplement to the 2015 Final EIS/OEIS is being prepared to support ongoing and future activities conducted at-sea and on Farallon de Medinilla (FDM) within the Study Area beyond 2020. Proposed activities are generally consistent with those analyzed in the 2015 Final EIS/OEIS and are representative of activities the military has conducted in the Study Area for decades.

The supplement to the 2015 Final EIS/OEIS will include an analysis of training and testing activities using new information available after the release of the 2015 Final EIS/OEIS. New information includes an updated acoustic effects model, updated marine mammal density data, and evolving and emergent best available science. As part of this process, the Navy will seek the issuance of federal regulatory permits and authorizations under the Marine Mammal Protection Act and the Endangered Species Act.

The Study Area remains unchanged since the 2015 Final EIS/OEIS (Enclosure 1). The Study Area includes the existing Mariana Islands Range Complex (MIRC); areas on the high seas to the north and west of the MIRC; a transit corridor between the MIRC and the Hawaii

Range Complex, starting at the International Date Line; and Apra Harbor and select Navy pierside and harbor locations. The supplement to the 2015 Final EIS/OEIS will only analyze those training and testing activities conducted at sea and on FDM within the Study Area. Other activities and land components associated with the MIRC will not be included in the supplement.

The Proposed Action is to conduct at-sea training and testing activities within the Study Area. Activities include the use of active sonar and explosives while employing marine species protective mitigation measures. The purpose of the Proposed Action is to maintain a ready force, which is needed to ensure the military can accomplish its mission to maintain, train, and equip combat-ready forces, consistent with Congressional direction in Section 5062 of Title 10 of the U.S. Code.

To achieve and maintain military readiness, the Navy proposes to:

- Conduct at-sea training and testing activities at levels required to support military readiness requirements beyond 2020; and
- Accommodate evolving mission requirements, including those resulting from the development, testing, and introduction of new vessels, aircraft, and weapons systems into the fleet.

Public comments will be accepted during the 45-day scoping period beginning July 28, 2017 through September 11, 2017. Comments must be postmarked or received online by **September 11, 2017**, Chamorro Standard Time (ChST), for consideration in the Draft Supplemental EIS/OEIS. Comments may be submitted online at www.MITT-EIS.com, or by mail to:

Naval Facilities Engineering Command Pacific
Attention: MITT Supplemental EIS/OEIS Project Manager
258 Makalapa Drive, Suite 100
Pearl Harbor, HI 96860-3134

If you would like additional information or to receive a project briefing, please contact Mr. John Van Name at 808-471-1714 or john.vaname@navy.mil.

Please help the Navy inform the community about the Draft Supplemental EIS/OEIS for at-sea training and testing by sharing this information with your staff and interested individuals.

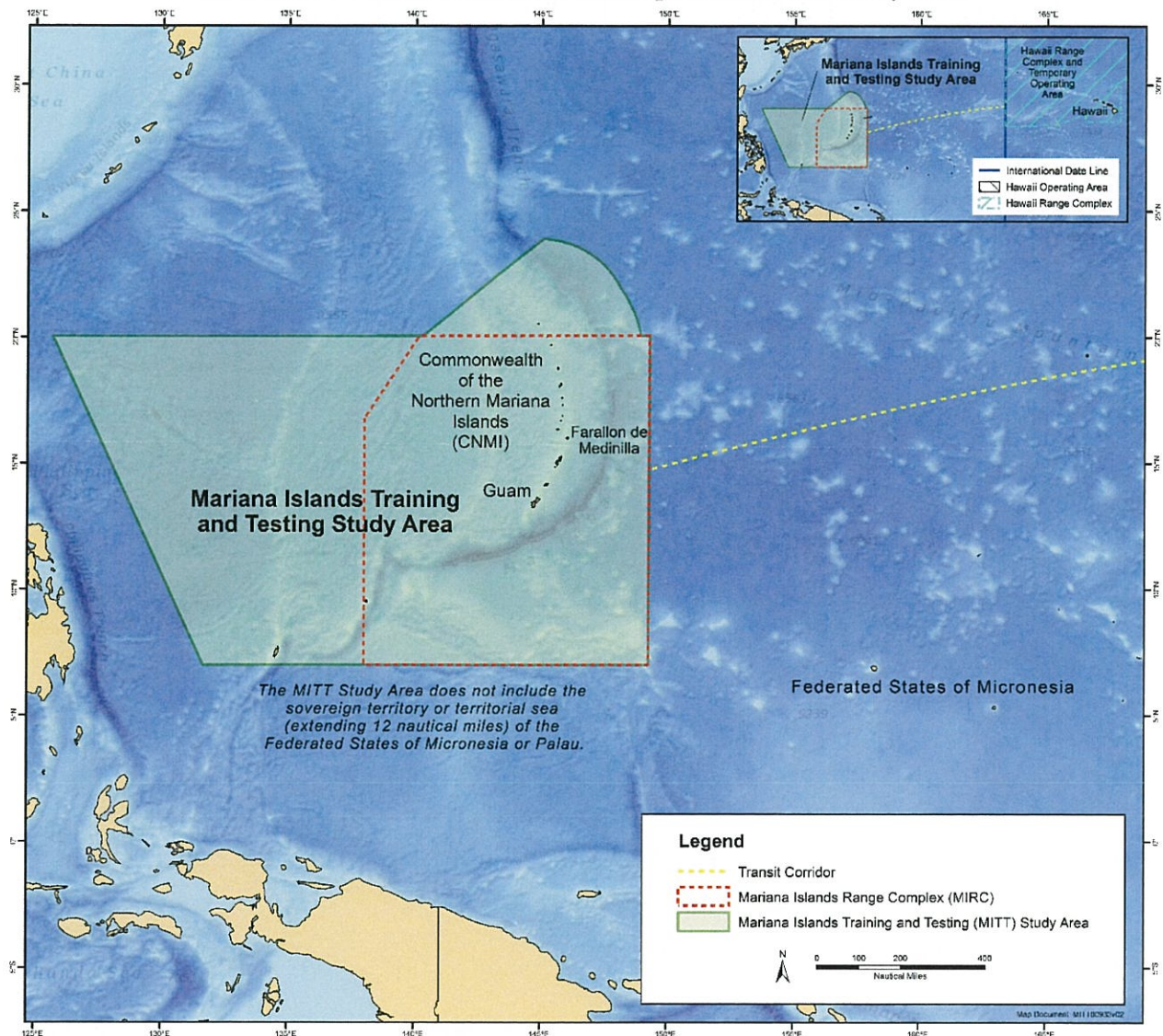
Sincerely,



FOR L. M. FOSTER
By direction

Enclosure: 1. Mariana Islands Training and Testing Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement Study Area

Enclosure: 1. Mariana Islands Training and Testing Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement Study Area



Enclosure (1)



Hafa Adai



Supplement to the 2015 Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS)

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Mr. John F. Salas
JRM Environmental Program
Manager
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Bottom Line Up Front



This supplement will reanalyze military readiness activities conducted at-sea and on FDM

- The Navy will prepare a supplement to the 2015 MITT EIS/OEIS
 - Current at-sea MMPA authorization and ESA Biological Opinion expire AUG 2020
 - Terrestrial ESA Biological Opinion has no expiration date
 - Terrestrial activities and findings in the 2015 MITT EIS/OEIS do not require reanalysis
 - Scoping period began 28 JUL and ends 15 SEPT
 - Public helps to identify the “scope” of the analysis, including potential environmental issues and viable alternatives
 - Requesting Scoping comments @ www.mitt-eis.com

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MITT Team



- Commander Pacific Fleet (CPF)
- Joint Region Marianas (JRM)
- Naval Sea Systems Command (NAVSEA)
- Naval Air Systems Command (NAVAIR)
- Office of Naval Research (ONR)
- National Marine Fisheries Service (NMFS)
- Stakeholders and Public
- Other military services

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2015 MITT Status



- Active public outreach and information sharing with stakeholders (e.g. fishermen notification) based on public feedback and engagement
- Maximize public access and safety
- Fully complied with MMPA and ESA obligations
 - Implemented mitigations
 - Annual reporting @ www.navymarinespeciesmonitoring.us
 - Annual marine mammal and sea turtle surveys (ongoing)
 - FDM coral survey (scheduled)
- National Historic Preservation Act (NHPA) Programmatic Agreement reporting
- Environmental Stewardship
 - Natural Resources Surveys on Guam, Tinian, and FDM
 - Wildlife and Habitat Protection
 - Partnering for Sustainability

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Importance of Realistic Training and Testing



Mission of the U.S. Military:

To provide the forces needed to deter war and protect the security of the United States, its territories, and interests. To that end, the military services must maintain, train, and equip forces capable of winning wars, deterring aggression, and maintaining freedom.

- Crucial for military readiness, personnel safety, and national defense
- Training military personnel to respond to a range of situations:
 - Large-scale conflict
 - Homeland defense
 - Maritime security
 - Anti-piracy operations
 - Humanitarian assistance
 - Disaster relief
- Testing and evaluating new and emerging technologies

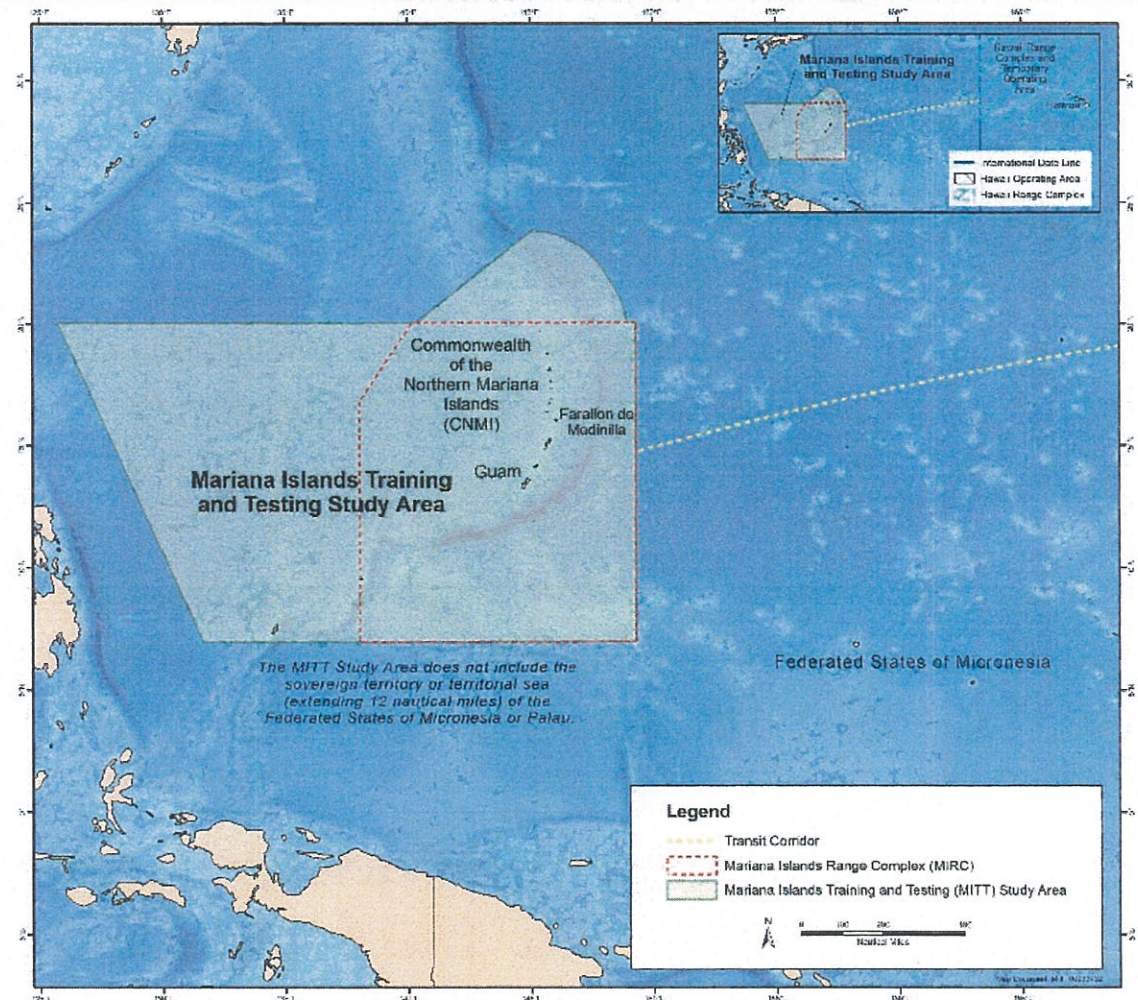


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Study Area

The MITT EIS/OEIS Study Area remains unchanged since the 2015 Final EIS/OEIS. In the supplement to the 2015 Final EIS/OEIS, the Navy will only analyze those training and testing activities conducted at-sea and on FDM within the Study Area.



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Strategic Importance of the MITT Study Area



- Military and Coast Guard have historically used the MITT Study Area for training and testing.
- MITT Study Area provides a range of realistic training environments and sufficient air and sea space necessary for safety and mission success.
- Study Area is characterized by a unique combination of attributes that make it a strategically important area. These attributes include:
 - Location within and adjacent to U.S. territory
 - Ranges and training areas on the islands of Guam, Rota, Saipan, Tinian, and FDM
 - Expansive airspace, surface sea space, and underwater sea space
 - Authorized use of multiple types of explosive and non-explosive ordnance on FDM
 - Support for all Navy warfare areas and numerous other service roles, missions, and tactical tasks
 - Support homeported/homebased service units based at installations on Guam
 - Training support for deployed forces
 - Ability to conduct joint and combined force exercises
 - Rehearsal area for western Pacific contingencies

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Why supplement the 2015 MITT EIS/OEIS?



- The supplement will update 2015 analysis
 - Revised acoustic effects criteria and updated species densities
 - New scientific research
- New information will be considered “in furtherance of the National Environmental Policy Act”
 - New information not anticipated to change conclusions reached in the 2015 Final EIS/OEIS, Record of Decision, Endangered Species Act consultation, or Marine Mammal Protection Act authorization
- New information provided to inform the public of latest scientific data and to update the analysis
- Changes in MITT activities have been identified however none are expected to be substantive

MITT Supplemental EIS/OEIS supports new Marine Mammal Protection Act authorization beyond AUG 2020

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Purpose of the Supplemental EIS/OEIS



- Comply with the National Environmental Policy Act and Executive Order 12114 (Environmental Effects Abroad of Major Federal Actions) by reassessing the environmental impacts evaluated in the 2015 EIS/OEIS. The supplement to the 2015 Final EIS/OEIS would also address:
 - Training and testing activities associated with new weapons and systems expected to reach initial operating capability between 2020 and 2025.
 - Adjustments to training and testing activities associated with changes in mission requirements.
- Support NMFS's issuance of a Letter of Authorization under the Marine Mammal Protection Act authorizing the unintentional take (e.g. behavioral harassment) of marine mammals incidental to the training and testing activities conducted in the Study Area.
- Support consultation with NMFS and U.S. Fish and Wildlife Service (if necessary) under the Endangered Species Act for takes of marine mammals, fish, sea turtles, corals, and birds resulting from military readiness activities.

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Proposed Action



Within the MITT Study Area, the Navy proposes to conduct military training and testing activities, to include the use of active sonar and explosives, off the coasts of Guam and the Commonwealth of the Northern Mariana Islands, throughout the in-water areas around the Mariana Islands Range Complex (MIRC), the transit corridor between the MIRC and the Hawaii Range Complex, at select Navy pier side and harbor locations, and in sea space west and north of the MIRC.

To achieve and maintain military readiness, the Navy proposes to:

- Train and test at levels required to support military readiness requirements beyond 2020
- Accommodate evolving mission requirements and the development, testing, and introduction of new vessels, aircraft, and weapons systems into the fleet

Proposed training and testing activities are:

- Similar to activities that have occurred in the Study Area for decades
- Generally consistent with those analyzed in the 2015 Final EIS/OEIS and earlier environmental planning documents

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Purpose and Need



The purpose of the Proposed Action is to achieve and maintain military readiness to meet the requirements of Title 10 of the U.S. Code, thereby ensuring the military services meet their mission to deter war and protect the security of the United States, its territories, and interests.

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Scoping

Alternatives



- The 2015 Final EIS/OEIS included a “status quo” No Action Alternative plus two reasonable action alternatives that both met the purpose and need at the time the Record of Decision was signed.
- The Navy will supplement the 2015 Final EIS/OEIS by considering at least two revised alternatives:
 - No Action Alternative
 - Action Alternative of revised activities necessary to meet military readiness requirements beyond 2020
- Additional action alternatives will be informed by stakeholders and the public through the scoping process.

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Cooperating Agency



National Marine Fisheries Service

- The responsible agency for the Marine Mammal Protection Act; will use the supplement to the 2015 Final EIS/OEIS to support its decision for Marine Mammal Protection Act authorization.
- The responsible agency for most marine Endangered Species Act species; will use the supplement to the 2015 Final EIS/OEIS to support its decision for Endangered Species Act authorization.
- A Cooperating Agency on Phases I and II documents.

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Public Involvement

- Public and agency input allows decision makers to benefit from local knowledge and consider local issues and concerns.
- The public participates in the National Environmental Policy Act process during the following stages:
 - **Scoping Period:** Helping to identify the “scope” of the analysis, including environmental issues and potential reasonable alternatives
 - **Draft Supplemental EIS/OEIS Public Review and Comment Period:** Evaluating and providing substantive comments on the draft analysis
 - **Final Supplemental EIS/OEIS Wait Period:** Reviewing the Final Supplemental EIS/OEIS and Navy responses to substantive comments received on the Draft Supplemental EIS/OEIS



Requesting Scoping comments @ www.mitt-eis.com

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Schedule



Publish NOI in Federal Register	1 Aug 2017
Scoping Period	1 Aug – 15 Sept 2017
Release Draft Supplemental EIS/OEIS to Public	Late 2018
Public Meetings	Late 2018
Release Final Supplemental EIS/OEIS to Public	Mid 2020
Record of Decision	Mid 2020

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Discussion & Questions?

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COMMITTEE REPORT DIGEST

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Member

Speaker
Benjamin J.F. Cruz
Ex-Officio

I. OVERVIEW

The Committee on Guam US Military Buildup, Infrastructure, and Transportation convened a public hearing on Friday, August 18, 2017 at 10:00 AM on the Informational Hearing of the United States Navy 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) and the Navy Pacific Fleet (PACFLT). Among the item(s) on the agenda is the following:

- Informational Briefing by members of the Navy team leading efforts on the preparations of a supplemental analysis to the 2015 Final Mariana Islands Training (MITT) Environmental Impact Statement/ Overseas Environmental Impact Statement (EIS/OEIS); and
- Open discussions with the Navy's Pacific Fleet (PACFLT) briefing team on the purpose and scope of the supplemental analysis to the 2015 Final Marianas Islands Training and Testing (MITT) Environmental Impact Statement. Overseas Environmental Impact Statement (EIS.OEIS).

Public Notice Requirements

Notices were disseminated via e-mail to all senators and all main media broadcasting outlets on Friday, August 11, 2017 (5-Day Notice), and again on Wednesday, August 16, 2017 (48-Hour Notice).

Senators Present

Senator Frank B. Aguon, Jr., Chairperson
Speaker Benjamin J.F. Cruz, Ex-Officio
Senator Fernando B. Esteves, Committee Member
Vice Speaker Therese M. Terlaje

II. SUMMARY OF TESTIMONY & DISCUSSION

The Informational Hearing was Called-to-Order at 10:00 AM.

Chairman Aguon:

Buenas yan Hafa Adai, Ladies & Gentlemen. This informational hearing by the Committee on Guam US Military Buildup, Infrastructure and Transportation is hereby convened.

Chairman Aguon:

On the agenda is the informational briefing by the members of Navy team leading the efforts on the preparation of the supplemental analysis to the 2015 final Mariana Islands training and testing, the MITT Environmental Impact Statement, Overseas Environmental Impact Statement, the EIS and the OEIS. Just for the information of the public, in compliance of the open government law, the initial notification of this informational hearing was disseminated on Friday, August 11 with a follow up, 2nd notice disseminated on the 16th of August, Wednesday. I will like to thank our media partners for assisting in notifying the community with regards to this informational hearing and I will also like to thank Speaker Cruz as well as Senators in the Guam Legislature for allowing us to proceed with this particular informational hearing in light of the ongoing budget discussions.

Ladies and Gentlemen, this is specifically the informational hearing was called specifically because the department of the Navy is now preparing a supplement to the 2015 MITT like was highlighted earlier with an EIS environmental impact statement and an overseas environmental impact statement and with regards to that, public comments will be accepted through September 11, 2017 and comments must be postmarked or received online by September 11, 2017, Chamorro Standard Time, for consideration in the draft supplemental EIS and OEIS. We also, my office and my committee also has the appropriate address for the Navy Facilities Engineering Command Pacific, if anyone will like to have that information, it will be readily available through the committee or through members of this particular committee. I would like to also recognize Speaker Cruz for your presence this morning at this informational hearing as well as Vice Speaker Terlaje. Thank you very much, my colleagues for joining us this morning. The individuals that have signed up and I am going to recognize their names for having signed up and then go ahead and yield to the individuals who have been invited up to the table to initiate the presentation.

We do have Mr. Gary Portodo from Office of Senator Espaldon, we have Bon Nom John from the U.S. Navy John F. Salas from Joint Region Marianas, Julie Rivera from the Navy, David O'Dowd from the Navy, Jenny Flores from Joint Region Marianas (JRM), and Mr. Roy Tsutsui from JRM also. So Lady and Gentlemen, welcome to the Guam Legislature and thank you very much for participating in this informational hearing. I believe it's very important that the community of Guam as well as the region have an understanding as to any aspect of the military buildup where there is a supplemental assessment and additional study that they'll be given that information publicly and be able to provide comments if they wish to do so. So I thank you very much for participating in this informational hearing. Mr. Tsutsui, I believe that you are the head of the table. Did you want to identify yourself, identify who is in the panel and then we can proceed with the presentation.

Mr. Roy Tsutsui:

Thank you, Senator. Buenas yan Hafa Adai, everyone! Thank you very much Senators for this opportunity. On behalf of Admiral Chatfield, I'm a special assistant to Admiral Chatfield and we very much appreciate this opportunity to let our team be able to explain the initiative of this desire to do a supplement to the Mariana Training and Testing EIS and our team will be explaining the purpose and asking for input on our scoping process to help shape the supplement. Accompanying me also representing Admiral Chatfield is our attorney, Commander David O'Dowd. I'll let the rest of our team introduce themselves and we'll proceed right into the briefing.

Chairman Aguon:

Please proceed.

Mr. John Salas:

Good morning! John Salas like you had mentioned.

Chairman Aguon:

Good Morning, John.

Mr. John Van Name:

Good Morning and Hafa Adai, John Van Name from Pacific Fleet.

Chairman Aguon:

Hafa Adai, John. Welcome.

Ms. Julie Rivers:

Good morning, Julie Rivers from Pacific Fleet.

Chairman Aguon:

Good morning, Julie. Welcome and who's going to commence with the presentation? Mr. Salas? Okay, you can begin.

Mr. John Salas:

Good morning, Senator Frank Blas Aguon, Mr. Chairman. Also, Good Morning & Hafa Adai, Mr. Speaker & Ms. Vice Speaker. Buenas yan Hafa Adai. Before I pass off the reigns to the primary speaker who is Mr. John Van Name, my colleague to my left, appreciate and thank your availability and giving us the opportunity for participating in this informational hearing. So for that, I appreciate it. So on August 1st, as you probably are aware, the notice of intent for the supplement to this EIS (the Environmental Impact Statement) was published in the Federal Register. So, because you know there was it and John can probably speak to it a little bit more. There was a couple days delay for the actual publication, so the actual 45-day public scoping period really ends in September 15 by September 11. So we still, as John would also reiterate comments that we've received, we have received comments from July 28th will still be part of the 45-days scoping period. So, officially the scoping period ends on September 15th. And that's why, you know, we've asked--

Chairman Aguon:

So, for clarification I just want to ensure that the local community is properly informed in regards to any extension. So, has information been disseminated by yourselves and your representatives, with regards to the extension of the timeline? Or, not an extension of the timeline, but the change in the timeline?

Mr. John Van Name:

Yes, the Federal Register publication on the 1st of August explained that the public, the 45-day period, officially goes from the 1st to the 15th of September. We've been making a point during our stakeholder briefings to make sure folks knew that *that* had changed.

Chairman Aguon:

But have you also shared that with our media partners in the community? And if you notice what I'm trying to get at is ensuring the community is part of the conversation and any discussion with regards to information received, with regards to public hearings, with regards to the change in timeline. So, that's one question that I have. If as a result, I understand about going into the register, the registry, and identifying that the timeline has changed. But, has this information been properly extended to our media partners so that they can at least assist in the dissemination of any change in time lines?

Mr. John Van Name:

Yeah. There was a press release that was provided to the media outlets, so they should know by that and also, sir, we encourage everyone and wish in hopes everyone can go to the website when they're able to and we have a banner on that website that explains the new ending date for the scoping period.

Chairman Aguon:

Okay, thank you. Mr. Salas you may continue.

Mr. John Salas:

Yes, thanks John. So, within the scoping period of the 45-day-- that's the main intent of why the team is here. You know, we've got folks from Pacific Fleet primarily in Hawaii, and Mr. John Van Name actually works out of D.C. or New York. He works remotely. So, for the past week, they've been on Guam--since Monday. We've had several meetings in the CNMI and on Guam, and the real--that the key message of why we're doing these meetings is to properly scope this impending analysis. To try to get any questions or concerns that key stakeholders and key local leaders have, so that the team can come away with what these questions are or what these concerns are, that they can probably scope this environmental analysis for this supplement. So, that's the whole intent of the meetings here. You know, with that being said, you know I can pass off to John here who can discuss more what the actual supplement is about.

Chairman Aguon:

Thank you very much Mr. Salas.

Mr. John Van Name:

Thank you John. And again, thank you gentlemen, lady, for the opportunity to again discuss our effort that's initiating now to supplement the 2015 Mariana Islands training and testing EIS. And that's why we're happy to be here this week, and we were up in the CNMI on Wednesday and had enough number of briefings with key stakeholders. So, I don't know if the presentation is being broadcast on laptops, on your table, so whatnot, but we'll start off with the slide that's titled bottom line up front. And again, you know right up front, say why we're here and what we're discussing. This supplement to the 2015 Mariana Islands training and testing EIS is going to focus on military readiness activities conducted at sea and on the island of FDM. The 2015 document that we're updating the analysis to, looked at the training areas in Naval Base Guam, Naval Magazine, and the land training areas in the CNMI, on Tinian, and Rota, and Saipan. But, the supplements going to focus at sea, and we'll get to why that is. This supplement needs to support the reauthorization under the Marine Mammal Protection Act of a letter of authorization.

Mr. John Van Name:

The current MMPA, Marine Mammal Protection Act authorization, expires August 2020. When we first did the 2010 Mariana Islands range complex CIS, we received a letter of authorization that authorized at sea activities from 2010 to 2015. The 2015 EIS, again, gave us authorization. By regulation, it cannot exceed a five-year term, 2015 to 2020. This effort, the primary purpose of this effort being done now, at this time, is to make sure we can do a good thorough analysis, which takes time to assist the fishery service--support the fishery service in issuing us another authorization so we have a block of time from 2020 to 2025. Again, that authorization and the endangered species biological opinion for the at sea, for the marine resources, have five-year terms. We also have a biological opinion for land-based endangered species the Mariana Megapod, the fruit bat. That biological opinion has no expiration date. So, until and unless either a status of an endangered species changes, or all land-based activities change in a substantive way, that biological opinion remains in effect. We've already updated it once, in fact, because they were the 23 new species that were listed a year or so ago on new plants and other animals, snails and plants and insects. So, that biological opinion, the 2015 analysis for those terrestrial activities, remains valid and remains appropriate to continue the continuation of those activities. To support the continuation of our at sea activities, we're preparing this supplement. As John said and the scoping period, we intended for the scoping period to begin officially on the 20th of July, and we sent out courtesy notifications letting folks know to be ready, keep an eye open--and we have to do that in advance of the actual Federal Register publishing.

So, we have to hope that *that* happens on the right date. They didn't get it done on that day, due to a bureaucratic snafu up in D.C., so it actually printed on the 1st. So, in effect, it gave us a couple day extension to the scoping period. We did get a few comments on the website after the 28th, but before the 1st--they're still good. We're going to consider those, and that's still part of the process. Even though they're outside of the official scoping period. Scoping is important. I'll speak more about the public outreach and engagement we do. But, at this early stage, we come to the public. We come to key stakeholders such as yourself, to get information and hear from the community; what's important to the community, what type of issues they may have, the concerns they may have, so we can scope the scope of the analysis to make sure that we're considerate of those issues and concerns that the public and stakeholders may have. The scoping period also helps us to identify viable alternatives. Every environmental planning effort has to consider all reasonable alternatives, and we're asking the public to give us any suggestions, any assistance they can in helping to scope out those alternatives.

And again, we're requesting the scoping comments on www.mitt-eis.com. That's the website where they can find--where anyone can find the 2015 document, all of the appendices, and backup analysis. We try to make sure that the prime body of the document is readable to the general public, readable to the layman. But, some of that, unavoidably, some of the analysis is very technically dense, and we have appendices that get into that technical detail--that detailed specialized biology and acoustic analysis, because they're all folks and scientists that want to look at that, and *that* is available. But, all of that is on the document. As we prepare information and output from our ongoing effort, which is beginning now to prepare the supplement, we'll be posting that to the website also. The website is an outstanding way for folks to get online; submit comments. It's right up front. You'll see a commenting feature for online, but we also accept comments the old-fashioned way.

Mr. John Van Name:

Write us a letter, put a stamp on it, have it postmarked by 15 September, and we'll receive and consider those comments. And also, as a courtesy to folks who are in the audience and have come today, we have some comment forms that they can either take back, fill out, mail to us. Or, if they want to provide a comment today, we'll accept those comments that folks in the audience may want to give us today. Next slide please. The agenda--I'll just go over this briefly because we're going to hit on every slide anyway, but we want to, you know I want to talk about the team that we have; the status of where we are with the 2015 document, the importance of realistic training, talk about our study area. Some folks may perceive that we're expanding our study area; expanding our footprint. This effort is for the status quo, to maintain the status quo level of training that we have with any adjustments to the evolution of new systems, like littoral combat ship. But, we're not proposing any new ranges, any new study areas. There are efforts underway right now, as you mentioned, the build up here on Guam and the establishment of new live-fire training ranges in the CNMI. Those are independent projects and efforts separate from this. This effort is strictly to support the ongoing--sustain the ability for the military to train, as they're training today.

So, even if the build up was never to happen; was never proposed and the CGMT never happened, we'd be here today doing this, because we need that next block of authorization for the next five years, and we need to be sure that we can sustain our ability for the military to train as they are today and into the reasonably foreseeable future. We'll talk about why we're doing a supplement; the purpose and need alternatives, cooperating agencies--we partner closely with the Fisheries Service--the public involvement, and the notional schedule of where we are. So next slide please. The mid team, obviously--Julie, myself--we have other folks back in Honolulu who command a Pacific Fleet. We partner closely with Admiral Chatfield's staff. The first briefing we did when we hit Guam Monday morning, was to go over to JRM and brief the Admiral as appropriate; let her know that we were coming out, reaching out and briefing other entities, other key stakeholders throughout the week. But, we have folks, like John Salas and the local subject matter experts on the environment, in this region. They're an important part of our team; they'll be assisting in the preparation of this supplemental analysis. The 2015 document was different from the 2010 MERK, in that we better accounted for testing that could occur. There's not a great amount of testing that occurs in the Marianas. Most of it occurs back east, in the Southern California range complex, where we're doing this very same process. A little bit ahead of this schedule because their authorization expires 2018, instead of 2020. So, for Southern California, for Hawaii, and then here in Marianas, we're all undergoing a similar process. We've better incorporated the testing that might occur. So, our testing commands, system commands, NAVAIR and NAVSEA are involved as a proposed action.

Officer Naval research, which does more basic science, we're considering their activities. The Fisheries Service is an important part of the team because they're the subject matter experts on marine mammals--the Marine Mammal Protection Act, the marine species under the Endangered Species Act. Under their purview, we need their authorization; we need their consultation. Important part of the team, obviously, stakeholders and the public.

Mr. John Van Name:

That's why we're here today and that's why we'll continue to reach out through the process, because we need to hear from key stakeholders and the public what their concerns are at this point to help us shape that analysis we're launching; initiating now and then once we have the draft document, to help us improve that draft when it comes out to help make sure we have an improved final document at the end of the process. Of the military services I mentioned, Southern California and Hawaii, and also on the East Coast, and the Pacific Northwest, and the Gulf of Alaska, we're doing the very same thing. We have environmental analysis to support authorizations and to support these ongoing training requirements into the future. Marianas is different, though. It's a much tighter community between the Department of Defense services and the Coast Guard. So, while the Southern California document only assesses Department of Navy training here in the Marianas, we also look at the Coast Guard, we look at the Air Force, because so many times, like our helicopter wing out of Anderson HSC 25, they routinely train with the Coast Guard in search and rescue mission because we have the airplanes, they have the cutters, and when they have to conduct those missions, they conduct those missions together. So, this document is unique in the regard that it accounts for the training for all of the services including the Coast Guard, which, quite frankly, provides a more robust and holistic analysis. So, the Marianas is unique in that regard; in this analysis. Next slide please.

Let me apologize briefly for my voice. I've been doing a lot of talking this week, a lot of speaking this week, and I'll make it through the day. The status of the 2015 document, again, we signed a recorded decision in 2015 for the Mariana islands training, and testing the document we're now supplementing. And, as a result of this, again, the outreach, the engagement, is all important. Part of the outreach and engagement that occurred during that event, we heard from the public in particular--let's say the fishing community here in Guam, the COOP, who we met with Monday evening. They told us you all need to do a better job of communicating with us. Let us know when training is happening south of Guam off of Merizo with the warning area 517, which is adjacent; close to the important fishing banks at Galvez banks and Santa Rosa banks. So, as a result of that, with the Mariana islands range complex ops, Merck ops, and folks that you are around, they're at constant dialogue with the fishermen to improve those lines of communication to make sure that we can maximize public access to these fishing areas. We want to make sure that when it's available, it's known to be available, and folks can fish there and recreate there. But, also, when there are hazardous military operations being conducted that there's a good awareness that it is being used and we can maintain public safety, which is paramount. But, again, that communication has been improving, has improved, will continue improving, because that dialogue is ongoing, but that's one of the benefits of this type of process--where we reach out and we come out to the community.

For the 2015 document, we're fully complying with all Marine Mammal Protection Act; Endangered Species Act obligations. When you go to our website, look at the 2015 document, chapter five is on mitigations, and we have a suite of time-tested routine mitigations that we employ everywhere. Everywhere the Navy doesn't event, we employ these procedural mitigations, which, for instance, if a destroyer is doing active sonar; to train and remain proficient and pursuing, and detecting these ultra-quiet diesel-electric submarines. There's also trained lookouts onboard during that time those events are happening, and if these trained lookouts spot marine mammals or sea turtles within a certain zone, they'll power down the sonar.

Mr. John Van Name:

If the animal is seen closer in, yet, they'll power down further. And, at certain point 200 yards, they will shut down the sonar. So, even though that interrupts the continuity of the training event, we do that because we, again, want to protect the species. We don't want any injuries to occur, and we make sure that we do those mitigations everywhere we train. We do have some unique mitigations that are specific to the environment here in the Marianas. So, an EOD mobile unit five is honing their skills to perform underwater detonations, which they need to do, not only in times of conflict to keep harbors and sea lanes free of naval mines, they also respond to underwater UXO and they're our first line of defense when unexploded ordinance is found during a construction site or anything like that. But, they do that at Apra Harbor; outer Apra Harbor. They perform this underwater detonation training. And so, before they set the charge off, they survey for marine mammals.

They survey for turtles, but they also survey the hammerhead sharks because the scalloped head hammerhead is endangered. It's been decimated by the illegal shark-finning operations. So, we make sure that if they see a hammerhead--can't tell a scalloped hammerhead from another hammerhead, but even a guy like myself from New York knows a hammerhead shark when he sees one. If there's a hammerhead shark in the region, they stand down and hold fire so it's seen to leave. So, while that mitigation for mammals and turtles is similar to everywhere else that we do that type of event--off of Southern California, off of Virginia Beach and Norfolk on the East Coast, and in Hawaii off of Honolulu--they also have to be respectful of the local species we have the hammerhead shark is also mitigated for. Part of our obligations is annual reporting, and I think I'll turn over for this little piece to Julie, because this is her subject matter expertise. If you want to speak a little bit about the reports and surveys that we do, you can do a much better job than I ever could hope to.

Ms. Julie Rivers:

Thanks, John. So, as John mentioned, under the Marine Mammal Protection Act and Endangered Species Act, we have our requirement to do marine species monitoring and provide annual reports to National Marine Fisheries Services. And so, we developed this website that has all of the marine species monitoring reports from all the range complexes, including the Mariana Islands, available to the public. So, the link is here in the brief; it's www.navy-marinespeciesmonitoring.us. Like I said, all of the annual reports are there, and then when there's enough data to generate a publication, the publication's are also provided on that website. So, here specifically in the Mariana Islands, we did a 2007 large-scale four-month long line transect survey to get baseline marine mammal distribution to derive our density estimates. And then, starting in 2010, we started annual marine mammal--well, we were doing them twice a year here--marine mammal surveys from a small boat. We're doing them once a year now, and then sea turtle tagging surveys as well. And that's in cooperation with not only National Marine Fishery service, but local regulatory agencies. And then, we had done coral surveys around Ferlam and Dania between 99 and 2012, and now we're doing them every five years, and we have another one of those coming up this September.

Mr. John Van Name:

Thank you, Julie

Ms. Julie Rivers:

I did burn CD's for you, if it's easier to get the marine species monitoring and the terrestrial monitoring reports here as well. So, I can give these to you now or after, but we thought it might just be easier than trying to get through the website and find them.

Chairman Aguon:

Thank you Miss Julie.

Mr. John Van Name:

Thank you, Julie. And again, it's good work that Julie and her folks do to get some of the science that previously was not done here in the Marianas, such as the line transients and the marine mammal surveys. And again, thank you for those discs. Anything else in that regard we can assist, let us know.

Chairman Aguon:

Just a quick question Julie, if I may. You said your next FDM coral survey is going to be conducted in September, which is just next month?

Ms. Julie Rivers:

Correct

Chairman Aguon:

Right after you're done with your survey, how soon before the report is readily available in the internet?

Ms. Julie Rivers:

I believe it's due to us for our annual report. We provide our annual report to National Fishery Service in April, and so, we're expecting to have the report as part of that package that goes to National Fishery Service. And, the way that it's arranged in our compliance documents is--National Fishery Service has three months to review the document and provide comments. And, once they provide us with the go-ahead, it's available to the public. So, that would be available on the public side of the website next summer.

Chairman Aguon:

Next summer. Okay, thank you.

Mr. John Van Name:

Thank you, Julie. National Historic Preservation Act--we have a programmatic agreement for a training, actually, that was signed signed in 2009 and identifies no training areas to be respectful of the cultural resources and historic artifacts, and there's also reporting and consultation requirements when training events need to occur--let's say on the least area, Tinian. So, we comply with that also. But again, these are our obligatory things that the law says we need to do; that our permits obligate us to, but the Navy takes great part. I've been working in Navy environmental programs since 1990, so I can really tell, with great sincerity, that we take great pride in our environmental stewardship programs improving all the time--better than it ever was before. And, to be good stewards, you need to do more than you're supposed to do. You need to go above and beyond those obligations. So, I'll let John speak to a little bit about what JRM is doing here locally to be good stewards of our Guam environment.

Mr. John Salas:

Yes. So the region here, in conjunction with all installations, we take pride in our environmental stewardship efforts, and some of the things that we do is--green sea turtle surveys at the beaches at Naval Base Guam as well as Anderson. Those we particularly take pride in because we also get cooperative agreement with the University of Guam to get their graduate students to participate in these surveys along with DoD Navy biologists, so we do that. We also got work to do invasive species surveys; looking at invasive flora and fauna, so that we can be prepared to handle the influx of invasive species that are problematic for our island. I guess one of the examples that I have brought up in other meetings with other stakeholders in terms of how the training that DoD proposes, and are currently doing, and how it also benefits the environment as well as benefits the community.

Back in June of this year, 2017, we had Navy mobile dive salvage unit number one. So, they were here, and these are Navy salvage divers that basically get activated to do salvage dive operations at sunken vessels or help with recovery operations. So, they came out here and they reached to Department of Agriculture, The Division of Aquatic and Wildlife Resources as well as Guam EPA. And today, we're coming to Guam; we want to do some training. Is there anything that we can look at? So, with the assistance of Guam EPA and as well as the local NOAA--National Marine Fishery Services Office here--we identified four targets. And, when I say targets, I'm talking about sunken dialect boats or vessels. So, we basically were able to recover and float a vessel in Pago Bay as well as a couple of sunken vessels off the shore of commercial port, in the Port Authority of Guam. So with that, we also interacted with the port employees there. And then, interesting enough, we also helped the Merizo Mayor. We recovered and floated up a sunken vehicle off of Merizo Pier. So, that's an example of where we had Navy war-fighters, or operators, that are training but at the same time using the training opportunity to the benefit of the community as well as in the benefit of the environment. And, not long after that training event in June, unfortunately, the U.S. Fitzgerald had an accident where a merchant flag vessel from the Philippines off the coast of Japan--they collided. So, unfortunately, we lost two sailors there. But, immediately after that dive operation--or training here on Guam--they were deployed to assist with the recovery efforts in the coast of Japan. So, that's just one example of how we can correlate training that we do here to also benefit the community and the environment.

Mr. John Van Name:

Thank you, John. And that's a very good segue to the next slide: Importance of Realistic Training and Testing. The mission of the military is to provide the forces needed to deter war, protect the security of the United States territories' interests and citizens. To that end, the military services must man; maintain train equip forces capable of winning the wars, deterring aggression; maintaining freedom. So, clearly the military needs to be trained to conduct traditional military operations to deter folks from doing bad things to us, or to respond to and win in these regional conflicts that may flare up, or large scale conflicts. But also, importantly, the military is important for the homeland defense keeping us safe here in our homes--the maritime security of the high seas for commerce and safety. Anti-piracy operations, 10 years ago, who'd have thought the Navy would be again fighting pirates like we were when the Barbary pirates were in for us in the 1880s, but we are. Piracy is an issue now.

Mr. John Van Name:

But, also importantly, as John mentioned, humanitarian assistance and disaster relief--that training that the Mudsu divers got to recover sunken vessels; cars that fell off bridges or piers or, God forbid, remains of people that may be lost at sea or lost in accidents, or lost in disasters. Again, it's mentioned I've actually been working for the Navy for 30 years doing environmental since 1990. I never served, but I've been working for the service for almost 30 years now, and I know I personally take great pride when you see when something happens, like the devastating earthquake that impacted the Haiti port-au-prince when the port's facilities were wiped out due to the earthquake.

The very first people on the site to help restore those pier facilities, helped build some temporary piers, bring water, bring relief, bring aid, was our Navy and Marines in the amphibious vessels and the capability that we have. When the Hurricane Katrina hit the Gulf, again, first on the spot, was our Navy to provide aid and comfort. And, even locally, when the typhoon impacted Saipan, there was fortunately an amphibious rainiest group in the area to conduct training, and they immediately turned around and was able to provide aid. So, that's one of the things where, again, it's more than just the traditional warfighting capability, but also the Navy forces are there when we need them, and having this training for them to be able to train to that mission and train to those requirements now, so when they're operating under duress or under severe conditions due to a disaster, they can do so safely and effectively and with good time. Next slide.

The study area is what it was in the 2010 document, and we've had a similar approach in Southern California along the Eastern Seaboard and Hawaii that we focused on the range complexes. So, the 2010 Mariana Islands range complex really looked at that red dotted rectangle with the corner cut out. That's the MIRC Mariana Islands range complex, which has special use airspace, has the land-based components here on Guam and the CNMI, and other areas like our underwater detonation training area now to Apra Harbor off of Piti and off of Agat. For the 2015 document, we broadened the aperture; expanded the scope of where we analyzed. We didn't make the range bigger. It's been characterized as an expansion of the range, but basically what it is, we broaden the aperture and what we looked at for analysis. So, when ships are transiting along that dotted line from Hawaii to the Marianas as we've done between Southern California and Hawaii as they transit along, as you might imagine, they're underway for some number of days. They still conduct some training events while they're underway. We've included those events now in our analysis. To the west and to the north, we included sea space again where ships and forces and strike groups will transit back and forth from the Philippine EEZ here to the Marianas, so we've picked up that sea space. So, those events that are occurring and do occur in those areas are now covered under our authorization and are in our analysis. So again, by expanding the scope--the area that we covered--it's more holistic analysis and we have MMPA (Marine Mammal Protection Act) authorization; ESA coverage for those activities. This supplement is not proposing any changes, any increase in area, any new ranges, no new capabilities, no new facilities, no new land-based trainings. So, the study area remains as it was in 2015. The analysis again, as we mentioned, are going to be focused on those at sea activities to support that Marine Mammal Protection Act authorization. Next slide please.

Why is this area important to the military? It pretty much, historically, always has been. The MIT study area, the Mariana range complex has been used for training military readiness activities for decades.

Mr. John Van Name:

The Navy's been here for a long time, and we hope to be here for a long time to come, and this supplement supports that training that's going to go on past August of 2020. I'm involved with all of our range complex in Southern California, Hawaii, and one of the things that makes this place special is it has a good variety of those types of capabilities; those types of areas and resources that provide that environment. Sailors can get that kind of high grade, high level training in. For realistic and challenging anti-submarine warfare, we need to be able to train where there's specific imagery, the seabed bottom, so when we have steep declines in depth and complex geography down on the seabed, those are the areas where high-end anti-submarine warfare occurs and needs to occur, because that's where the fight's going to be where the adversary submarines can hide and lurk behind seamounts or undersea canyons. We've got those kind of attributes here. We have a lot of sea space and airspace that is available. The FAA recently created new warning areas along...so previously, we just had warning area 517--that's just off of south of Merizo, south of Guam--now we have additional warning areas that had been established that provide that enduring area where the forces can also train as opposed to just going to whiskey 517 most of the time. So, we have good generous amounts of aerospace. We have a lot of sea space. There's not too much in the way of converting areas where there's very little commercial traffic, either air or sea, that allows us to train safely. We've got the land-based ranges here on Guam, Rota, Saipan, Tinian, and FDM. They can support all the military mission areas here, from anti-submarine to missile defense to EOD mobile unit five training, to make sure that they can de-mine a harbor if a harbor gets mined or be responsive to unexploded ordinance that turns up. This is also an important area for training of deployed forces, if you might imagine, most of the ships; the fleet concentration areas--Southern California, San Diego. So, the ships that are home based there in San Diego, and even up in the Pacific Northwest, they get all of their training to get ready for deployment; to certify for deployment, there in Southern California. So, they're training constantly for maybe six months before they deploy, but now they do deploy. They head to Hawaii, get additional training in Hawaii, and then head here to the Marianas as they're deploying to points West South China Sea, Sea of Japan, for instance, and this is their last opportunity in the United States to get that training they need here with the forces, with the support of Apra Harbor and Anderson Air Force Base.

So, because it's the last opportunity in the U.S. to train, it's an important asset also, before they actually deploy to the potential areas of the fight. We're able to conduct joint and combined force operations here as we do in Hawaii; Rim of Pacific. We've got fifty nations that participate every two years, they're also here in the Marianas. They will partner with Japanese defense forces, New Zealand, Australians--our allies--to make sure that as we are operating and keeping the waters west of here safe and secure, that they're able to interoperate together and understand enough to work well together in the real situation, so we have that joint training here also. And again, it's the last opportunity for rehearsal of any contingencies; any real-world events that may be popping up west of here. The Marianas is the last opportunity to hone those skills before they're really no kidding in deployment. Next slide please. Finally, we get to the point of the matter--why are we preparing this supplement? And again, at sea, we know the science and even the acoustic criteria that we use to gauge. NMFS provides criteria to help us gauge what those predicted impacts might be; what an acoustic exposure to a whale--at what level of exposure will there be a behavioral response, will the whale notice and maybe behave in some fashion? Those criteria are the benchmarks that we gauge against; they've been updated.

Mr. John Van Name:

So, this supplement will revise that analysis that was done in 2015 with the new updated criteria. We're also going to update on density of information, like the occurrence and abundance of the certain species that, thankfully--thanks to Julie's good work, we have more information there--we're going to consider that. We're also going to consider new science. Science doesn't stop in 2015. Even though we published the document, there are still studies; a steady stream of studies and research, and even our own observations during our monitoring that's now available, and we're going to pull that into the analysis, so we can consider all of that. These are Center for Environmental Quality words and the furtherance of the National Environmental Policy Act, so the supplement is in accordance with the NEPA--the National Environmental Policy Act--a supplement to a document is how they tell us we do these updates.

Following the rules that are required with that, with the exception of, we're also doing scoping. Typically, they say scoping is not required, but we thought it's important to come out here and reach out to the community in any sense. That's why we're here this week. This new information is because we're already ahead of schedule in Southern California, Hawaii, as their permit expires in 2018, so we're a little further along in the analysis. Our anticipation is that, even though we're using new criteria, new densities, we anticipate that the conclusions reached in 2015 are going to have found to still be valid. We'll know for certain, proof is in the pudding. Once we actually conduct that analysis and we see the results, we'll know for sure. But right now, our anticipation is that the conclusion is going to remain similar; the same, and remain valid. Also, the changes in activities, as I mentioned, military readiness requirements evolve overtime, and some of the equipment and gear, and systems that our sailors and airman use evolve over time--a perfect example would be the littoral combat ship is being introduced to the fleet; it's introduced to the fleet. We're going to have it come here to the Marianas to train. Also on its way, points west, the warfare package areas, mission package areas that the LCS (Littoral Combat Ship) may carry; have some modified sensors, modified equipment, similar to what we've always been doing, but different, and this analysis will account for things such as that. Another good example of something that's now being available to the fleet, will soon be, is for non-lethal deterrence. As you can imagine, recall the coal disaster, where the destroyer coal was approached by a local boat that was packed with explosives, we lost a number of sailors. We constantly, obviously, the Navy vessels have weapons and they can and would be used if necessary, but we're also trying to use non-lethal deterrence, and the Navy's actually developing a laser device, which could actually point out and disable--target the outboard motor, let's say--and they've been testing that right now, back along the west coast off the Point Mugu sea range, where we would use the laser to disable the potential threat boat that's approaching.

So, non-lethal deterrence is like that, you'll see a document--we talk about lasers--that's the kind of thing we have that's coming to the fleet over time. Even though we're going to have these identified evolutionary changes to the requirements--not *revolutionary*, but *evolutionary*--overtime, as it's always happened. We don't expect any of those to be subset of changes. We, again--in Hawaii, Southern California, the east coast--things have changed, more of certain activities, less of other activities, but none of it was found to be subset there, and I expect it'll be the same here once we get everything validated. But again, bottom line is why we're doing this supplement is we need another five-year block of time, so we can keep training as we've been training for the past few decades.

Mr. John Van Name:

Next slide please. This is a little repetitive, so I'll go through it quickly. The National Environmental Policy Act, executive order one two one four, which speaks to environmental effects abroad for major federal actions, that's why it's an EIS (Environmental Impact Statement) overseas--Environmental Impact Statement (OEIS)--because we comply with the NEPA, which is for the U.S. and U.S. waters, and the executive order, which is for those spaces that are open seas; that are U.S. waters. So, this supplement to that 2015 document is going to, again, address those training and testing activities with new weapons, new systems that may come to the fleet after 2020. Adjustments to those types of activities that are necessary to meet evolving mission requirements because the world threat, the situation, is constantly evolving and changing, and our Navy needs to evolve with it. We're going to support National Marine Fisheries Service in issuing a letter of authorization under the MMPA in August of 2020, and we're going to support the consultation with the Fishery Service for the Endangered Species Act consultation for species under their cognizance--like humpback whales, like scalloped hammerhead sharks, like the handful of endangered corals--and if necessary, we'll re-consult with the Fish and Wildlife Service for terrestrial species, but again, we don't know if that's going to be necessary because we're not proposing any changes to our land-based activities, and as of this time there's no change that we're aware of coming in regards to the status or introduction of new species like we had the 23 plants and insects introduced back a year or so ago.

So once that changes, the status quo with that consultation is still good to go. Next slide please, proposed action. Our proposed action under this supplement is basically to continue those operations that we proposed under the 2015 document. So, it's going to be to conduct those military readiness activities here in the Marianas and the waters surrounding the Marianas, and within Apra Harbor. As well as those additional sea spaces to the west that we've seen. To the Philippines EEZ, to the north to the Japanese EEZ as well as that transit corridor. Again, that study area is the same as it was in 2015 and our proposed action is still the same. We propose to continue those military readiness activities necessary to ensure fleet readiness. We are going to look at to achieve that, we are going to look at again those requirements beyond 2020 into the reasonably foreseeable future. We are going to look to accommodate evolving mission changes and introduction of new vessel aircraft systems like the littoral combat ship and it's mission modules that may come with the LCS. Again the activities that we are looking at as in 2015, when compared to 2010 this supplement, the activities we are going to analyze are similar to those activities that we've conducted here in the Marianas for decades, and they are going to be generally consistent with what's now in the 2015 document. Next slide please, purpose and need. The purpose of the proposed action to continue military training here is to maintain military readiness. Meet the requirements of Title 10. Ensure the military can meet their mission -- to deter war -- to protect the security of the United States, it's territories, it's interests and it's citizens. So that's the purpose of this action. This ongoing action. Next slide please. Alternatives. Every environmental impact statement, environmental assessment, every environmental effort has to handle a couple of alternatives. I'm going to be okay. I'm going to power through it sir. I'm good. Every environmental impact statement, environmental assessment has to consider a handful of alternatives. We all seen it before in every other document. Our 2015 document had alternatives.

Mr. John Van Name:

We have a no action alternative, and center for environmental quality allows us to define no action two ways. For an ongoing action, such as this and 2015, we said the no action is status quo. No change to those activities to go on with those very same activities that were identified in the 2010 document. A no action could also be to not do something. So lets say we were doing an environmental assessment for building a new road, building a new facility where one doesn't exist. The no action would be, what if I don't build that road, build that facility. So we had a no action of a status quo in 2015 and then we had two reasonable reasonable alternatives to meet the purpose and need. By the time the record decision was signed.

Pardon me one moment. Our supplements right now are going to consider at least two alternatives. We know we are going to have a no action. The no action that was considered for the Hawaii, Southern California document or for the Atlantic fleet document was actually a no action of NMFS not issuing a permit and then the navy not conducting those activities that relied on the permit. So, we did hear many people comment and criticized that we didn't have a no action that didn't consider no action because we always went with the status quo. We are still formulating that, but we will have a no action alternative here. We are deciding what kind of no action it's going to be. Status quo or no permit no training, and we will have an action alternative of revising those activities as necessary to meet the readiness requirements. You know we need to do that. Any additional alternatives we are waiting for scoping. We are waiting to hear what the public may recommend, what key stakeholders may recommend and that's the purpose of scoping. Hoping to form reasonable alternatives. So, additional alternatives will be formulated once the scoping period closes, and we see where we are going. As well as the no action. What type of no action --- that will happen at that time. Any comments? I'll just press on.

Chairman Aguon:

Just a quick question with regards to that particular component. I noticed that in 2015 the final EIS and OEIS. You just mentioned and highlighted that the status quo; no action. But the area of study was expanded tremendously in 2015. Can you explain? I'm trying to reconcile that thought. No action, but then our area of study is almost doubled.

Mr. John Van Name:

Right, under the no action alternative in the 2015 document. The no action was to only have the MIRC --- with that area of the MIRC and those activities that were considered in the 2010 document and our proposed action was to change those activities to consider testing that was going on. To better consider the testing that goes on concurrent with training, and then to expand our study area. We didn't expand the area where training occurs, but we expanded the area that we look at in our study like the transit lane. They have been transiting every time constantly. Now we consider that in our analysis. So the proposed action was to expand our study area and to modify those activities and the record decision picked alternative one.

Chairman Aguon:

Thank you John.

Mr. John Van Name:

Thank you. Next slide. Cooperating agencies and I just have a couple more slides to go. Our cooperating agency is the National Marine Fisheries Service. The Center for Environmental Quality national environmental policy act regulations allow us when appropriate to partner, to have cooperating federal agencies when they have specific expertise, when they have a regulatory function that they need to perform. NMFS, the fisheries service has been our cooperating agency in the MIRC, in the MITT 2015 and in this one we are going to request they become a cooperating agency again. They have been a cooperating agency in every other project like this that we've done. So Southern California, Hawaii, Pacific Northwest, Gulf of Alaska, along the Eastern Seaboard. It's appropriate because one, this environmental planning document, this NEPA becomes their NEPA. They have a federal action which is, issuing a letter of authorization. This environmental planning supports that action by that agency. It supports our ongoing training, but its also NEPA for their getting to a final rule.

They like wise have their own process with the final rule where they'll have a proposed rule. They'll also accept comments on their proposed rule when it becomes issued so the public has multiple opportunities to comment on all of this with our process and their process. This NEPA becomes their NEPA. So they are a cooperating agency and in that regard they are also a cooperating agency because they are the regulatory experts on marine mammals. They are the regulatory experts on endangered under their cognizant like the scalloped hammer head shark, like the corals, like humpback whales which gets protected both ways as a marine mammal and as an endangered marine mammal. So they will be our cooperating agency. We are going to request that we anticipate that they'll say yes as they always do and they'll help make sure that our document is as good as it can be. Next slide please, public involvement. Again, and I said it earlier and I'll say it again is that this is important. This allows us to hear from the local citizens, from the local communities, from the local government officials and key stakeholders such as yourself. What are those issues and concerns because we need to be sure that our decision maker, the decisions made at the secretary of the navy level. He or she signs that record of decision, but we need to be sure that to make that decision that they are cognizant and we also consider public input. The public participates in three specific places during this process. Here in scoping as we are doing now and again they hope identify the scope of that analysis. When the draft document comes out the public will get a chance to review the document and provide comment on the document. As we did in 2015, we will hold public meetings where the public will be invited to come to a discussion poster session. Speak to subject matter experts such as Julie about the biology, about the proposed activities, about our sustainability efforts. It will take comments during that period. Once that's done, then based on the comments, based on public review of our draft document. We then polish I guess would be the best term is the final document. So the final document now is responsive to those comments. Also picks up any additional signs that may have popped up along the way. Any new requirements. Formal analysis, but the final EIS will come out after the public review. Being responsive to those public comments and once that's published, we are mandated by the Center of Environmental Quality to have a wait period. It would be inappropriate lets say for decision maker here's the final EIS and signs in that day. You need 30 days to contemplate and think about the analysis. This is a 30 day wait period.

Mr. John Van Name:

You can't sign it the day you get the document. You have to wait and contemplate that document. Contemplate the decision. During that period of time we still receive comments as we did in 2015. So when you look at the final EIS and then you look at the record of decision, which is available at the www.mitt-eis.com website, the record of decision, there is even additional information and additional concerns that were raised post final that we addressed in the record of decision. So that's three good areas where the public gets to participate in the process and we welcome that participation. Again thank you all for the opportunity today to continue with that. Final slide. Schedule, next slide. Publish notice of intent the federal register 1 August. Again we provide courtesy notification to key stakeholders that it was going to happen on the 28th. To get it here by the 28th we mailed it before the 28th. The 28th came and it wasn't published. It was actually published on the 1st so that actually extended the scoping period from 45 days to 45 plus days through September 15th.

The draft EIS. I'm not going to give you a specific close in date because I am only going to have to change it later and I don't want to do that, but in a broad sense, we are anticipating that we'll be able to release the draft supplemental late 2018. Late fall, early winter of 2018. Goal again is to try to get ahead of the holidays, to avoid all of that. I've had to read too many of these things over the holidays and we don't want to have anyone to do that so we are hoping late fall, early winter to have the draft document out for public review. We'll have our public meetings during that same time period again coming back here. Guam going to the CNMI with open door sessions where the public can come in and learn more about it or provide comments and information to us at that time also. Once we get those comments and feedback from the public and the regulators sometimes. Even EPA weighs in. They do weigh in. It's part of their responsibility. We'll provide and release a final supplemental that's responsive to that input we receive during the draft process, during the draft review. We'll wait 30 days. At least 30 days after that final is published and we'll have a record of decision and again we are anticipating that that is going to be late, that is all going to happen late spring, early summer because the one date certain. The one date I can tell you with great confidence is August 3rd, 2020. We and NMFS, the fisheries service has to complete this process by August 3rd 2020 otherwise we'll have a lapse in our authorization to conduct, use sonar explosives, conduct many activities at sea that are absolutely critical to ensure the readiness of our sailors and airman and armed services so that's the date certain. August, 3rd 2020 we're striving mightily to have everything done by then and that's my final slide. So if there are any additional comments, questions we'd be happy to entertain them and I'll reach out to my subject matter experts sitting to me left and right when the hard questions come.

Chairman Aguon:

Thank you very much Mr. Van Name. I don't know if there is going to be any direct hard questions, but I will open up the line of questions to my colleagues very shortly. Mr. Tsutsui, thank you very much for the opportunity to be able to allow our people to receive this presentation here at the public hearing room. I think its very important that there is an acknowledgement of exactly what is going on, what the plans are? What additional studies are being conducted as it applies to the impending military buildup. One thing I want to stress again to the public is the scoping period.

Chairman Aguon:

The final date for receipt of any comments from the community would be the 15th of September at this initial scoping period and then you've been provided all of the respective timelines in terms of the draft supplemental EIS/OEIS late 2018. The public meetings will be conducted around that time frame and then in mid 2020 the final supplemental EIS/OEIS will be presented to the public with a record of decision sometime in mid 2020 prior to August 3rd of that particular year. Just a couple of questions and comments. First of all, thank you very much for meeting with our fishermen and women out there. I think that that's an excellent start in regards to your initial scoping because this study relates directly to the nature of their activities, and to involve them in that entire process and giving them that opportunity to be able to understand what the study and the scoping is going to entail and then allowing them to be able to provide direct response during the time frames that have been identified I think is a good start in terms of ensuring that the direct stakeholders in addition to the community of Guam are exposed to some of these activities. The one questions I have with the advent of the new weapons and systems. I know that a statement was made that there will not be any change in the study area. So, I'm trying to consolidate the two trains of thought with the increased weaponry, the systems that are readily available out there, and then the scoping and the areas of study, and you feel very strongly in fact that's the case?

Mr. John Van Name:

Yeah, the area of study and the water space, sea space, air space, land space that's used currently was identified in the 2015 document. We are not going to need to change. We are not proposing to change any of that even though because the military gets new ships, the DDG 1000 is being introduced to the fleet. Littoral combat ship is being introduced to the fleet. This analysis will consider the new capabilities those platforms, those ships may bring, but again the footprint of the analysis is not going to change. We are not changing anything in that regard.

Chairman Aguon:

Okay, thank you very much for reaffirming that particular statement and that position. Mr. Speaker? Vice Speaker Terlaje?

Vice Speaker Therese Terlaje:

Thank you. I had a couple questions – when you talked about in page 12, the no action as an alternative that would be proposed. So no action in this case is going to mean continuing the current MITT scope or size or study area and activities right?

Mr. John Van Name:

We are still waiting to get through scoping to officially and formally decide which type of no action we are going to have. So we want to hear from the public because in the past we have always heard, we've been criticized because we didn't have a no training no action alternative.

Vice Speaker Therese Terlaje:

Right, no activity option.

Mr. John Van Name:

Right, no activity that relies on that permit that NMFS will not provide us under their no action. For the Atlantic EIS which was recently released for public review. They were in their public review period. That was a type of no action that was considered for that document. So that's on the table for us to consider it, but until it's premature and inappropriate for us to say what our alternatives are. You know we are here to get your input aside to help us form alternatives, but oh by the way here is what our alternatives are. Right? So we are waiting. We really are waiting to make those final decisions until the scoping period is done because we want to hear what people say. In the way of what type of no action they feel is appropriate for us to put into our analysis and what additional action alternatives that we may need to consider.

Vice Speaker Therese Terlaje:

For example, limiting the scope of the area or the frequency or things like that could also be alternatives. Is that correct?

Mr. John Van Name:

Even in the past document, when we look at the 2015 document we've considered alternatives such as that like to cease training or to training somewhere else or to train less than is required, but many times they don't meet the purpose and need. The Environmental Policy Act we really need to look at alternatives that are reasonable. Any alternative that would not allow the navy to meet its mission requirements, to train to those requirements would be considered not a reasonable alternative to not train. So, we most certainly look forward to the public giving us those comments like that, and they have in the past, and they will--somehow--they will be addressed in the document. These are either as alternatives carried forward for analysis as we did in 2015, and all alternatives are considered, but not carried forward, because they weren't reasonable alternative. They didn't meet our purpose and need, like, just for another example--one that you'll see in the 2015 document--is to have all training done synthetically. Let us sail as an airman sits in front of a computer screen with 3D goggles of what not, and train in a synthetic environment. And, while they *do* rely on synthetic training, for those early stages of training, it's not realistic. They would not be prepared if that's all they relied on. So, that's an alternative that we've considered and we identify in the EIS, but it's not carried forward because it's not an alternative that could reasonably be considered for a decision.

Vice Speaker Therese Terlaje:

For the decision, this decision will be made by the Navy. So, could you just remind us, for the MIRC, how long did the record of decision authorize that MIRC? Is that forever?

Mr. John Van Name:

The NEPA (the Environmental Policy Analysis) directive decision is not limiting the time sense.

Vice Speaker Therese Terlaje:

All right. So, that's the same for the MIRC, the MITT.

Mr. John Van Name:

That was the same for the Merck and the MITT.

Mr. John Van Name:

We made sure that in the 2015 document, that the analysis--and this is what the center of the probable quality regulations tell us we need to do--is that the analysis is good until it's not, and when it's not good is when either there's a substantive change in your proposed action, and now that analysis that we're relying on is no longer valid, or if there's a substantive change in the science; if new science on animals status changes, we have to go back and supplement.

Vice Speaker Therese Terlaje:

So, these permits--we're doing the supplemental then, not because you need an additional authorization, you need the permit to be renewed for five more years. That's what you're seeking--five more years beyond 2020, because I was wondering why we're doing a supplemental--not a new EIS, like starting a new action, but okay, so you're just going to say this action gets to continue as long as forever with permits--

Mr. John Van Name:

Continuing on, and then with authorization of five year blocks. Even though the 2015 MIT--and back when we were here briefing and telling people we're saying it's really the Merck; the 2010 Merck going on. It was appropriate to do a full up EIS for that, even though nothing land-based was proposed different; no changes, no substantive changes from 2010, to how we train on land. We expanded; broadened the scope--the aperture of the analysis to include these new areas that previously we didn't analyze, which is good--gives us a better analysis. We also better incorporated the testing activities that occur in the Marianas as well as our own study areas. Previously, we focused just on training, and now we include in that same analysis testing. The level of testing in Southern California let's say, is a lot, because that's where the laboratories are and that's where testing commands are, there's still some testing that may happen here during events, or may happen while they're conducting training; concurrent with training, testing that new software, let's say, that's in a system.

Vice Speaker Therese Terlaje:

All right. I was looking through the reports. So, we see the reports that are required by the permits, but no other, well, I didn't see any other reports that kind of report--maybe these weren't required in the ROD reports on the effects on fisherman, but we do see the reports regarding--they are tagging turtles, so they're trying to get the location. They pull them up in the boat, measure them, take a skin sample, put a GPS monitoring device on them, and so, for example, the turtles. The findings seem a little vague. I know that it's just begun in 2015. The question was--what was the occurrence and/or habitat use of sea turtles in areas that the Navy conducts underwater detonations? And the answer was--15 turtles have been outfitted with the satellite tags inside and out of Apra Harbor. 13 of the tags have completed their data transmission period. From the spatial analysis of the GPS locations and movements from these satellite tags, we've not seen direct overlap of the turtles with the Agat Bay mine neutralization site, Piti Point mine neutralization site and outer Apra Harbor underwater detonation site. However, turtles are spending significant amounts of time in and moving through areas within 1-2 kilometers of these sites and the lack of overlapping GPS points could be due to the relatively low frequency of GPS locations obtained from these tags. Analysis and filtering of argos location classes, see supplemental materials may provide more data on daily locations so yeah. I was also looking to see reports on the training exercises like how often they occurred and in which locations.

Vice Speaker Therese Terlaje:

Some of these reports for example, the number of active sonar hours or amounts of explosives information regarding these exercises are not included and sometimes they are listed as classified and so we just see asterisk. Like you see the activity in asterisk, asterisk, asterisk, so there is not much data for us to see there. For the turtles I admit there is data from the GPS so hopefully everybody can have access to that. Another question was, yes, so the permits. This is why I was looking through it. So the permit for five years authorized an average of 12,580 detonations of various magnitudes per year for five years, and 81,962 takings of 26 different marine mammal species per year for five years, but I couldn't find a number of takings exactly in the report. Is there a --- maybe I just didn't read it right. Is there a report on that, the number of takings since 2015 I guess?

Ms. Julie Rivers:

We don't have a direct way to quantify the take. So what we do track is the amount of hours that were authorized and making sure that we are staying within the amount of sonar hours or the amount of explosives that were authorized. So that's what's reported to National Marine Fisheries Service and we acknowledge that a lot of those data are classified and so they provide it to National Fishery Service and they have the clearance to review that material. So we do track. That's how we quantify essentially the take is the amount of hours that were authorized and making sure we don't exceed those.

Vice Speaker Therese Terlaje:

By the way, I noticed in page 9 when you described the take you just described taking as harassment, but is that different than NOAA's definition, which defines taking to include you know killing and much more activity than harassment.

Ms. Julie Rivers:

So take, take can include everything from harassment to mortality. So what we do in our analysis and again we haven't started the analysis for this document, but for the 2015 document, we provide them with our estimate of what the takes will be and in the letter of authorization you are referring to, they are split out by level B, which is harassment, or level A, which is injury. So the majority, 90 something percent of them are level B, which is behavioral harassment. Level A, we did have some anticipated injury, or some modeled injury. We don't anticipate injury, but we did have some level A and we had no mortalities. So in this case, we use the, again as John said they are a cooperating agency, so we use the same definitions under MMPA and ESA in our consultations and then it goes through the modeling process and then they give us the authorization.

Vice Speaker Therese Terlaje:

I just wanted to make sure because I had been using that definition, but in this document it doesn't say all those things. I just wanted to make sure and then in this report again there is only one reported annual exercise report for the MITT period August 2015 to August 2016 and it says that no major training exercises have been conducted. Does that mean that the training exercises we've been hearing of, like the joint exercises, those are, I don't know, not reported because, I'm not sure. Is that, why are those not included in these reports? Or were they not

Ms. Julie Rivers:

The requirement is to keep track and report on major training exercises, so the other ones are not reported because they don't, they're not considered major training exercises.

Mr. John Van Name:

Right. It's a similar, everywhere else we train, like Southern California, Hawaii, the major training exercises are, it's a term, under the marine mammal protection act, under that authorization those activities that have a number of ships, a large amount of sonar that may be planned. And even though, even in Southern California, there's training going on everyday, the authorization asks, you know provides us a specific, and we do report the cumulative hours of sonar, the amount of sonar, the types of sonar that are used that is provides in them sent a classified annex because its could suggest levels of readiness that we can't broadcast at an unclassified sense but even in Southern California, where there's training everyday what actually makes it into the exercise report are those major training events like a comp 2X, like the rim of the Pacific in Hawaii so we don't inventory in categories everything for the permit, but they do want to see these major events categorized.

Vice Speaker Therese Terlaje:

Alright, has Guam had any major events since this reporting period?

Mr. John Van Name:

The major event for the Mariana region is an event such as a valiant shield, which happened fall of 2016. So the other events just don't have the level of sonar activity or activity associated with them to reach that trigger of being called a major training event for permitting purposes.

Vice Speaker Therese Terlaje:

Alright. Okay, and then is there any point where the public could comment on the Marine Fisheries Services input or where we could comment on their permitting process or their findings?

Mr. John Van Name:

Yes, ma'am, absolutely and even though we have our Environmental Policy Act schedule which has report on our draft and our final EIS, the ability to comment. Their rule making process to issue that final rule which then gives us our letter of authorization, they will also have a proposed rule, which then reiterates everything that we have in the EIS and then some and then more things specific to their regulatory requirements, but the public does get an opportunity to comment on the proposed rule and then we work with MEMS to reconcile comments and making sure that our answers are well thought out between both parties, but the public gets with us, in our Environmental Policy Act procedure, three opportunities to comment, then they get an additional opportunity to comment on the very same analysis with the specificity of looking at Marine Mammal Protection Act over that proposed rule when that's released as we did in 2015 and as we did in 2010.

Vice Speaker Therese Terlaje:

Okay. Proposed rule meaning, is that, the proposed rules, does that mean the proposed permit or some other data we're looking at?

Mr. John Van Name:

Yeah, it's a rule make- You go ahead and take it Julie, you know it better than I do.

Ms. Julie Rivers:

Yeah, I know the regulatory definitions but yes, there's a proposed rule which goes out in the Federal Register that talks about our acts and talks about what they're planning to authorize what the mitigations will be. Then there's the final rule and what we call the permit is essentially the letter of authorization so that really drills down and gives us the exact numbers for the authorizations, but the proposed rule and the final rule go into a lot more of their analysis and as John said, the proposed rule is the time for the public to comment and the Federal Register.

Vice Speaker Therese Terlaje:

Alright, is there any requirement to monitor coral outside of FDM? You said you're monitoring the coral around FDM, but what about other places? Is that also part of this monitoring?

Ms. Julie Rivers:

We don't. The only requirement for the ESA listed corals is around FDM from the National Marine Fishery Service. We do also do a consultation under Magnus and Stevens which is for essential fish habitat and we work through that consultation process also with National Fishery Service and in that case, in the last document John referred to sometimes at the very very end of things we'll make a change in the FEIS or in the ROD, in that case, our EFH consultation resulted in reducing the amount of pounds of explosives we were going to use for example in Apra Harbor. So we looked, we worked with them on it. They said "Hey, right now you're asking for 20 pound charges, can we reduce that to 10." and we acknowledge that we could at that point. So there's consultation process and there's kind of a discussion there. A lot of the coral monitoring and research is done by joint region Mariana's under the INRMP, the Integrated Natural Resources Program, and so that feed any of the analysis that we do, but National Marine Fisheries felt like in this instance the only place that both agencies felt like we would have a direct impact of coral might be FDM. And so that's where we're required to do to continue the surveys.

Vice Speaker Therese Terlaje:

Alright. I want to thank you, all of you, for being here and for your answers and yeah. Looking forward to continue public notice and comment on on every-, at every available opportunity that they might have. Thank you for that.

Chairman Aguon:

Thank you very much Vice Speaker Terlaje, Senator Esteves. Thank you for joining us this morning. Do you have any comments or questions?

Senator Fernando Esteves:

Yes, thank you Mr. Chairman. Thank you for the opportunity, thank you for the information you've provided.

Senator Fernando Esteves:

I will at this time reserve comments until I see the draft EIS, which I'm assuming would get forwarded to us and again, as the Vice Speaker reiterated, I look forward to additional public input in this and honestly, just continued support from JRM with regards to the concerns from the locals here, into the impact, understanding Guam's unique, both geography and ecology and not just how it affects not, but how it affects future growth for not just Guam, but the Marianas as a whole. Also, I request that as you go up to the northern islands, as you go up to Saipan and Rota and Tinian, and get their comments, that, that be provided to this body as well because I think it does play a factor, considering we're generally one people in how we make our decisions here and how we input into this process. Thank you.

Chairman Aguon:

Thank you very much Senator Esteves. Just to follow up on that request. When individuals submit position papers or responses to this scoping, and you prepare the draft EIS and OEIS, are those comments visible or readily available to the public?

Mr. John Van Name:

Yes. All the comments received at any stages are part of the official admin record during the scoping period, the comments we received, we typically, rather than dealing with each comment individually, we thematically, like there is a number of comments received saying that we have a no training, no action alternative, there was a number of comments received saying that we don't train or do something different. So in this phase, when you see the draft document, the draft EIS, will have a scoping report that provides those overall themes that we heard, fishing access is always number one and then we anticipated that, that's why Monday, we went to see the fishermen. When the draft EIS comes out, then we get letters. Then part of that draft EIS will have a chapter that has public- in the final EIS, we'll have a chapter that has all of the letters all of the inventory of those substantive comments that we received and again, we'll try to block them together when many people say the same type of thing, we'll block them together and have an answer if that's responsive to that block of comments, but you'll see a greater detail in that final EIS for the comments received on the actual analysis.

Chairman Aguon:

Okay, thank you. Madam Vice Speaker, another question?

Vice Speaker Therese Terlaje:

My question is, is there any part of this process that requires the governor's signature or the government of Guam to issue a permit or any other action by the government of Guam?

Mr. John Van Name:

There's no permits that are required. But we do when appropriate, as appropriate, go to the office of planning under the Costal Zone Management Act. That's the one place that comes to mind right off hand where where we deal directly with and consult directly with the- your planning offices as well as the offices up in the CNMI. So under the CZMA, Costal Zone Management Act, there is a-, we see the concurrence on determinations from your appropriate offices.

Vice Speaker Therese Terlaje:

Thank you very much.

Chairman Aguon:

Thank you very much again, Senators, for joining us. Mr. Tsutsui, thank you and I certainly hope that you have an appreciation of the process that we are using and applying today, because I believe that any activities moving forward is going to be essential to, at least involve the community and allow them access and visual sight of exactly what the nature of these conversations are. Especially as it applies to the military build up. So thank you very much Mr. Tsusui, Mr. Salas, Mr. Van Name, Ms. Rivers. I apologize, I said Rivera, but Ms. Rivers and to your JAG, thank you very much for joining us this morning. Ladies and gentlemen, this concludes the discussion on the informational hearing and we will follow it up when the draft SEIS is complete. Thank you very much, have a good day.

Mr. John Van Name:

Thank you very much, I appreciate the opportunity and good to see you again, sir.

The Informational Hearing was adjourned at 11:30 AM.

III. WRITTEN TESTIMONY

The following individuals submitted written testimonies to the Committee on Guam U.S. Military Buildup, Infrastructure, and Transportation *before, during, or after* the scheduled Information Hearing on Friday, August 18, 2017 at 10:00 AM:

1. Mr. L.M. Foster, Department of the Navy

IV. FINDINGS & RECOMMENDATIONS

The Committee on Guam U.S. Military Buildup, Infrastructure, and Transportation hereby reports on the Informational Hearing of the United States Navy 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) and the Navy Pacific Fleet (PACFLT) with the recommendation report out.

Senator Thomas C. Ada,
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terlaje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telena C. Nelson,
Member



Senator Dennis G. Rodriguez, Jr.,
Member

Senator Joe S. San Agustin,
Member

Senator Michael F.Q. San Nicolas,
Member

Senator James V. Espaldon,
Member

Senator Mary C. Torres,
Member

COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
 SIKRITARIAN LIHESLATURAN GUAHAN
 I MINA TRENTAI KUÁTTO NA LIHESLATURAN GUÅHAN
 LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

COMMITTEE REPORT CHECKLIST

Part 1 / 1

INFORMATIONAL HEARING By Senator FRANK B. AGUON, JR. on August 18, 2017 regarding 2015 Final Mariana Islands Training and Testing (MITT) Environmental Impact Statement/ Overseas Environmental Impact Statement (EIS/OEIS)		
(A) PUBLIC HEARING	(1) HEARING NOTICES SR §§ 6.04(a)(1) and 6.04(a)(2), Open Government Law (5 GCA, Ch. 8)	
	<input checked="" type="checkbox"/> (a) Five (5) working days prior (ALL Senators & ALL Media)	Date and Time of Notice: <i>Fri., August 11, 2017 @ 12:10 p.m.</i>
	<input checked="" type="checkbox"/> (b) Forty-eight (48) hours prior (ALL Senators & ALL Media)	Date and Time of Notice: <i>Wed., August 16, 2017 @ 9:17 a.m.</i>
	(2) Date and Time of Hearing: August 18, 2017 @ 10:00 a.m.	(3) Location: Guam Congress Building, Public Hearing Room
(B) COMMITTEE REPORT	(1) Committee Report filed with COR? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Date & Time: 9/6/17 4:01 p.m.
	(2) COMMITTEE REPORT COMPONENTS	
	(a) Front Page Transmittal to Speaker	<input checked="" type="checkbox"/>
	(a)(1) COR Chair Signature Line	<input checked="" type="checkbox"/>
	(b) Title Page	<input checked="" type="checkbox"/>
	(c) Notice of Public Hearing & Other Correspondence	<input checked="" type="checkbox"/>
	(d) Public Hearing Agenda	<input checked="" type="checkbox"/>
	(e) Public Hearing Sign-in Sheet	<input checked="" type="checkbox"/>
	(f) Written Testimonies & Additional Documents	<input checked="" type="checkbox"/>
	(g) Committee Report Digest(s)	<input checked="" type="checkbox"/>
(h) Related News Reports (optional)	<input type="checkbox"/>	
(i) Miscellaneous (optional)	<input type="checkbox"/>	
(j) Committee Report Checklist(s)	<input checked="" type="checkbox"/>	
	Originals	<input checked="" type="checkbox"/>
	Single-Sided	<input checked="" type="checkbox"/>
	Letter Size	<input checked="" type="checkbox"/>
	No Staples/ Paper Clips	<input checked="" type="checkbox"/>
(C) COR Action	<input checked="" type="checkbox"/> CMTE Report duly filed	COR CHAIR (Signature, Date & Time) <i>[Signature]</i> 9-7-17 9:30 a.m.
	<input type="checkbox"/> CMTE Report non-conforming for acceptance; Return to Committee	

N/A
N/A