



Draft Environmental Impact Statement NOPE- Member Comments

Lack of “preferred choice” route

The long-awaited Draft-EIS document does not in fact identify a “preferred” route. Indeed, none of the supposedly feasible routes merits being “preferred,” which may be why the authors could not decide. The draft EIS is therefore merely a work in progress in terms of offering an “actionable recommendation” as well as a draft in a word smith context.

Incorrect exclusion of the “null” option (i.e., do not build unimpeded access at all)

The authors of the Draft EIS wrote that they were obligated by law to report on the “null” option (not building any access road) and in the body of the report they acknowledged that every adverse impact cited on security, explosives safety, the environment, traffic, and many others would be reduced to zero by not building an “unimpeded” access route to Laurelwood housing. Nevertheless, the authors refused to include the “null” route as “feasible” because of their incorrect assertion that “The Navy would be in breach of the lease agreement if unimpeded access is not provided at the termination of the lease-in period.” Contrary to that statement, the U.S. Navy can make the “null” option feasible from a contractual perspective by:

- a) Continuing to pay the property owner the contracted occupancy rate (of about \$3,500,000 per year)
- b) Buying the property
- c) Invoking “national emergency” legislative provision to cancel the contract

Given the obligation to consider the null option, the EIS team should have assessed all courses of action before discarding the “null” route. I of course regard both buyout and contract cancellation to be preferable to paying rent to a developer on unoccupied housing units and believe all road alternatives deserve evenhanded examination. However, the Draft EIS is so bereft of relevant quantification, especially lifecycle cost quantification, that it does not make the case (nor even assert) that paying \$3,500,000 for the remainder of the contract is more expensive than the costs and risks associated with candidate Routes 1-4. Also, the EIS’s few instances of priced-out specificity, such as the cost of building a given route, do not indicate who incurs the cost. Nor who pays, and how much over the 30-year lifecycle of the contract (which for a road could exceed the initial cost).

Given the risks and impacts described in this Draft EIS, the null option is by far the one to be preferred, because it costs nothing, disturbs nothing, and has functioned well for twenty years, etc.

Fulton Wilcox

Security & Explosive Safety

The Draft EIS does state that about 150 security personnel, both service-members and private guard staff, defend NWS Earle. With perhaps 80% available for duty at any given time, this number equates to an average of about 40 personnel on duty 24x7 to secure



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roughly 16 square miles, including a distant shore-side facility, twenty or more miles of perimeter fences, a twelve mile rail route, hundreds of explosive storage bunkers, along with vessel, rail and truck operations etc. A Mumbai sort of incident, with widely spaced incursions, would clearly create grave difficulties, even without having to worry about either protecting the civilians or defending against terrorists intermixed with innocent civilians.

It is unlikely that there are slack security resources to deal with a small town of 300 homes and the additional risks of unimpeded access to the housing areas and other changes in requirements, incident levels and the like. (Slack” is planning jargon more or less synonymous with “underutilized.”) With access to the Base perimeter presently closed except for guarded entrances, the 150 security personnel presumably have their hands full in dealing with day-to-day matters and peak loads (e.g., when some ship comes in to load or offload or when some security alert occurs). Compared to several years ago (as described on some web documents from 2002-2003), the size of the Earle security staff today is pretty much unchanged, so 150 can be considered an “equilibrium” value for a “closed” Base area. We of course hope to get a copy of the Navy IG audit of NWS Earle security.

The Navy has at various times made public references to its security staff strength, including in the draft Laurelwood EIS. Therefore, there is no “security” alibi for not making public its proposed enlargement of that staff to address what the EIS acknowledges to be a more challenging environment for its security team.

It is not evident from the EIS draft that the Navy has used any sort of staff scheduling or incident management models to determine the impact of this additional load on what is, in all likelihood, a rather thin security force. The Navy (or at least the EIS authors) offers an open-ended “we will provide” blank check without any evidence that it understands even near-term commitments, let alone those over 30 years.

Three of the four routes not only place hundreds of civilians far inside the base, but the security fencing proposal does not separate the civilian residents of Laurelwood from military residents in base housing, and the “unimpeded access road” being built for non-military civilians will in fact be shared with military residents.

The security plan for routes 1-3 only provides for security fencing along the south side of the access route, not the north side. Therefore, the base area north of the access road and immediately north of Laurelwood (perhaps 100 acres) will be accessible from the new road and from Laurelwood housing. The three routes vary only in inclusiveness. Route 1 intermixes Laurelwood residents (and anyone else using “unimpeded access to Laurelwood parking) with Stark Road military housing residents; Route 2 intermixes Laurelwood residents with both Stark Road and Green Drive housing military residents, while Route 3 intermixes Laurelwood residents with the other two military housing complexes plus one additional officer’s housing unit on Gela Road.

From the perspective of the security and perhaps lifestyle of base personnel (unhappy Laurelwood tenants may be knocking on military residents doors to complain about water pressure or leaky roofs), these routes therefore qualify as bad, worse and worst,



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respectively. They also probably create contract “breaches” (or at least require change orders) because the road sharing arrangement would presumably not be consistent with the property owner paying for the road’s construction.

Fulton Wilcox

This draft is woefully inadequate and, in my view, fails to answer *any* of the questions we've pressed the Navy on, and is a staunch "we're going thru with this no matter what" posture, and laughs at the security, business case and legal arguments NOPE has made as an organization. I am not surprised, nor discouraged. As well, for one second I don't buy the "win-win" argument of some of our elected leaders about how Laurelwood should be handled; this continues to be a Navy wins, developer wins, local communities/taxpayers lose arrangement.

Bill Holobowski

We have become too complacent, and the Navy’s plan to allow civilians to reside deep within Naval Weapons Station Earle is proof positive that even our military leaders have very short memories.

Ernest Janssen - Diana Piotrowski

Why would the Navy want to place ANY residents in harm’s way or in an area with questionable ground water contamination and excessive trihalomethane and arsenic levels?

Beth Burke

One potential response is for our Congressional representatives to encourage the Navy to retract the “Draft EIS” as not meeting the minimum regulatory and commonsense threshold standards of what was meant to be a kickoff document for the 45-day review. To borrow football terminology, the “referees” (perhaps including Assistant Secretary Penn himself) should classify the “kickoff” document out of bounds and require a re-kick. The quality of the dialog and the subsequent “final” EIS cannot help but be degraded by the shortcomings of the draft.

Not only is the draft EIS not very informative to those of us who are against the Laurelwood initiative, it is not very helpful to anyone for the initiative and it certainly is not helpful to anyone implementing the initiative.

Fulton Wilcox

Has the Navy violated its statutory duty in entering this lease, which on its face says it serves the interests of the government? Obviously the government's interests can be polar opposite at times to the interests of the public and even the national defense.

The lease language gives the Navy the right to revoke without penalty in the case of a National Emergency.

Jacque Hoagland