



Neighbors Opposed to Privatization at Earle

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Official Response

Draft Environmental Impact Statement For Laurelwood Housing Area Access Naval Weapons Station Earle Colts Neck, New Jersey

Distributed to the public for review on November 28, 2008

The U.S. Navy continues to ignore security, legal, financial and environmental concerns posed by Neighbors Opposed to Privatization at Earle (NOPE) regarding their plan to house civilians in 300 existing (Laurelwood) housing units at Naval Weapons Station Earle by September 2010. Earle is the largest weapons storage facility on the East Coast, and is located in Colts Neck, New Jersey.

NOPE finds that the "Draft Environmental Impact Statement" (D-EIS) issued Friday, November 28, 2008, and available at <http://www.laurelwoodeis.com/Default.aspx> and at local libraries, blatantly disregards the repeated concerns of NOPE's more than 1,000 supporters in the towns surrounding NWS Earle, whose mission is to "provide ammunition to the (Navy) Fleet" and whose *Mainside* installation guards **300 munitions bunkers** and 11,035 acres covering Colts Neck, Tinton Falls and Wall Township.

The D-EIS even contradicts the good intentions of Assistant Secretary of the Navy's statements to NOPE and elected officials that his "first concern is for the security, safety and well-being of service members and their families;" yet, the D-EIS is a prime example of "trading down" on service-member welfare concerns for the sake of an illusionary, and certainly no better than a partial saving of \$3.5 million per year.

Unfortunately, the D-EIS is nothing but a perfunctory document that fails to justify why the Navy is putting its own financial interests and that of a private Washington State developer ahead of the safety of Earle's good neighbors, at a time when terrorism abounds worldwide. (*The ongoing trial of suspected Fort Dix terrorists here in New Jersey, and attacks in Mumbai, India, clearly show that military and soft targets remain primary venues of terrorism.*)

The haste and timing with which the U.S. Navy plans to conduct the "draft stage" of the EIS adds further credence to NOPE's longstanding arguments against civilian occupation of 300 homes at NWS Earle from 2010-2040 (*before contractual demolition in 2040*) and why the contractual need for "unimpeded access" to Laurelwood is a **recipe for disaster** as detailed in the following pages.



Laurelwood-Civilians Living In 300 Housing Units - A Recipe For Disaster

Security:

- Two weeks after a report that NWS Earle was awarded \$8.16 million to improve main gate security (*Asbury Park Press, November 16*), the Navy offers 400 pages of rhetoric in justification of a proposed new, **unimpeded access road**. Unfortunately, Navy analysts failed to address security questions as expressed by NOPE and elected officials – a glaring omission that demands an answer to the community.
- The D-EIS provides no substance regarding **security and explosive safety program enhancements** that Earle will need to implement in order to adjust to the leasing of on-base housing to a large number of civilians
- Unscreened residents (*background checks are not a requirement of the lease agreement*) commingled with Navy personnel could prove to be disastrous

Lack of Preferred Route:

- The long-awaited D-EIS does not in fact identify a “preferred” route for the construction of the unimpeded access road to the Laurelwood housing units. It does however, identify four “alignments” three of which would not only place hundreds of civilians deep inside Earle, but the security fencing plan would not separate civilian and military residents living in base housing as prescribed; and the unimpeded access road being built for non-military civilians will, in fact, be shared with military residents
- The fourth alternative (Alignment 4) would cut through the heart of the base (i.e. behind the main gate) and require the Navy to relocate weapons bunkers, cross through environmentally sensitive areas, and cause other problems

Legal:

Navy analysts blatantly ignore the government’s right of revocation. The “Purpose and Need” that starts the D-EIS is a circular, smoke-and-mirrors tactic that ignores the “**No Action Alternative**” (*i.e. the government’s legal right to terminate the lease or compensate the developer for a buyout*). The D-EIS only fortifies NOPE’s argument that the Laurelwood contract violates the law and fails to promote the national defense and public interest.

- During a national emergency declared by the Congress of the President pursuant to Title II of the National Emergencies Act of 1976 (Public Law 94-412, 90 stat. 1255), the government has the right to suspend or terminate the out-lease at any time, without prior notice, and regardless of any lack of breach of lessee of any of the terms and conditions of the lease.
President Bush has renewed the declaration each year since 9/11
- Following the breach of security at Fort Dix, President Bush signed into law PL 110-81 (The National Defense Act of 2008), requiring thorough background



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- checks of civilians *working* on military bases; as Laurelwood will remain on federal, Navy-owned property, civilian visitors should be subject as well.
- The D-EIS claims a “No Action” plan would be a breach of contract, but fails to address the option of a mutually agreed upon buyout with the developer.
 - The D-EIS’ inability to produce a determination by the Secretary of the Navy that it would promote the national defense or be in the public interest, confirms that this lease is in violation of federal law.

Financial:

- There is not one iota of cost analysis as to what this will cost the Navy from 2010-2040, and the D-EIS only fortifies our argument that the government is turning over federal property for the profit of a private entity. NOPE’s own “**Business Case for Laurelwood Housing**,” available to the public on our website (<http://www.orgsites.com/nj/nope/>), conservatively pegs savings of \$60 million to the Federal government and at least \$300 million to the host school district (*Tinton Falls*) by taking Laurelwood housing off the commercial market.
- The D-EIS validates NOPE’s contention that **the Navy is putting us at risk to avoid what amounts to a bad housing contract.**

Affordable Housing:

- **NOPE is not anti-affordable housing**, as some misguided critics would have it. Two sections of the D-EIS prove that Laurelwood will go to market well above affordable housing rates and will not meet COAH standards. Section 4.2.1.1 shows that the developer will fully refurbish and market Laurelwood’s 2-, 3- and 4-bedroom homes at set rentals between \$1,590 and \$2,145 per month, well above affordable housing rates in the area, as expressed in section 6.1.2.1 of the D-EIS.

NOPE would encourage continued support from the communities surrounding Earle, and ask that all concerned citizens immediately and continuously contact your elected officials, and write the Assistant Secretary of the Navy, expressing your objections to this ill-advised Laurelwood contract. NOPE will remain focused on protecting our communities and exposing the numerous flaws of civilian housing at NWS Earle.

NOPE also encourages all concerned citizens to become part of the official public record at <http://www.laurelwoodeis.com/Default.aspx> (*Click on comments*) express your views and voice your opinions prior to the January 23, 2009.



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Copies of the Draft Environmental Impact Statement can also be found at:

- Monmouth County Library (Eastern Branch), 1001 Route 35, Shrewsbury, NJ 07702-4398
- Monmouth County Library (Colts Neck), 1 Winthrop Drive, Colts Neck, NJ 07722-2225
- Tinton Falls Public Library, 664 Tinton Avenue, Tinton Falls, NJ 07724

Comments Can Be Mailed To The Following:

NAVFAC Atlantic
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The Honorable BJ Penn
Assistant Secretary of the Navy
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Washington, DC 20350-1000

Additional Copies Can Be Mailed To The Following:

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