



ST. CLAIR COUNTY BOARD

10 Public Square • Room B561 • Belleville, Illinois 62220-1623

MARK A. KERN
CHAIRMAN

(618) 277-6600
Fax (618) 825-2740

April 29, 2016

U.S. Army Corps of Engineers, Kansas City District
Attn: Amy Snively
Room 529
601 E. 12th St.
Kansas City, MO 64106

Re: Next NGA West (NGW) Campus - Final EIS Comments

Dear Ms. Snively:

St. Clair County is deeply disappointed that the St. Louis City site was chosen in the Final EIS as the preliminary Agency Preferred Alternative for the Next NGA West facility.

The stated intent of the EIS was "to inform the NGA decision makers of the potential project impacts through a complete and objective analysis of the alternatives." In fact, for reasons unknown, the Final EIS clearly reveals a predetermined bias in favor of the St. Louis City site. We had hoped that our comments to the DEIS would have resulted in substantive changes to the Final EIS. It is disheartening to note that most of these comments were evidently disregarded. Even the simplest of corrections, such as a negative reference to a document pertaining to a St. Clair County in Michigan, was ignored. In fact, the FEIS actually added another negative reference to an environmental issue existing in St. Clair County, Missouri!

St. Clair County still unequivocally believes that the Scott AFB (St. Clair County) site best meets the needs of the NGA based on all six levels of criteria, including support of the NGA's mission, existing and available workforce; security; environmental considerations; applicable regulations; schedule; and cost.

St. Clair County completed an in-depth review of the "Final Environmental Impact Statement (FEIS) for the Next NGA West Campus." We have identified several items, summarized in this package, that we believe require further analysis and quantification before issuance of the Record of Decision. In our opinion, the FEIS greatly overemphasizes minor impacts at the Scott AFB (St. Clair) site while downplaying significant negative impacts at the St. Louis City site.

When the biases of this FEIS are removed, we believe that any truly objective analysis should clearly point to the Scott AFB (St. Clair) site as the overall Preferred Alternative.

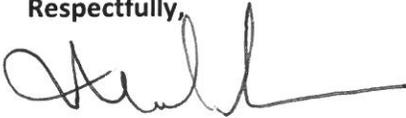
On behalf of the St. Clair County Board and our residents, I offer my endorsement of and support for the Scott AFB (St. Clair) site as the home for the Next NGA West Campus. This site has tremendous local support and will best serve the future of the NGA. The Scott AFB (St. Clair) site has by far fewer overall environmental,

significant and adverse impacts, less costly cleanup efforts, relocations of minority and low income residents (Environmental Justice) and infrastructure requirements than the other sites.

We strongly request reconsideration of this preliminary decision; which was subjectively based on erroneous and biased information.

Enclosed you'll find comments we have prepared addressing misstatements in your FEIS. Please include our document in its entirety in your final document.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mark A. Kern', with a long horizontal flourish extending to the right.

**MARK A. KERN, Chairman
St. Clair County Board**

Enclosure

**Comments on the Agency Preferred Alternative
as part of the Final Environmental Impact Statement
Next NGA West Campus
Greater St. Louis Metropolitan Area**

The following observations and comments are submitted on behalf of Chairman Mark Kern of the St. Clair County Board in response to the Agency Preferred Alternative and Final Environmental Impact Statement (FEIS) for the Next NGA West Campus in the Greater St. Louis Metropolitan Area.

OVERVIEW

The FEIS states that the St. Louis City site was identified as the Agency Preferred Alternative based on its ability to:

- best serve the mission and vision for NGA’s future,
- meet the schedule at least cost, and
- minimize impacts to the environment.

We believe that all three of the assertions are incorrect – indeed, false – and based upon a series of consistently flawed and manipulated analyses.

1) Mission and Vision.

- a) Security. Significant information concerning the mission security and antiterrorism/force protection (ATFP) profile of the St. Louis City site has been overlooked and/or ignored.
- b) Recruitment. The results of a survey of prospective NGA West employees on preferred site locations were cited as evidence that NGA’s ability to recruit members of the millennial generation would be significantly greater at the St. Louis City site.
 - i) Twenty respondents preferred the St. Louis City site, while 12 preferred the St. Clair County/Scott Air Force Base site – a difference of 8 respondents. These results are statistically insignificant.
 - ii) FEIS Section 4.1, Socioeconomics, states that of the 2,927 current NGA West employees, 9.3% (273) reside within St. Louis City; 29.9% (878) reside in the State of Illinois; and 60.6% (1,776) reside in Missouri, outside St. Louis City. Yet the fact that 3.2 times as many NGA employees reside in Illinois than in St. Louis City is not given any weight to offset the statistically invalid millennial preference survey.
 - iii) Approximately 5,100 civilian workers are employed at Scott AFB – many in highly technical positions at USTRANSCOM, DISA CONUS, Air Mobility Command, and other units. If difficulty in recruiting qualified applicants for technical positions requiring security clearance exists in St. Clair County, surely these agencies would know. Yet

despite the fact that the FEIS cites ongoing NGA partnerships with TRANSCOM and AMC, no attempt was evidently made to assess the ease or difficulty of recruitment at Scott AFB. We believe the low vacancy rate at Scott AFB is clear evidence of the former. The FEIS's failure to recognize this fact is simply another example of trying to cherry-pick dubious data to fit a predetermined conclusion.

2) Schedule and Cost; and 3. Environmental Impacts.

- a) Relevant information on possible environmental contamination and archeological resources at or in the vicinity of the St. Louis City site that could result in significant cleanup/remediation costs and lengthy construction delays was either ignored or minimized. At the same time, the existence of a single St. Clair County archeological site that had previously been subject to a Phase II investigation, and for which a data recovery plan had previously been approved by the Illinois SHPO, was highlighted as a significant negative factor. Consequently, the St. Louis City and St. Clair County sites were assessed as having identical ratings for Cultural 1-Impacts (including visual) to known historic properties – Major, negative, long-term; and Cultural 2-Potential impacts to archaeological resources from proposed construction – Minor to moderate, negative, long-term impact.
- b) Historical information that was widely reported as recently as 2012 concerning possible environmental contamination at the St. Louis City site due to U.S. Army cold war testing, was not mentioned in the FEIS.
- c) Despite the many significant unknown environmental factors likely to complicate development of the St. Louis City site, the FEIS adopts a cavalier attitude concerning remediation, maintaining simply that “others” will address these significant impacts prior to delivering a “clean” site to the NGA. We believe that any objective analysis of the St. Louis City site would conclude that it is highly unlikely that the site and its many parcels could be mitigated and/or remediated prior to the NGA's announced spring 2017 construction schedule. The significant impacts of the St. Louis site include: historic structures and yet undetermined archaeological sites to be identified, studied, and mitigated; hazardous waste which has yet to be quantified and remediated; and Environmental Justice impacts for disproportionately high and adverse effects to low-income and minority human populations.
- d) Significant community opposition exists to locating NGA West at the St. Louis City site. These groups and their community leaders have shown no willingness to abandon their efforts. Substantial – and possibly terminal – delays could result from this continued opposition:
 - i) Osage Nation (See FEIS Appendix 3.8C, “Therefore, the Osage Nation requests that the North St. Louis site be avoided.”)
 - ii) Save Northside STL (<http://www.savenorthsidestl.com/>)
 - (1) A petition with 99,265 signatures (as of 04/12/16) was not mentioned until page 447 of 491 report: The petition contained 98,726 signatures as of September 14,

2015 (Change.org, 2015). Over the past year, the NGA has received input from several property owners and residents who have expressed both interest and concern over the proposed site development, mostly centered on their rights property acquisition, and relocation assistance. More recently, a group of citizens have posted a website (www.savenortside-stl.com) calling for the protection of 47 residential homes that include some elderly residents who do not wish to be relocated. They specifically request that the NGA remove the St. Louis City site from consideration.

- iii) Tillie's Corner (<http://tilliescorner.com>)
- iv) Institute for Justice (<http://ij.org/action/save-northside-st-louis/>)
- v) Show-Me Institute (<http://showmeinstitute.org/blog/employment-jobs/city%E2%80%99s-%E2%80%99Cnga-millennials%E2%80%9D-pitch-rings-hollow>)

The comments below state additional shortcomings and significant omissions and misrepresentations of the comparison of the St. Louis City site and the St. Clair County site as they relate to the six final decision making criteria.

St. Clair County, Illinois

Comments on the Six Final Decision-Making Criteria

1. Mission Efficiency and Flexibility

NGA's Mission (www.nga.mil) states: *The National Geospatial-Intelligence Agency has a responsibility to provide the products and services that decision makers, warfighters, and first responders need, when they need it most. As a member of the Intelligence Community and the Department of Defense, NGA supports a unique mission set. We are committed to acquiring, developing and maintaining the proper technology, people and processes that will enable overall mission success.*

Geospatial intelligence, or GEOINT is the exploitation and analysis of imagery and geospatial information to describe, assess and visually depict physical features and geographically referenced activities on the Earth. GEOINT consists of imagery, imagery intelligence and geospatial information.

a. Team GEOINT – customers, academia, and industry

The FEIS awarded a high-priority advantage to the St. Louis City site based mostly on perceived millennial preferences to live in urban environments; existing relationships with SLU and Washington University; and industry relationships with firms in the CORTEX district and TREX incubator. We appreciate and encourage the City of St. Louis's continued revitalization and renewal as a thriving urban core. Moreover, we understand the value of NGA's industry relationships with firms in the CORTEX district and TREX incubator. However, the FEIS has clearly overestimated the value of proximity to these areas. Neither the current South Second Street site nor the proposed North St. Louis City site is within walking distance to either of these sites. Regardless of its eventual location, the new NGA West high-security campus will not be a "walkable" facility. The CORTEX site is approximately a 12-minute drive to the St. Louis City site, and a 25-minute drive from to the Scott AFB site. In any event, visits to NGA West by industry representatives will hardly be spontaneous. They must be planned and subject to appropriate security screening, like any other visitor.

b. Team NGA – NGA recruits from two major sources: 1) Recent college graduates, and 2) Scott AFB.

Defense agencies, including NGA, typically recruit new employees from two main sources: 1) military personnel exiting the service through retirement or other honorable discharges, and 2) recent college graduates.

The pool of retiring Scott AFB military personnel with 20 years of service constitutes a tremendous resource for NGA. These service veterans will likely be in their 40's and will be

favorably disposed and oriented toward employment with a cutting-edge national security agency such as NGA. They will know how to work as a team, even under highly stressful conditions. Many will have been forward-deployed. Many will have advanced degrees in information assurance, cyber defense, finance, logistics, and other relevant fields. Also, they will likely already have some level of security clearance, which will be a great advantage to NGA.

The Final EIS seriously underestimates the value of Scott AFB to recruitment and retention. Approximately 300 employees leave Scott AFB every month through normal processes and seek area employment. Many of these have the required credentials and security clearances that NGA seeks. Many of them will go to work for NGA regardless of where the new facility will be located.

While the FEIS gives appropriate recognition to NGA's relationships with St. Louis University and Washington University, it discounts the inherent value in Southern Illinois University-Edwardsville's programs in Geography and a concentrations in GIS or cartography. Moreover, the FEIS fails to appreciate the potential recruiting advantage at the Scott AFB site among the thousands of Southwestern Illinois natives who graduate annually from highly ranked institutions such as the University of Illinois, Illinois State University, Southern Illinois University-Carbondale – and many other colleges and universities both within and outside Illinois – and whose first preference is to find a challenging position close to home.

The FEIS contains no discussion about the unpopularity of the 1% city earnings tax in St. Louis. This was one of the major comments by existing NGA employees and it is well-known in the region as a major complaint and consideration by employees.

The FEIS states that “The population of the St. Louis MSA is expected to be mobile, with residents commuting to work outside their neighborhoods.” This statement stands in stark contrast to one of the basic assertions of the report; that the St. Louis City site should be chosen to recruit millennials who prefer to live in an urban area and presumably would be resistant to commuting to a secure rural site.

From a retention standpoint, approximately 70 percent of the current NGA South 2nd Street workforce lives in Missouri. Therefore, the North St. Louis City site offers the least amount of disruption to the current NGA workforce in terms of commuting time, and could reduce the incidence of families needing to relocate to a different portion of the metropolitan area. However, the FEIS overlooks the fact that the Next NGA West campus will not become active until at least 2022. During that period, normal turnover is likely to result in the retirement of hundreds of NGA West employees, and their replacement by younger Scott AFB retirees – who are likely to already live in Illinois – and those aforementioned millennials, many of whom will by then have started a family and relocated to high-quality, affordable suburban housing in Southwestern Illinois and other communities.

Scott AFB is a place where people want to live and raise a family. In addition, if millennials are everything that St. Louis leaders hope they are (wanting to live downtown and take public transportation to work), the existing MetroLink already goes to Scott AFB, and has committed to establishing a new terminal at the NGA West facility at Scott AFB.

NGA Recruiting

The FEIS devotes two paragraphs to recruitment with most of it related to a survey:

From a recruitment standpoint, many studies indicate that newer college graduates prefer urban environments. The large size of the millennial generation, and its preference for urban living, has been a driver for population growth in cities in recent years. NGA conducted its own survey of 152 students who are currently in the hiring pipeline regarding their employment preferences. Sixty-seven responded to the survey. Only those who were familiar with the Next NGA West Campus project (48 respondents) were asked to respond to questions specifically regarding the four sites. When asked about the specific sites and ranking them 1 through 4, 42 percent ranked the St. Louis City site as their top choice, while 25 percent ranked St. Clair County site as their top choice. Conversely, 25 percent of the respondents ranked St. Louis City site as their least desirable site, and 50 percent ranked St. Clair County site as their least desirable site.

The survey size and results are statistically insignificant. Of the **48** students that responded to this survey, **20** said they preferred St. Louis while **12** preferred St. Clair County. This report gives exceptional weight to the preferences of **8** college students who stated a preference for the St. Louis City site over the St. Clair County site. Currently, the number of NGA employees residing in Illinois is over three times the number of NGA employees residing in the city of St. Louis.

This analysis appears to be biased towards a target population. Demographic breakdown of the target population should be provided. Did the NGA do a regression analysis on such a small target population to verify the validity of the questions? This survey should be omitted from the FEIS.

Scott AFB is nationally renowned for the quality of life associated with the base. In 2014, Air Force Times ranked Scott AFB as the Number-One Base for Airmen in the U.S.¹ The award was based upon the base's many amenities, plus high marks for good area schools, a low crime rate, commuting times, and convenient health care facilities. NGA West employees will enjoy and benefit from these same quality-of-life advantages at the Scott AFB site.

The FEIS neglected to cite recent industry research (National Academy of Science's 2013 report, *Future U.S. Workforce for Geospatial Intelligence*) which strongly suggests NGA

¹ Tied with Wright-Patterson AFB, Ohio

consider recruiting beyond their normal channels and specifically mentioned Southern Illinois University-Edwardsville. Following are two excerpts from the report:

Individuals with knowledge and skills in the core and emerging areas are available, but NGA may not be looking for them in all the right places. NGA focuses recruiting on academic institutions that are near major NGA facilities or that have a large population of underrepresented groups. Only about one-third of these institutions, typically the large state universities, have strong programs in core or emerging areas, although many likely help meet other agency goals, such as increasing diversity. Extending recruiting to some of the example university programs identified in this report would help NGA find the geospatial intelligence expertise it needs. (Recruiting, Page 6)

Although the supply of experts is larger than NGA's demand in all core and emerging areas, qualified GIS and remote sensing experts may already be hard to find. Long before 2030, competition and a small number of graduates will likely result in shortages in cartography, photogrammetry, geodesy, and all emerging areas. In NGA's future workforce, which is likely to be more interdisciplinary and focused on emerging areas, the ideal skill set will include spatial thinking, scientific and computer literacy, mathematics and statistics, languages and world culture, and professional ethics. Although NGA is currently finding employees with skills in statistics, ethics, cultural analysis, and scientific methods, graduates with the ideal skill set will remain scarce until interdisciplinary and emerging areas develop. NGA could improve its opportunities of finding the necessary knowledge and skills by extending recruiting to the example university programs identified in this report. (Answer to Task 2, Page 6)

- c. **Proximity to the NGA Arnold Facility** – Driving distance was the only comparison with the existing site and it is noted that the Scott AFB Site is 18.8 miles further from the Arnold Facility than the St. Louis City site. However, when rush hour-congestion around the St. Louis City site is considered, the travel time from the Arnold Facility to the St. Clair County site is a mere 5 minutes longer:
- From Arnold to current facility – 17.1 miles (18 minutes without traffic, 26 minutes with traffic) – Source – Google Maps
 - From Arnold to North St Louis City site – 21.3 miles to Cass and 23rd (25 minutes without traffic, 45 minutes with traffic) – Source – Google Maps
 - From Arnold to St. Clair County Site – 40.1 miles (39 minutes without traffic, 50 minutes with traffic) – Source – Google Maps

I-70 interchange at Cass Avenue. There is no accurate discussion of the impacts to the adjacent I-70 Interchange ramps leading to Cass Avenue. This exit from EB I-70 is combined with the mainline I-70 approach to the new Stan Musial Bridge. This interchange should be analyzed as part of the EIS to determine any congestion, safety, or

air quality impacts.

The FEIS fails to adequately address the potential positive impacts of high mass transit use to the St. Clair County site. The current and proposed location of MetroLink stations, could result in record levels of transit use to an NGA or other intelligence facility. The resulting environmental impacts should be discussed in more depth.

2. Security

Chapter 2 of DoD UFC 4-010-01, “Minimum Antiterrorism Standards for Buildings,” Sec. 2-2.3 Design Practices, states:

The philosophy of these standards is to build greater resistance to terrorist attack into all inhabited buildings. That philosophy affects the general practice of designing inhabited buildings. While these standards are not based on a known threat, they are intended to provide the easiest and most economical methods to minimize injuries and fatalities in the event of a terrorist attack. The primary methods to achieve this outcome are to **maximize standoff distance**, to construct superstructures to avoid progressive collapse, and to reduce flying debris hazards. These and related design issues are intended to be incorporated into standard design practice in the future. (emphasis added)

However, in the Final EIS, page 2-10, “2.8.4 Round Three – Selection of the Agency Preferred Alternative Based on Final Refining Criteria,” the “Security” criterion includes only the following sub-criteria:

2. Security

- a. Undetected Surveillance and Direct Fire Weapons – Assesses the level to which the site allows for unimpeded monitoring of the surrounding area in order to discover and address threats from surveillance and/or direct fire weapons.
- b. Violent Crime – Assesses violent crime statistics composed of four offenses: murder and nonnegligent manslaughter, rape, robbery, and aggravated assault.
- c. Compatible Surroundings – Assesses surrounding area compatibility with the Next NGA West Campus.

It is incomprehensible that the threat from IEDs is not included in this list.

Security was noted as a high priority decision criteria and one of the primary need criteria. However, the FEIS did not discuss analysis of the four sites from a security and Anti-Terrorism Force Protection (ATFP) perspective.

To contrast the FEIS for Next NGA West and the FEIS for NGA East (Ft Belvoir),

- Number of instances “standoff” distances discussed in NGA East FEIS – 21
- Number of instances “standoff” distances discussed in NGA West FEIS – 0
- Number of times “ATFP” noted in NGA East FEIS – 52
- Number of times “ATFP” noted in NGA West FEIS - 0 (outside of two passing references that were made to unspecified ATFP measures that would be expected to reduce criminal activity at all four considered sites.)

It’s highly unusual that ATFP and associated standoff distances were not even mentioned under the more detailed explanation of the Security criteria.

The FEIS states:

“Security – All sites meet the minimum criteria for security as established in historical screening and master planning efforts.”

It is legitimate to question whether meeting minimum security criteria ought to be considered satisfactory at this point in history, while U.S. Forces are actively engaged in a global war on terrorism. There can be little doubt – as demonstrated in the recently released Command Consulting Group Security Assessment of the North St. Louis and St. Clair County/Scott AFB sites, that the St. Clair County site offers a dramatically higher level of security to NGA employees and assets. More detailed information about NGA’s own comparative evaluations and the security criteria “established in historical screening and master planning efforts,” should be disclosed – including an assessment of the apparently different standards applied to the planning and construction of the new NGA East Headquarters at Fort Belvoir North Area in Springfield, Virginia.

The FEIS recognizes that the Scott AFB site is **strongly preferred** to the St. Louis City site from a security perspective. Scott AFB is currently a very strong player in cybersecurity as well.

The FEIS notes that “Input received during the scoping period and public comment period assisted NGA in identifying the concerns on which to focus on in the EIS” yet one of the top concerns “Safety in North St. Louis” (see Appendix 1B) was barely discussed in the report.

The FEIS should analyze impacts to the surrounding community from the presence of a highly secure facility. This NGA facility has the possibility of attracting terrorist and terrorist-like activity to the area. Placement of the NGA facility in a residential or populated area will place the surrounding properties at risk of possible terrorist activity. The EIS needs to discuss the explosive arc of vehicle borne detonations at the perimeter fence and at a minimum identify

the properties affected. This applies at vehicle inspection areas, especially commercial vehicle inspection areas where the potential size of the threat will impact more residents. This analysis should be performed for all alternatives.

3. Environmental Considerations as depicted in the EIS

It should be clearly stated that the **St. Louis City site was not the environmentally preferred site**. The report did not include any data clarifying how the sites were ranked, but the Fenton Site was the environmentally preferred site.

St. Clair County offered a 182 acre site for this project, which is nearly twice the size of the 98 acre St. Louis City site. This entire site, while containing few, environmentally sensitive areas, was offered to the NGA to provide maximum flexibility. Unfortunately, the USACE did not avoid the environmentally sensitive areas of the site in preliminary design impacts associated with this site. As such, all issues with the St. Clair County site, nearly twice the size of the St. Louis City site, were grossly overstated as impacts which unfairly decreased the environmental ranking of the St. Clair County site.

Most of the environmentally sensitive portions of the St. Clair County site will be avoided, therefore the environmental ranking of the St. Clair County site should be much higher, far surpassing the St. Louis City site, which has yet to identify the extent of significant environmental impacts.

The St. Clair County site offers an area larger than 100 acres within the 182 acre site which completely avoids the environmentally sensitive areas (wetlands, streams, and archaeological site). The St. Clair County site should be evaluated based on a design which avoids these environmentally sensitive areas. For equal comparisons, if the USACE could produce a design to avoid impacts to the St. Louis City's 98 acre site, they should also evaluate only associated impacts based on site development. This comparative evaluation does not include the additional 200 acres that St. Clair County has offered to NGA which allows for even more area to avoid any significant environmental impacts.

It is impractical to assume that the facility design could not avoid a 0.8 acre archaeological site on the far perimeter of this site. The impact to the archaeological site is an access road, which could easily be moved 50 feet to avoid the archaeological site. In addition, this site has been approved for mitigation by the Illinois Historic Preservation Agency. This lack of avoidance is apparently an intentional approach to ensure there was a "major negative impact" at the St. Clair County site.

The Executive Summary for the St. Clair County site (ES11.4) incorrectly states that an archaeological resource listed on the NRHP is extant within the footprint of the project area. A review of the official listings on the websites of the National Register and the Illinois State Historic Preservation Office revealed no listings in that project area. An archaeological site, as reported in the EIS section 3.8.4.3, was found in a 2012 archaeological survey. That survey

found NO EVIDENCE of any prehistoric materials as the FEIS reported. The site was determined eligible only as a 19th century historic farmstead, which should take no more than 6 weeks of fieldwork to fully excavate. The Illinois SHPO concurred in this eligibility finding and resultant mitigation plan on November 10, 2015.

Classifying potential impacts to one archaeological site as a major negative impact seems a gross overstatement. Data recovery will be completed through the Section 106 consultation process with IHPA. If any impact actually exists, it should more accurately be classified as minor.

The impacts to architectural resources at the St. Louis City site are downplayed. There would be adverse effects from demolition of the NRHP-listed Buster Brown-Blue Ribbon building and 15 residential buildings and three warehouses that contribute to the NRHP-listed St. Louis Place NRHP District, as well as visual impacts to the historic district. This is substantially more impactful than the minor archaeological site identified at the St. Clair County site. Also, no archaeological studies have yet been conducted on the St. Louis City site, but there is a high probability of encountering archaeological sites during construction. If construction were to be halted upon discovery of a site, the construction schedule could be lengthened considerably to consult with the SHPO and other interested parties. In addition, per the draft Section 106 Programmatic Agreement, if human remains and/or other materials reasonably construed to be the kind of materials typically associated with human remains are discovered during construction activities, all work within a 100-foot buffer of the discovery shall stop immediately.

The Tillie's Corner Historical project and the Osage Nation also emphatically requested that the St. Louis City site not be selected and the buildings not be demolished.

The FEIS reports that *"Database searches did not identify any recorded paleontological resources discoveries within the St. Clair County site. Paleontological resources have been discovered in the bed of the Osage River located in St. Clair County (Saunders, 1977)."* **There is no Osage River in St. Clair County, IL. This reference was to St. Clair County, MO.**

The Osage Nation Historic Preservation Office stated, ***"We would also like to emphasize that the North St. Louis location has the highest likelihood to encounter ancestral Osage sites, as it is near the Osage Mississippi River Trail and the Mississippi River itself. This is in an area with high probability for Late Woodland through Mississippian period sites, including sacred sites, such as mound and burial locations. Therefore, the Osage Nation requests that the North St. Louis site be avoided."***

Major benefits listed include cleanup of hazardous contamination and reduction of weed species. These items should not be considered major benefits because site remediation is a form of mitigation for acquisition and disturbance of contaminated properties and the urban environment of the city site is not a natural area that would benefit ecologically from weed reduction. In addition, these two benefits are not identified as needs in the project purpose and need section and therefore, should not be drivers weighing site selection.

Reduction of noxious weeds for this site is classified as a minor to moderate benefit; whereas, it is classified as a major benefit to the urban, St. Louis City site. This seems opposite of expected considering the St. Clair County site is in a more natural setting and reduction of noxious weeds would be more beneficial here.

The proposed mitigation of avian habitat offsite would be a major benefit to Scott AFB/MidAmerica Airport to reduce the potential for bird strikes by aircraft. (see Memorandum of Agreement Between the Federal Aviation Administration, the U.S. Air Force, the U.S. Army, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture to Address Aircraft-Wildlife Strikes). Regardless, the amount and quality of avian habitat at the St. Clair County site is not essential habitat to any bird species residing in Illinois, and therefore would not be detrimental to any avian species.

In the Socioeconomics and Land Use summaries, there is absolutely no mention of Environmental Justice. The City of St. Louis site bears a disproportionately high and adverse impact to a minority population compared to the other site alternatives. Displacements are mentioned, but not in relation to EJ. In addition, displacements are classified as minor to moderate short term impacts, which diminishes the true impact to those in the community having to be displaced.

In the discussion of the Environmental Preferred Alternative (which is atypically separated from the overall Preferred Alternative), the Mehlville and St. Clair County sites were determined to have the greatest adverse environmental impacts. This determination is stated nebulously and without substantiating facts. It can be argued that none of the impacts associated with the St. Clair County site are “adverse”: minor impact to a stream and forest, farmland acreage, and potential impact to one archaeological site.

It is intentionally misleading not to note the actual number of occupied businesses and homes requiring demolition. In addition to the 52 vacant structures, there are 61 single family residences, 13 two family residences, 3 four family residences, 5 businesses, and 3 institutions which will require demolition and will result in the Disproportionate and Adverse Effect of the displacement of the predominately minority and low income people who occupy them.

Environmental Justice has been extremely downplayed for the impacts associated with the St. Louis City site. This site has **Disproportionate** and **Significant** negative impacts to minorities and low income groups, making the St. Louis City site the least favorable of all four potential sites.

The FEIS does not address the impact of light pollution on the adjacent community. NGA is a 24/7 facility and will have security lighting that is brighter than the existing areas. The impact of light pollution needs to be evaluated as part of any EIS.

Adjacent schools and churches. The St. Louis City site evaluation does not address the health and safety of having a school adjacent to the site. This at least needs to be evaluated and included in the EIS.

The FEIS references a report concerning conditions in St. Clair County, Michigan, not St. Clair County, Illinois. Per the FEIS, *“Development and operation of the proposed NGA infrastructure on the St. Clair County site would be required to comply with the stormwater requirements in the **Northeastern Watersheds Management Plan administered by St. Clair County.**”* This error was previously noted in the DEIS and not corrected.

4. Key Regulations, Directives and Orders

It is plainly evident from a review of the FEIS that selected components of various regulations were cited in order to justify a predetermined preference for the St. Louis City site. This amounts to nothing less than a perversion of the “objective” NEPA process.

The Purpose of the project states that the current site is incompatible because of adjacent industrial activities. The St. Clair County site would meet this Purpose more than the St. Louis City site due to its rural adjacent land use versus the St. Louis City site’s residential and industrial adjacent land use.

Executive Order (E.O.) 12072 is incorrectly cited in this report, as it has been repeatedly by St. Louis City site proponents. Per U.S. Army Corps of Engineers and Department of Defense guidance, E.O. 12072 merely requires that **IF** an agency has a mission requirement to locate in an urban area, then first consideration should be given to the Central Business District. As there is no known NGA mission requirement to locate in an urban area, E.O. 12072 should not apply. If it did, in fact, apply, it is legitimate to ask why it clearly did not factor into the site selection process for the new (2011) NGA East Headquarters complex at the Fort Belvoir North Area in Springfield, Virginia. E.O. 12072 merely defines the “procedures for meeting space needs in urban areas,” that is, how space needs in urban areas are to be met, not that space needs are at all required to be met in urban areas.

Conversely, the first priority should be given to **rural areas**. Per U.S. Army Corps of Engineers and Department of Defense guidance on Land Acquisition, first priority in the location of new offices and other facilities will be given to **rural areas** per the Rural Development Act of 1972.

USACE ER 405-3-10 - Chapter 2, Section 3, Paragraph 2-8, d.

Urban and Rural Site Issues. First priority in the location of new offices and other facilities will be given to rural areas, as defined by the U.S. Department of Agriculture. GSA's Customer Guide for Real Property discusses the Rural Development Act and states that agencies must provide a statement for actions going to GSA. If the customer's mission does not require a specific location or specific geographic area, then USACE must give first priority to locating new offices or other facilities in a rural area. If mission or program requires being in an urban area, then USACE must consider the Central Business District (CBD) under E.O. 12072 and then historic properties in the CBD under E.O. 13006.

DOD Instruction 4165.71 – Chapter 2, Section 6.4 - *Location of New Real Property*

- *When acquiring real property, the DoD Components shall comply with the provisions of Section 601 of the Rural Development Act of 1972 (reference (h)) and the General Services Administration's (GSA) implementing regulations and give **first priority to the location of new offices and other facilities in rural areas.***
- *When acquiring real property and facilities in urban areas, the DoD Components shall comply with the provisions of Executive Order 12072 (reference (i)), to conserve existing urban resources and encourage the development and redevelopment of cities.*
- *When acquiring real property, the DoD Components shall comply with the provisions of Executive Order 13006 (reference (j)), to encourage the location of Federal facilities in U.S. central cities, provide leadership in the preservation of historic resources, and use space in suitable buildings of historic or cultural significance.*
- *Suitability for enhanced security and force protection, reduced travel time for employees or business representatives, reduced transportation costs, environmental impact, or preference for single-unit offices over split locations near one another should be considered in evaluating potential real property acquisition locations.*
- *Source of New Real Property. Before acquiring real property by purchase or lease, a DoD Component shall determine that the requirement cannot be satisfied by:*
 - *Excess, under-utilized, or otherwise available property held by other Military Departments or Federal Agencies.*
 - *Exercise of existing DoD authorities or those of the GSA for the exchange of DoD-controlled real property or surplus Federal property for privately-owned property.*
 - *Acquiring title to, or use of, State or **local government real property by donation** or use through long-term nominal cost lease.*

E.O. 12898, Environmental Justice

E.O. 12898 was cited several times in the FEIS, but Environmental Justice (EJ) impacts were inadequately addressed. The populations to be affected are at least 89.3 percent minorities and 83.2 percent low-income at the St. Louis City site creating **Disproportionate and Adverse Effects**, whereas there are zero people living within a half mile of the St. Clair County site.

The “no adverse effect” determinations are absolutely inaccurate. Many residents in the area disagree with the no adverse effect conclusion in the FEIS: *“However, these relocations*

would occur in an area that is blighted and lacking many key elements of a sustainable community with vital services. In the short term, the resident would experience disruption of their normal routines and duress from changing their residencies. While the effect would be predominately borne by the minority and low-income population, the short-term relocation impacts are not considered high and adverse, because the Missouri relocation regulations substantially facilitate moving, compensate moving-relate expenses, and provide substantial support by way of identifying relocation options ad tailoring necessary services to the individual needs.”

Relocation of many homes and businesses will create an adverse effect. Traffic patterns that will be completely changed due to the NGA campus will close off what were once streets. This would directly produce a lack of community cohesiveness and adverse travel. EJ impacts regarding removal of services that are currently available to low income and minority populations should also be addressed. For example, use of the St. Louis City site would remove Grace Hill Howard Branch Head Start Childcare center; thereby removing jobs and convenient childcare especially for low income, minority populations. The discussion of cohesive land use, such as the statement “new buildings will compliment current surroundings,” is not accurate considering that office buildings have shown to be ill-advised for that area. The FEIS also has no discussion of anticipated crime rate during construction in that area.

The E.O. requires Federal agencies to participate in the decision making process. There was no mention anywhere about the protests, hunger strikes, almost 100,000 signatures, etc., to stop the eminent domain process for the residents within the St. Louis City site. Non-English speaking populations also occur within the St. Louis City site and the majority of the population within the St. Louis City site does not have a high school diploma. Direct personal outreach to the current residents and the residents nearby that are unable to read or comprehend the information should have been a priority. In addition, induced employment and income from NGA’s operation is not accepted as a benefit for the area.

5. Schedule

Criterion 10 of the Project Need Statement is that the chosen site **must** be available for acquisition and construction in early 2017. It is unrealistic and naïve to believe the St. Louis site could possibly be available for acquisition and construction in early 2017, based on the following rationale:

- The City of St. Louis does not currently own all of the proposed site property. Acquiring the remaining parcels will require eminent domain which will likely take months or years of litigation to complete. Fifteen percent of the St. Louis City site is still occupied by residents and businesses.

- It is within this section that the schedule is adjusted to note that land acquisition will be completed by the end of FY 2017. All previous mention was for construction to begin in early FY 2017.
- Mehlville and Fenton were eliminated from further study because of a risk to acquire and develop real estate. However, it appears that the St. Louis City site actually has the highest risk to acquire and develop real estate, especially within the current schedule of one year and within current project budgets.
- The historical and archaeological work cannot begin until after the property is owned. The City of St. Louis refused to commit to completing their archaeological investigations and follow-up mitigation requirements within a 12 month timeframe, per the commitments of the Section 106 Programmatic Agreement. It is currently unknown what archaeological significance is beneath the St. Louis City site, but highly probable that it exists.
- While the short term environmental cleanup of the St. Louis City site would presumably be covered by the city of St. Louis, what are the long term implications? The full extent of **contamination for over 86 contaminated properties is currently unknown!** When (not if) clean-up costs delay construction, it will result in millions of dollars of taxpayer waste. **Each year of delay at the St. Louis City site will easily result in an increase of \$40M to the \$945M construction budget** due to construction cost escalation. What are the long-term liabilities of this contamination to the NGA and the USAF? How could this significant issue not have even been discussed in this report? If these items were included in the EIS (as they should have been), the increased cost to the NGA due to delay of construction alone would have disqualified the St. Louis City site from further consideration.

The FEIS states that the Fenton site was eliminated for further consideration because of required Phase II hazardous waste investigations and resulting remediation which would cause schedule delays. The St. Louis City site has identified an even larger hazardous waste issue but there is no mention of schedule delays (not to mention the possibility of enormous clean-up costs) or remediation for this site.

The FEIS recognizes that the **Scott AFB site is preferred** to the St. Louis City site from a schedule perspective.

The FEIS does not adequately assess the schedule risks associated with the St. Louis City site. This section should be re-done prior to any final decision.

The labor force in Southwestern Illinois has a strong history of completing similar projects on time and under budget; with lots of experience constructing highly technical and highly secure buildings on Scott AFB. The cost to a project of this magnitude by any schedule slip is extensive.

6. Cost

The FEIS notes the following: *“The estimate to acquire and develop the St. Clair County site is almost 20 percent more, which provides a slight advantage to the St. Louis City site.”*

There is no additional reference in the FEIS to cost calculations and thus it is very difficult to understand how the St. Clair County site could possibly be estimated to cost more to develop. There is nothing within this site that results in any constraints which would drive up construction costs in an open area. Furthermore, the St. Clair County site will be available much sooner than the St. Louis site, allowing construction to begin sooner and be constructed at a must lower cost.

The project Need states that the selected site needs to stay within the funding limits. The St. Louis City site will likely exceed the funding limits when all impacts are assessed and mitigated. Costs associated with hazardous waste clean-up, land acquisition, and archaeological and historic structures have not been calculated or included in any cost estimates for the St. Louis City site.

The location factors from RS Means show St. Louis at 102.7 and East St. Louis (the only location listed within St. Clair County) at 100.1. RS Means data (location factors) result in construction costs being 3% less in St. Clair County. The USACE location factors show Scott AFB at 1.08 with the closest Missouri location at 1.06 (Ft Leonard Wood). USACE data (location factors) result in construction costs being 2% greater in St. Clair County.

If the FEIS truly estimated the Scott AFB Site to be more expensive to develop, the only logical explanation would be that the FEIS did not compare the Scott AFB and St. Louis sites' equally. Labor costs for the construction trades are nearly equal for both sites. Preliminary layouts of both sites seem to indicate largely different building designs from an architectural perspective. The Scott AFB design was an architecturally complex layout, while the St. Louis design is a rectangular building. If the construction estimates for the Scott AFB site were prepared on a similarly simplistic building design as the St. Louis site, the Scott AFB site would undoubtedly be less expensive.

The FEIS report notes that *“There are no significant differences in solar resources among the four proposed site locations,”* yet the reference data in Appendix 4.7A notes that *“The St. Clair County site offers the highest potential for generating onsite electricity by Photovoltaic systems due to the available land.”*