DEFENSE

# DOD takes slow road on environmental justice update

**Bev Banks, E&E News reporter** Published: Tuesday, August 11, 2020




Naval Air Facility Adak in Alaska was added to a priority list of contaminated sites in 1994, three years before the facility closed, because of hazardous chemical contamination. Navy

*Part two of a two-part series.* ***Click here*** *for part one.*

An attempt to update the Defense Department's Clinton-era environmental justice strategy fizzled out during the Obama years. Now the agency is trying again, but progress is slow.

The department first published its **strategy** in 1995, following a Clinton **executive order** directing federal agencies to prioritize environmental justice. It hasn't been updated since then.

John Conger, who was acting deputy undersecretary of Defense for installations and environment between 2012 and 2014, recalled seeing a draft update during his tenure.

"Last I remember, there was a pretty solid draft, and it didn't get to the point where it came to me for approval yet," said Conger, now director of the Center for Climate & Security.

DOD signed a memorandum of understanding in 2011 to update its environmental justice strategy by early 2012, according to a Government Accountability Office **report** last year.

Conger acknowledged DOD was "late to the requirement."

Maureen Sullivan, deputy assistant secretary of Defense for environment in the Office of the Assistant Secretary of Defense for Sustainment, worked with Conger during the Obama administration.

"Reorganizations" of DOD's environmental offices made updating the strategy less of a priority at the time, she said.

"The view is that the strategy was fulfilling our response to what we needed to do," Sullivan said. "It really took the approach of integrating consideration of the environmental justice aspects into our decisionmaking process."

She said the 1995 strategy is "foundational" to how her office addresses environmental justice.

## Impact of presidential race

The timeline for an updated strategy isn't clear, but Sullivan's team is "beginning the process" of looking into a new document, she said.



Maureen Sullivan. Office of the Assistant Secretary of Defense for Sustainment

The new version will update how DOD consults with Indigenous groups, according to Sullivan, with a goal of better communication and more transparency.

The strategy will also focus on digital transparency, she said. "It is publishing more documents, making more information digitally available, but also making it available in a more common language," she said.

Sherri Goodman, who spearheaded the strategy during the Clinton administration, said progress could hinge on the outcome of this year's presidential election. Former Vice President Joe Biden is the presumptive Democratic nominee who'll take on President Trump.

"I haven't seen any evidence of progress in the current administration. ... I think there's no doubt that a Biden administration would make this a priority," said Goodman, who served at DOD from 1993 to 2001 and is now a senior fellow at the Center for Climate & Security and the Wilson Center.

"Leadership is needed at every level" within DOD and the White House to ensure a new strategy is put in place, she said.

## 'Dog and pony show'



The Army Corps of Engineers in Alaska said cleanup work on St. Lawrence Island's Gambell site wrapped up in 2008. But a local activist said Indigenous groups considered the closure premature. NOAA

Sullivan said DOD has worked to improve how it consults with Native American, Alaska Native and Native Hawaiian groups.

"We're trying to teach our people the fundamentals of what's important to these tribes, to these Indigenous peoples, and therefore how to communicate with them and how to establish a relationship with them," Sullivan said.

One way tribal members can weigh in on DOD actions is through restoration advisory boards, or RABs. The 1995 strategy discussed "efforts to enhance diversity" of membership on the boards and promote them as a public forum for communities to express concerns to defense officials.

Locals and DOD officials make up the boards.



Pamela Miller. Pamela Miller.

Pamela Miller, 64, of Anchorage has served on three RABs in St. Lawrence Island, Fort Richardson and former Naval Air Facility Adak in Alaska. She wasn't impressed.

"In my experience, they have not done a good job in addressing environmental justice and also their obligation to work with tribes on a government-to-government basis," she said.

As executive director of Alaska Community Action on Toxics, Miller advocates for residents exposed to toxins and works to end contamination.

At St. Lawrence Island, dioxins and other hazardous materials in the soil were cleaned up at one former defense site. At another site, polychlorinated biphenyls were removed from the soil and contaminated sediment. A diesel fuel spill in 1969 contaminated a nearby waterway there, and traces of petroleum contamination remained in the soil and groundwater.

Indigenous peoples were represented on the RAB at St. Lawrence Island, but DOD still "dismissed" the community's opinion, she said.

"Both sites on St. Lawrence Island were closed prematurely without the consent of the tribes," Miller said.

The Army Corps of Engineers in Alaska said work on the Gambell site wrapped up in 2008. Some projects for the Northeast Cape site were completed in 2016, but other projects are ongoing and in the "long-term management phase," the Army Corps said.

Miller said the RABs are useful for providing information about cleanups to residents, but defense officials are not always "forthcoming."

In the neighborhoods surrounding a former military base in Texas, residents say contamination from defense activities has led to increased rates of cancer in their communities.



Diana Lopez. Diana Lopez.

Near the former site of Kelly Air Force Base in San Antonio, 34-year-old resident Diana Lopez participated in RAB meetings about a decade ago. She described them as "very hostile," not diverse and not a "safe space" for community members to speak openly.

She recalled being interrupted at board meetings while sharing her thoughts about contamination. "I left crying off the podium," she said.

The RAB in San Antonio was disbanded in 2013 after DOD deemed remediation of the site complete. DOD did not respond to a request for comment on the boards' activities.

"What I experienced was a dog and pony show to really complete and check off a box on a list that says we are holding community sessions," Lopez said.

Goodman, who helped establish the RABs as part of the environmental justice strategy, said she was sad to hear about Lopez's experiences. "Maybe there's more that DOD could be doing now to be inclusive and to appreciate community concerns," she said.

Goodman said the RABs could be a focus when updating DOD's environmental justice strategy.

The plan "was very forward-leaning at the time, but it's 25 years later," Goodman said. "So you could build on many of those principles and the focus on partnerships and outreach and then reinvigorate the restoration advisory boards."

Sullivan said she hasn't heard about problems related to environmental justice at DOD, which means any issues are being addressed at "levels of administration below me."

"Not once has it come to my attention that we have failed to meet our, fulfill our responsibilities related to environmental justice," Sullivan said.

But she acknowledged that even though she has not heard complaints herself, that "doesn't mean that there aren't communities that may be not happy with us."