DEFENSE

Pentagon relies on 25-year-old environmental justice plan

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A mortar explosion sends snow into the air at Eagle River Flats at Joint Base Elmendorf-Richardson in Alaska. A proposal would allow year-round firing at the site, where bombing exercises have contaminated local marsh habitat. Local tribes have traditional fishing and hunting camps in the area. Senior Airman Sarah Trachte/Air Force

*First in a two-part series. Click **here** for part two.*

The Department of Defense has an environmental justice strategy to guide its response to health and environmental impacts on minorities and low-income communities — but it's 25 years old.

DOD issued the **strategy** in March 1995, after a Clinton administration **executive order** the previous year directed federal agencies to focus on environmental justice efforts and create interagency working groups dedicated to communicating with the public.

"I think at the time, it was really a new subject within the Department of Defense. It was an important subject," said Sherri Goodman, who led the effort to develop the environmental justice plan as deputy undersecretary of Defense for environmental security.

"This is before the climate era, really, but the environmental concerns then were contamination from hazardous waste from Superfund sites," said Goodman, who served at DOD from 1993 to 2001 and is now a senior fellow at the Center for Climate and Security and the Wilson Center.

It's time to update the strategy, she said. "I think the one that we developed in 1995 is a good foundation on which to build."

For communities living near DOD installations, the time to update the environmental justice plan is long past.



Diana Lopez. Diana Lopez

Diana Lopez, 34, grew up around the former site of the Kelly Air Force Base in San Antonio, Texas. She said she's witnessed the suffering of predominantly Latino and low-income people in her community from multiple illnesses.

"The legacy of contamination that was left on the community is continuing and existent," said Lopez, the executive director of the Southwest Workers Union, based in San Antonio. "People are still suffering and are still dying from the activities of the military base."

Traces of trichloroethylene and tetrachloroethylene, chemicals used as degreasers for aircraft, were found in groundwater near the installation, according to EPA. The Agency for Toxic Substances and Disease Registry has linked exposure to these chemicals to an increased risk of birth defects and cancer.

The Texas Department of State Health Services, which tracks cancer incidence **rates** in each county, reports that between 2013 and 2017, the incidence of liver cancer in Bexar County, where the base is located, was 14.4 per 100,000 people, compared with 10.9 per 100,000 for the state as a whole.

An Agency for Toxic Substances and Disease Registry **report** in 2005 also found that liver cancer rates were elevated in the ZIP codes around Kelly Air Force Base compared with the whole state between 1990 and 1994. The analysis did not find a jump in birth defects, but some increased numbers of heart and circulatory system-related defects were reported.

The base closed in 2001 as part of DOD's Base Realignment and Closure process.

Control of the site was transferred to San Antonio — a city that's 64% Latino, according to census data — and it was redeveloped as an industrial zone.

The Air Force used microorganisms to break down chemical contaminants at the site and pumped contaminated water to treatment plants. After monitoring groundwater samples at more than 600 locations, it deemed the cleanup complete in 2010, around the time the site was transferred to San Antonio.

Even though the base is no longer active, Lopez holds the Air Force accountable for ongoing contamination.

"Accountability requires cleanup, it requires conversation," Lopez said. "It requires, you know, open channels of communication that the Air Force base isn't prepared to do."

Updating the strategy

In an email, DOD spokesperson Chuck Prichard said work on updating the environmental justice strategy is "underway." But he did not respond to requests for comment on how the strategy is being updated.



Sherri Goodman. Wilson Center

Goodman said a new strategy should reflect the current era. For example, today's definition of diversity is "broader and more inclusive" than what is included in the 1995 strategy, and low-income and minority populations "shouldn't be conflated," she said.

DOD has also put a higher priority on the quality of housing conditions for military families after many service members who lived on base were exposed to water contamination.

Another former DOD official, Center for Climate and Security Director John Conger, said an updated strategy could address chemical contamination from per- and polyfluoroalkyl substances, or PFAS, which weren't "getting as much attention" in the 1990s and mid-2000s. It could also incorporate

outreach to communities especially affected by climate change, said Conger, who served during the Obama administration as acting deputy undersecretary for installations and environment.

Prichard said for now the military will use the National Environmental Policy Act process "as a primary means to focus on environmental justice issues."

NEPA helps federal agencies assess how their actions would affect the environment. The process often involves a comment period for the public to provide feedback on project proposals. Prichard did not elaborate further on how DOD would use NEPA to address environmental justice.



Pamela Miller. Pamela Miller

In Alaska, home to Indigenous communities that live near current and former defense sites, environmental justice advocate Pamela Miller of Anchorage said the NEPA process "doesn't come into the equation" since the law only applies to ongoing action from a federal agency.

"I would say it's not working for so many sites because many of the sites are not active sites but formerly used defense sites," said Miller, 64.

As executive director of Alaska Community Action on Toxics, Miller helps communities limit exposure to environmental hazards and stop contamination from outside sources.

In Alaska, the Air Force and Army have **proposed** year-round firing near an estuary at Eagle River Flats at Fort Richardson, now part of Joint Base Elmendorf-Richardson.

Bombing exercises have contaminated the marsh habitat with white phosphorus and explosive materials. In 1994, EPA added Eagle River Flats to the Superfund National Priorities List.

Miller said the estuary has ecological and cultural significance for local tribes that have traditional fishing and hunting camps in the area, but she holds little hope the military will respect the community's wishes.

"We submitted comments, but I have very little confidence that they will consider community concerns in addressing the issues around the bombing of this very fragile estuary," Miller said.

Goodman said NEPA is the "right starting point" and should be included in a future strategy, but "it probably doesn't cover the full scope of environmental justice considerations."

A Government Accountability Office **report** released last year said DOD officials acknowledged that "the agency has not prioritized environmental justice efforts."

GAO recommended that DOD issue a progress report on environmental justice annually, but the agency said creating new goals would be difficult because it has "limited opportunities to change where the department operates" and its mission does not involve regulating "off-base activity or land uses," according to the report.

Prichard referenced the report in his email to E&E News and said the assistant secretary of Defense for sustainment "concurred with the GAO recommendation" to update the environmental justice strategy.