#### US NAVY FREEDOM OF INFORMATION RESPONSE #2014-000075 Diego Garcia (CR)

Explosive Safety Quantity Distance (ESQD) arcs at Diego Garcia in the anchorage area of the lagoon

### 1. Background: what is already in the public domain concerning the use of Diego Garcia lagoon by ships carrying explosive munitions

The earliest reference to ESQD arcs in Diego Garcia is the 1997 US Navy Natural Resource Management Plan Figure B-1 (Fig 1 below).

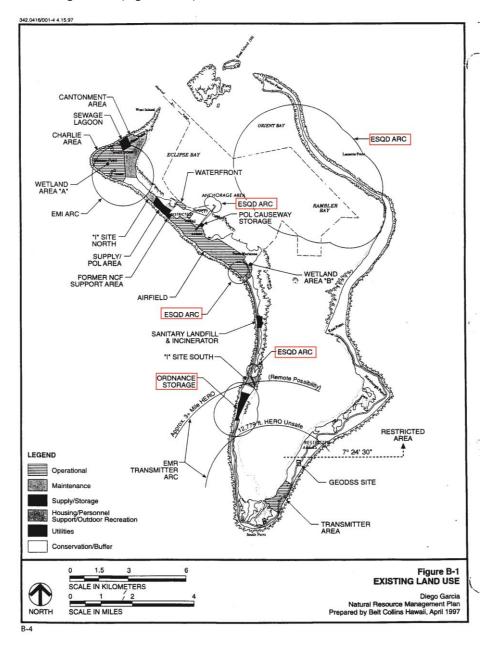


Figure 1. Land Use plan, Diego Garcia showing ESQD arcs highlighted in red.

It is clear from this Figure that in the anchorage area (mainly Rambler and Orient Bays) there are a number of individual ESQD arcs, which must be presumed to relate to anchorages in use by vessels carrying explosive munitions. These can be seen to overlap to form one large arc which encompasses

a sizeable portion of the northern lagoon, land and the seaward side of the 'Restricted Area' of the eastern arm of the atoll.

The NRMP states that "Ordnance storage areas on shore and at lagoon anchorages generate Explosive Safety Quantity Distance (ESQD) arcs that limit the nature of adjoining facilities and activities". Thus ESQDs establish the minimum safe distance between munitions storage areas and habitable structures or areas. Within these arcs, significant damage to structures and injury to personnel is the likely consequence of an explosive accident.

The Rambler Bay anchorage is used by ships of the Maritime Pre-positioning Ship Squadron TWO<sup>1</sup>.



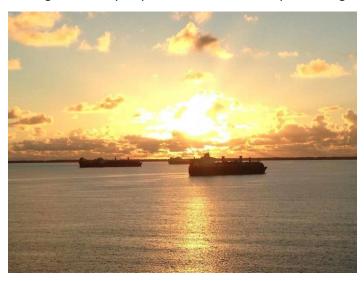


Figure 2. Military Sealift ships at anchor in the lagoon at Diego Garcia

The genesis of US Navy Maritime Pre-positioning Ships (MPSS) was the Near Term Prepositioning Force (NTPF) which became operational in 1981. This was replaced by Maritime Prepositioning Ships Squadrons, with MPS-2 replacing the NTPF ships in the Indian Ocean at Diego Garcia in 1985.

The earliest record of NTPF ships at Diego Garcia is in a CONFIDENTIAL report<sup>2</sup> by the Royal Naval Liaison Officer (RNLO) in December 1983 which documented 17 ships in the anchorage [8 ammunition ships containing 20,000,000 lbs (~9 kT) of explosives; 5 tankers (1 water, 4 fuel); 3 ROROs; 1 support vessel]. To put this in perspective, the equivalent size of the Hiroshima atomic bomb was 15 kT.

No further reports between 1983 and 2017 are known from the public domain concerning the numbers and designation of MPS vessels at Diego Garcia, nor the quantity of embarked explosive munitions.

In 2008 a study was undertaken by the BIOT Administration to assess the effects of ship anchoring in the lagoon and damage to coral formations<sup>3</sup>. It reported that:

Anchoring is apparently confined to a series of anchoring locations, partly to limit area of damage. But several different plans of anchor circles have been found which, together with significant anchor damage observed between present circles, means that anchoring has taken

<sup>2</sup> RNLO's 226/1 dated 31 Dec 1983 – Folio 3 in FCO 31/3827 – National Archives, Kew, London

<sup>&</sup>lt;sup>1</sup> https://www.facebook.com/pg/CompsronTwo/about/?ref=page\_internal

<sup>&</sup>lt;sup>3</sup> Sheppard, C.R.C, Smith, S, Turner, J.R., Marx, D. (2008). *Corals and sediments in the lagoon in Diego Garcia and effects of ship anchoring*. Report to the Foreign and Commonwealth Office British Indian Ocean Administration and US Navy. 23p plus technical appendices

place over most of the anchorage not just in designated sites. Two thirds of the anchorage area and one third of the lagoon's area of richest coral, is anchored on at various times and intervals.

It would appear therefore that strict adherence to anchorage positions was not maintained. By inference ESQD arcs might have varied over time. The study recommended that permanent moorings be established and that in the interim, preferred anchorages should be in the south of the anchorage area where the seabed is mainly sand to limit damage by anchors to any coral formations in the lagoon.

Within 6 months of the completion of the 2008 study, the designated anchorages were said to have been relocated as shown in Figure 3<sup>4</sup> below. This permits a total of 12 designated anchorage positions. It is not known how these relocated anchorages may have changed the ESQD arcs shown in Figure 1.

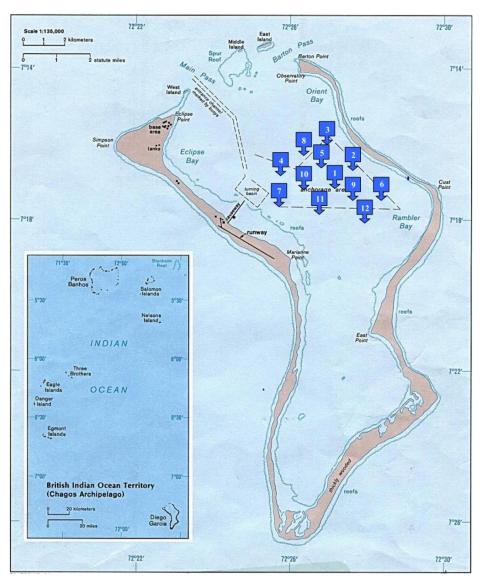


Figure 3. Anchorage locations Diego Garcia as at March 2014<sup>5</sup>.

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<sup>&</sup>lt;sup>4</sup> 24 Mar 2014: Richard Seedhouse (Assistant Administrator, British Indian Ocean Territory Administration) FOI 0226-14

<sup>&</sup>lt;sup>5</sup> Freedom of Information Act 2000 request: FCO 0226-14 – Richard Dunne

In November 2016, a report by the BIOT Chief Science Advisor<sup>6</sup> (CSA) records that there was a request from US Head of Harbour Ops to move the co-ordinates of certain anchorages, in part to maintain a safe distance between vessels based on their "Net Explosive Weight". The CSA advised that "only two of these changes are sufficiently large to significantly alter the impact of anchors and chains on the sea bed"<sup>7</sup>.

#### 2. The material disclosed by the US Navy in this FOI request covering the period 1999-2014

From the correspondence in the FOI response, it would appear that prior to 1999 there had been no consideration either by the US or the UK Governments of the fact that most of the ESQD arcs in the anchorage at Diego Garcia overlap and of the consequences of this for explosive safety.

On 28 Nov 1999 the US Navy Support Facility (NAVSUPPFAC) at Diego Garcia raised a request to the Chief of Naval Operations for an Explosive Safety Exemption to permit the continuing use of anchorages on the basis that the normal separation of individual ESQD arcs could not be met.

(extracts)

- 3. NAVSUPPFAC Diego Garcia is currently operating its Anchorage Plan as outlined in Option Four. Option Four meets current MSC<sup>8</sup> tasking within existing MSC operational budgets. Due to the unique and isolated location of Diego Garcia, the absence of any commercial or civilian shipping activity, and the strategic importance of the preposition ships' mission, it is recommended that Option Four be approved.
- 1. b. The anchorages currently in use have not been properly sited as explosive anchorages. This request is to support the long-term explosive anchorage requirements to meet our operational needs.
- 1. d. There are no off-station facilities affected by this exemption request. The Navy Support Facility, Diego Garcia is located on an island in the British Indian Ocean Territory, and is operated by U.S. Navy. All island personnel work in support of the Navy's mission.
- 4. The Diego Garcia lagoon does not have the physical area to support anchorages for all the explosive laden ships required to meet the MSC's mission while maintaining the mandated separation distances required by NAVSEA OP-5.

The Anchorage Plan in use is redacted from the submission but a partially redacted table appears to list a total of 20 available anchorages, some categorised as "explosive" and others "non-explosive". It must be assumed that the ESQD arcs shown in the 1997 NRMP (Figure 1 above) equate to this anchorage plan.

In order to maintain the anchorage plan, NAVSUPPFAC sought approval for its 'Option Four':

- 5.d. Option Four. Exempt all NAVSEA OP-5 requirements or gain Secretarial Certification to accept potential losses that would be expected from a maximum credible event.
- 6. Mission effect of a maximum credible explosive accident:
  - a. An incident in the lagoon could potentially destroy all assets located within the Explosive Safety Quantity Distance (ESQD) for each individual Potential Explosive Site (PES).

<sup>&</sup>lt;sup>6</sup> Dr Mark Spalding

<sup>&</sup>lt;sup>7</sup> BIOT Chief Science Advisor Report November 2016

<sup>&</sup>lt;sup>8</sup> Military Sealift Command

Thus it may be concluded that ESQD arc in Fig b-1 NRMP 1997 represents an area where significant damage could result from an explosive accident in just one of the anchored ships, which then propagates to all the others. In terms of damage to the island this would appear to involve potential destruction of the flora and fauna along a 7km land portion of the atoll and underwater damage in the lagoon. Both the lagoon and land area affected lie within the area designated by the UK under the RAMSAR Convention in 2001 and since 1994 also designated a "Restricted Area" (BIOT Ordinance no 6, 1994). Annex A and B summarise this and the fauna and flora and their degree of national and international importance which would be impacted.

"Because of the potential consequences of a maximum credible event" (i.e., explosion) on the island infrastructure, the Chief of Naval Operations stated on 24 Oct 2000 its intention to seek "a Secretarial Certification so the risk is accepted at the Secretary of the Navy level" and thus give a permanent exemption from the rules governing minimum separation distances between munitions carrying vessels in the anchorage at Diego Garcia.

#### 2.1 Assessment of risks

In preparation of the application for a Secretarial Exemption, the Director of Supply, Ordnance and Logistics Operations assessed the consequences of an explosive accident in the anchorage as: "Unmanaged, the limited spacing would not preclude an explosion from propagating ship to ship - with catastrophic impact to mission-related personnel, ships, and shore facilities" <sup>10</sup>.

The Naval Ordnance Safety and Security Activity (NOSSA) advice <sup>11</sup> was that:

- "1. ...... Because of the significant deviation from separation requirements requested at NAVSUPPFAC Diego Garcia, a Secretarial Certification, rather than an exemption, is recommended.
- 2. Following further analysis of the anchorage problem, and discussions with NAVSUPPFAC Diego Garcia personnel, NOSSA has identified five additional issues that should be incorporated into the Secretarial Certification request:
  - a. There are two parts to any risk management decision: the probability of a mishap and the consequences should a mishap occur. With regard to the "consequence" part of the equation, a minimum separation between explosives-loaded ships must be established at Diego Garcia. This distance is required to prevent the possibility of simultaneous detonation of two or more ships, if a mass detonation occurred in one. To reduce the potential for loss of multiple ships in the event of a detonation aboard one ship, and as recommended in NOSSA letter 8020 Ser N711/605 of 6 Jul 2000<sup>12</sup>, a K factor of [redacted] is recommended as the minimum separation that would avert, or markedly reduce the possibility of simultaneous detonation. A distance of [redacted] was considered as a minimum separation distance, however, upon further consideration and discussion with blast effects experts, this separation distance provides no known safety factor for ammunition cargo ships. A significant probability exists that if one ship detonates, adjacent ships, in a side-to-side configuration, will also detonate. This [redacted]

<sup>&</sup>lt;sup>9</sup> CNO's 8023 Ser N411C/OU591280 dated 24 Oct 2000

<sup>&</sup>lt;sup>10</sup> DSOLO's undated Memorandum

<sup>&</sup>lt;sup>11</sup> NOSSA's memorandum 8020 Ser N711/320 dated 30 Apr 2001

<sup>&</sup>lt;sup>12</sup> This letter dealt with the so called 'Option Four' anchorage plan and stated inter alia: "While it is difficult to predict the probability of simultaneous detonation between ships, the results are obviously catastrophic. Because of the need to utilize Option Four, and the potential damage to Army, Air Force and Marine Corps prepositioned war material that could evolve from one explosive incident, consideration should be given to authorizing use of the anchorages under a Secretarial Certification"

distance was being considered, based on a review of historical files which state that this distance was used in Department of Defense (DoD) explosives safety standards, from 1959 until 1969, for ammunition cargo ships in tandem at the same pier. This criteria was deleted from the DoD standard in 1969 and there is no data, or technical rationale, to support the use of any K factor below [redacted] for this Secretarial Certification. A [redacted] separation distance is the absolute minimum distance required to prevent propagation from one ammunition ship to another. It may be argued that while the consequences of a mishap are unacceptable, the probability of a mishap is sufficiently low to warrant acceptance of the risk. Since no models or data exist to determine the probability of a detonation aboard one of these ships, it is prudent to maintain the [redacted] distance, if the loss of multiple ammunition ships is unacceptable.

- b. The initial exemption request submission attempted to establish specific explosives limits on each anchorage, based on pre-established ship loads. Following discussions with NAVSUPPFAC Diego Garcia personnel, it became apparent that management of the hazard could best be accomplished by NAVSUPPFAC, as a dynamic process, based on the number of ships and their respective ammunition loads, in net explosives weight (NEW). Accordingly, NAVSUPPFAC could establish [redacted] as the desired separation between explosives-loaded ships at anchorage, and [redacted] as the minimum separation permissible under the Secretarial Certification.
- c. Under no circumstances shall the [redacted] arc from any anchorage encumber any inhabited shore facility.
- d. In peacetime, the provisions of the Secretarial Certification can only be waived at the Secretary of the Navy (SECNAV) level, or by the Commander-in-Chief, U.S. Pacific Command (PACOM). A PACOM waiver can only be executed in an emergency situation, for situations such as heavy weather or mechanical problems affecting ship safety.
- e. The provisions of the Secretarial Certification, specifically the [redacted] limitations, should be provided to the PACOM and JCS war-fighting planners, so they can include these limitations in their planning documents.

#### 2.2 Issue of Secretarial Certification

On 14 March 2002 the Department of the Navy issued the requested Secretarial Certification (Annex C) on the understanding that the Deputy Chief of Naval Operations (Fleet Readiness and Logistics) "will impose administrative controls to minimize the possibility and consequences of an accident including: limiting ship separation distance to [redacted] establishing a maximum credible event [redacted] pounds net explosive weight, and keeping explosives arcs from encumbering the permanently inhabited portions of the island" and additionally that "Navy units comply with any British territorial restrictions and agreements".

Documents at the time of the issue of the Certification record that the planned use of the anchorage for the year 2001 involved between 20 and 12 ammunition ships<sup>13</sup>.

On 22 April 2002 the Chief of Naval Operations forwarded the Secretarial Certification to the US Naval Support Facility Diego Garcia together with the required administrative controls (Annex D).

The operational use and need for the Secretarial Certification was reviewed in 2005 and 2009 by AMHAZ Handling Review Board who concluded that it continued to be necessary. In their 2009

<sup>&</sup>lt;sup>13</sup> Exhibit F, K and L to presentation "Explosives Safety Arc Considerations at Diego Garcia"

report<sup>14</sup> they noted that additional explosives anchorages were now available at Saipan and the Maldives, and Korea for the US Army. As a consequence there were fewer ships present at Diego Garcia.

#### 2.3 A new anchorage plan for Diego Garcia

On 17 August 2012 the Maritime Prepositioning Ship Squadron TWO (MPS-2) requested a new anchorage plan (Annex E). This took account of (1) decreased net explosive weights carried by the ships, primarily due to precision weapons; (2) re-growth of coral formations in the lagoon and a request from the UK to move anchorages due to this; (3) the actual number of assigned vessels. The anchorage plan was said to create more anchorages within the existing explosives anchorage area. Most of the details of the changes requested are redacted in the released documents. The request also noted that "explosive proximity to populated areas is actually decreased".

Approving the new plan, NOSSA noted<sup>15</sup> that:

While the revised anchorage plan increases the total number of anchorages that can be used for loaded cargo ammunition ships, the [redacted] separation between ships and [redacted] to shore-based facilities is still maintained. As such, there is no risk increase, only a realignment of anchorage points. All other conditions established by [the Secretarial Certification] remain in effect.

Although NOSSA stated that the revised anchorage plan would require endorsement at the next AMHAZ review, there is no record in the documents of this having taken place.

The records in these documents do not appear to support the contention by the FCO in 2014 that anchorages were changed in 2008/9 to avoid damage to coral formations (see page 3 above). It is thus unclear if the Figure 3 (above) showing the current anchorage configuration is the same as the new US Navy plan dated 2012. However on the basis of the continuing Secretarial Certification dating from 2002 it would appear that the ESQD arc shown in Figure 1 (above) remain current.

#### <u>2.4 Current summary of the Secretarial Certification</u>

The most recent summary of the 2002 Secretarial Exemption which continues in force<sup>16</sup> is:

<u>SCI-02</u>: Permits Military Sealift Command ships to be anchored at less than required Explosives Safety Separation Distances, with administrative controls limiting ships separation distances to [redacted]; established Maximum Credible Event [redacted] pounds Net Explosives Weight; keeping Explosives Anchorages from encumbering permanently-inhabited portions of the island.

Note: Final correspondence in this FOI release is dated 29 July 2014.

<sup>&</sup>lt;sup>14</sup> AMHAZ Handling Review Board's 8020 Ser N54-RA/77 dated 12 Feb 2009

<sup>&</sup>lt;sup>15</sup> NOSSA's letter 8020 Ser N511/1706 dated 24 Sep 2012

<sup>&</sup>lt;sup>16</sup> Enclosure 4 to NOSSA's 8020 Ser N5P/882 dated 11 June 2014

#### Annex A: RAMSAR DESIGNATION OF Diego Garcia

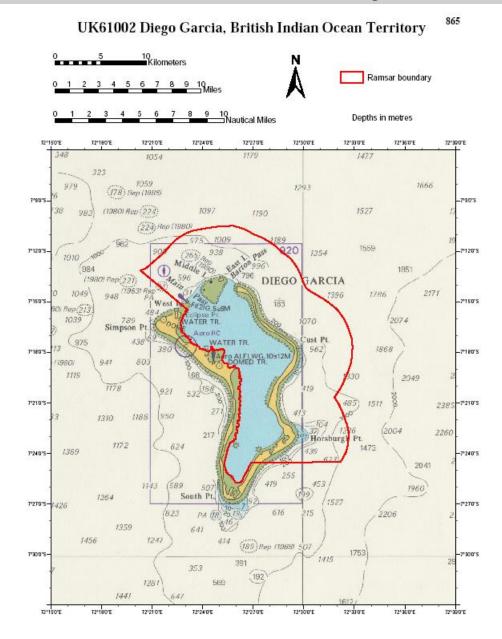


Figure 4. Diego Garcia RAMSAR designated area (shown in red)

#### The RAMSAR listing states that:

The site qualifies for the List under 7 of the 8 Ramsar Criteria and is a particularly good example of a relatively unpolluted coral reef system in a near-natural state, of special value for maintaining the genetic and ecological diversity of the region, especially its marine life. It provides habitat for marine flora and fauna at critical stages of their biological cycles, including the threatened Hawksbill and Green Turtles, and regularly supports 20,000 or more waterbirds, including Greater frigate, Red-footed boobies, brown and lesser noddies, amongst others..... The site's international importance is legally recognized in the BIOT Conservation Policy Statement (1997) which specifies

that it will be managed in accordance with the requirements of the Convention subject only to defense requirements.<sup>17</sup>

The detailed justification for its listing<sup>18</sup> includes:

**Ramsar Criterion 1**. The site is a particularly good example of a relatively unpolluted coral reef system in a near natural state which provides a valuable link in the marine ecology of the Indian Ocean.

Ramsar Criterion 3 and 4. The site is of special value for maintaining the genetic and ecological diversity of the region, especially its marine life. The site provides a habitat for marine flora and fauna at a critical stage of their biological cycle including the endemic coral *Ctenella chagius* and the threatened Hawksbill and Green Turtles, *Eretymochelys imbricata* and *Chelonia mydas*. The site is also important for breeding seabirds.

**Ramsar Criterion 5**. The site regularly supports 20,000 or more waterbirds including Greater frigate *Fregata minor*, Redfooted Boobies *Sula sula*, Greater crested-tern *Thalasseus bergii*, Black-naped tern *Sterna sumatrana*, White (fairy) tern *Gygis alba*, Brown (common) noddy *Anous stolidus*, Lesser noddy *Anous tenuirostris*. There are 28,410 individuals estimated to occur on Diego Garcia (Sheppard C.R.C and Seaward M.R.D. eds 1999).

**Ramsar criterion 6**. The site supports a breeding colony of approximately 9,000 Red-footed Boobies *Sula sula* and 320 Greater frigate *Fregata minor*.

**Ramsar Criterion 7 and 8**. The site supports a large number of fish species including some endemics and is also a valuable nursery for fish stocks.

Several species occurring in the designated area (Coconut crab *Birgus latro*; Lesser noddy tern *Anous tenuirostris*, Black-naped tern *Sterna sumatrana* and White (fairy) tern *Gygis alba*) are assessed to be of international importance. The site also encompasses an area of seagrasses on the eastern side of the lagoon with a number of fish species not seen anywhere else in the Archipelago. These are assessed to be of national importance.

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<sup>&</sup>lt;sup>17</sup> https://rsis.ramsar.org/ris/1077

<sup>&</sup>lt;sup>18</sup> https://rsis.ramsar.org/RISapp/files/RISrep/GB1077RIS.pdf

#### Annex B: The Diego Garcia Conservation (Restricted Area) Ordinance 1994

#### THE BRITISH INDIAN OCEAN TERRITORY.

## THE DIEGO GARCIA CONSERVATION (RESTRICTED AREA) ORDINANCE, 1994.

#### Ordinance No.6 of 1994.

#### Came into force 24.11.97

Gazette notice 1997

An Ordinance to promote the conservation of the natural resources and historical heritage of the Territory by authorising the restriction of access to certain areas in and adjacent to Diego Garcia and the regulation of activities within those areas, and for purposes incidental to the foregoing.

#### Arrangement of sections.

Section		Page.
1.	Citation, commencement and interpretation.	2.
2.	Repeal.	2.
3.	Establishment of restricted area.	3.
4.	Entry into restricted area and permitted activities there.	3.
5.	Offences and penalties.	3.
6.	Exceptions.	4.
7.	Evidence.	4.
8.	Saving for immigration control.	4.

Enacted by the Commissioner for the British Indian Ocean Territory.

25 August 1994

D. R. MacLennan

Commissioner

#### THE BRITISH INDIAN OCEAN TERRITORY

#### Ordinance No. 6 of 1994

Citation, commencement and interpretation.

- 1.— (1) This Ordinance may be cited as the Diego Garcia Conservation (Restricted Area) Ordinance 1994 and shall come into force on a date to be appointed by the Commissioner by notice published in the *Gazette*
- (2) In this Ordinance, unless the contrary intention appears "the Commanding Officer" means the United States Navy Officer in command of the facility;

"the controlled area" means the whole of Diego Garcia outside the specific area, together with the four islets at the mouth of the lagoon, and includes the waters of the lagoon and the territorial sea adjacent to Diego Garcia and those four islets;

"the facility" means the facility described in paragraph (1)(a) of the Exchange of Notes of 25 February 1976 between the Government of the United Kingdom and the Government of the United States of America concerning a United States Navy Support Facility on Diego Garcia, British Indian Ocean Territory;

"members of the United States Forces" and "contractor personnel" have the same meaning as in the Exchange of Notes of 20 December 1966 between the aforesaid Governments concerning the Availability for Defence Purposes of the British Indian Ocean Territory;

"the restricted area" means the part or parts of the controlled area that is or are for the time being determined to constitute the restricted area by a notice issued under section 3; and

"the specific area" means the area for the time being identified as such in accordance with paragraph (1)(a) of the aforementioned Exchange of Notes of 25 February 1976.

Repeal.

2. — Section 176A of the Penal Code is repealed.

Establishment of restricted area.

3. — The Commissioner's Representative may, by notice issued by him which shall be posted in a part of his office to which the public has access and a copy of which is sent to the Commanding Officer, determine which part or parts of the controlled area shall constitute the restricted area.

Entry into restricted area and permitted activities there.

- 4. (1) No person may enter the restricted area except under the authority of a permit issued by the Commissioner's Representative.
- (2) A permit authorising entry into the restricted area may confer such authority
  - (a) on all persons generally or only on any specified person or persons or class or classes of persons;
  - (b) without limitation of time or only for any specified occasion or occasions or period or periods;
  - (c) in respect of the whole of the restricted area or in respect only of any specified part or parts thereof; and
  - (d) without limitation as to the activities (not otherwise unlawful) that may be carried out there or for the purpose of the carrying out there only of any specified activity or activities or class or classes of activities.
- (3) In the framing of a permit issued under this section, a person or persons or an occasion or occasions or a part or parts of the restricted area or an activity or activities (or any class or classes of the foregoing) may be specified by reference to all persons, occasions, parts or activities (as the case may be) other than as expressly excepted by the permit.

(4) The Commissioner's Representative may attach such conditions as he thinks fit to any permit which he issues under this section.

Offences and penalties.

- 5. (1) Any person who enters any part of the restricted area otherwise than as authorised by a permit issued under section 4 is guilty of an offence.
- (2) Any person who, while within the restricted area as authorised by a permit issued under section 4, being a permit which specifies the activities which he may carry out there, carries out there any activity other than one so specified is guilty of an offence.
- (3) Any person who contravenes any condition attached to a permit issued under section 4 is guilty of an offence.
- (4) Any person who is convicted of an offence under this section is liable to a fine not exceeding £500.
- (5) Section 31(2)(a) of the Criminal Procedure Code 1986 is amended by the addition, at the end of the list of Ordinances contained therein, of the short title of this Ordinance, that is to say, "the Diego Garcia Conservation (Restricted Area) Ordinance 1994".

Exceptions.

- 6. (1) Sections 4 and 5 do not apply to members of the United States Forces or contractor personnel exercising such functions as are necessary for the development, use, maintenance, operation or security of the facility.
- (2) Notwithstanding the definition, in section 1(2), of "the controlled area" as including the territorial sea adjacent to Diego Garcia and the four islets at the mouth of the lagoon, sections 4 and 5 do not apply to any person on board a vessel exercising the right of innocent passage through the territorial sea.

Evidence.

- 7. (1) In any proceedings for an offence under section 5, a certificate by the Commissioner's Representative as to whether a person was, at any material time, authorised by a permit issued under section 4 to enter the restricted area or as to the extent of the authority conferred by any such permit or as to whether any (and what) condition was attached to any such permit shall be conclusive as to the matter so certified.
- (2) In any proceedings for an offence under section 5, a certificate by the Commanding Officer as to whether a person was, at any material time, a member of the United States Forces or contractor personnel exercising functions necessary for the development, use, maintenance, operation or security of the facility shall be conclusive as to that matter.
- (3) In any proceedings for an offence under section 5, a certificate which purports to be a certificate by the Commissioner's Representative or by the Commanding Officer, as the case may be, and to be signed by him shall be accepted as such without further proof unless credible evidence to the contrary is adduced.

Saving for immigration control.

8. — For the avoidance of doubt it is hereby declared that the restrictions imposed, or authorised to be imposed, by this Ordinance are in addition to, and not in substitution for or in derogation from, the restrictions imposed, or authorised to be imposed, by the Immigration Ordinance 1971 and, accordingly, that nothing in this Ordinance is to be construed as authorising any person to enter any part of the Territory unless he is in possession of a permit, or his name is endorsed on a permit, issued under the Immigration Ordinance 1971.

### Annex C: Secretarial Certification 14 March 2002



### DEPARTMENT OF THE NAVY THE ASSISTANT SECRETARY OF THE NAVY (INSTALLATIONS AND ENVIRONMENT)

1000 NAVY PENTAGON 0001-0000 D.C. 2030-1000

14 March 2002

MEMORANDUM FOR THE CHIEF OF NAVAL OPERATIONS (N4)

Subj: REQUEST FOR SECRETARIAL CERTIFICATION FOR SHIP ANCHORAGES AT NAVAL SUPPORT FACILITY, DIEGO GARCIA

This is in response to your endorsement memorandum for a Secretarial Certification, dated February 5, 2002, to permit Military Sealift Command ships to (b)(3)

at the Naval Support Facility (NSF), British Indian Ocean Territory, Diego Garcia.

It is understood that war-fighting requirements within the Pacific and Central Command Areas of Responsibility dictate that ships carrying sufficient quantities of ordnance be available to support operational plans. The Joint Chiefs of Staff have imposed requirements and timelines (5)(3)

order to allow continued operations while mitigating the risks associated with anchoring these ships at NSF, it is understood that the Deputy Chief of Naval Operations (Fleet Readiness and Logistics) will impose administrative controls to minimize the possibility and consequences of an accident including: limiting ship separation distance to (b)(3) establishing a maximum credible event (b)(3) pounds net explosives weight, and keeping explosives arcs from encumbering the permanently inhabited portions of the island.

Subject request is approved in accordance with the provisions of DoD Directive 6055.9, paragraph 5.4.8. Please ensure that Navy units comply with any British territorial restrictions and agreements.

T TOUNEON

Copy to: CNO (N41) CINCPACFLT (N41) USCINCPAC CMC (SD, LFL, ASL-30) MARCORSYSCOM (PM-AM) CENTCOM (CCJ4)

### Annex D: Chief of Naval Operations letter 22 April 2002



## DEPARTMENT OF THE NAVY OFFICE OF THE CHIEF OF NAVAL SPENATIONS 2000 HAVY FENTANDS WASHINGTON, DC. 2003D 2000

N42-

IN REPLY REFER TO 8020 Ser N411C1/2U587665 22 Apr 02

From: Chief of Naval Operations

To: Commanding Officer, U.S. Naval Support Facility, Diego

Garcia

Via: Commander in Chief, U.S. Pacific Fleet (N42)

Subj: SECRETARIAL CERTIFICATION FOR SHIP ANCHORAGES AT U.S.

NAVAL SUPPORT FACILITY, DIEGO GARCIA

Ref: (a) NAVSEA OP 5, Volume 1, Seventh Revision

Encl: (1 ASN(I&E) memo of 14 Mar 02

- 1. Enclosure (1) provides the Assistant Secretary of the Navy (ASN) for Installations and Environment (I&E) authorization for anchoring Military Sealift Command ships at less than the required (b)(3) separation distances at U.S. Naval Support Facility (NAVSUPPFAC) Diego Garcia. The following conditions apply to this Secretarial Certification:
- a. Whenever possible, cargo ammunition ships will be anchored at the required (5)(3) or greater, separation distance. When (5)(3) separation distance is not achievable due to operational requirements, cargo ammunition ships will be separated by at least (5)(3) distance, measured between ships' swing circles as defined in paragraph 7-10.6.2 of reference (a).
- b. If operational requirements necessitate anchoring ships at less than (b)(3) separation distance, the maximum credible event (MCE) is limited to (b)(3) pounds net explosives weight (NEW) (i.e., the combined NEWs of ships that do not meet (b)(3) cannot exceed (b)(3) pounds) and a CNO-approved event waiver is required.
- c. Non-explosives laden ships must be separated by at least K11 distance from explosives laden ships.
- d. Operations at (b)(3) are permitted at (b)(3) or greater, separation distance from the explosives anchorages. Explosives

Subj: SECRETARIAL CERTIFICATION FOR SHIP ANCHORAGES AT U.S. NAVAL SUPPORT FACILITY, DIEGO GARCIA

handling operations may be conducted at (b)(3) and (b)(3) (b)(3) provided that: (1) all other reference (a) requirements are met, and (2) site approval is obtained for those operations.

- e. Explosives safety quantity-distance (ESQD) arcs from explosives anchorages shall not encumber permanently inhabited portions of the island. This restriction does not apply to transient operations, such as warehouses/transit sheds or facilities directly supporting waterfront operations.
- f. Navy units must comply with all British territorial restrictions and agreements.
- 2. This Secretarial Certification, which is identified as NAVSUPPFAC Diego Garcia SC1-02, will be reviewed within five years, in accordance with paragraph 1-6.8.2 of reference (a)
- 3. CINCPACFLT is directed to study alternatives to the anchorages at Diego Garcia that would minimize explosives safety concerns without detriment to operational readiness. Within 30 days of receipt of this letter, provide your study plan and timeline.
- 4. CNO Waiver NAVSUPPFAC Diego Garcia 1-99 is cancelled
- 5. OPNAV point of contact is Ms. (b) (6) (N411C1) who may be reached on DSN (b) (6) or commercial (b) (6)

L. J. BIRD By direction

Copy to:
DDESB (DDESB-KO)
NAVORDSAFSECACT (N71)
USCINCPAC Honolulu
COMNAVFORJAPAN (N00)
CMC (I&L(LP), SD, LFL, ASL-30)
COMMARCORSYSCOM (PM-AM)

## Annex E: Maritime Prepositioning Ship's Squadron TWO's letter 17 August 2012



#### DEPARTMENT OF THE NAVY

COMMANDER
MARITIME PREPOSITIONING SHIPS SQUADRON TWO
UNIT 25100
FPO AP 96601-7107

8000 N00/025 17 AUG 12

From: Commander, Maritime Propositioning Ship's Squadron TWO

To: Commander, US Pacific Fleet, N42 ESC

Via: (1) Commander, Naval Support Facility, Diego Garcia

(2) Commander, Military Sealift Command Far East

Subj: REQUEST REVISION OF EXPLOSIVE ANCHORAGES LOCATIONS AT

NAVSUPPFAC, DIEGO GARCIA

Ref: NAVSEA OP-5 (Rev 7) Explosive Safety Quantity Distance

(ESQD) Requirements dtd 1 Jun 2005

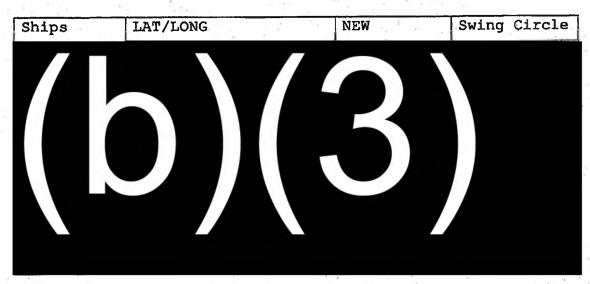
Encl: (1) Existing and Proposed locations of DIEGO GARCIA

anchorages

- 1. Maritime Prepositioning Ship Squadron TWO (MPS-2) requests that a second anchorage plan be approved for Diego Garcia, British Indian Ocean Territory, reflecting the updated areas available for anchorage, the actual number of vessels assigned and the decrease in explosive cargo onboard the assigned preposition shipping. The resulting anchorage plan creates (b)(3) more anchorages within the existing explosive anchorage area. Endorsement by COMPACFLT ESO is requested to obtain temporary Naval Ordnance Safety and Security Activity (NOSSA) approval based on the reduced overall Net Explosive Weight (N.E.W.) within the existing explosive anchorage area. Final approval will be deferred pending a full Navy Ammunition and Hazardous (AMHAZ) Materials Handling Review Board inspection by NAVSEASYSCOM scheduled for February, 2013.
- Diego Garcia is home to the Afloat Prepositioning Force (APF) vessels of MPS-2, which anchor in the lagoon. The ships currently anchor in designated areas based on outdated N.E.W. totals, which have decreased, and the condition of the lagoon floor, which has re-grown considerable coral formations. Per Encl (1), there are currently  $\frac{(b)(3)}{2}$  identified anchorage sites at Diego Garcia. One is designated an emergency anchorage. (b)(3) of the remaining (b)(3) anchorages have been used in the past, however these are in areas now rich with coral and anchoring in them would cause ecological harm to the coral and lagoon floor. The United Kingdom strongly supports not using these anchorages, and Military Sealift Command has accommodated this preference. As a result, there are (b)(3) anchorages the United Kingdom prefers we use. However, one of these anchorages (anchorage (anchorage) is not considered safe for navigation. Therefore, DGAR actually has usable anchorages.

Subj: REQUEST REVISION OF EXPLOSIVE ANCHORAGES LOCATIONS AT NAVSUPPFAC, DIEGO GARCIA

- 3. The number of assigned APF vessels is currently (b)(3) and will increase to (b)(3) by October, 2012 and to (b)(3) in January, 2013.
- 4. Since the last explosive survey was conducted in 2001, the explosive cargo carried on the MPS-2 vessels has declined, primarily due to precision weapons. Currently the usable anchorages are authorized for a total explosive weight of pounds N.E.W. however, the mix of vessels assigned by October 2012 will contain only (b)(3) pounds N.E.W and this proposal seeks to take advantage of that by increasing the anchorages within the existing usable explosive anchorage area.
- 5. The United Kingdom prefers that existing anchorages (b)(3) not be used, but anything east of the swing circles of these anchorages are acceptable alternatives. This provides a usable anchorage area Targer than the area of the current designated anchorages. Consequently, given that the area available to us is not fully used and that the N.E.W. has fallen precipitously, it is possible to place (b)(3) anchorages within the area currently designated as usable by the British and not increase the explosive coverage beyond the existing (b)(3) arcs delineated in ref (a). In fact, explosive proximity to populated areas is actually decreased in the proposed anchorage arrangement.
- 6. Request COMPACFLT N42 ESC endorse the proposed anchorage plan and obtain NOSSA temporary approval to utilize it while waiting for the formal approval of the new anchorage plan following the Navy Ammunition and Hazardous (AMHAZ) Materials Handling Review Board inspection by NAVSEASYSCOM scheduled for February, 2013. The proposed anchorages are:





C. D. SLOCUME





CATEGORY

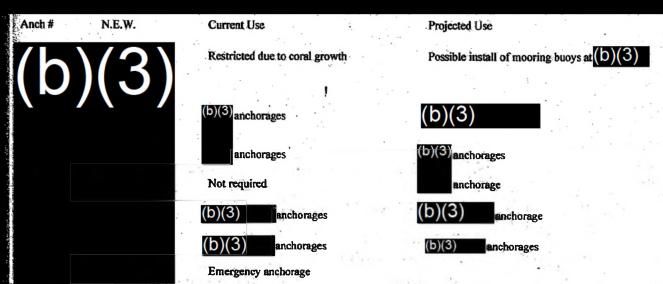
# Revised Locations

(b)(3)

ANCHORAGE PLAN

Interim "Clearly Releasable" Response - Redactions/Exemptions are not Final





Interim "Clearly Releasable" Response - Redactions/Exemptions are not Final