

The flawed public process: Did the Forest Service give the Navy a Categorical Exclusion?

The issuance of a Special Use Permit for the Navy to use roads within the Olympic National Forest would require what's called a [Categorical Exclusion](#) from documentation in either an Environmental Impact Statement or an Environmental Assessment.

Sometime in 2011, the Forest Service gave the Navy a temporary Special Use Permit to test its equipment in the Olympic National Forest. Conditions for the temporary permit versus the permanent one the Navy seeks [would not have been substantially different](#). Despite numerous requests for this public document, the Forest Service has failed to release details about this permit or its documentation for public examination.

According to the [National Environmental Policy Act](#), or NEPA, the "Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, or there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization." (36 CFR 220.6(e)(15))

In other words, the Special Use Permit that is the crux of the matter, without which the Navy cannot use roads in the Olympic National Forest, requires a special exemption called a Categorical Exclusion.

Did the Forest Service issue the Navy with a Categorical Exclusion for this temporary Special Use Permit? And if so, exactly what conditions was the Navy exempted from having to comply with? And what conditions does the Forest Service anticipate exempting the Navy from if it grants the permanent Special Use Permit?

None of these questions have been answered.