

**Draft Decision Notice and
Finding of No Significant Impact
Pacific Northwest Electronic Warfare Range
USDA Forest Service
Pacific Ranger District, Olympic National Forest
Jefferson, Grays Harbor, and Clallam County, Washington
Specific Locations are Listed Below in Table 1.**

Introduction

This Decision Notice documents my decision to implement Alternative 2 of Pacific Northwest Electronic Warfare Range Environmental Assessment, and the rationale for my selection of Alternative 2.

Background

An Environmental Assessment (EA) has been prepared by the Navy for adoption by the US Forest Service for the Pacific Northwest Electronic Warfare Range. The project area is located on National Forest System lands within the counties of Jefferson, Grays Harbor, and Clallam, in the west portion of Washington's Olympic Peninsula. The activity locations are listed in Table 1.

Table 1: Locations of Mobile Emitter Sites

Emitter #	Latitude / Longitude	Specific Location
Olympic A MOA		
1	N 47°32'13.56" / W 123°56'51.18"	ONF Land located on NFS Rd NF-2140
2	N 47°31'40.80" / W 123°52'47.50"	ONF Land located on NFS Rd NF-2190
3	N 47°32'24.70" / W 123°03'46.45"	WSDNR Land approximately 464 Ft east of NF 2331
4	N 47°35'49.80" / W 124°02'39.80"	ONF Land located on NFS Rd NF-011
5	N 47°22'32.81" / W 123°53'12.87"	ONF Land located on NFS Rd NF-2258
6	N 47°24'20.50" / W 123°50'27.08"	ONF Land located on NFS Rd NF-2258
7	N 47°23'47.40" / W 123°54'52.80"	NF land on a pull off area on NFS Rd 2257
8	N 47°21'30.10" / W 123°51'56.40"	NF land on a pull off area on NFS Rd 042
13	N 47°37'34.90" / W 124°03'27.60"	On a pull off area at the intersection of NFS Rd 3000 and 015
14	N 47°32'20.30" / W 124°08'45.80"	WSDNR land via NFS Rd 1000 on a pull off area
15	N 47°30'44.80" / W 123°53'20.20"	ONF Land located on NFS Rd NF-2190
Olympic B MOA		
9	N 47°57'58.00" / W 124°11'41.70"	NF land on a pull off area at the intersection of NFS Rd 2923 and NFS Rd 025
10	N 47°59'26.11" / W 124°09'59.78"	NF land on a pull off area on NFS Rd 2923
11	N 48°00'57.54" / W 124°13'26.13"	NF land on a pull off area at the intersection of NFS Rd 060 and NFS Rd 065
12	N 47°49'34.70" / W 124°05'24.40"	WSDNR land via DNR access road off of NFS Rd 005 on a pull off area

The purpose of the Pacific Northwest Electronic Warfare Range is to sustain and enhance the level and type of electronic warfare (EW) training currently being conducted by assets using the Northwest Training Range Complex (NWTRC) Environmental Impact Statement (EIS)/Overseas EIS (OEIS), to provide the ability to accommodate growth in future training requirements, and to maximize the ability of local units to achieve their training requirements on local ranges. This action is needed for Navy training, certification requirements, reduction of costs and fossil fuel consumption by providing more localized training.

Management direction for the adoption of this EA by the Navy comes from the 1990 *Olympic National Forest Land and Resource Management Plan* (LRMP) as amended by the 1994 *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl*. The 1994 Record of Decision (ROD), along with its Standards and Guidelines, is commonly known as the Northwest Forest Plan. The 1990 LRMP, as amended by the 1994 ROD and other current amending documents, is referred to as the Forest Plan in this Decision Notice.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement.

The actions proposed in the EA consist of mobile emitter trucks departing from Naval Station (NS) Everett Annex Pacific Beach and drive on existing roads to one of the 15 pre-selected training sites (Table 1) within the Olympic Military Operations Area (MOAs) to set up for the day's activities. Once at the designated training location, but prior to commencing a training activity, the crews will set up the safety zones, as applicable, to include warning tape and removable "Electromagnetic Radiation Hazard" signage, which would warn people to not linger inside the taped area.

One crew member will be charged with observing the general training site from inside the vehicle while the emitter is in operation for the presence of individuals or animals. Should an individual/individuals or animals loiter in the area while a training event is occurring, the mobile emitter crews will cease the training (de-energize the emitter) and wait until the area is clear before resuming training. If need be, they will relocate to another pre-selected training site. After

completion of the training event, the mobile emitters used in the Olympic MOA would relocate to the next training site or return to NS Everett Annex Pacific Beach if there are no additional training evolutions scheduled for the day. Vehicles will not remain parked at training sites overnight.

The Pacific Northwest Electronic Warfare Range EA also analyzed a no-action alternative. The alternatives differed by the limited EW training, without the enhanced capability of fixed and mobile emitters, by the no-action alternative.

Decision and Reason for the Decision

After careful review and consideration of the public comments and analysis disclosed in the Pacific Northwest Electronic Warfare Range EA, I have decided to implement Alternative 2, the Proposed Action, as described in the EA (p. 29). My decision includes implementing, through the issuance of a Special Use Permit, allowing use by the mobile emitters for training exercises (p. 32). My decision is based on a review of the EA and the project record, which shows a thorough evaluation of relevant scientific information, a consideration of responsible opposing views, and acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. Alternative 2 is the preferred alternative because it would afford the most flexibility and effectiveness in training capability to fulfill the purpose and need of the Proposed Action.

In making this decision, I examined the proposed activities which would be conducted on Forest Service Roads, the associated effects from these activities, the related activities in relationship to the goals and objectives of the Forest Plan. A full range of environmental issues were considered for evaluation at the outset of the process. Certain resource areas were eliminated from detailed study in the EA because research revealed that the Proposed Action is unlikely to have any potential environmental impacts on these resources, or that impacts would be negligible. All applicable laws and policy, Tribal Treaty rights, and public input were incorporated into this decision. I considered the effects of implementing the Alternative 1, the Preferred Action Alternative, and the No Action Alternative on the physical, biological, social, and economic environment. I believe Alternative 2 provides the best balance among these considerations.

Implementing Alternative 2 will result in minimal impacts to resources. My decision to implement Alternative 2 meets the purpose and need for action established for this project, and is consistent with the goals, objectives, standards, and guidelines of the Forest Plan. Alternative 2 meets requirements under the National Forest Management Act, National Environmental Policy Act, Clean Air Act, Clean Water Act, and all other applicable environmental laws, regulations, and policies.

Mitigation Measures and Design Features

Operational design criteria and mitigation measures were developed for the action alternative and will be implemented to insure compliance with direction in the Forest Plan and Forest program direction, as well as to avoid or minimize adverse impacts of the activity implementation. Mitigation, safety, and operational measures are described in the EA on page 50, are expected to minimize potential adverse effects of management activities. Implementation of these features is considered to be highly effective.

Monitoring and Adaptive Management

Monitoring will be addressed through the issued Special Use Permit by the US Forest Service for the activities outlined in the Action Alternative.

Other Alternatives Considered

I originally considered five alternatives applicable to the Olympic National Forest, two of which were eliminated from further analysis (see “Alternatives Considered but Dismissed from Further Study”, below).

Three alternatives were considered in detail in the EA: one that included Alternative 1; and the Preferred Action (Action Alternative 2), and one that would not (the No-Action Alternative).

I did not select the No-Action Alternative because it does not meet the purpose and need to sustain and enhance the level and type of EW training currently being conducted by assets using the NWTRC EIS/OEIS, to provide the ability to accommodate growth in future training requirements, and to maximize the ability of local units to achieve their training requirements on local ranges. This action is needed for Navy staff training and certification requirements, reduction of costs, and reduction of fossil fuel consumption by providing more local training.

The analysis in the EA shows that the action alternative would not result in any measurable adverse environmental effects. I have decided to implement Alternative 2 because it meets the purpose and need of the project most effectively.

Alternatives Considered but Dismissed from Further Study

An alternative location for EW training activities was considered at the Fallon Training Range Complex. However, this site was eliminated from subsequent consideration because it failed to adequately meet several of the selection criteria.

The installation and use of additional fixed emitters in the Olympic Peninsula was considered as an alternative. However, these additional locations failed to sufficiently meet the selection criteria for safety and this alternative was eliminated from subsequent consideration.

Public Involvement and Tribal Consultation

The Pacific Northwest Electronic Warfare Range EA was listed on the Olympic National Forest's *Schedule of Proposed Actions* (SOPA) October 1, 2013, and remained on the SOPA throughout the planning, analysis, and decision process. On May 19, 2014, I sent scoping letters to the Quileute, Hoh, and Quinault Tribes to solicit comments on the project. On June 26, 2014, I sent a scoping letter to concerned citizens, organizations, and state, federal, and local government agencies that have expressed an interest in the Forest's management activities. The letter described the proposed action, and requested comments.

Based on comments received from the Tribes, the public, and other agencies, the Forest forwarded these to the Navy's interdisciplinary team to develop a list of issues to address when considering alternatives to the proposed action. When the draft EA was complete, it was circulated for a 30-day comment period beginning on August 9, 2014. Two responses were received during the comment period. The comments were found to be non-substantive.

Finding of No Significant Impact

After considering comments from the public and the environmental effects described in the EA, I have determined that implementation of Pacific Northwest Electronic Warfare Range EA Alternative 2 does not constitute a major federal action significantly affecting the quality of the human environment. Thus, an environmental impact statement will not be prepared. This determination of no significant impact is based on the EA, the design of the selected alternative, and on the following factors:

Context of Action:

The Pacific Northwest Electronic Warfare Range EA activities will be localized and short-term; although a long-term Special Use Permit will be issued. The training activities occurring on Forest Service Roads by the Navy under a Special Use Permit, requiring certain conditions for use and operation.

Intensity of Effects:

The environmental effects of the following actions are documented in Chapter 3 of the Pacific Northwest Electronic Warfare Range EA: vehicle noise, noise from temporary construction, and

noise associated with the fixed and mobile emitters would only occur on an intermittent basis and would not result in a substantial sound source within the study area; The Navy's safety policies and procedures ensure that placement of and use of both the fixed and mobile emitters is conducted safely and monitored in all locations. These procedures minimize the potential for interaction between military and civilian activities by ensuring that emitter operators adhere to specific safety precautions designed to prevent electromagnetic hazards to people, schools, and childcare centers; and short term interaction will not be significant based on the relatively low intensity of the impacts, the localized nature of the impacts on pre-disturbed areas, the infrequent nature of the impacts due to the wide spread nature of the sites, and the brief duration of the activities. The beneficial and adverse direct, indirect, and cumulative effects of these activities have been disclosed in the EA. Effects are expected to be low in intensity because of standard management practices and mitigation measures described on pages 50 of the EA.

1. Potential adverse effects were considered in the analysis of the proposed action and alternative. The analysis considered both direct and indirect effects, and also the project's contribution to the cumulative effects of other past, present, and reasonably foreseeable actions. Potential adverse effects of Alternative 2 will be reduced or eliminated by the application of the required project mitigation measures (EA p. 50).
2. The project will not have a significant effect on public health or safety. Mitigation measures and design features will protect worker and public safety during project implementation (EA p. 50).
3. There will be no significant effects to unique characteristics of the area. No historic or cultural resources will be affected with this proposal (EA, p. 42). The activity is not in close proximity to prime farmlands or ecologically critical areas. There are no wetlands located within the activity area. No activities will occur within designated Wilderness, Inventoried Road less Areas, or within the Olympic National Park, although there will be minor, short-term indirect effects from noise of vehicles. There will be no effects to Wild and Scenic Rivers. The activity will not impact Riparian Reserves.
4. The effects of this project on the quality of the human environment are not likely to be highly controversial. Comments received during the comment period from respondents were concerned primarily with how electronic activity would affect marine animals or concerns over use in certain areas which may restrict public access. Comments received during the 30-day comment period raised no substantial concerns.
5. The effects of this project are not highly uncertain, and do not involve unique or unknown risks. These activities will be consistent with regulations and the protection of natural resources.
6. This action will not establish a precedent for future actions with significant effects, and does not represent a decision in principle about a future consideration. The EA effectively addressed and analyzed all major issues associated with the project.
7. Implementation of Alternative 2 does not represent potential cumulative adverse impacts when considered in combination with other past, present, and reasonably foreseeable future actions. The discussion of effects in Chapter 3 of the EA indicates no likelihood of cumulatively significant impact to the environment.
8. It was determined that the action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic

Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources. The Washington State Office of Archaeology and Historic Preservation (SHPO) concurred with the No Effect finding (letter on file at the Olympic National Forest).

9. This action is covered by the Biological Opinion (BO) from the USDI Fish and Wildlife Service: U.S. Pacific Fleet Northwest Training Range Complex (NWTRC) in the Northern Pacific Coastal Waters off the States of Washington, Oregon and California and activities in Puget Sound and Airspace over the State of Washington, USDI Fish and Wildlife Service. 2010. This is a Biological Opinion and letter of concurrence for effects to marbled murrelets, northern spotted owls, bull trout, and designated critical habitat for marbled murrelets and northern spotted owls from Naval activities, U.S. Fish and Wildlife Service, Lacey, Washington. The majority of project work will have little to no affect on the structure or function of spotted owl and murrelet habitat since most activities will be restricted to the existing road prism, which is non-habitat.
10. This action does not threaten a violation of any Federal, State, or local laws or requirements for the protection of the environment. Alternative 2 is consistent with the Forest Plan, and is in compliance with the Clean Water Act and the Clean Air Act. It was designed to be in compliance with all applicable laws and regulations.

Findings Required by Other Laws and Regulations

The decision to approve the Pacific Northwest Electronic Warfare Range EA is consistent with the intent of the Forest Plan's long-term goals and objectives. The project was designed in conformance with standards and guidelines in the 1990 *Olympic National Forest Land and Resource Management Plan (LRMP)* as amended by the 1994 *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl*. The EA includes descriptions of the existing condition, range of natural variability of important physical and biological components of the watersheds, and how the proposed project maintains the existing condition or moves it within the range of natural variability (EA p. 55). I have determined that this project is consistent with the National Forest Management Act (NFMA) requirements at USC 1604 (EA p. 60).

Implementation Date

If no objections are filed within the 45-day time period, implementation of this project may begin on, but not before, five business days from the close of the appeal filing period. When one or more appeals are filed, implementation may begin on, but not before, the fifteenth business day following the date of the last appeal disposition.

Objection Opportunities

This decision is subject to objection pursuant to Forest Service regulations at 36 CFR 218. Only individuals or organizations that submitted specific written comments during a designated

opportunity for public participation (scoping or the 30-day public comment period) may object (36 CFR 218.5). Notices of objection must meet the requirements of 36 CFR 218.8(d); incorporation of documents by reference is permitted only as provided for at 36 CFR 218.8(b).

Written notice of objection must be postmarked or received by the Olympic Forest Supervisor, ATTN: Objections, USDA Forest Service, 1835 Black Lake Blvd SW 98512 within 45 days of the date of publication of the notice regarding this decision in *The Daily World* newspaper, (Aberdeen, WA). Objections delivered by mail must be received before the close of the fifth business day after the objection filing period. The objection narrative must be sufficient to identify the specific change(s) to the decision sought by the appellant or portions of the decision to which the appellant objects, and must state how the Responsible Official's decision fails to consider comments previously provided. If applicable, the objections should state how the appellant believes this decision violates law, regulation, or policy. Specific directions on how to file an objection are provided in 36 CFR 218.8. (A printed copy is available upon request.) The regulations can be found at <http://go.usa.gov/VQz9>

Objections (including attachments) may be filed by regular mail, fax, e-mail, hand delivery, express delivery, or messenger service. The publication date of the notice regarding this decision in the newspaper is the sole means of calculating the objection filing deadline, and those wishing to object should not rely on dates or timelines from any other source. E-mail appeals must be submitted to: objections-pnw-olympic@fs.fed.us, and must be in one of the following three formats: Microsoft Word, rich text format (rtf), or Adobe Portable Document Format (pdf). Appeals submitted by FAX must be faxed to: 502-956-2330. Objections may be hand-delivered to the Supervisor's Office, 1835 Black Lake Blvd SW 98512 between 8:00AM and 4:30PM Monday-Friday.

It is the responsibility of all individuals and organizations to ensure their objections are received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the objection, it is the sender's responsibility to ensure timely receipt by other means.

Contact

For additional information concerning this decision or the Forest Service objection process, contact Greg Wahl, Forest Environmental Coordinator, Olympic National Forest, 1835 Black Lake Blvd SW, Olympia, WA 98512, email gtwahl@fs.fed.us, phone: 360-956-2375.

Dean R. Millett
District Ranger

Date

Olympic National Forest