

To: Mr Dean Millett, US Forest Service
Subject: Comment letter, November 28, 2014

Dear Mr Millett,

It remains a mystery how the Navy justified its Finding of No Significant Impacts to wildlife or habitats without a single public comment on its Environmental Assessment, and by using a Biological Opinion that is not only out of date but may be based on faulty information supplied by the Navy.

A Biological Opinion is a narrowly-focused legal document prepared by the US Fish and Wildlife Service, for the purpose of evaluating whether an activity will jeopardize the continued existence of a listed species. It does not address anything else – only effects on species that are already threatened with extinction. There have been both further declines in listed species and there have been more species listed since 2010 when the Biological Opinion was issued, but no documentation has ever been provided to prove that either the Forest Service or the Navy consulted with appropriate agencies to update their own data.

To illustrate the narrow focus of a Biological Opinion and the inappropriateness of using it to justify “no significant impacts” on ALL wildlife and habitats, the Navy can go explode mines on the sea floor, which creates a kill zone and alters the seafloor habitat, but if the one endangered fish that’s found in streams along the Olympic Peninsula and is being evaluated in the Biological Opinion doesn’t use that seafloor habitat, then the effects of that explosion are called “insignificant” because they don’t affect that particular species. No other species are examined for impacts; it’s only threatened and endangered ones. So no data has been provided about the effects on non-listed species such as radiation-sensitive amphibians, or on disturbance-sensitive nesting birds, or their eggs or nestlings. The analysis is like describing an ambulance at a multiple car accident scene that examines and picks up only the people who are near death and who have insurance, and then declares that nothing else is amiss.

The Navy’s 228-page Environmental Assessment uses mostly boilerplate text from other agencies in talking about species and their habitat needs. No additional data or analysis has been provided by either the Navy or the Forest Service on potential impacts to any biological resources, nor, according to your own public admission, has the Forest Service done any independent research to verify the Navy’s claims. Your exact words were, “I believe the Navy has done a sufficient job for us.”

The Fish and Wildlife Service’s Biological Opinion evaluated potential effects over a huge area of airspace, but only 875 acres of land were specifically named in it, located between Everett and Mt Baker and called the Darrington Area. The lone ground-based emitter whose effects were evaluated was located in Coupeville, and the number of annual training events for Growler jets proposed back in 2009 was 275. That’s what the Biological Opinion evaluated. Not 3 mobile emitters and one

fixed tower in 15 brand-new places, not a minimum of 36 low-altitude Growler jets in areas previously not evaluated, not 2,900 Growler training events in the Olympic National Forest and another 2100 elsewhere, for 8 to 16 hours per day, 260 days per year. This is twenty times the level of activity that was covered in the Biological Opinion; therefore, using it to justify no significant impacts to all biological resources invalidates the Finding of No Significant Impacts, and in turn, the Environmental Assessment itself.

In 2009-2010, the Fish and Wildlife Service concurred with the Navy's assessment on most of the endangered species except the marbled murrelet and the bull trout. In both latter cases, they said these species would likely be adversely affected, but that the Navy's actions as proposed at that time were not likely to "jeopardize" the species, meaning render them extinct, because they are still found in other areas. Now the Navy is moving into those other areas. Marbled murrelet abundance decreased 26 percent between 2002 and 2010, and the top conservation priority to keep them from going extinct is reproductive success. A big stronghold for these birds, and in fact designated critical habitat for both the marbled murrelet and the northern spotted owl, is the same coastal and rainforest habitat that's being targeted by the Navy. Yet despite conducting no scientific research of their own, neither the Forest Service nor the Navy have expressed any intention to reinitiate consultation with the US Fish and Wildlife Service and/or the National Marine Fisheries Service, for evaluating effects on species from these vastly expanded war training operations.

Furthermore: Navy representatives confirmed the process of establishing jet noise levels as that of placing a jet engine on a test platform on the ground, turning it on and recording its noise. That data is fed into noise mapping software that considers land contour data. The processed data is then averaged with quiet time over the length of a year to produce a "Day-Night Average," as is done at commercial airports by the FAA. No live jet takeoffs, landings or overflights are measured in establishing the Day-Night Average, nor is the frequent use of afterburners factored into those sound levels, nor is the significant extra noise from extended flaps, landing gear and speed brakes included.

Using the single engine sitting on the ground, the Navy developed a decibel average of 65, which is under the limit for hearing damage onset but over the limit, according to the Navy's own figures, for residential development. The Navy is authorized to fly at 6000 feet above mean sea level, but as everyone knows, the ground rises at mountains, so in some areas they will be flying at 1200 feet above ground level. Growlers are demonstrably louder than any other Navy jet and can produce 150 decibels, enough to cause instantaneous hearing loss. Navy statistics for older aircraft say the older jets produce 113 decibels at an altitude of 1000 feet, which is well above the 85 decibel threshold for permanent hearing loss, and ridiculously far beyond the Navy's 65 decibel claim. Peak event noise levels for Growlers were not used in evaluating effects on species in the Biological Opinion, because accurate measurements from real Growler jets did not exist. Many animals,

particularly birds such as marbled murrelets and northern spotted owls, that rely on a finely-tuned sense of hearing, are thought to experience hearing loss at lower thresholds than do humans. At peak levels, hearing loss can occur in a few seconds. Hearing loss results in behavioral changes which can include inability to successfully reproduce.

In the Roosevelt-Okanogan Military Training Area, the Navy is authorized to fly at 300 feet above ground level. It is not clear what would prevent them from authorizing that lower altitude in the Olympic National Forest or in airspace over the Olympic National Park. It is also not clear what prohibitions if any might exist for dumping jet fuel, as is common practice in military flights, over National Forest or Park lands.

So, while it is unknown what the actual noise levels produced by the much louder Growler jets will be, the Navy relies on an outdated Biological Opinion to say they will cause no significant impacts. Remember, please, that in the context of the Biological Opinion, this phrase means only that a species that was specifically evaluated by the Fish and Wildlife Service because it's listed as threatened or endangered won't be driven to extinction.

As a result of the old and questionable jet noise data provided by the Navy to the Fish and Wildlife Service for evaluating impacts to threatened and endangered species, the 2010 Biological Opinion should be considered invalid and should be redone. Further, as a result of the attempt to use such outdated and inadequate information to justify an expansion of warfare training activity that is twenty times what the Biological Opinion originally evaluated, the Finding of No Significant Impact should be declared invalid and a full Environmental Impact Statement process initiated by the Forest Service.

One billion birds fly up and down the Pacific Coast Flyway each year, and many rare species nest in the rainforest habitats of the Olympic National Forest and Olympic National Park. The effects of loud noise and electromagnetic radiation on their ability to find resting places and to navigate has not been analyzed by the Navy or the Forest Service, and was certainly not covered in the Biological Opinion. In both wildlife and humans, effects include hearing loss, increased stress hormones, cardiovascular disease, immune system compromise and behavioral/psychosocial impacts.

My questions to you are:

1. Why has no evidence been provided of informal consultation with the Fish and Wildlife Service since the Biological Opinion was issued?
2. Why is the Forest Service accepting the Finding of No Significant Impacts about its own lands from a non-biological agency?

3. Where is the peer-reviewed research to back up the Navy's claim of no significant impacts?

4. Why didn't the Forest Service do its own independent scientific investigations to verify the Navy's claims?

5. Why has the Forest Service allowed the process to get this far when the Navy hasn't even applied yet for a permit from the DNR, on whose lands two of the emitters are scheduled to be located?

6. What is the maximum noise level that might result from Growler aircraft that are only 1200 feet above ground level and in mountainous surroundings that will cause echoing?

7. Would the maximum noise level of Growler aircraft cause serious harm to humans and/or wildlife in the Olympic peninsula?

8. Would the combination of increased electromagnetic radiation and/or increased noise lead to the extinction of endangered species such as spotted owls and marbled murrelets?

9. When the Forest Service issued a "temporary special use permit" to the U.S. Navy in 2011 or 2012, through 2014, for use of the Olympic National Forest, it appears that the Forest Service just rubber stamped a Navy request without conducting their own investigation, research, studies or obtaining permission from the U.S. Forest Service Region 6. Was the Region 6 office even aware of the issuance of this temporary permit, and were there public notices and meetings conducted by the Forest Service in the State of Washington prior to issuing the temporary permit to the Navy? If the meetings were conducted please advise on dates, times, and locations of said meetings.

10. What did the Forest Service do to make sure that this use was compatible, and what research did it conduct to make sure that there was no harm to birds, plants, trees, animals and human beings in the area of testing by the Navy?

11. The Navy already has the use of more than 20,400 square miles of airspace and 356,000 acres of land over training grounds in Fallon, Nevada and Mountain Home, Idaho. By law the Navy must provide the public with substantial reasons and detailed analyses (not just one sentence) of why it cannot find other areas, including private lands, for training. A cost-benefit analysis has not been provided on the savings in jet fuel from not flying the extra 400 miles to Mountain Home, versus the socioeconomic and environmental consequences of intensive warfare training, jet pollution and other hazards, over the Olympic National Forest and over our communities. Why has the Forest Service accepted the fact that the Navy has not done these analyses?

12. Will jet fuel be dumped on the land areas in the Olympic National Forest before military aircraft land after EW exercises? If so, please provide research that backs up the claim of No Significant Impacts.

13. Last, please provide applicable studies on the following, that will help to illuminate public understanding of the Navy's Finding of No Significant Impacts:

- a. Analysis of multiple stressors on humans, endangered species, and other wildlife;
- b. Analysis of chronic radiation effects on humans, wildlife and habitats;
- c. Analyses on population effects on threatened bird species, particularly the cumulative effects of noise and electromagnetic radiation on the northern spotted owl and marbled murrelet, in whose critical habitat areas most of the Navy's emitter sites will be located;
- d. Analysis of the effects of electromagnetic radiation and loud sounds on migrating shorebirds, geese, ducks, and other non-listed birds;
- e. Analysis of the increased fire danger to wildlife and habitats (not to mention humans) posed by jet and drone crashes, sparks from vehicle transmitters or operators' cigarettes, or misdirected electromagnetic beams from either the transmitters or from jets, hitting tinder-dry vegetation;
- f. Analysis of the interaction and effects of climate change as a potential magnifier of impacts.

Thank you for your time.
Sincerely,
Karen Sullivan

Pacific Northwest Electronic Warfare Range Environmental Assessment #42759

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Regards,
The Pacific Northwest Electronic Warfare Range Environmental Assessment Team