

**A Comparison of Spoken and Written Statements Made
By the Navy and Forest Service, on Establishing an Electronic Warfare Range
On Washington's Olympic Peninsula**

prepared by the West Coast Action Alliance: <http://westcoastactionalliance.org/>

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1. Preface:

A comparison of written and verbal statements made by the Navy and Forest Service is useful because there are so many discrepancies. For example, if spoken reassurances to the public have not been included in written documents, then the public should consider their meaning and intent suspect.

In October 2014, barraged by constituent complaints about a lack of transparency by both the US Navy and the Forest Service in the public process, Congressman Derek Kilmer urged both agencies to hold public meetings. Three were held, the first with just a couple of days notice, on October 14 in Forks, Washington. The second and third were held in November, in Port Angeles and Pacific Beach. At the third meeting, the Forest Service, despite reassurances to people who had called their offices that they would attend, did not show up.

All 3 meetings were extremely well attended, and long lines waited their turns to comment. Many drove several hours, which is an indication of the level of public concern. Most were astonished to learn that the Navy's Environmental Assessment (EA) for this proposed Electronic Warfare Range covered only the effects of mobile emitter truck wheels on forest roads, plus the noise from onboard generators required to operate them, but not jet noise, fuel or chaff dumping, air pollution, electromagnetic radiation from either vehicles or jets overhead, or any other concerns. This segmentation of issues foreclosed the public's ability to ask federal agencies to address the full range of impacts that will be triggered when the Forest Service issues the permit, as it continues to indicate it will, to the Navy for use of its roads.

To see the full video recordings of all public meetings on the Peninsula, go to <http://westcoastactionalliance.org/media/videos> and scroll down to "RainDagger

Productions Videos of public meetings on Washington's Olympic Peninsula." All of the meetings are there. Following are transcriptions and summaries of pertinent remarks from these meetings.

2. Navy's answer to "Why weren't we notified?"

Forks, WA meeting:

Spoken: After apologizing to the audience for not notifying them about the comment period for the Environmental Assessment, Navy representative John Mosher said, "We did not put notifications in local newspapers here in the Forks area. ... That communication piece did not occur. We're hoping the discussion tonight - our ability to answer and address comments and concerns, will help alleviate some of the misunderstanding, clear the air, and let us move forward with what we think is a very important activity for the US Navy and for our Armed Services."

Implication: The public assumed that the Navy would take this dialogue into account. Unfortunately, neither the Navy nor the Forest Service accepted any comments from the 3 meetings as part of the official record, because they were not official hearings. No NEPA hearings with recorded or written public testimony were ever held in these affected communities, and in fact the agencies refused to take written comments when offered them; therefore, none of the public's comments counted. Thus the Navy's apology to the public meant nothing, and the purpose of the meeting was to "convince" the public rather than consider their opinions.

Written: In its Finding of No Significant Impact, the Navy stated, "On 15 August 2014, the 15-day public comment period closed. The Navy received no comments from individuals, elected officials, government organizations, of Native American tribes in response to the Draft EA. Based on the analysis presented in the EA and coordinated with the USFS, the Navy finds that implementation of the Proposed Action ... will not significantly affect the quality of the human environment and, as a result, an EIS [Environmental Impact Statement] need not be prepared."

Implication: Despite the affected public being unaware due to lack of notification of the proposed electronic warfare range, the Navy concluded that receipt of not a single public comment on their EA meant nobody cared. Therefore, they also concluded 'no significant impacts' and ended a public process in which not one member of the public had been allowed to participate.

Spoken: At the Forks meeting a 9-1-1 dispatcher, while voicing concern about the construction of a fixed emitter in Pacific Beach and its potential interference with local communications said, "The [Navy] base is so small there that you can throw a ball 300 feet onto public land." She pointed to a map. "You have circles here, you have houses here, as well as the Pacific Beach Resort. Here is the main drag going into Pacific Beach. What are these areas being circled?"

Navy rep John Mosher: "I'm not aware of this."

Citizen: "This is what is circulating in our county, and you have not addressed it. It was not in your slide show tonight."

Referring to the Navy's Environmental Assessment, Mosher answered, "There was an opportunity for comment, there were no comments, received, it was advertised in local papers."

"Which papers?" she pressed. "Obviously it was not in the North Coast News, which serves Pacific Beach, so how can you receive comments if we do not have the information?"

Mosher: "We do the best to get the information to you."

Citizen: "How can we get you to address our issues?"

Mosher: "You can talk to your representatives. We have completed the comment period."

Citizen (angered): "You have extended the comment period right here."

Mosher: "I'm not going to debate this."

Implication: Despite the public outcry once the Navy's deception was exposed, they continue to refuse to give the public its due process.

Spoken: At the end of the meeting in Pacific Beach this writer spoke privately with Kent Mathes, the Navy's Northwest Testing and Training Range Complex manager. "Surely you must be getting an earful of public concern. Won't it change anything?" Mathes replied, "We're here to listen to what they have to say, but we're not going to do anything about it because we don't have to."

3. On noise and electromagnetic radiation 260 days per year, 8-16 hours per day:

Spoken: A west end peninsula resident expressed concern about electromagnetic radiation and loss of property values due to noise. She said, "...once these emitters are on the ground, my understanding from your EA is there's three emitters operating nine hours a day, which the total cumulative hours of actual electromagnetic radiation emissions is 7,020 hours a year... 260 days a year it'll be firing, so it's almost a constant blanket of emissions over the top of us. You don't think someone who's looking for property out here is going to have an issue with that and decide to go somewhere else? Or people that vacation here will also make a choice to say, 'Hey, I don't want to take a vacation somewhere where they are radiating the forest.' People have different levels of understanding, and people will always base their reactions on fear, and we could stand to lose quite a lot of tourism and property values. How will the Navy address that?"

Navy rep John Mosher: "Well, I don't think those fears are real, so..."

(Hoots and hollers)

Citizen: "Sir, would you buy a house in a warfare range? Would any of you buy a house in a warfare range if you had a choice to buy a house somewhere else?"

Audience: "NOT ME!"

Mosher: "It's a consideration with everything in our environments, so I live very close to Naval Air Station Whidbey Island. There are radar sites there and they put out a lot more electromagnetic radiation."

Written: Table 3.0-1 in the Environmental Assessment lists resources that were carried forward for detailed analysis. For evaluating electromagnetic radiation impacts, the Navy used a study that actually concluded the opposite of what they said it did, (see this analysis: <https://www.youtube.com/watch?v=ualqwzq55ug>) and they ignored the thousand or so other peer-reviewed studies on the topic. Socioeconomic impacts were not analyzed, only vehicle noise was considered, and a host of other issues the public has repeatedly brought up have been ignored.

4. Navy's justification for establishment of an electronic warfare range over the Olympic Peninsula that includes a World Heritage Site:

Spoken:

Navy rep John Mosher at Forks meeting: "There are airstrikes occurring in Iraq and Syria right now, that is a very similar situation to what we would be simulating in the training that would occur in this area with military aircraft from the United States going to a certain area to perform a mission - to attack targets or do other things - along with those aircraft are the electronic warfare aircraft that are trying to protect our forces while we're going in to these various missions."

Citizen: "Why not do this at China Lake or Yakima?" (*Note: those are training areas the Navy already uses; Yakima Training Range, which is grossly underutilized, is a short flight from Whidbey Island.*)

Mosher: "Some areas have reached their capacity, so we are using other areas that are available to us."

Implication: That the Olympic Peninsula is available without an adequate public process. This assumption is false.

Written: Scheduling problems are not mentioned as justification in the Navy's EA. The Navy justified it in public meetings as: 1.) A cost-saving reduction in annual fuel use of up to \$5 million, and 2.) A 400-mile shorter commute will allow pilots to spend more time with their families.

Spoken: A citizen at the Pacific Beach meeting asked, "Is it necessary to train in a rainforest with endangered species when you have White Sands [New Mexico] and Nevada and Arizona, which would be perfect for your training if you're going after ISIS?"

Navy representative Brian Danielson (contradicts previous claims): “We do that as well, but ***in the environment that we operate in in the electromagnetic world that our mission is, it [the location] doesn’t really matter, it [the activity] is a transmission.*** The mission that we have is to protect American lives. We flex to do that, when it came to asymmetric examples like what happened in Iraq and we did a lot of good things to ensure that our soldiers came home alive, and it was because of the way we used the spectrum to protect them. ***So, I don’t have to do that in the desert if I have a transmitter here,*** I can do it...” [At this point he appears to realize what he just said] “...if you’re gonna talk about how much gas we use and how much carbon emissions, [you] can trust [me], at my level, it’s about efficiencies, we do our best to be as efficient as possible because WE are shepherds of the environment, we’re shepherds of our government dollar, [and] I don’t care if you don’t believe me or not.” (emphasis added.) This video available at: <https://vimeo.com/118631144>

Spoken: A citizen at the Forks meeting said, “I am (name) and I’m retired Navy. Your maps do not show the National Park, which is a World Heritage Site, one of 22 such sites. I spend time on the river and mountains, talking to people and they comment on the noise. The increased activity will be traffic that will impact tourism.

Mosher: “We admit there are impacts, but we try to minimize them.” (*He did not address the problem with the map.*)

Written: The map used by the Navy in its EA on both the cover and on pages 1-2 and 1-3 shows the proposed locations of the 15 mobile emitter sites but appears to have erased Olympic National Park boundaries, most major rivers, and Lake Quinault. This map makes it look like the Navy will be operating in the middle of nowhere. When compared to another map that shows these erased features, it becomes clear how close to Park boundaries the emitters will be, and that Lake Quinault, which is adjacent to private residential and Indian reservation lands, is almost surrounded by emitter sites. It makes no sense to not merely fail to disclose but to deliberately erase detail like this under a statute (NEPA) among whose purposes are better-informed decisions. It is also illegal.

Implication: 18 U.S. Code § 1515 defines “misleading conduct” in part, as: (D) with intent to mislead, knowingly submitting or inviting reliance on a sample, specimen, map, photograph, boundary mark, or other object that is misleading in a material respect.

5. Navy’s claim that noise is not an issue:

Spoken:

Citizen at Forks meeting: “I have lived around here for forty years as a pilot and a logger. I’m not so concerned about the electronic emissions from your stuff. I’m more concerned with the increased amount of jet traffic there’s going to be here. We’re already restricted. As a logger, we’re kept off our logging sites for several months a year if the habitat will support certain things because of noise pollution - murrelets and eagles. We’ve got a coastal zone out here where you can’t fly a 182 Cessna below two thousand feet because you’re being too noisy. What’s the deal with the F18’s kicking in their afterburners right below here (applause) and we can’t drive a logging truck down the road? But they’re

buying off by letting you guys have extra practice facilities out here, which will obviously increase the air traffic. I know the [floor of] the MOAs is ten thousand feet, and as a pilot, I know you guys break that all the time, when I come over to Forks, there's dogfighting, roaring around, and you can't even carry on a conversation. So the noise pollution is my main concern."

John Mosher: "In some of the other studies I mentioned, we addressed the aircraft training itself. That was not part of the Environmental Assessment, that was part of the Environmental Impact Statement specifically, and we did have to address noise impacts. Admittedly, military jet aircraft do make substantial noise. The airspace is actually six thousand feet for the military operations area over this area, so it should not be below six thousand feet until that - that's 6000 feet above sea level..."

Citizen: "150 knots under 10 thousand feet..."

Navy rep Kent Mathes interrupts: It's a military exemption - it's a MOA [Military Operating Area] that's part of the military exemption. Hi, I'm Kent Mathes, I'm the Northwest Training Range Complex Program Manager. The Military Operation Area over the Olympic Peninsula is a very vital piece of our training environment here in the northwest. Whidbey Island is the center of excellence for electronic platforms. We have all the EA-18 G's in the inventory as John mentioned flown by Air Force and Navy aircrew. Nobody makes a move in these strike environments without an electronic support aircraft in company. It's a no go criteria. To address your question about the MOA floor to six thousand feet here, the military aircraft are exempt from the 250 rule - that's the purpose of having a MOA, so they are able to explore the performance characteristics of the aircraft. "

Citizen: "Well my point still is, if we aren't allowed to run a piece of logging equipment that you couldn't hear from here to the parking lot if it were running full speed ahead, why is it that the Forest Service and Dean [Millett, the District Ranger] can buy off on adding more noise pollution to our delicate environment?"

(Applause) (Note: Dean Millett was on the stage but chose not to speak.)

Mathes: "I am sorry I am not equipped to answer that question. However, to answer your question about frequencies there will not be significant increase of flights. This type of training, what were proposing with this Range, is to enhance the training were already doing. You won't see a significant amount of new traffic, just the training they will be doing will be better."

Written: On page 2-6 of the EA it says, "Training forecasts from these users [in the Pacific Northwest Operating Areas, which means Olympic, Okanogan and Roosevelt MOAs] show that on an average flying day, the mobile emitters would need to support 11.152 events a day, for a total of approximately 2,900 training events a year." Contrast the number of flights mentioned in the EA with Mr. Mathes' verbal statement at the public meeting, and compare that with his written statement two months later: "Estimated increase events = 5000. Due to EW Range training improvements, estimate average air training events will increase to 4725 (note 5000 - 275, as 275 are described as ship surface EW events.) Due to proposed enhanced air training we are estimating an increase from 2.3 events per flight to

3.34 per flight. **Estimated increase in flights (sorties) is 10.9%** It appears over time we rounded to the lower estimate of 10% and dropped the .9%...probably should have been 11%. We are estimating a **38.6% increase in training events** for the OLY/W-237 with the establishment of the EW Range improvements.” (emphasis added.)

Implication: Besides the serious discrepancies between verbal and written statements from the Navy, the 275 electromagnetic warfare events involving ships training at sea using the same mobile emitters was not mentioned in any NEPA documents nor at public meetings. Nor was the “rounding error” from 10.9 percent to 10 percent disclosed, nor the 38.6 percent increase in training events. A question about ships at sea that should have been asked and answered is, due to their probable distances offshore and the curvature of the earth between ships and their targets, is it possible that directed energy in the form of detection or response technology could pass low enough to endanger ships or marine mammals who happen to be in the path of this directed energy traveling near the sea surface?

Spoken: A citizen at the Forks meeting said, “There are endangered species here. The Navy’s conclusions need outside review and monitoring.”

John Mosher replied that Navy has consulted with US Fish & Wildlife and they found no significant impact. The Navy found a *potential* impact, he said, but *no significant* impact from noise. He said that the USFWS concurred with this conclusion.

Written: The Navy retrofitted a Biological Opinion from a 2010 EIS to the 2014 EA. It did not cover impacts to the Olympic Peninsula, but the Navy used it in the EA to justify no significant impacts all the way to 2020, *on the Olympic Peninsula*. Despite the fact that the Navy reinitiated consultation this year with the US Fish and Wildlife Service on a new Biological Opinion, they have not withdrawn their Finding of No Significant Impact.

Spoken: A citizen at the Forks meeting said, “What if new science emerges as to impact on species? This (Biological Opinion) is old. Would the Navy change course?”

Mosher: “If there were new science, e.g., if another species were added to the endangered list, then Navy would proceed with consultations with appropriate agencies and alter their procedures. We employ environmentalists, and deal every day with environmental impacts.”

Written: A list of preparers on page 6-1 of the EA includes 7 Navy employees, 10 hired contractors, and no independent consultants or environmentalists. An internal communication from the Forest Service obtained by Freedom of Information Act request complained about Forest Service biologists not being consulted by the Navy during the preparation of the EA.

Spoken: A citizen at the Forks meeting identified himself as a fisherman, hunter and hiker, and said that the current EA addressed the effects of Navy trucks on the roads in the region, but had not addressed the increase of air traffic. Noise per se was omitted completely, he said.

John Mosher granted this omission of noise impacts in the EA, but stated that noise was covered in a prior EIS.

Written: On page 2-8 of the 2014 EA it says what Mosher claimed: “All of the EW (electronic warfare) training activities and locations that would be associated with the implementation of the Pacific Northwest EW Range were analyzed in the (2010) Northwest Training Range Complex (NWTRC) EIS/OEIS.” That statement is false for many reasons, of which four are listed here:

Reason #1: Table 3.2-2 in the 2010 EIS lists the emission sources for all training activities evaluated by that EIS. The only emission sources listed for electronic combat are from aircraft and ships or boats. There are no emission sources listed for ground based mobile emitters. Had the activities contemplated by the proposed Electronic Warfare Range been evaluated by the 2010 EIS, the ground based mobile emitters should have been listed as an emission source. They were not.

Reason #2: Table 3.3-8 in the EIS lists by activity and training area, the stressors and hazardous materials that would be associated with the activities evaluated by the EIS. For electronic combat the only areas listed are the Darrington Area and Warning Area 237. Had the activities contemplated by the proposed electronic warfare range been evaluated by the EIS, the Olympic MOAs (Military Operating Areas) should have been listed as a training area. They were not.

Reason #3: On Page 2-3 of the EIS it says, “The land resources affected by the use of the Olympic MOAs A and B will be evaluated as they are directly impacted by overflights for at-sea activities.” To emphasize the obvious, only high altitude flights over the MOAs enroute to training at sea were discussed in that EIS. No mention is made of impacts on the Olympic MOAs from Electronic Combat training there.

Reason #4: The Biological Opinion that was completed by the US Fish and Wildlife Service for the 2010 EIS did not address 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 15 emitter sites will be located, **because it does not evaluate these species on the Olympic Peninsula.**

Implication: Neither the 2010 EIS nor the 2014 EA evaluated impacts to humans or biological resources from electromagnetic warfare testing and training specific to the Olympic Peninsula. Therefore, the claim of no significant impacts is invalid.

6. Navy’s claim that the mobile electronic emitters are not hazardous to humans or animals:

Spoken: At the Forks meeting John Mosher stated, “The safety perimeter we’ve proposed to establish around the different mobile trucks - a perimeter of avoiding other activities - so the safety perimeter around these particular trucks when they are operating and there’s two different types of trucks, that have a different system so one uses a system that has an established safety perimeter of 101 feet, and that is based off of the safety industry’s

standards that I've mentioned of the different organizations, and those distances are based on a 360-degree arc around that antenna site. However a factor when looking at that--that these are directional antennas--and they are specifically projecting their signal towards our aircraft which are operating typically over the ocean, away from the land. So even though we've established an extra safety arc, the actual direction of the signal, the only potential for any exposure to that electromagnetic energy would be directly in front of the antenna. The antenna is also on top of the truck, extended on a 14-foot boom that extends out of the top of the truck, so the only possible way to be exposed to any energy coming from this signal would be to get up on a ladder in front of the truck, up 14 feet, and then to be right in front of the antenna, for an extended period of time. **And it varies for the two different systems, but it's 18 - 20 minutes that you would have to be physically right in front of the antenna to have any effect whatsoever. Physically impossible.** On top of that we have operators in the truck who have procedures, and there are not people within these dimensions I've mentioned. Their responsibility is to make sure there's nobody there. Now if another user of these particular roads was proceeding through the area...there would be no hazard whatsoever."

Implication: Only one type of mobile emitter truck is depicted and discussed in the EA, not two. It is commonly known that the Navy in this region acquired at least one huge flatbed-mounted Joint Threat Emitter in 2012, but use of this much heavier and perhaps more powerful equipment array was not mentioned in the EA despite the Navy's intent to use it on a mobile basis.

Written: "Fifteen minutes. That's the estimate of time it could take for "the liquid tissue" of the eye to be damaged by close proximity to the electromagnetic radiation emitted by three electronic warfare trucks the Navy wants to deploy in Clallam, Jefferson and Grays Harbor counties, Navy official Jerry Sodano said Friday." Peninsula Daily News, September 28, 2014.

Implication: Though the difference between Mosher's and Soldano's statements of 15 and 20 minutes exposure time is only 25 percent, the public has been led to believe by both the Navy and the Forest Service that the only place these emitters would be deployed is the remote road system within the Olympic National Forest, away from populated civilian areas. Documents obtained by Freedom of Information Act request show otherwise. See section 8.

7. Navy's claim that ground-based training is not occurring and has never occurred in the Olympic National Forest:

Spoken: At the Port Angeles public meeting on November 6, 2014, after hearing Navy rep Kent Mathes say that the Navy has already been doing this sort of training for several years, a citizen testified that he had spoken to Dean Millet and then said, "He told me he's issued permits for a few years and that they have these mobile emitter units out there, and I want to know, have they been out there, and if they have, how'd you get our consent to do that?"

Mosher: So, no, they're not out there currently, as a conceptual test prior to environmental assessment we did apply for temporary permits, **this was a one-time use** to go to those particular sites to determine if they're feasible for what we're proposing. So we went there

with the equipment, to be able to do the electromagnetic environmental safety surveys that I mentioned so we could conduct those tests, so we went out there with a piece of equipment, with the proper approvals and permits to do it, and we basically used these meters to determine what the distance of effects would be, if it in fact was consistent with the modeling that was done, the industry standards that we mentioned.”

Citizen: “Well, how long have you been doing that though, you said about three years at least?”

John Mosher: “No, no. I’m not sure what you’re referring to now, the training, the electronic warfare training, that Kent just mentioned, so we’ve been doing that training...”

Citizen: “You’ve been doing that through the permits, weren’t you, guys?”

Mosher: “...on the ground... no, we have not been doing it for three years, we had that one-time special use permit...”

Audience members: “Can Mr. Millett fill us in on that? Can we hear from the Forest Service on this question, please?”

District Ranger Dean Millett: “As you said, as Mr. Mosher (unintelligible) we did issue a short-term temporary, uh, special use permit for the uh, proof of concept. I can’t remember exactly how many years it... I might have said three years at the time but if it was less than that...”

Mathes: “2011.”

Millett: “...so it was 2011.”

Written: A letter from Regional Forester Jim Pena to a citizen says, “To date, the Olympic National Forest has authorized four short-term permits to the Navy to conduct feasibility tests of the Integrated Air Defense System. These permits were determined to be minor and short-term in duration. The process in which these permits were authorized is consistent with Forest Service policy. The first of the four temporary permits was authorized in 2010 and the last of the four was authorized at the beginning of 2014.”

Mr. Millett signed and authorized all four of those permits, including extensions.

They can be reviewed here under the section called “Forest Service:”

<http://westcoastactionalliance.org/documents/federal-agencies>

Implication: 18 U.S. Code § 1515 defines “misleading conduct” as:

(A) knowingly making a false statement;

(B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false impression by such statement;

(C) with intent to mislead, knowingly submitting or inviting reliance on a writing or recording that is false, forged, altered, or otherwise lacking in authenticity;

(D) with intent to mislead, knowingly submitting or inviting reliance on a sample, specimen, map, photograph, boundary mark, or other object that is misleading in a material respect; or (E) knowingly using a trick, scheme, or device with intent to mislead.

This conversation can be heard here, from 1:40 to 3:30:

<https://vimeo.com/album/3121050/video/111290061> ***Watch as two federal agencies make misleading statements at a public informational meeting.***

Written: From the Forest Service Code of Ethics, page 2: “I will not willfully hinder the research of others nor engage in dishonesty, fraud, deceit, misrepresentation, or other professional misconduct.” From the Navy Code of Ethics: “Do not take actions that give the appearance that they are illegal or unethical.”

Written: The letter referenced above, from Regional Forester Pena, was in response to a citizen letter asking the following: “Sometime in 2011, District Ranger Dean Millett issued a temporary Special Use Permit to the Navy for testing its mobile emitter(s) on Forest Service lands in the Olympic National Forest. Despite repeated requests, a copy of this permit has never been provided to the public, and unfortunately, Mr. Millett’s actions and unresponsiveness have communicated a disregard for public opinion and a lack of respect for them as well. Though this may not be true from Mr. Millett’s viewpoint, these impressions are nonetheless firmly lodged in widespread public perception. Since no answers are being provided from the District level, my questions to you are: When did you know about this temporary Special Use Permit? What was the approval date? What did the Forest Service do to make sure this use was compatible, and what research did it conduct to make sure there was no harm to birds, plants, trees, animals and human beings in the area of testing by the Navy? How can a Special Use Permit include allowing the use of Electronic Attack weaponry over National Forest airspace if these were not discussed in the Environmental Assessment? (and several other questions.) Both letters can be found here: <http://westcoastactionalliance.org/documents/federal-agencies>

8. Navy’s failure to disclose probable conducting of electronic warfare training on public roads:

Written: A 2012 email from the Navy to the Forest Service obtained by FOIA request indicates that the Navy plans to drive mobile emitters, and may already be driving them, “on existing roads and trails throughout the Olympic Peninsula within and in the vicinity of the Olympic MOA [Military Operating Area] and in the vicinity of the Okanogan and Roosevelt MOAs.” This included driving them “...all through most of the region as well as outside the geographic confines of the MOAs to optimize and vary training scenarios (dependent on road and area availability),” in order for Electronic Warfare aircrews to “...rehearse and develop real-world tactics, techniques, and procedures under scenarios where stationary emitter signals are emanating for example from Pacific Beach and other potential sites and pop-up mobile emitter signals are received from varied geographic locations within realistic range-ring distances.” The email is here:

<http://westcoastactionalliance.org/wp-content/uploads/2015/02/3-Navy-EW-EA-emails-SUP-paper-file.pdf> A copy of the temporary permit issued in 2013 shows a map on page 5, of all major public roads on the Peninsula ostensibly being used for this purpose. (See

permit here: <http://westcoastactionalliance.org/documents/federal-agencies>) Types of training mentioned include "...close-air support, modified escort profiles, general EW tactical proficiency, and War-at-Sea training." Ships at sea using the emitters were among many things not discussed in the Navy's Environmental Assessment.

Written and Spoken: According to a public presentation made by a representative of the Strategic Operations Command to the City Council of Bastrop, Texas, regarding "Operation Jade Helm 15," (seen here: <https://www.youtube.com/watch?t=1951&v=dLM4-aImMkY>) the definition of "Realistic Military Training" is this:

"Realistic Military Training (RMT) is training that takes place outside of federally-owned property."

In addition, it would be hard to argue for the reasonableness of ignoring the following community outreach steps contained on that same slide:

"The RMT process is designed to ensure proper coordination between DOD representatives and local and regional authorities. The process includes the following measures:

- Risk Assessment, Medical, and Communications Plans
- MOU, MOA, and Licensing agreements (training areas, staging areas, role players)
- Legal Review
- ID of training, staging areas, role players, airfield, drop zones (DZ) and Landing Zones (LZ) surveys
- Letters of Invitations [sic] obtained from local officials (Mayor, County Commission)
- Coordination with local, state and federal law enforcement
- Public Affairs Review."

Implication: Since the Navy is a participant in Jade Helm, how is it possible to selectively ignore this guidance whenever any "Realistic Military Training" that may include conducting electronic warfare training on public roads meets such a broad definition?

Spoken: The West Coast Action Alliance contacted WADOT to ascertain if a permit had been applied for, or even if such a permit category exists to cover electronic warfare testing and training on public roads. To say the WADOT staff was surprised is an understatement. No permit has ever been applied for, but no such permit category exists, either. We contacted a staffer for State Senator Jim Hargrove, who called the Navy to ask about the appropriateness of driving emitters on public roads while conducting electronic warfare testing and training, even if only for feasibility purposes. The staffer spoke to the Navy about it and then repeated what they had told him: "We haven't even built the MEWTS (mobile electronic warfare emitter vehicles) yet, so how could we be doing that?"

Written: Multiple photographs from the Navy's own files submitted to the Forest Service and obtained via Freedom of Information Act request, show mobile electronic warfare emitters at sites labeled "campground" during electronic warfare testing and training between 2010 and 2014. They can be seen here: <http://westcoastactionalliance.org/wp-content/uploads/2015/07/Maps-for-2011-permit.pdf>

Implication: If a 100-foot hazard perimeter is required around the emitters in remote forested locations in order to prevent harm to humans and wildlife, and if it's considered safe because the antenna height is 14 feet above ground, then how does the Navy propose to train 8-16 hours per day, 260 days per year, while protecting civilians on public roads, where traffic can follow close, and where there are hills that can raise a driver to eye-level and above with the transmitter, for more than 15 minutes at a time? And why did neither the Navy nor the Forest Service tell the public about the 4 years of temporary permits or the fact that based on the 2012 email, the Navy has evidently been conducting electronic warfare training on public roads using prototype mobile emitter vehicles clearly shown in photographs above?

Spoken: When asked at the Port Angeles meeting, the Navy admitted that contractors, not Navy personnel, would be operating the mobile emitter trucks.

Written: The above admission is not disclosed in the Environmental Assessment. Operators are called "crew members."

9. Navy's claim that it does not fly at low altitude:

Written: Whidbey Island Base Commander Captain Mike Nortier wrote in an opinion piece that was widely published in local newspapers, "Myth: The Navy will be flying at low altitudes and at supersonic speeds. Fact: The Navy has no intention of flying at low altitudes or at speeds above the sound barrier. The mission requires the aircraft to be able to directly observe the emitters, typically flying at altitudes of 10,000 feet or greater. Low altitude flight does not support the training. Supersonic flight above the United States is controlled by the FAA plus, when our planes conduct this training, they do not fly supersonic."

Spoken: The Navy continues to insist that it flies at least 6,000 feet above sea level and that the training is done at high altitude.

Heard and Seen: Low, loud jet swoops, sometimes with afterburners, over communities along the flight path between Whidbey Island and the Olympic Mountains. Increased sonic booms in West End communities. And there is this, from the Navy's own YouTube videos, titled "Pacific Northwest Low Level" -

<https://m.youtube.com/watch?sns=fb&v=kQZBDVmuH1M> Communities experience low-level or highly audible jet noise just about every time the Navy flies. Any third-grader can see that the pilot in the above video is not flying above 10,000 feet, or 6,000 feet or even 1,000 feet in some places. So why are the eyewitness accounts of low-flying jets, by hikers, campers, hunters, fishers and homeowners being discounted?

Spoken:

A citizen at the Pacific Beach meeting asked the Navy why, if pilots weren't allowed to go supersonic, were they still getting sonic booms? Navy reps first replied that it could be someone else doing the sonic booms, then admitted that pilots were not supposed to do that but sometimes they do. They advised people to call the noise complaint hotline. The citizen replied, "I did that but all I got was a recording, and 4 weeks later a post card arrived saying "Thank you for your interest in the Navy.'"

Heard and Seen: As yet another Navy Growler jet made a low, window-rattling swoop over Port Townsend on July 8, 2015 at 12:30 pm and again just after 1:00, a citizen remarked, “When I, an elderly nearsighted person, can stand in my yard and pick out individual details on the undercarriage of the fuselage without glasses, you know it’s too damn low.”

Postscript:

Written: The Department of Defense has been quietly pushing back against public disclosure via Freedom of Information Act (FOIA) requests, and they already subject the public to long delays, incomplete returns, and denials. Now they want to “amend” the Freedom of Information Act to make it harder for the public to get information it is entitled to see. This would also endanger the doctrine of a civilian-controlled military. This article explains it: <http://www.pogo.org/our-work/letters/2015/24-groups-object-to-dods-attempt-to-amend-foia.html>