Appendix B

Cooperating Agency Correspondence

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DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

5090
Ser N456E/8U158107
31 March 2008

Dr. James W. Balsiger
Assistant Administrator, Acting
National Oceanic and Atmospheric
Administration (NOAA) Fisheries
1315 East West Highway
Silver Spring, MD 20910

Dear Dr. Balsiger:

In accordance with the National Environmental Policy Act (NEPA) and Executive Order 12114, the Department of the Navy (Navy) is preparing an Environmental Impact Statement/ Overseas Environmental Impact Statement (EIS/OEIS) to evaluate potential environmental effects of conducting Navy training in and around the Gulf of Alaska (GOA). In order to adequately evaluate the potential environmental effects of the proposed action, Navy and the National Marine Fisheries Service need to work together on acoustic effects to marine species protected under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act. To assist in this effort and in accordance with 40 CFR Part 1501 and the Council on Environmental Quality Cooperating Agency guidance issued on January 30, 2002, Navy requests NMFS serve as a cooperating agency for the development of the GOA EIS/OEIS.

The No Action Alternative is the continuation of training activities associated with large-scale joint training events in the GOA. Two action alternatives are proposed to accomplish the proposed action. Alternative (1) consists of an increase in the number of training activities from levels described in the No Action Alternative, along with force structure changes associated with the introduction of new weapon systems, vessels, and aircraft into the Fleet. Alternative (2) consists of all elements of Alternative (1) plus the addition of a second summertime carrier strike group exercise in the GOA each year.

The purpose of the proposed action is to:

- Support U.S. Pacific Command (PACOM) and U.S. Northern Command (NORTHCOM) training requirements;

- Achieve and maintain Fleet readiness using the GOA to support and conduct current, emerging, and future training activities;
- Accommodate new training requirements associated with the introduction of new weapons and systems to the Fleet; and
- Support civilian authorities in homeland defense training exercises.

The EIS/OEIS will address reasonably foreseeable activities in the particular geographical areas affected by the No Action Alternative and action alternatives. This EIS/OEIS will analyze the effects of sound in the water on marine mammals in the areas of the GOA where activities occur. In addition, other environmental resource areas that will be addressed as applicable in the EIS/OEIS include, but are not limited to: air quality; airspace; biological resources, including threatened and endangered species; cultural resources; geology and soils; hazardous materials and waste; health and safety; noise; socioeconomics; transportation; and water resources.

As the lead agency, the Navy will be responsible for preparing the EIS/OEIS which includes, but is not limited to the following:

- Gathering all necessary background information and preparing the EIS/OEIS and all necessary permit applications associated with acoustic issues on the GOA study area.
- Working with NMFS personnel to determine the method of estimating potential effects to protected marine species, including threatened and endangered species.
- Determining the scope of the EIS/OEIS, including the alternatives evaluated.
- Circulating the appropriate NEPA documentation to the general public and any other interested parties.
- Scheduling and supervising meetings held in support of the NEPA process and compiling any comments received.
- Maintaining an administrative record and responding to any Freedom of Information Act requests relating to the EIS/OEIS.

As a cooperating agency, the Navy requests NMFS support the Navy in the following manner:

- Providing timely comments after the Agency Information Meeting (which will be held at the onset of the EIS/OEIS process) and on working drafts of the EIS/OEIS documents. The Navy requests that comments on draft EIS/OEIS documents be provided within 30 calendar days.

- Responding to Navy requests for information in a timely manner.

- Coordinating, to the maximum extent practicable, any public comment periods that are necessary in the MMPA permitting process with the Navy's NEPA public comment periods.

- Participating, as necessary, in meetings hosted by the Navy for discussion of EIS/OEIS-related issues.

- Adhering to the overall schedule as set forth by the Navy.

- Providing a formal, written response to this request.

The Navy views this agreement as important to the successful completion of the NEPA process for the GOA EIS/OEIS. It is the Navy's goal to complete the analysis as expeditiously as possible, while using best scientific information available. NOAA Fisheries assistance will be invaluable in that endeavor.

My point of contact for this action is Ms. Karen M. Foskey, (703) 602-2859, email: Karen.Foskey@navy.mil.

Sincerely,

L. RICE
Read Admiral, U.S. Navy
Director, Environmental Readiness
Division (OPNAV N45)

Copy to:
Deputy Assistant Secretary of the Navy (Environment)
Office of Assistant General Counsel (Installation & Environment)

Commander, U.S. Pacific Fleet (N01CE, N7)
Commander, U.S. Fleet Forces Command (N73, N77)
Commander, Naval Installations Command (N45)
Commander, Navy Region Northwest (N40)
Commander, Naval Facilities Engineering Command, Northwest (N45)

DEPARTMENT OF THE NAVY
COMMANDER
UNITED STATES PACIFIC FLEET
250 MAKALAPA DRIVE
PEARL HARBOR. HAWAII 96860-3131

IN REPLY REFER TO:
5090
Ser N01CE1/0379
4 Apr 08

Mr. Tom Melius
Regional Director
U.S. Fish & Wildlife Service – Alaska Region
1011 East Tudor Road
Anchorage, Alaska 99503

Dear Mr. Melius:

SUBJECT: GULF OF ALASKA ENVIRONMENTAL IMPACT STATEMENT/OVERSEAS ENVIRONMENTAL IMPACT STATEMENT FOR NAVY TRAINING ACTIVITIES

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act, the Department of the Navy (Navy) requests that the U.S. Fish & Wildlife Service serve as a cooperating agency for the development of the Gulf of Alaska (GOA) Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS).

This EIS/OEIS will evaluate several alternatives based on intensity and frequency of training within an identified geographic area.

The proposed action will allow the Navy to:

- Maintain baseline training activities at current levels;
- Increase training activities from current levels to support future Fleet exercise requirements;
- Accommodate new training requirements associated with the introduction of new weapons and systems to the Fleet; and
- Support civilian authorities in homeland defense training exercises.

The EIS/OEIS will address reasonably foreseeable activities in the particular geographical areas affected by the alternatives and analyze the potential effects of additional training activities. Areas of analysis will the potential effects of sound in the water on marine mammals in the areas of

the GOA where training activities occur. Other environmental resource areas that will be addressed include, but are not limited to: air quality; airspace; biological resources, including threatened and endangered species; historic and cultural resources; water resources; geology; hazardous materials and waste; health and safety; noise; socioeconomics; transportation; fishing; and recreation.

As the lead agency, the Navy will prepare the EIS/OEIS that includes but is not limited to the following:

- Gathering all necessary background information and preparing the EIS/OEIS.

  Working with U.S. Fish & Wildlife Service personnel to evaluate potential impacts of changes and enhancements on wildlife refuges, critical habitat, and wildlife resources including threatened and endangered species.

- Identifying the scope of the EIS/OEIS, including the alternatives evaluated.

- Circulating the appropriate NEPA documentation to the general public and any other interested parties.

- Scheduling and supervising meetings held in support of the NEPA process, and compiling any comments received.

- Maintaining an administrative record and responding to any Freedom of Information Act requests relating to the EIS/OEIS.

As a cooperating agency, the Navy requests the U.S. Fish & Wildlife Service support the Navy by:

Providing timely comments throughout the EIS process, to include, on working drafts of the EIS/OEIS documents. The Navy requests that comments on draft EIS/OEIS documents be provided within 30 calendar days.

- Responding to Navy requests for information. Timely U.S. Fish & Wildlife Service input will be critical to meeting our planned schedule.

- Participating, as necessary, in meetings hosted by the Navy for discussion of EIS/OEIS related issues including the preparation of the draft EIS/OEIS and responses to comments.

- Adhering to the overall schedule as set forth by the Navy.

The Navy views your participation as a cooperating agency important to the successful completion of the NEPA process for the Gulf of Alaska EIS/OEIS. It is the Navy's goal to complete the analysis as expeditiously as possible, while using best scientific information available. USFWS assistance will be invaluable in that endeavor.

Navy's timelines for the completion of this EIS/OEIS are aggressive. The schedule calls for the draft EIS/OEIS and public Hearings in Mid 2009, release of the final EIS/OEIS in early 2010 and a record of decision in Mid 2010.

My point of contact for this action is Ms. Carolyn L. Winters, (360) 315-5092, email: carolyn.winters@navy.mil.

Sincerely,

J. P. RIOS
Captain, U.S. Navy
Deputy Fleet Civil Engineer
By direction

Copy to:
Chief of Naval Operations (N45)
Commander, U.S. Fleet Forces Command (N73, N77)
Commander, U.S. Pacific Fleet (N7)
Commander, Naval Installations Command (N45)
Commander, Navy Region Northwest (N4, N40)
Commander, Naval Facilities Engineering Command, Northwest (EV1)

DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

5090
Ser N456M/8U158134
21 April 2008

Mr. P. Michael Payne
Division Chief
Permits, Conservation, and Education Division
National Marine Fisheries Service (NMFS)
National Oceanic and Atmospheric Administration
B-SSMC3, Room 13821
1315 East-West Highway
Silver Springs, MD 20910

Dear Mr. Payne:

The Commander, U.S. Pacific Fleet (CPF) is preparing an Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) to assess the potential environmental impacts associated with Navy training in the Gulf of Alaska (GOA). Specifically, the Proposed Action is to continue and increase training activities in the GOA. A collection of actions will be evaluated within the EIS/OEIS.

The No Action Alternative is the continuation of training activities associated with large-scale Joint training events in the GOA. Two action alternatives are proposed to accomplish the Proposed Action. Alternative 1 consists of an increase in the number of training activities from levels described in the No Action Alternative, along with force structure changes associated with the introduction of new weapon systems, vessels, and aircraft into the Fleet. Alternative 2 consists of all elements of Alternative 1 plus the addition of a second summertime carrier strike group exercise in the GOA each year.

The purpose of the Proposed Action is to:

- Support U.S. Pacific Command (PACOM) and U.S. Northern Command (NORTHCOM) training requirements;

  Support Joint Task Force 519 (JTF-519) training requirements;

- Achieve and maintain Fleet readiness using the GOA to support and conduct current, emerging, and future training activities;

  Accommodate new training requirements associated with the introduction of new weapons and systems to the Fleet; and

- Support civilian authorities in homeland defense training exercises.

More specific descriptions of the alternatives are included in enclosure (1).

Conduct of these activities will likely result in acoustic exposure of marine mammals listed under the Marine Mammal Protection Act (MMPA) from mid-frequency active sonar (MFAS) and impulsive sources, and likely requires a Letter of Authorization (LOA). As such, the Navy will be submitting an LOA request to your office in the coming months for these activities. It is expected that species for which an LOA is sought will include species listed under the Endangered Species Act.

As applicant for a Letter of Authorization, the Navy requests your office initiate early consultation procedures with the Endangered Species Division, in accordance with Section 7(a)(3) of the Endangered Species Act and its implementing regulation at 50 CFR §402.11. In accordance with these regulations, the attached Preliminary Draft Description of the Proposed Action and Alternatives for the GOA Navy Training Activities EIS/OEIS serves as the Navy's definitive proposal outlining the action (Enclosure 1). As previously stated, the effects of the proposed action for purposes of the MMPA permit will be from exposure to acoustic energy from MFAS and impulsive sources. The level of magnitude of these effects is still being modeled, and will be included in the Navy's request for an LOA.

Title 10, Section 5062 of the United States Code requires the Navy to be "organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea." The current and emerging training activities in the GOA will be used to meet this legal requirement. Thus, in accordance with 50 CFR §402.11(b), this letter serves as the Navy's statement that it intends to implement the proposal should an MMPA Letter of Authorization be obtained from your office.

We appreciate your continued support in helping us to meet our Section 7 responsibilities. My point of contact for this matter is Ms. Elizabeth Phelps, 703-604-5420 or Elizabeth.Phelps@navy.mil.

Sincerely,

R. E. Tickle

Ronald Tickle
Head, Operational Environmental
Readiness and Planning Branch
Environmental Readiness Division
(OPNAV N45)

Enclosure:
(1) DRAFT - Gulf of Alaska Navy Training Activities EIS/OEIS Description of Proposed Action and Alternatives (Dated March 2008)

Copy to:
Chief of Naval Operations (N43)
Commander, U.S. Fleet Forces Command (N73, N77)
Commander, U.S. Pacific Fleet (N01CE, N3, N7)
Commander, Naval Installations Command (N45)
Commander, Navy Region Northwest (N40)
Commander, Naval Facilities Engineering Command, Northwest (N45)

From:	Frances_Mann@fws.gov
To:	Burt, Amy E CIV NAVFAC NW, EV1;
cc:	Ann_Rappoport@fws.gov; Frances_Mann@fws.gov;
Subject:	FWS declines to be cooperators on EIS for Gulf of Alaska
Date:	Monday, September 08, 2008 16:21:55

Dear Ms. Burt:

Thank you for your April 4, 2008, request for the U.S. Fish and Wildlife Service to be a cooperating agency in your preparation of an Environmental Impact Statement (EIS) for navy training exercises in the Gulf of Alaska. I regret that we must decline this opportunity due to staffing and timing constraints of other Service priorities. Nevertheless, we are concerned about potential effects of the proposed activities on Service trust resources in this area and surrounding areas where there could be secondary and indirect effects. Consequently we expect to maintain our status as a commenting agency throughout your National Environmental Policy Act process for this potential action. In that regard, we will involve pertinent Service programs and expect to work with your staff as the EIS is developed.

For further coordination and comments on this project, please contact Ann Rappoport or me (contact information provide below).

Thank you.

Frances

Ann Rappoport, Field Supervisor
907-271-2787
Ann_rappoport@fws.gov <mailto:Ann_rappoport@fws.gov>

Frances Mann, Branch Chief, Conservation Planning Assistance
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Address for both Ann and Fran:

Anchorage Fish and Wildlife Field Office
605 W. 4th Ave., Rm. G61
Anchorage, AK 99501