

---

---

# Appendix I

## Public Hearing Transcripts



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

---

NAVY'S NORTHWEST TRAINING RANGE COMPLEX DRAFT EIS/OEIS

OPEN HOUSE and PUBLIC HEARING

---

January 27, 2009  
5:00 p.m.

Oak Harbor School District Office  
ASC Board Room  
350 S. Oak Harbor Street  
Oak Harbor, WA 98277

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

Moderator:

Lewis Michaelson

Executive Officer:

Commander Matthew Miller

Project Manager:

Mr. John Mosher

Reported by: Leslie A. Andres, CCR 2489

North Sound Reporting

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

LIST OF SPEAKERS

NAME	PAGE
Marianne Edain	27
Steve Erickson	30
Netsah Zylinsky	32
Lorraine Bayes	33
Linda Morris	34
Paul Gillon	37
Gaylynn Beighton	39
John Hurd	41
Kimmer Morris	43
Sarah Schmidt	44
Al Williams	46
Wendy Campbell Dewinter	49
Howard Garrett	51
Bob Wold	54
Toni Piazzon	56
Louis Mueller Wright	57
Che Gilliland	59

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BE IT REMEMBERED that on the 27th day of January 2009, beginning at the hour of 5:00 p.m. of said day, the following proceedings were had in the City of Oak Harbor, County of Island, State of Washington, the proceedings were taken before Leslie Andres, a Notary Public in and for the State of Washington.

WHEREUPON, the following proceedings were had and testimony given, to wit:

WHEREUPON, the following two speakers spoke one-on-one with the court reporter during the Open House period:

MS. MORRIS: My name is Linda Morris, M-o-r-r-i-s. In terms of the use of the depleted uranium and tungsten heavy metal, any other heavy metals and/or sonar devises, I and the public don't know what the current level of those, the usage of those substances and devises are. And there's a request for further use of or increased use of these sources, these substances. And I don't think that we have enough documentation as to the effects that they have on life in terms of serious medical problems, or

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 what they do to marine mammals.

2 So I believe that we should not increase the usage  
3 of any of these until we know more research, until we  
4 have more information about what the effect is on  
5 marine mammals and human life. That's one comment.

6 And the other comment is, this is a separate  
7 issue, is there is the issue of proposed increased use  
8 of training programs in marine sanctuaries. And I  
9 believe that the important word here is sanctuaries,  
10 and I don't believe a sanctuary is a place for any kind  
11 of use of weapons and violence. And you know, the  
12 sanctuary of thinking of it in terms of a church is a  
13 place where people can go to be safe. And I believe  
14 it's the same thing in a marine sanctuary, the marine  
15 mammals and marine life needs to be safe, and this is  
16 in contradiction to what the Navy wants to do.

17 Thank you.

18 MS. DEWINTER: My name is Wendy Campbell  
19 DeWinter. I have a request. My request is that the  
20 Navy, when they're going to put on a presentation, that  
21 they actually notify us. In other words, the two  
22 papers on the island that I have been told they used  
23 for notification are not read. The circulation for  
24 those two papers is three thousand something respective  
25 for each end of the island. Sound Publishing owns both

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 the papers. And the circulation is in the neighborhood  
2 of three thousand something for each of those papers.

3 Now, the city of Oak Harbor has over seventy  
4 thousand people by itself, and I'm not in the  
5 population of the city of Oak Harbor, I'm north of Oak  
6 Harbor, so the island population is a lot larger than  
7 seventy thousand.

8 So I'm requesting that -- I understand that they  
9 did some radio probably PSAs, and the radio station  
10 that we have that's local is just in the process of  
11 losing its license, it lost -- its owner died last  
12 year, and the kids who have taken it over are trying to  
13 run it into the ground, so nobody is listening to that  
14 either. But there is the Marketplace newspaper out of  
15 the south end of the island, and it is an amazing  
16 paper, it goes to every mailbox on the island, and it  
17 would be a great release for the Navy to put in a  
18 display ad that could be seen by everyone. Maybe they  
19 could put in a classified, you know, something.  
20 So that's my request. That's my comment. Thank  
21 you very much.

22 (Recess.)

23  
24  
25

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

\*\*\*

P R O C E E D I N G S

MR. MICHAELSON: Good evening, and thank you for coming tonight. My name is Lewis Michaelson, and I will be the moderator for tonight's hearing on the Navy's Northwest Training Range Complex, Draft Environmental Impact Statement, Overseas Environmental Impact Statement, or Draft EIS.

Here to receive your comments are Commander Matthew Miller, Executive Officer of Naval Air Station Whidbey Island, and Mr. John Mosher, the project manager from the Navy's Pacific Fleet. Mrs. Kimberly Kler, the project coordinator from Naval Facilities Engineering Command, Northwest -- there she is, she waved to everybody, good, thanks -- is also present and is the primary point of contact for sharing your written comments about this project. Let's go ahead and look at the agenda for tonight.

Hopefully you all had the opportunity to talk to the many knowledgeable experts and program officials who are staffing the exhibits during the open house.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

The primary purpose for this portion of the hearing is for the panel members to listen to your comments firsthand. They will not be answering questions during this phase of the proceedings. Comments and questions will be addressed in the Final EIS.

After I finish this introduction, Commander Miller will give a brief overview of the Navy's activities in the Northwest Training Range Complex.

Next Mr. John Mosher will brief you on the environmental impact analysis process and summarize the results reported in the Draft EIS. Mr. Mosher is the EIS project manager for the U.S. Navy.

The last item on the agenda, however, is really the most important. The public comment session is your opportunity to provide information and make statements for the record.

Your input ensures that the decision makers can benefit from your knowledge of the local area, and any environmental effects that you think may result from the proposed action or alternatives.

Keep in mind that the EIS process is intended to ensure that decision makers will be fully informed about the potential environmental impacts associated with the various alternatives before they decide on a course of action.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Please also remember that comments on issues  
2 unrelated to this EIS are beyond the scope of this  
3 hearing.

4 To request an opportunity to make a verbal comment  
5 during tonight's hearing, please fill out a verbal  
6 comment sheet that looks like this, it's available at  
7 the registration, and people are waving them right now  
8 if you want to speak. And if you haven't filled one  
9 out yet, just raise your hand and they will hand you  
10 one and then you can hand it back to them. Thank you.

11 Every speaker, including public officials,  
12 organizational spokespersons and private individuals  
13 will have four minutes each to provide his or her  
14 comment.

15 If you don't feel comfortable standing up here  
16 tonight to make a statement, you have until February  
17 11, 2009 to submit a written statement for  
18 consideration in the Final EIS, or you can wait until  
19 tonight's public comment session that we're doing right  
20 now is over and you can provide your comments privately  
21 to the court reporter seated to my left one-on-one.

22 Keep in mind that written comments are given the  
23 same consideration as verbal comments offered here  
24 tonight.

25 And now it's my pleasure to introduce Commander

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Miller.

2 COMMANDER MILLER: Thank you, Lewis.

3 Welcome to the public hearings for the Northwest  
4 Training Range Complex Draft Environmental Impact  
5 Statement.

6 My name is Commander Matt Miller, and I am the  
7 Executive Officer of Naval Air Station Whidbey Island.

8 I want to thank you on behalf of the United States  
9 Navy for attending this evening. This is one of five  
10 public hearings the Navy is holding in Washington,  
11 Oregon and Northern California for the Northwest  
12 Training Range Complex Draft EIS.

13 As Lewis mentioned, we hope that you've had a  
14 chance to visit the poster stations this evening and  
15 meet with the Navy project team members.

16 A little of my background, I've been wearing a  
17 Navy uniform for over 26 years, 21 years as an active  
18 duty naval officer. I've been the Executive Officer of  
19 Whidbey for about a year.

20 Before that I was the operations officer.

21 Before that I spent two years on the Abraham  
22 Lincoln at Naval Station Everett, assigned there.

23 And before that back at Whidbey as an instructor  
24 at the electronic attack weapons school as a Prowler  
25 Tactics Instructor.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 My background, I'm a carrier aviator, about 2,000  
2 hours flying jet aircraft, first in the Intruder as a  
3 bombardier navigator and as electronic countermeasures  
4 officer, now in the Prowler that still flies at  
5 Whidbey.

6 Again, originally from Silver Spring, Maryland,  
7 graduate of the University of Maryland, but I've been  
8 in the northwest for almost ten years, and I'm not  
9 leaving, so I like it here. I'm an east coast  
10 resident, and now I'm here for good. So that's me.

11 And at the conclusion of this presentation, you  
12 will have an opportunity to make oral comments  
13 regarding the content of the environmental analysis.  
14 Written comments, like Lewis said, will be accepted  
15 tonight and throughout the comment period, which closes  
16 on February 11, 2009.

17 The Northwest Range Training Complex is a military  
18 training area that has been in use by the Navy since  
19 World War II. It is comprised of two primary  
20 components, the Offshore Area and the Inshore Area.

21 The mission of the Northwest Training Range  
22 Complex is to serve as the principal backyard training  
23 range for those units homeported in the Pacific  
24 Northwest area, including surface ship, submarine,  
25 aviation and Explosive Ordnance Disposal units located

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 at Naval Air Station Whidbey Island, Naval Station  
2 Everett, Puget Sound Naval Shipyard, Naval Base  
3 Kitsap-Bremerton, and Naval Base Kitsap-Bangor.

4 The Northwest Training Range Complex also supports  
5 military units from outside the range complex area,  
6 such as Naval Special Warfare units, and meets their  
7 training requirements.

8 The Northwest Training Range Complex includes  
9 ranges, training areas and air space that extend west  
10 to 250 nautical miles beyond the coast of Washington,  
11 Oregon and Northern California, and east of the  
12 Washington/Idaho border.

13 The Offshore component of the Northwest Training  
14 Range Complex encompasses 122,400 square nautical miles  
15 of air, surface and subsurface ocean training areas.  
16 The Inshore component includes about 875 acres of land  
17 on Whidbey Island and Indian Island, with more than  
18 12,000 square nautical miles of Special Use Airspace,  
19 and surface and subsurface training areas within the  
20 Puget Sound.

21 Military activities currently conducted in the  
22 Northwest Training Range Complex can be divided into  
23 primary mission areas as listed here. Some examples  
24 you read off of there, anti-air warfare, mine warfare,  
25 electronic combat, that's my area of expertise, strike

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292



1 warfare as well.  
2 To accomplish the mission in the Pacific  
3 Northwest, it is critical for the Navy to maintain and  
4 operate the necessary facilities and to provide these  
5 critical training areas to U.S. Navy commands so that  
6 forces can train realistically.

7 Realistic training ensures U.S. Navy personnel  
8 maintain the highest level of readiness and capability  
9 and is the single greatest asset the military has in  
10 preparing and protecting American servicemen and women  
11 to defend the nation. There is no such thing as  
12 "routine" training when it comes to practicing combat  
13 skills.

14 To ensure Navy forces are fully ready prior to  
15 deployments requires specialized ranges where military  
16 personnel can learn through practical hands-on  
17 experience, the technical skills necessary to  
18 effectively plan and conduct operations. Continuing  
19 technological advancements also require more complex  
20 and varied testing and training scenarios to be able to  
21 combat new threats.

22 The ranges, facilities and installations of the  
23 Northwest Training Range Complex are unique, and  
24 provide training opportunities essential for the safety  
25 and readiness of military personnel and the success of

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 the military mission.

2 Environmental stewardship is a priority goal of  
3 the Navy during mission training activities.

4 The Navy is committed to protecting the physical  
5 and natural environment and has established a  
6 successful track record of environmental stewardship  
7 while completing our mission.

8 To accomplish our environmental stewardship goals,  
9 the Navy implements protective measures on land and at  
10 sea to reduce potential effects to the terrestrial and  
11 marine environment, and ensure public safety and  
12 accessibility.

13 I will now turn the presentation over to John  
14 Mosher from the U.S. Pacific Fleet, who will tell you  
15 about the Navy's Proposed Action for the Northwest  
16 Training Range Complex and give you an overview of the  
17 Draft EIS and the environmental analysis process.

18 John.

19 MR. MOSHER: Thank you, Commander.  
20 My name is John Mosher, and I'm the project  
21 manager for the Northwest Training Range Complex  
22 Environmental Impact Statement. I'm here tonight to  
23 give you an overview of the findings contained within  
24 the Draft EIS.

25 The Draft EIS was prepared by the U.S. Navy to

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 comply with both the National Environmental Policy Act,  
2 or NEPA, and Executive Order 12114, which requires  
3 federal agencies to consider the environmental effects  
4 of their activities that occur outside of U.S.  
5 territorial waters. The Draft EIS represents  
6 compliance with these environmental statues and is an  
7 important part of the Navy's overall commitment to  
8 environmental stewardship as it tests and trains.

9 The Navy is the lead agency for the EIS. The  
10 National Marine Fishery Service is a cooperating agency  
11 pursuant to federal regulations, in addition to their  
12 role as a regulator. As a cooperating agency, they  
13 provide early review of the Proposed Action,  
14 alternatives and analysis methods. As a regulator,  
15 they help to ensure that the EIS and the Proposed  
16 Actions are in full compliance with appropriate  
17 environmental laws and regulations.

18 This slide lists all of the actions that the Navy  
19 is proposing to conduct that are analyzed in the Draft  
20 EIS. Not all of the actions are included in each  
21 alternative. Over the next three slides, I will  
22 discuss which actions are included in each of the  
23 alternatives.

24 The Proposed Action is needed to provide a  
25 training environment consisting of ranges, training

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

15

1 areas and range instrumentation, with the capacity and  
2 capabilities to fully support required training tasks  
3 for operational units in military schools. The  
4 Proposed Action supports the overall Navy mission as  
5 required by federal law.

6 Under the No Action Alternative, training and  
7 testing activities would continue at current levels.  
8 This alternative would not accommodate increased or new  
9 training activities, and the range investments and  
10 enhancements would not be implemented.

11 This alternative provides a baseline for assessing  
12 the potential environmental effects of the other  
13 alternatives.

14 Alternative 1 is a proposal designed to meet Navy  
15 and Department of Defense current and near-term  
16 training requirements.

17 This alternative includes an increase in training  
18 activities currently conducted, and accommodates force  
19 structure changes associated with the introduction of  
20 new weapon systems, vessels and aircraft into the  
21 Fleet. These include:

22 The EA-18G Growler Aircraft,  
23 SSGN Guided Missile Submarine,  
24 P-8A Multimission Maritime Aircraft and  
25 Unmanned aerial systems.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

16

1 Alternative 2 is also designed to meet current and  
2 near-term training requirements.

3 It includes all activities identified under  
4 Alternative 1; plus an increase in the level of  
5 training activities identified in level 1 -- in  
6 Alternative 1.

7 The implementation of range enhancements,  
8 including:

- 9 New air and sea surface targets,
- 10 The operation of air target services for
- 11 locally-based aircraft and vessels,
- 12 The development of an additional electronic
- 13 signal emitter,
- 14 The development of an underwater training
- 15 minefield, and
- 16 The use of a portable undersea tracking
- 17 range.

18  
19 Alternative 2 is the Navy's preferred alternative  
20 because it fully supports the type and frequency of  
21 activities required to achieve complete fleet  
22 readiness, and allows the Navy to carry out its mission  
23 in the Northwest Training Range Complex.

24 In preparing the Draft EIS, the Navy evaluated the  
25 potential effects of the alternatives to marine,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 terrestrial and the human environment.

2 We have taken a comprehensive approach in  
3 assessing the potential effects to physical, biological  
4 and socioeconomic resources.

5 We encourage you, if you haven't already, to  
6 review the Draft EIS which presents the findings of the  
7 Navy's environmental analysis for each of these  
8 resource areas.

9 The Navy's use of active sonar and explosives puts  
10 sound in the marine environment. While preparing the  
11 EIS, Navy scientists qualitatively and quantitatively  
12 analyzed the potential effects of sound in the water to  
13 marine life, including marine mammals, sea turtles,  
14 fish, seabirds and marine invertebrates.

15 The method for determining potential sound  
16 exposure to a marine animal was jointly developed by  
17 the Navy and the National Marine Fisheries Service, and  
18 represents the best science currently available.

19 Marine mammal species have widely varying  
20 sensitivities to sounds based on frequency. This is a  
21 reflection of how different species have evolved to  
22 cope with life in a marine environment, including  
23 differences in size, prey, habitats, and the predators  
24 they try to avoid.

25 Using the five general steps listed here, the Navy

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 was able to calculate the number of potential marine  
2 animal exposures to sound from active sonar and  
3 explosives. Section 3.9 of the Draft EIS provides the  
4 results of the computer model as it relates to the  
5 potential annual exposures of marine animals.

6 Marine animal sensitivity was determined by  
7 biologists from the National Oceanic and Atmospheric  
8 Administration, and that information was entered into  
9 the computer model. Marine animals can react  
10 differently to sounds. For example, the harbor  
11 porpoise found off the coast is very skittish.  
12 Therefore, sounds that are lower in volume will cause  
13 them to startle which sooner than other cetaceans.

14 While there is the possibility for non-lethal  
15 impacts and altered behavior from the use of active  
16 sonar and sound associated with explosives, no  
17 mortality to marine mammals is anticipated. In  
18 addition, the estimation of sounds exposures does not  
19 consider the use of protective measures, such as sonar  
20 safety zones, which would reduce the likelihood of  
21 exposures at the highest sound levels.

22 No significant impacts to sea turtles, fish,  
23 seabirds or marine invertebrates are anticipated from  
24 the use of active sonar.

25 The use of explosives in Navy activities may

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 result in injury or mortality to individual fish or  
2 seabirds in the immediate area; however, these  
3 activities would not result in significant harm to  
4 overall bird or fish populations or habitat.

5 Given the relatively low number of explosive  
6 detonations associated with the Proposed Action, no  
7 significant impact to marine invertebrates are  
8 anticipated. Also, the low occurrence of sea turtles  
9 in the Range Complex makes the potential for  
10 significant impacts to sea turtles unlikely.

11 Additionally, protective measures are used during  
12 underwater detonations to reduce the potential effects  
13 to the environment.

14 The Navy does not expect to harm marine mammal  
15 populations, but it recognizes that there may be  
16 potential effects to individual marine mammals.

17 To help guard against harming individual whales or  
18 other marine mammals during training, the Navy has  
19 developed protective measures, including:

20 Posting a minimum of three well-trained lookouts  
21 24 hours a day.

22 Establishing a safety zone during training  
23 exercises using mid-frequency active sonar.

24 Sonar is powered down if a marine mammal enters  
25 the 1,000 yard safety zone, and the sonar is

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 powered off if a marine mammal enters within two  
2 hundred yards of a sonar dome.

3 The Navy also coordinates with the National Marine  
4 Fisheries Service and reports marine mammals  
5 sighted during major exercises.

6  
7 The Navy implements these protective measures in  
8 all of its range complexes, including the Northwest  
9 Training Range Complex.

10 Over the past five years, the Navy has funded more  
11 than 100 million dollars in marine mammal research.

12 A summary of the findings of the Draft EIS are  
13 presented here, using language required by  
14 environmental regulations.

15 For most of the resources analyzed in the Draft  
16 EIS, we found no significant impacts. In your review  
17 of the Draft EIS, four areas you may want to examine in  
18 more detail for species that may be affected by the  
19 Proposed Action are endangered species of listed fish,  
20 sea turtles, marine mammals and bird species.

21 The Navy is in consultation with the National  
22 Marine Fisheries Service and the U.S. Fish and Wildlife  
23 Service to ensure the effects to endangered or  
24 threatened species are listed -- or threatened species  
25 listed under the Marine Mammal Protection Act and the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Endangered Species Act are minimized.

2 The Northwest Training Range Complex EIS also  
3 analyzed the potential effects of training -- of Navy  
4 training and testing activities on the human  
5 environment. The resource areas and issues analyzed  
6 include:

7 Cultural resources,  
8 Traffic,  
9 Socioeconomics,  
10 Environmental justice and the protection of  
11 children, and  
12 Public safety.

13  
14 Findings in the EIS show that no significant  
15 impacts to the human environment are likely from the  
16 implementation of the Proposed Action.

17 In addition, the Navy has initiated consultation  
18 with federally recognized Native American tribes and  
19 Nations in the Northwest Training Range Complex area.

20 The Navy is committed to protecting the physical  
21 and natural environments both on land and at sea and is  
22 actively engaged in numerous environmental protection  
23 measures and stewardship programs. These measures are  
24 integrated into mission training to minimize  
25 environmental effects from training and testing

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 activities.

2 In addition to complying with NEPA and Executive  
3 Order 12114, the Navy also complies with other  
4 applicable Federal and environmental laws, including  
5 those listed here and all other applicable  
6 environmental laws and regulations.

7 The Navy has completed the first three steps of  
8 the NEPA process and we are now in the phase for  
9 providing public review of the Draft EIS.

10 To review progress so far: The EIS was initiated  
11 on July 31st, 2007 and the Navy held public scoping  
12 meetings in Washington, Oregon and Northern California  
13 in September of 2007.

14 Government agencies, organizations and the public  
15 were encouraged to submit comments at the scoping  
16 meetings, or to provide written comments throughout the  
17 public comment period. The comments received were  
18 considered in the preparation of the Draft EIS that  
19 we've discussed tonight.

20 We are now in the public hearing and document  
21 review step of the NEPA process. This phase is an  
22 essential part of the NEPA process, because it allows  
23 us -- allows the public to review the document and  
24 comment on the Navy's analysis of environmental  
25 effects. We encourage you to provide your input by

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

23

1 February 11 so it can be considered for incorporation  
2 in the development of the Final EIS. All comments  
3 received will be considered.

4 The Navy's committed to keeping the community  
5 informed throughout the continued development of the  
6 Northwest Training Range Complex EIS. These public  
7 hearings are just one of many opportunities to share  
8 information about the EIS and, more importantly, to  
9 encourage your feedback and comments.

10 Now I will turn back to Lewis Michaelson to  
11 describe how to obtain more information and how to  
12 comment on the Draft EIS.

13 MR. MICHAELSON: Thank you.

14 In addition to holding these public hearings, the  
15 Navy has established a web site to make it easy for you  
16 to find and comment on environmental documents. The  
17 Draft EIS is posted to this web site. The web site  
18 also has additional background information and links to  
19 the fact sheets that are available here tonight.

20 An announcement I should have made earlier, we  
21 would appreciate it if everyone turns off their cell  
22 phones. I'll try to make it earlier in the evening  
23 next time.

24 You may also review the Draft EIS and other  
25 publicly available documents related to the Northwest

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

24

1 Training Range Complex EIS by visiting the designated  
2 information repositories. The addresses of those  
3 physical repositories are provided in the comment fact  
4 sheet that you received when you came in tonight.

5 Both the information repositories and the project  
6 web site contain project documents, fact sheets and  
7 background information for your review.

8 The Navy welcomes your review and input on the  
9 analysis contained in the Draft EIS. And there are  
10 several ways to provide those comments.

11 Obviously we're accepting oral comments immediately  
12 after this presentation.

13 Written comments can be submitted by filling out a  
14 comment form and either dropping it in the drop  
15 box located at the registration table or mailing  
16 it to the address provided here, which is also  
17 listed on the fact sheets.

18 Comments may also be submitted electronically  
19 prior to the project web site at  
20 [www.NWTRangeComplexEIS.com](http://www.NWTRangeComplexEIS.com).

21 That's also in the fact sheet.

22 All comments should be received by February 11,  
23 2009 to ensure that they are considered in the Final  
24 EIS.

25 We will now begin the oral comment portion of the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

25

1 public hearing.

2 To get an accurate record of what you have to say,  
3 please help me by respecting the following ground  
4 rules.

5 First, please speak clearly into the microphone at  
6 the lectern that's being set up for you right now,  
7 starting with your name and any organization you  
8 represent, if any.

9 Second, each person will be allotted four minutes  
10 to speak. Depending upon the number of speakers and  
11 the time remaining, I may be able to offer additional  
12 time for you for speak after that.

13 If you've prepared a written statement you may  
14 turn it into the registration table, or you may read it  
15 outloud, as long as you can do so within the 4-minute  
16 time limit.

17 Finally, please honor any request that I make for  
18 you to stop speaking when you reach the 4-minute time  
19 limit. In order to make that easy for you to know when  
20 it's about time to wrap up and you can end in a  
21 comfortable place, I will hold up this sign which  
22 indicates that you have 30 seconds remaining. That's  
23 why it's useful to occasionally look up from your notes  
24 and look at me, so that you can keep track of that.  
25 And then of course when we reach four minutes you will

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

26

1 get the red sign that says "End." All right.  
2 I'll also read ahead the several speakers, instead  
3 of having to line up here you'll have an idea of where  
4 you're coming up in the rotation and can be ready to go  
5 when we get there.  
6 So let me me read the first several names in order  
7 in which you signed up.  
8 Steve Erickson will be first, followed by Marianne  
9 Edain, Netsah Zylinsky, Lorraine Bayes and Linda  
10 Morris. Mr. Erickson.  
11 MR. ERICKSON: I'm going to let Mary go  
12 first.  
13 MR. MICHAELSON: Okay.  
14 MS. EDAIN: I hardly intended to go first.  
15 My name is Marianne Edain, spelled E-d-a-i-n, and  
16 I'm representing Whidbey Environmental Action Network.  
17 My notes are in a jumble, so be it. I spent a  
18 good deal of time this evening trying to -- sorry about  
19 that, I'm short -- trying to get a definition out of  
20 various ones of you of what constitutes the literal  
21 zone. I haven't heard a definition.  
22 Since it is the intent of this to move from deep  
23 water into the literal zone, I believe it's rather  
24 important to know what that constitutes, and I would  
25 appreciate some discussion in your FEIS of what

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

27

1 constitutes the literal zone, specific depths and  
2 specific distances from high tide.  
3 I heard from a number of people this evening "Oh,  
4 don't worry about that, we're not planning to do that  
5 right now."  
6 One of the basic rules of law is that one must  
7 construe every word of the document as if it meant  
8 something, so when I read that a particular proposal is  
9 going -- is being proposed, whether it is, there is the  
10 propermatic (ph. Sp.) and then there is the specific.  
11 When the program authorizes the specific, and the  
12 program in this instance is the EIS, or the EIS is for  
13 the program, then I have to assume that all of the  
14 specifics which are listed in that program are intended  
15 at some point, maybe not tomorrow morning, to be  
16 carried out. So don't tell me that "We're not planning  
17 that right now." I think that that was not a good  
18 thing, and people should realize that.  
19 I have not gone over the thousand plus pages of  
20 the EIS, I'll get there, but I have noticed that used  
21 expended materials are intended to be simply dumped.  
22 They will fall to the benthic zone and theoretically be  
23 covered with silt. That's not acceptable. That's  
24 absolutely not appropriate.  
25 Something that came up in the presentation is this

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

28



1 portable tracking range. And one hopes it is defined  
2 somewhere in the EIS, because I have not a clue what it  
3 is you're talking about. So we would appreciate  
4 clarification.

5 While we see that, you know, all kinds of  
6 wonderful things are going to be done to avoid impacts  
7 to marine mammals, we're not seeing how actual impacts  
8 intended, unintended or otherwise, are going to be  
9 tracked, and what's going to be done to avoid future  
10 impacts once it's demonstrated that impacts are, in  
11 fact, happening.

12 It's unclear to me, the maps that we're seeing  
13 show range 237, but it also shows other ranges,  
14 including one in the Selkirk Mountains. So we would  
15 like to know what exactly are you planning in the  
16 Selkirk Mountains, what are you doing there now and  
17 what's changed?

18 The EIS admits, and it was admitted just now, that  
19 there will in fact be impacts to ESA listed species.  
20 While there may not be serious impacts, there's a  
21 reason why they're ESA listed, and we ain't happy. No,  
22 we don't want impacts to EAS listed species.

23 Oh boy, I got three more. Somebody here today  
24 contacted the Makah Tribe. We were told that the  
25 tribes were consulted. They were rather floored. They

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

29

1 had not heard anything.

2 I think consultation needs to be a little more  
3 vigorous. While you say you're abiding by all the  
4 federal regulations, you're also asking for waivers.  
5 That's not appropriate, you're either abiding by them  
6 or you're not. Don't ask for waivers and then tell us  
7 how you're abiding by them.

8 MR. MICHAELSON: Thank you. Mr. Erickson.

9 MR. ERICKSON: Steve Erickson, also speaking  
10 for Whidbey Environmental Action Network.

11 First, I would point out that the web site where  
12 the documents were to be available basically have been  
13 dysfunctional, and the actual availability of the EIS,  
14 DEIS, has been less than half of the allotted public  
15 comment period.

16 Now, one purpose of NEPA, a primary purpose, is  
17 informed decision making, and that includes allowing  
18 the public the opportunity to also comment and review  
19 the documents. Having the documents available for such  
20 a relatively short time for proposal of this scope does  
21 not really -- is not really consistent with that  
22 purpose. The comment period really needs to be  
23 extended, at least for the amount that was lost when  
24 the documents were not available.

25 Second, regarding -- I just want to touch on our

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

30

1 concerns regarding the training in Eastern Washington,  
2 and the expansion, or the intensification of the  
3 activities, I'll say.

4 Our particular concern regarding Selkirk Mountains  
5 is that is the area with the last remaining occurrence  
6 of the lower 48 states of Mountain Caribou, federally  
7 listed an endangered species, and one of the rarest  
8 mammals in North America. Currently there's no  
9 critical habitat designated for Mountain Caribou,  
10 although there is a lawsuit in progress that ultimately  
11 is going to end up with designation critical habitat.  
12 Now, when I inquired about this to one of the  
13 representatives of the Navy here tonight, I was told  
14 that a critical habitat is designated, the Navy would  
15 simply ask for an exemption from the Endangered Species  
16 Act from that critical habitat.

17 I point out that the area we're talking about here  
18 is probably relatively small in the overall scheme of  
19 the area that the Navy is currently using for  
20 training. And even without critical habitat being  
21 endangered for that rare mammal, you should avoid that  
22 area, or raise your elevation, or you should certainly  
23 be analyzing the impacts.

24 And this EIS, although most of the attention here  
25 tonight is rightly focused on the marine impacts and

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

31

1 the marine zones off the coast of Washington that that  
2 area is also included. And there's really no analysis  
3 in there at all of those areas. I mean there's just  
4 some kind of boilerplate language. And that is  
5 deficient in terms of what the purpose of performing an  
6 environmental analysis is.

7 At that I'm going to leave it.

8 MR. MICHAELSON: Thank you. Next speaker is  
9 Netsah Zylinsky.

10 MS. ZYLINSKY: I'm actually here tonight to  
11 kind of represent the voice of the mammals and the  
12 birds and the fish that can't speak, so it's my vote  
13 and their vote that we go for the No Action  
14 alternative, which means maintaining the existing  
15 training levels. Obviously, they can't speak, and I do  
16 need to speak in their behalf.

17 Also, I'm very concerned about the depleted  
18 uranium mutations that sink to our sea floor. I want  
19 it to be noted that uranium, whether depleted or not  
20 depleted, has a half life of 250 thousand years. We  
21 all know that. And we know that they will sit on the  
22 ocean floor for that long. And what effect that has on  
23 the environment we don't really know. None of us are  
24 going to live that long. How many generations will  
25 that affect?

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

32

1           The other thing I would like to mention is that  
2 basically we just really want to know if the  
3 oversight -- if the committee that's going to watch  
4 over this is actually a part of your -- your reporting,  
5 your fish and wildlife meeting, are they actually going  
6 to be with you side-by-side observing this, or are you  
7 just reporting to them on the observations and the  
8 scientific data that you're collecting? So that's a  
9 question I have as well.

10           Thank you.

11           MR. MICHAELSON: Thank you. Lorraine Bayes.

12           MS. BAYES: Good evening. Thank you, and  
13 thank you to everyone here who care about the earth.

14           I just want to play this drum as a reminder of  
15 your own heart beating, and that the decisions that are  
16 being made are really for the next seven generations  
17 for us to remember, you know, the Earth Mother and all  
18 her relations. And to that deep, deep heart wisdom  
19 that we know in our bodies and we know in our spirits,  
20 that we need to take care of our earth, and we need to  
21 take care of the animals, and we need to care for the  
22 next seven generations of people and care for all the  
23 children and the generations yet to come.

24           This is a deeply spiritual decision that we're  
25 making, and I would like to be a voice for that. And

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

33

1           just to share a song.

2           I hear the voice of my grandmother calling me.

3           I hear the voice of my grandfather call.

4           They say "Wake up, wake up people, wake up, wake  
5 up, listen listen, listen listen."

6           They say "Stand in your power, people, stand in  
7 your power, listen listen."

8           They say "Teach and share wisdom, elder, teach and  
9 share wisdom, listen listen, listen listen."

10           May the rivers all run wild. May the mountains go  
11 unspoiled. May the air be clean. May the trees  
12 grow tall. May there be love for every mother and  
13 child. May there be love for every woman and man.  
14 May there be love for every being in the wild.

15           Listen listen, listen listen, listen listen."

16           MR. MICHAELSON: Thank you. Let me read  
17 ahead several more names. Linda Morris will be  
18 followed by Paul Gillon, Gaylynn Beighton, John Hurd  
19 and Kimmer Morris.

20           Linda Morris, please.

21           MS. MORRIS: Hello, I'm Linda Morris. Thank  
22 you for welcoming public comments.

23           And I wish that I had the confidence that the Navy  
24 will really, really truly take what it said in these  
25 public comments, and take them under advisement, and

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

34

1 that it might change the plan. So that is my hope.  
2 I have a few comments and a couple of questions.  
3 The EIS says that the Navy is planning to phase out  
4 depleted uranium. And I would like more information on  
5 that, when, a specific date.

6 The problem is that we don't know how much is  
7 currently being used, and we don't know -- so part of  
8 trying to assess the damage to marine life is that we  
9 don't know how much is currently being used, we don't  
10 have good research, long-term research, and we  
11 don't know what the effect of other heavy metals like  
12 tungsten will have long term on marine life.

13 Commander Miller, you talked about environmental  
14 stewardship. It's a good word. But I believe that  
15 this phrase is in direct conflict with the use of  
16 sonar, Du, tungsten and other heavy metals.

17 I've done a lot of research, particularly on Du,  
18 but also on sonar, and we don't know their long-term  
19 effect on marine mammals and on the human race. And I  
20 think that we're playing a very dangerous game. So I'm  
21 not convinced that there will not be significant harm  
22 done by the use of these materials and sonar.

23 I asked a question several years ago, a couple of  
24 years ago, and the Navy had an open house over on the  
25 peninsula, and several of us from here went to that

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

35

1 open house.

2 And I asked a question of one of the men, of the  
3 Navy men who was showing what they were planning to do,  
4 and I had said to him "How much is enough? When will  
5 it be enough?" And I asked the same question of  
6 another gentleman here tonight.

7 Every time the Navy comes to the public they ask  
8 for more land, more training opportunities. All of  
9 this has an impact and an increasing impact on our --  
10 the health of our oceans and our beaches.

11 And so I ask how much will be enough? And will  
12 the Navy come asking for more and more and more in the  
13 future? And what will be left of healthy beaches and  
14 oceans for our children and our children's children?

15 I would like to, in conclusion, make a plea for  
16 citizen oversight of what goes on in this area that is  
17 being talked about tonight. It's a huge area,  
18 including a marine sanctuary. Which to me the word  
19 "sanctuary" means a place of safety, someplace where  
20 you can go and feel that you will not be disturbed. So  
21 that the Navy's activities in this marine sanctuary is  
22 in direct contrast to what I consider to be the meaning  
23 of the word "sanctuary."

24 But back to the citizen involvement, I would  
25 really believe that you would have a lot less

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

36

1 antagonism by the population around the Pacific  
2 Northwest if the citizens felt like they would have had  
3 a voice in the oversight of what goes on.

4 Right now we feel that -- at least I do, and I  
5 know lots of people feel like we don't have the  
6 information. The wool is being pulled over our eyes,  
7 and we don't have a lot of confidence in what's going  
8 on. Thank you.

9 MR. MICHAELSON: Thank you. Paul Gillon.

10 MR. GILLON: Did you say Paul Gillon?

11 MR. MICHAELSON: I did.

12 MR. GILLON: I'll try to make my comments  
13 very brief.

14 But it isn't always the case that the bad guys sit  
15 on one side of the table and the good guys sit on the  
16 other side. We're all in this together.

17 And I can understand the need for training and  
18 being prepared, but I think that we're missing the boat  
19 in some of our developments. And the sonar buoy at one  
20 time was a passive system. And then they added  
21 explosives to it. It's kind of like driving a carpet  
22 tack with a sledge hammer.

23 I think that we really need to put an emphasis on  
24 seeing if we can get back to the passive system with  
25 the sonar buoy. I can understand the concern over the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

37

1 Chinese diesel boats, but if we can get back to a  
2 passive system we can -- we're better off, because once  
3 you light up these high powered systems on submarines  
4 and frigates you also alert the enemy that you're  
5 there. And the same thing in setting off the  
6 explosives.

7 And most of the diesel boats have to transit with  
8 diesel, not with electric power, so their signature  
9 should be more pronounced when they're under diesel  
10 power than electric power. And that really should be  
11 taken into consideration.

12 We had an incident in the '60s where the KGB  
13 seized a Russian nuclear diesel -- not nuclear, a  
14 Russian diesel submarine that had atomic missiles  
15 onboard, and they accidentally blew themselves up. If  
16 we had had a good acoustic system we could have  
17 probably picked them up when they were 200 miles off  
18 Honolulu.

19 So I'm just saying that I really feel that we all  
20 need to take a look at passive, because it creates less  
21 damage to animals, and it may be more -- if we could  
22 hear the enemy coming and get on top of him without  
23 telling him we're there then we'd be better off.

24 That's what I have to say. Thank you.

25 MR. MICHAELSON: Thank you. Gaylynn

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

38

1 Beighton, please.

2 MS. BEIGHTON: Commander, thank you for  
3 holding this hearing. I know these are really tough  
4 evenings sometimes for you on the other side of the  
5 desk, and I just appreciate so much the Navy having us  
6 here and listening to us.

7 And I would just like to compliment you. I think  
8 you try very hard to be good neighbors. And those in  
9 the community who are with the Navy who I have met are  
10 just the highest caliber people, and so I thank you,  
11 you are an important part of our community.

12 MR. MICHAELSON: Could you state your name,  
13 please?

14 MS. BEIGHTON: My name is Gaylynn Beighton,  
15 and my address is 2507 West Beach Road, Oak Harbor.  
16 And I'm sorry I didn't speak my name first.

17 My vote would be for a No Action alternative. And  
18 that is because I have concerns about the reference in  
19 the federal notice register to the incidental take of  
20 endangered species. My fear relates, among other  
21 animals, to the south resident orca. There are less  
22 than 100 of these animals left in the world. We have  
23 names for all of them here. We are -- we love our  
24 orcas. We have an organization called the Orca  
25 Network, and they have a map and they tell us every

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 time they see one of these orcas, whether they're in  
2 Puget Sound or whether they're down in San Francisco  
3 and off the coast of California.

4 They are really on a slippery slope. They're  
5 facing challenges on many issues with regards to lack  
6 of food, pollution in the water. And they're just a  
7 very, very grand animal, that if there's any way that  
8 we can save them from extinction we want to do that.

9 So I'm very concerned about the reference to  
10 incidental take, because in my mind losing one of those  
11 animals is too many.

12 And then my second concern is the reference that I  
13 read of materials that would be left in the environment  
14 and not retrieved afterwards. And my thought on that  
15 is, you know, the potential for large marine mammals to  
16 get caught up in ropes, or you know, strangled to death  
17 and that sort of thing.

18 And maybe that isn't even a concern, but that was  
19 what came to my mind, was the potential for the marine  
20 mammals to get caught up in anything that's left over  
21 after the training exercises.

22 I think that's it. I just hope -- I hope we can  
23 come to something that's the best for the most people.  
24 Thank you for listening.

25 MR. MICHAELSON: Thank you. John Hurd.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 MR. HURD: My name is John Hurd, and I live  
2 in Clinton.

3 And first I want to thank you for your service to  
4 our country. And I want to thank you for the  
5 opportunity to address the issues about the EIS, and  
6 for making the documentation available.

7 The 1,068 page EIS was made available at the  
8 library in this town. I live 45 minutes south of  
9 here. When the web site was down for the days that it  
10 was down I was advised "Well, you can drive up to Oak  
11 Harbor." And I asked myself, well, if I look at the  
12 map -- finally somebody sent me a copy of the map --  
13 I'm thinking well, wait, Freeland is really close to  
14 the part of the area that's involved. Why isn't there  
15 an EIS at the Freeland library?

16 This is a print of the page "Cannot be displayed"  
17 with my computer clock and date superimposed on the  
18 21st of January at 9:37 a.m., web site still down. It  
19 was down for 15 percent of the 38-day comment period.

20 And we're assuming that because there was an abort  
21 issue and people making comments right up to that  
22 period when it went down and then finally got put back  
23 up and they figured out how to fix it, that that abort  
24 issue existed from the get-go. And so what this  
25 constitutes is 51 percent of the public comment period,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

41

1 no comment was available or possible to be done.

2 Consequently, I think it's appropriate that there  
3 be an extension of 51 percent at least of that 38 day  
4 period. So I would like to respectfully request that.

5 And the -- while recognizing the need for  
6 readiness through training, the No Action alternative  
7 is all that we can support due to the lack of  
8 information available to assess the impact on numerous  
9 endangered and declining marine species, especially  
10 proposed with new proposed testings of new systems.

11 The Navy is so big that before any expansion of  
12 programs could be considered the community would expect  
13 from its large neighbor, the Navy, a comprehensive,  
14 holistic, probematic (ph. Sp.) impact statement of  
15 where we stand at the present time.

16 We have no information about the existing  
17 conditions before we can consider expanding  
18 conditions. So prior to supporting proposed changes,  
19 the Navy needs to fund independent research on seasonal  
20 presence of marine animals, fish, birds found in  
21 training ranges, rather than rely upon outdated  
22 surveys.

23 The Navy needs to supply public access to  
24 non-classified, ambient, acoustic information in their  
25 training ranges, to confirm compliance with operations,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

42

1 and to demonstrate the means to respond to maritime  
2 incidents in all areas, including interactions between  
3 ships and commercial vessels. We would rather not have  
4 oil spills in a sanctuary.

5 And I would like to be told how much depleted  
6 uranium exists on the ocean floor, and how much the  
7 Navy intends to dump there, as they quote, phase out  
8 the use of that material. And I would like to see a  
9 scientific study on the impact of that material long  
10 term on all marine species.

11 MR. MICHAELSON: Thank you, Mr. Hurd.

12 MR. HURD: Thank you.

13 MR. MICHAELSON: The next speakers in order  
14 will be Kimmer Morris, Sarah Schmidt, I think this is  
15 Al Williams, P.O. Box 863, Wendy Campbell DeWinter and  
16 Howard Garrett. Kimmer Morris.

17 MS. MORRIS: Hello, I'm Kimmer Morris. Thank  
18 you for having this hearing.

19 I'm a school teacher in Langley, and we just  
20 created -- adopted a new mascot, which is the orca. I  
21 am here for all marine species, to speak for them, and  
22 I echo everything that has been brought up before.

23 But I'm kind of wondering how many of you have --  
24 or how many of you have ever been snorkeling or scuba  
25 diving? I'm assuming some of you have. Okay. So you

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

43

1 know when you're looking out above the water, you don't  
2 see very much sea life, but then when you're in the  
3 water it is alive, right? You've seen that?

4 So I have the concern that if you're just looking  
5 like this to see what's out there, how are you looking  
6 underneath? Maybe that's in the EIS, maybe it's not.  
7 I would like it to be.

8 And my next concern has to do with the depleted  
9 uranium and tungsten and the research or what ways are  
10 being planned to protect the levels, the cumulative  
11 levels of that, both presently and in the long term.

12 And along those lines, I would like to pose a  
13 question. How much depleted uranium do you want to eat  
14 in your fish and in your children's fish and your  
15 grandchildren's fish? How much? Do you have an amount  
16 that is acceptable to you?

17 MR. MICHAELSON: Sarah Schmidt.

18 MS. SCHMIDT: Thank you. I'm Sarah Schmidt  
19 from Coupeville, and I'm speaking as the president of  
20 Whidbey Audobon Society.

21 And I recognize that I'm here and we operate on  
22 behalf of protecting wildlife and wildlife habitat, and  
23 you're here and you operate on behalf of the conviction  
24 currently that we need military to defend our country.  
25 So we're here looking at different priorities.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

44



1 We would vote for the No Action alternative. And  
2 I want to recognize that, and applaud the Navy's  
3 progress as an environmental steward, which I have  
4 certainly seen over the course of my lifetime. But I  
5 would pause that it's partly a response to pressure  
6 from people like us that keep pushing to make -- try  
7 and make our leaders increasingly aware of protecting  
8 the environment.

9 We have concerns about some other things that have  
10 been said tonight about chemicals that will be released  
11 into the water and materials left in the environment,  
12 the depleted uranium, heavy metals.

13 And another concern, as far as the protecting the  
14 marine mammals, is that it's difficult to believe that  
15 24-hour lookouts could reliably detect and protect ESA  
16 listed species in the real life conditions at sea and  
17 visibility.

18 I have some concerns that this EIS was developed  
19 in consultation and review with National Marine  
20 Fisheries Service at a time under administration in  
21 Washington for the last eight years that has been no  
22 friend to the environment or to sound science, and has  
23 put a lot of pressure on agencies to back off from  
24 their quality of work in that regard.

25 And we've just elected a new administration in

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

45

1 Washington that we hope will provide that missing  
2 leadership and work towards moving us towards being  
3 better environmental stewards and also protecting our  
4 crew with more diplomacy so that you won't have as much  
5 work to do.

6 The EIS acknowledges that the proposed intensified  
7 activities that were modeled may affect ESA listed  
8 fish, turtles, birds and marine mammals, and that the  
9 Navy would attempt to minimize those effects at a time  
10 when the populations of marine mammals, seabirds and  
11 ESA listed salmon are dwindling, and there are harbor  
12 increased toxins.

13 We've got the Puget Sound Partnership trying to  
14 help reverse the situation and bring Puget Sound back  
15 to help.

16 There's no place for experimentation or continued  
17 harm. And the best way to minimize harm is to omit the  
18 actions altogether. Thank you.

19 MR. MICHAELSON: Al Williams.

20 MR. WILLIAMS: Thank you. I'm Al Williams.  
21 I live in Oak Harbor.

22 And we've had a lot of really good comments  
23 tonight from -- heartfelt comments from people, and we  
24 hope that you really take some serious note of them.

25 One of the best ones was from you, Commander

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

46

1 Miller, when you said you intend to be here for good.  
2 I would also like to notice that you talked about  
3 having a lot of studies using the best science. And I  
4 would like to question that, because I've noticed that  
5 all of the displays here and all of the comments and  
6 stuff have been studies by the Navy. Have you also  
7 considered the input from University of Washington  
8 Beachwatchers, other sources from the educational  
9 community, and things of that nature, which I think  
10 deserve to be given some high -- high credit in all of  
11 this, as are the comments from so many people here?  
12 I would like to mention about the severity of the  
13 situation of our ecology. And I've talked to some of  
14 you people tonight about this. And that is exemplified  
15 by the situation with our salmon right now. We've  
16 talked about the Orcas, we've talked about other  
17 things, and I can't sing as well as you do, but I would  
18 like to say that the salmon are just about gone.  
19 They're so bad that our federal government now is  
20 compensating the Indians for our lack of salmon.  
21 California and Oregon this last year completely  
22 banned -- according to the newspaper articles I've  
23 read, completely banned salmon fishing this year  
24 because there's so few.  
25 We have some real concerns about our environment

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

47

1 and where it's going. I'm 72 years old now, but that's  
2 a short time in the course of history. But I can tell  
3 you that when I was a kid we didn't even think that  
4 these concerns were important. We thought that the  
5 world was just forever. But it's not, and we're  
6 finding that out rather quickly.  
7 Another question is about some credibility. This  
8 has been a little bit mentioned. I'm not going to  
9 question the credibility of the people here before us,  
10 the people who have done these studies, and the  
11 sincerity and the intention and the integrity of you  
12 people.  
13 But I have some real concerns, and I think a lot  
14 of us do, about the credibility of the people who make  
15 many of the decisions farther up, and particularly in  
16 the last eight years.  
17 And if I may give an example of why I think that  
18 this credibility issue is of concern; many of us feel  
19 that we have been fibbed to, that we have been  
20 deceived.  
21 Now, my wife and I are truckers. We just recently  
22 retired, but we did a lot of military work, and I was  
23 proud to do it. I've hauled for Whidbey here, I've  
24 hauled out of Keystone or Keyport, and I've been over  
25 at Bangor, I've been all over the country and whatever,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

48

1 and I'm proud of that.

2 We have a question about how much military we  
3 need. The question is is there ever enough to be  
4 completely safe? And I think the answer is no. Okay.

5 I think we need to also look at alternatives.  
6 Now, this is not your purvue, but I think some very  
7 important purvues are negotiation and a five letter  
8 word, "Peace."

9 MR. MICHAELSON: Wendy Campbell DeWinter,  
10 please.

11 MS. DEWINTER: My name is Wendy Campbell  
12 DeWinter, and I reside on Whidbey island.

13 And I would like to thank all of you for being  
14 here, and all of the support staff for doing what  
15 you've done this evening and making this a really  
16 comprehensive and quite visual presentation. We really  
17 appreciate it.

18 I'm here as a voice for my friend, Ben White. Ben  
19 White is a -- Ben White, a political -- professional  
20 political -- I mean excuse me, a professional wildlife  
21 environmental activist, spent a significant amount of  
22 time over a very short period of time in the waters off  
23 of Hawaii when the Navy was testing the sonar. Ben  
24 died three years ago from stomach cancer. And I have a  
25 profound feeling that his time that he spent in the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 waters with the sonar had an effect and contributed to  
2 his death.

3 When I lived on San Juan Island the orcas were in  
4 my front yard. Prior to that particular property, I  
5 had had deer and rabbits and other wildlife in my front  
6 yard. It was not until I had the orcas in my front  
7 yard that I realized the incredible connection that the  
8 orcas have with the humans. Having -- and I've never  
9 gotten to swim with the dolphins yet.

10 But having the orcas as part of my daily  
11 activities was one of the most profound experiences  
12 I've ever had. And I had no idea prior to being able  
13 to be that close to them how sensitive they are, and  
14 how much they really care and consider us human beings.

15 And on religious and spiritual grounds I request  
16 that no action, no further extension of testing. I  
17 live on the beach on Whidbey Island, and I have the P-8  
18 and the fighter jets flying overhead. They're supposed  
19 to be flying over the water. They do that sometimes,  
20 and sometimes they're over my house, which is not too  
21 many feet, off course, but it's off course enough that  
22 they have no business flying over my house.

23 And what my vet and I can tell you about the  
24 impact on the health and the dying and the death of my  
25 domestic animals is significant.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 I just wonder when the Navy is going to start  
2 considering the effect that it has, and some of the  
3 other things that they do in our sanctuary have on both  
4 the wildlife and us human beings.

5 I request that the the media notify us in advance,  
6 much further in advance than they have, and that we  
7 have access to the EISs. And if there's going to be  
8 the Internet down in the future they need to  
9 automatically do an extension. And I request an  
10 extension of this EIS review since the media and the  
11 Internet did not function properly. Thank you.

12 MR. MICHAELSON: Have anymore cards been  
13 turned in? I'm down to my last one. Thank you.

14 The last speaker I have listed here is Howard  
15 Garrett.

16 MR. GARRETT: Thank you. My name is Howard  
17 Garrett, I live in Greenbank.

18 And I'm president of Orca Network, with about  
19 4,500 subscribers to our list. And -- well, first, I  
20 do want to say I appreciate your service. And I have  
21 high regard for the Navy personnel. I've cooperated  
22 with them, they've been very helpful with a lot of our  
23 activities. And I want to basically read my comments,  
24 but I want to give a few ad libs first.

25 And one is the statement that no mortalities to

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

51

1 marine mammals is anticipated I find to not be  
2 credible. Given the enormity of these exercises, the  
3 number of vessels, the munitions used, the sonars, the  
4 explosives, I can imagine the difficulty in detecting  
5 marine mammals in the water. I can't imagine that  
6 there won't be mortalities as there have been on many,  
7 many instances around the world.

8 So I'll just read what I have. "An extension of  
9 the comment period is needed on grounds that the web  
10 site to submit comments was non-functional during more  
11 than half the comment period."

12 As has been mentioned that the principal mechanism  
13 for input was down for more than half of the period, so  
14 it should be extended, we believe.

15 And due to the decline of numerous marine species  
16 and the lack of information available to assess the  
17 impact of the Navy's proposed expansion on these  
18 species, especially with proposed testing of new  
19 systems and inadequate marine mammal monitoring, a No  
20 ction alternative is the preferred option.

21 Prior to supporting any expansion of training  
22 activities the Navy needs to fund independent research  
23 on the seasonal presence of marine birds, fish and  
24 mammals within the training areas, rather than rely on  
25 outdated surveys. And I want to underline what's been

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

52

1 mentioned, that the southern resident orca population  
2 is very fragile and tenuous, has been in decline in  
3 recent years, listed as endangered since 2005, and  
4 passes through that area all year long.

5 The Navy needs to provide public access to  
6 non-classified ambient acoustic information in their  
7 training ranges to confirm compliance with their  
8 operations. We need to know what's going on  
9 scientifically.

10 And the Navy needs to demonstrate a means to  
11 respond to environmental consequences like oil spills  
12 of a maritime incident in their operating areas.

13 We've been involved in observing and researching  
14 many species of cetaceans since 1981. We are well  
15 acquainted with the difficulty of recognizing brief  
16 sightings or faint acoustic signals. In our judgment,  
17 given the enormity and the complexity of the number of  
18 ships, the basic situation of training exercises, we  
19 find the mitigation measures in this EIS are not  
20 sufficient to reliably detect the presence of cetaceans  
21 in most instances.

22 The recognition is highly problematic, even for  
23 experienced personnel. So the Navy should improve the  
24 mitigation measures to include training of monitoring  
25 personnel by experienced whale biologists to improve

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

53

1 recognition.

2 And finally, on the threat issue that is the basic  
3 justification and the mission to deter threats, the  
4 long-term challenge is to dial down the need for these  
5 training exercises altogether, which is a problem of  
6 international relations and diplomacy.

7 Thank you so much.

8 MR. MICHAELSON: We do have some time left,  
9 so I'm going to invite people up for a second.

10 But I just want to double check, is there anyone  
11 yet who has not spoken who wanted to tonight before I  
12 do that?

13 Yes, sir. I'll just have you fill out a card  
14 afterwards. Give us your name. And you've got four  
15 minutes. Thanks.

16 MR. WOLD: My name is Bob Wold, and I was  
17 actually here before the Navy, or close to it.

18 And I've been around all of your areas that you're  
19 proposing to effect, and I'm not too sure, what type of  
20 uranium are you proposing to waste out there or dump  
21 out there at this training system?

22 MR. MICHAELSON: We're not answering  
23 questions at this point.

24 MR. WOLD: The problem that I see out here is  
25 we're talking about the food chain. They like to talk

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

54

1 about the whales. And they are beautiful, and I've  
2 seen them all my life. But the whales are declining  
3 because the food supply is declining. And you have  
4 sharks and other animals that are sensitive to noise,  
5 and our props take a toll on them, so do our sonars  
6 that we use on our power boats.

7 And what I do is deliver boats up and down the  
8 coast. And it's been a real effect. And I can't see  
9 this endangered sound being affected anymore. And I  
10 can't see the other areas being affected anymore.

11 What I would like to see is you go down and use  
12 some of the places that you've already pretty much  
13 destroyed with your weapons down in the south. I don't  
14 know why you can't go down to where you dropped off the  
15 last few bombs over there and use that area as a  
16 testing area, instead of coming up here and using the  
17 sound? I know it's a long distance to travel, but it  
18 will give you an area. We've got Hanford and a couple  
19 of other areas that we have designated as areas to  
20 dispose of things. We should use those areas, instead  
21 of trying to reinvent some new areas. We've got  
22 fertilizers and nitrates and things like this in our  
23 waters now that are causing a lot of problems, red  
24 tides and some other things. These areas are affecting  
25 us, and they're hitting the people like the plankton

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

55

1 and the shark and the killer whales on a microscopic  
2 level. And now you're asking to put more stuff into  
3 it. I can't even flush my toilet out at sea. I have  
4 to go 200 miles offshore to do any disposal of any  
5 waste, and you're asking to come inshore and do some  
6 more damage that you won't let the American public do.

7 The people -- and we just went through a banking  
8 problem, a Wall Street problem, because our government  
9 allowed these people to go ahead with stuff. And now  
10 you're asking to go ahead with the Navy proposal to  
11 expand its weapons testing in our waters. We have the  
12 spot off West Beach. It's never been the same since I  
13 was a kid. I don't fish around here anymore because  
14 there's very few fish. I don't even own a fishing pole  
15 up here anymore. Thanks.

16 MR. MICHAELSON: If one of the staff -- thank  
17 you -- could get to him to fill out a card? Yes, have  
18 you spoken?

19 MS. PIAZZON: My name is Toni Piazzon, 1031  
20 Northeast Summit Loop in Coupeville.

21 I have done some fish seining for NOAH and the  
22 Beachwatchers. That's my primary concern, is the  
23 species that we're losing, such as the salmon, is the  
24 critical thing here, and the orcas that depend on the  
25 salmon.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

56

1 And so I don't see how we can even consider doing  
2 more damage when the rest of the country is fighting to  
3 do all the salmon recovery and gain back what we've  
4 already messed up. So do more -- do no more harm.

5 I think as other people have said, extending the  
6 comment period, dysfunctional web site, I'm sure a lot  
7 of people just got frustrated and didn't bother. So  
8 that should be extended. And support for No Action  
9 alternative, just like I was saying, let's not do  
10 anymore harm.

11 My concern with the pollution in the food chain  
12 from the microscopic to the end user, the whales and  
13 us, to be putting more metals -- we've had an ocean  
14 pollution problem for a long time. And I think this  
15 whole proposal is going against what we finally are  
16 starting to come to grips with is how much we're  
17 polluting our planet and changing the climate. And  
18 we've got to think of different ways of doing things.

19 I mean I want to protect -- I respect all military  
20 and thank them very much for what they do, but we have  
21 to weigh that with -- you know, we can't mess up our  
22 environment or we're all going to suffer.

23 And the other thing was I've been out to boats and  
24 sea sailing, stuff like that, and it's very hard to be  
25 a lookout, and really you can hardly see things, even

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

57

1 like turtles. I've snorkels and done stuff like that,  
2 and you know, you can't see those little noses coming  
3 up. I mean is it breaking water or what? And the  
4 amount of sea life is there, it's just too critical.

5 So like Howard was saying, we need expert marine  
6 biologists that specialize in identifying the sound for  
7 whales and other marine mammals.

8 And I have concerns of the thousand meters, that I  
9 don't know if that's really a large enough zone to stay  
10 out of when it comes to the sonar and the explosives  
11 because of how much sound carries through water. And  
12 my concern also is in the behavior, of how much we're  
13 affecting their behavior, would it be to strandings or  
14 altering their habitats, feeding habitats, migration  
15 habitats, things like that. So thank you very much.

16 MS. MICHAELSON: Thank you.

17 I had another card turned in, Louise Mueller  
18 Wright.

19 MS. WRIGHT: I don't need to come up there.

20 MR. MICHAELSON: Actually, you do need to,  
21 just to make sure we get it on the record. I know  
22 public speaking is a scary thing, so sorry to make you  
23 come up here. I need to make sure I get a record of  
24 it. State your name, please.

25 MS. WRIGHT: Louise Mueller Wright.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

58

1 MR. MICHAELSON: Get a little closer to the  
2 mic, please.

3 MS. WRIGHT: Louise Mueller Wright. And I  
4 live on Madrona Way.

5 And I look right out my window at Penco Park, so  
6 I'm very connected with the water. But no one has  
7 mentioned -- no one has mentioned about all the little  
8 creatures that live on the sea floor and what happens  
9 when all the garbage is dumped on top of them and they  
10 are squished never to live again, happily again on the  
11 bottom of the sea. And they are very important to the  
12 ecological balance of the ocean. Thank you.

13 MR. MICHAELSON: Thank you. Che Gilliland.

14 MS. GILLILAND: I'm Che Gilliland. I'm also  
15 a teacher, and I've been interested in marine biology  
16 and marine science for so long. And I went online to  
17 start looking at the EIS online and didn't get a lot  
18 done.

19 But I found a few things, and my main concern is  
20 over the marine life, but also the impacts chemistry  
21 wise interactions with the actual ocean with the things  
22 that are being put in it. And I talked to one  
23 gentleman who said there was no depleted uranium, that  
24 it was sea floor that was the explosives, but I still  
25 think there's something, it doesn't just dissipate. So

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

59

1 enough about that.

2 And anyhow, when I was on the computer I found a  
3 couple of things, and there were just pages and pages  
4 of information, but I was really interested in the  
5 sonar. And the first thing is on a couple of the pages  
6 they went through all the different marine life all the  
7 way from the southernmost area all the way up to here,  
8 and so some of the things that we have here in Puget  
9 Sound in this area are obviously orcas, and it goes  
10 through and kind of lists on three pages what animals  
11 are rare in that area, blue whales, all the way up to  
12 Steller sea lions, different animals that are found  
13 here, but it didn't get into the very tiny ones on  
14 this. But I agree with you on that.

15 But on your plans for No Action, which is what I'm  
16 advocating for, Alternative 1 and Alternative 2, with  
17 the sonar it went through some incidents that had  
18 happened. And granted, there's only four or five  
19 listed on here, but with whale strandings. And with  
20 the sonar, and I'm not sure about the kilohertz,  
21 there's different amounts and decibels. The timing and  
22 location of the testing encompass the time and location  
23 of whale strandings in Greece, and this is with a NATO  
24 research vessel. In March 2000 in the Bahamas 17  
25 marine mammals, Coutier (ph. sp.) beached whales and

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

60



1 some other whales with the Department of Navy, I'm  
2 guessing, use of mid-frequency activities, sonar Navy  
3 ships were involved in tactical sonar exercises for  
4 approximately 16 hours on March 15th while emitting  
5 sonar pings approximately every 24 seconds. And so  
6 there's -- and it goes on to different things.

7 Mid-frequency acts of sonar and strandings began  
8 within hours of the onset of use of mid-frequency  
9 sonar.

10 In Spain, in 2006, active sonar training against  
11 the Spanish submarine, according to a pathologist, the  
12 likely cause of this type of beach whale stranding  
13 event may have been anthropogenic acoustic activities.

14 And so when I was going through, I noticed it says  
15 number of passive and active sonar efforts in the  
16 northwest training area, and under No Action for  
17 anti-submarine warfare, tracking exercise portable  
18 undersea tracking range, and it says the pinger MK-84  
19 range pingers, sonar uplink, transmission NFA and HFA  
20 sonar, right now there's zero hours of this, but under  
21 Alternative 2, which is what you would like to have, it  
22 goes up to 180 hours, 150 hours, and then 42 hours for  
23 mine countermeasure exercises.

24 And so I'm just really concerned about the sonar,  
25 and if there's these mass strandings that I don't know

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

61

1 how -- how that can be prevented. So again, I'm just  
2 here to advocate for No Action. Thank you.

3 MR. MICHAELSON: Thank you. Anyone else who  
4 hasn't had a chance yet who would like to?

5 Well, I said about seven speakers ago that we were  
6 going to have time for second helpings. And I already  
7 had somebody turn in a card for second helpings.

8 So Mr. Hurd, I think you get a chance for four  
9 more minutes. That may be about it.

10 MR. HURD: Thank you. I always like to go  
11 back for seconds at the potluck.

12 I'll try to be brief. I just want to underscore a  
13 couple of things I said, and mention a couple other  
14 things.

15 MR. MICHAELSON: I'm sorry, could you state  
16 your name?

17 MR. HURD: John Hurd.

18 I really want to say that in the process that's  
19 envisioned here, I think it's important that we don't  
20 shoot ourselves in the foot while we're attempting to  
21 defend, we shoot ourselves in the foot by destroying  
22 part of that which we're attempting to defend. You  
23 know, there are no orcas on the surface of the moon.

24 As somebody pointed out recently, the earth is a  
25 living organism, and it's possible to literally wipe

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

62

1 out part of that life force and make it resemble the  
2 surface of the moon in trying to defend the life that's  
3 on this not moon-like surface.

4 Somebody just recently said something about orcas  
5 being caught up in the remnant of activity, and I  
6 instantly thought how about the remnant of radioactive  
7 isotopes in the food chain for a long time, ending up  
8 in what, humans, Eskimos, orcas. Radioactive isotopes  
9 are thalidamied forever. We're talking, like somebody  
10 else said, the seventh generation. So that's why it's  
11 so important. I thought it was so important to  
12 establish what the baseline of what the existing level  
13 of depeleted uranium on the ocean floor, how many tons  
14 or pounds have been lobbed out to date, what the  
15 research effects on the biological systems to date are  
16 in order to consider future an increased usage.

17 And I would like to point out that, since I'm the  
18 first of second helpings, it is unanimous in this body  
19 of citizenry, if I'm not mistaken from what I've heard,  
20 I've listened to every speaker tonight, the No Action  
21 alternative is what is being advocated for. I've heard  
22 no person stand up and say -- I've heard no person  
23 stand up and say, "You know, you guys are on the right  
24 track in what you want to do with your proposed level 1  
25 or 2, is a good idea."

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

63

1 I wish I had my little graphic, it's a pen and you  
2 can pull out this Venetian blind, and it shows the  
3 level of expenditure for military on all the other  
4 nations of the planet. And they have bar graphs that  
5 are about this high, and you keep pulling the Venetian  
6 blind out further and further and further, and here is  
7 the U.S., and the U.S. is about this tall, and the rest  
8 of the world combined is about this tall. How much is  
9 enough?

10 And I think we've reached the point of diminished  
11 returns, or is not necessarily in the interest of our  
12 national defense, and not in the interest of that which  
13 we're attempting to defend. Thank you.

14 MR. MICHAELSON: Thanks. Is this a new  
15 speaker? Excuse me just a moment.

16 So I have two more cards. We'll take these  
17 as the last. We can run a little bit past 8:30 before  
18 they turn us out.

19 So second chance for Gaylynn Beighton and Wendy  
20 Campbell DeWinter. Gaylynn, please.

21 MS. BEIGHTON: Thank you so much. I am  
22 Gaylynn Beighton, Oak Harbor, Washington.

23 I was really befuddled and lost my train of  
24 thought last time. But I would just like to pose a  
25 question to all of us. All of us in this room, all of

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

64

1 us together, we're all in this together. What's the  
2 point to have state of the art training and weaponry  
3 and have a depleted, polluted world left to protect? I  
4 think we need to think about this.

5 I do think tonight maybe the Navy has gotten a bad  
6 wrap. I think as people we also have contributed to  
7 pollution and depletion of our planet. And I'm going  
8 to propose that we come together as citizens of the  
9 world for harmony, wholeness, abundance, and joy.

10 Thank you.

11 MR. MICHAELSON: Thank you. Wendy Campbell  
12 DeWinter.

13 MS. DEWINTER: Well, evidently in life there  
14 are no mistakes. Excuse me, my name is Wendy Campbell  
15 DeWinter, and I reside on Whidbey Island.

16 As I left the podium I was handed a piece of paper  
17 with an e-mail on it, and it refers to the 1998 Navy  
18 action off of the big island of Hawaii when the LFAS,  
19 low frequency active sonar, was being tested in regards  
20 to the humpback whale sanctuary. And it refers to Ben  
21 White. And it says that "The LFAS is known to cause  
22 brain damage to humans and marine animals alike."

23 I've -- I've heard briefings on testing in regards  
24 to the whales. And to me the effects are stunning.

25 I would like to talk about the notification, which

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

65

1 I mentioned in my last visit up here to the podium, and  
2 my request is that the Navy take out a display ad in  
3 the Marketplace newspaper from the south end of this  
4 island. The Marketplace goes to all the mail boxes on  
5 the entire island, with the exception of the businesses  
6 in town, unless those businesses are advertising in the  
7 Marketplace, which many of them do.

8 And for less than two 248 dollars you can get a  
9 decent sized quarter page ad. And by the way, my  
10 disclaimer is I do not work for the Marketplace, nor  
11 have I ever worked for the Marketplace. But having  
12 been an advertising person, oftentimes in the print  
13 media, I appreciate the impact that the Marketplace has  
14 had on our community as far as notifying us of events  
15 that are happening.

16 And I request that we be notified within a minimum  
17 of three weeks before any kind of meeting or  
18 presentation for which we would have some -- of which  
19 we would have some interest.

20 And thank you again for being here.

21 MR. MICHAELSON: Thank you very much for a  
22 lovely evening spent with all of you. We do appreciate  
23 you being here. We do appreciate you taking part in  
24 this process. This process doesn't work if you don't  
25 do that. And we would have been much the sorrier if

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

66

1 you hadn't come.  
2 With that I would like to adjourn this meeting.  
3 And maybe we'll see you at some of the future ones.  
4 We've got four more meetings to go. Thank you.  
5 (Hearing adjourned at 8:35 p.m.)  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3 STATE OF WASHINGTON )  
4 ) ss  
5 COUNTY OF SNOHOMISH )  
6 I, LESLIE ANDRES, Certified Shorthand Reporter and  
7 Notary Public duly and qualified in and for the State  
8 of Washington, do hereby certify that the  
9 aforementioned hearing was held before me at the time  
10 and place set forth.  
11 I further certify that the foregoing transcript is  
12 a true and correct transcript of my original  
13 stenographic notes.  
14 I further certify that I am neither attorney or  
15 counsel for, nor related to or employed by any of the  
16 parties to the action in which this deposition is  
17 taken; and furthermore, that I am not a relative or  
18 employee of any attorney or counsel employed by the  
19 parties hereto or financially interested in the action.  
20 IN WITNESS WHEREOF, I have hereunto set my hand  
21 and affixed my Notarial Seal this 26th day of  
22 January 2009.  
23  
24 LESLIE ANDRES  
25 NOTARY PUBLIC

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
24  
25

---

NAVY'S NORTHWEST TRAINING RANGE COMPLEX DRAFT EIS/OEIS

OPEN HOUSE and PUBLIC HEARING

---

January 28, 2009  
5:00 p.m.

Pacific Beach Fire Hall  
4586 State Route 109  
Pacific Beach, Washington

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

Moderator:

Lewis Michaelson

Executive Officer:

Commander Matthew Miller

Project Manager:

Mr. John Mosher

Reported by: Leslie A. Andres, CCR 2489

North Sound Reporting

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

LIST OF SPEAKERS

NAME PAGE

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BE IT REMEMBERED that on the 28th day of  
January 2009, beginning at the hour of 5:00 p.m. of  
said day, at the Pacific Beach Fire Hall in the City of  
Pacific Beach, County of Grays Harbor, State of  
Washington, the proceedings were taken before Leslie  
Andres, a Notary Public in and for the State of  
Washington.

WHEREUPON, the following proceedings  
were had and testimony given, to wit:

\*\*\*

P R O C E E D I N G S

MR. MICHAELSON: Good evening, everyone.  
We're certainly glad to see you here tonight.

My name is Lewis Michaelson, and I will be the  
moderator for tonight's hearing on the Navy's Northwest  
Training Range Complex Draft Environmental Impact  
Statement, Overseas Environmental Impact Statement, or  
Draft EIS, as we will all refer to it as.

Here to receive your comments, if you care to make  
them, are Commander Miller, Executive Officer of Naval  
Air Station Whidbey Island, and Mr. John Mosher, the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 project manager for the Navy's Pacific Fleet,  
2 Mrs. Kimberly Kler, waving right there, is the project  
3 coordinator from Naval Facilities Engineering Command  
4 Northwest. She's also here and will be the primary  
5 point of contact for sharing any written comments that  
6 you want to make about this project.

7 Let's look at the agenda for tonight. Hopefully  
8 you all had the opportunity to talk to the many  
9 knowledgeable experts and program officials who were  
10 staffing the exhibits during the open house. That's  
11 why we waited until 7:30 to start this. We wanted to  
12 give you a chance to do that, and it looks like  
13 everyone got a chance to take advantage of that.

14 The primary purpose for this portion of the  
15 hearing is for the panel members here to listen to your  
16 comments firsthand. They will not be answering  
17 questions during this phase of the proceedings. Any  
18 comments and questions will be addressed in the Final  
19 EIS when it is issued.

20 So after I finish this introduction Commander  
21 Miller will give a brief overview of the Navy's  
22 activities in the Northwest Training Range Complex.  
23 Next Mr. John Mosher will brief you on the  
24 environmental impact analysis process, and summarize  
25 the results reported in the Draft EIS. Mr. Mosher is

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 the EIS project manager for the U.S. Navy.

2 The last item on the agenda, however, is the most  
3 important. The public comment session is your  
4 opportunity to provide information and make statements  
5 for the record. Your input ensures that decision  
6 makers can benefit from your knowledge of the local  
7 area, and any environmental effects you think may  
8 result from the proposed action or its alternatives.  
9 Keep in mind that the EIS process is intended to ensure  
10 that decision makers will be fully informed about the  
11 potential environmental impacts associated with the  
12 various alternatives before they decide on a course of  
13 action.

14 Please also remember that comments on issues  
15 unrelated to the EIS are beyond the scope of this  
16 hearing.

17 To request an opportunity to make a verbal comment  
18 we ask you to please fill out a verbal comment card,  
19 such as Allison at the table there is holding up. If  
20 you fill that out and turn it in to her or any other  
21 staff person, we will call on people in the order in  
22 which they sign up. Every speaker, including public  
23 officials, organizations and individuals will have four  
24 minutes each to provide your comment.

25 If you don't feel comfortable standing up here

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 tonight to make a statement you have until February 11,  
2 2009 to submit a written statement for consideration in  
3 the Final EIS, or after we finish this portion of it,  
4 if you want to you can make comments privately  
5 one-on-one with the court reporter.

6 Keep in mind that written comments are given the  
7 same consideration as verbal comments offered here  
8 tonight. So it is now my pleasure to introduce  
9 Commander Miller.

10 COMMANDER MILLER: Thank you, Lewis. Welcome  
11 to the public hearings for the Northwest Training Range  
12 Complex Draft Environmental Statement.

13 My name is Commander Matt Miller, and I'm the  
14 Executive Officer, Naval Air Station Whidbey Island.

15 I want to thank you on behalf of the United States  
16 Navy for attending this evening. This is one of five  
17 public hearings the Navy is holding in Washington,  
18 Oregon, Northern California, and for the Northwest  
19 Training Range Complex Draft EIS.

20 As Lewis mentioned, we hope you had the  
21 opportunity to visit the poster stations this evening  
22 and meet with the Navy project team members.

23 Some background, personal background about me,  
24 I've been an active duty commissioned officer for over  
25 21 years. I'm originally from Silver Spring, Maryland,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

7

1 outside of Washington D.C., graduated from the  
2 University of Maryland. My Navy career is I'm a  
3 carrier aviator, started out flying Intruders as a  
4 bombardier navigator, and subsequently trained in the  
5 Growler EA-6B as an electronics countermeasure officer,  
6 and I have a little over 2,000 hours flying tactical  
7 jets for the Navy.

8 Before this tour I've been the Executive Officer  
9 for a year at Whidbey Island, before that I was the  
10 operations officer, and before that I was stationed on  
11 the U.S.S. Abraham Lincoln out at Naval Station Everett  
12 for two years. And prior to that an instructor, as an  
13 electronic attack weapons school instructor. And I've  
14 been on the west coast for about ten years, and I don't  
15 plan on leaving. So I live in Anacortes, Washington,  
16 so I like it out here and I'm going to stay. So that's  
17 me.

18 As Lewis stated before, you will have the  
19 opportunity to make oral comments regarding the  
20 contents of the environmental analysis. Written  
21 comments will be accepted tonight and throughout the  
22 public comment period which closes on 11 February  
23 2009.

24 The Northwest Training Range Complex is a military  
25 training area that has been in use by the Navy since

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

8



1 World War II. It is comprised of two primary  
2 components; the Offshore area and the Inshore area.

3 The mission of the Northwest Training Range  
4 Complex is to serve as the principal backyard training  
5 range for those units homeported in the Pacific  
6 Northwest area, including surface ship, submarine,  
7 aviation, and Explosive Ordnance Disposal units located  
8 at Naval Air Station Whidbey Island, Naval Station  
9 Everett, Puget Sound Naval Shipyard, Naval Base  
10 Kitsap-Bremerton, and Naval Base Kitsap-Bangor.

11 The Northwest Training Range Complex also supports  
12 military units from outside the range complex area,  
13 such as Naval Special Warfare units supporting their  
14 training requirements.

15 The Northwest Training Range Complex includes  
16 ranges, training areas and air space that extend west  
17 to 250 nautical miles beyond the coast of Washington,  
18 Oregon, Northern California, and extend east to the  
19 Washington/Idaho border.

20 The Offshore component of the Northwest Training  
21 Range Complex encompasses 122,400 square miles of air,  
22 surface, subsurface ocean training areas. The Inshore  
23 component includes about 875 acres of land on Whidbey  
24 Island and Indian Island, with more than 12,000 square  
25 nautical miles of Special Use Air space and

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 subsurface -- surface and subsurface training areas  
2 within the Puget Sound.

3 Military activities currently conducted in the  
4 Northwest Range Training Complex can be divided into  
5 the primary mission areas listed here.

6 To accomplish its mission in the Pacific  
7 Northwest, it is critical for the Navy to maintain and  
8 operate the necessary facilities and to provide these  
9 critical training areas to U.S. Navy commands so that  
10 forces can train realistically.

11 Realistic training ensures the U.S. Navy personnel  
12 maintain the highest level of readiness and capability  
13 and is the single greatest asset the military has in  
14 preparing and protecting American service men and women  
15 to defend the nation. There's no such thing as  
16 "routine" training when it comes to practicing combat  
17 skills.

18 To ensure Navy forces are fully ready to provide  
19 the deployment -- fully ready prior to deployment  
20 requires specialized ranges where military personnel  
21 can learn, through practical hands-on experience, the  
22 technical skills necessary to effectively plan and  
23 conduct operations. Continuing technological  
24 advancements also require more complex and varied  
25 testing and training scenarios to be able to combat new

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 threats.

2 The ranges, facilities and installations of the  
3 Northwest Training Range Complex are unique and provide  
4 training opportunities essential for the safety and  
5 readiness of military personnel and the success of the  
6 military mission.

7 Environmental stewardship is a priority goal of  
8 the Navy during mission training activities.

9 The Navy is committed to protecting the physical  
10 and natural environment and has established a  
11 successful track record of environmental stewardship  
12 while completing our mission.

13 To accomplish our environmental stewardship goals,  
14 the Navy implements protective measures on land and at  
15 sea to reduce potential effects to terrestrial and  
16 marine environment, and ensure public safety and  
17 accessibility.

18 I will now turn the presentation over to John  
19 Mosher from the U.S. Pacific Fleet to tell you about  
20 the Navy's Proposed Action in the Northwest Training  
21 Range Complex and give you an overview of the Draft EIS  
22 and the environmental analysis process.

23 MR. MOSHER: Thank you, Commander. My name  
24 is John Mosher, I'm here as the project manager for the  
25 Northwest Training Range EIS, representing the U.S.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

11

1 Pacific Fleet.

2 I'm here tonight to give you an overview of the  
3 findings contained in the Draft EIS. The Draft EIS was  
4 prepared by the Navy to comply with both the National  
5 Environmental Policy Act, or NEPA, and Executive Order  
6 12114, which requires federal agencies to consider the  
7 environmental effects for their activities that occur  
8 outside of U.S. territorial waters. The Draft EIS  
9 represents compliance with these environmental statutes  
10 and is an important part of the Navy's overall  
11 commitment to environmental stewardship as it tests and  
12 trains.

13 The Navy is the lead agency for the EIS, but the  
14 National Marine Fisheries Service is a cooperating  
15 agency pursuant to other federal regulations, in  
16 addition to their role as a regulator. The National  
17 Marines Fishery Service is a cooperating agency. In  
18 this role they provide early review of the Proposed  
19 Action, alternatives and analysis methods. As a  
20 regulator, they help to ensure that the EIS and the  
21 Proposed Action are in full compliance with the  
22 appropriate environmental laws and regulations.

23 The slide lists all of the actions that the Navy  
24 is proposing to conduct and analyze under the Draft  
25 EIS. All of the actions are included in -- excuse me,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

12

1 not all of the actions are included in each of the  
2 alternative. Over the next three slides, I'll discuss  
3 which actions are included in each alternative.

4 The Proposed Action is needed to provide a  
5 training environment consisting of ranges, training  
6 areas and range instrumentation, with the capability  
7 and capacity to fully support required training tasks  
8 for operational units in military schools. The  
9 Proposed Action supports the overall Navy mission as  
10 required by federal law.

11 Under the No Action Alternative, training and  
12 testing activities would continue at the current  
13 levels. This alternative would not accomodate  
14 increased or new training activities, and range  
15 investments and enhancements would not be implemented.

16 This alternative provides a baseline for assessing  
17 the potential environmental effects of the other  
18 alternatives.

19 Alternative 1 is a proposal designed to meet Navy  
20 and Department of Defense current and near-term  
21 training requirements.

22 This alternative includes an increase in training  
23 activities currently conducted, and accommodates force  
24 structure changes associated with the introduction of  
25 new weapon systems, vessels and aircraft. These

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 include:

2 The EA-18G Growler Aircraft,  
3 SSGN Guided Missile Submarine,  
4 The P8-A Mulimission Maritime Aircraft  
5 and Unmanned Aerial Systems.  
6

7 Alternative 2 is also designed to meet current and  
8 near-term training requirements.

9 It includes all the activities identified under  
10 Alternative 1, plus an increase in the level of  
11 training activities identified in Level 1. In  
12 addition, Alternative 2 provides for the implementation  
13 of range enhancements, including:

14 New air and sea surface targets,  
15 The operation of air target services for  
16 locally-based aircraft and vessels,  
17 The development of an additional  
18 electronic signal emitter,  
19 The development of underwater training  
20 minefield, and  
21 The use of a portable undersea tracking  
22 range.  
23

24 Alternative 2 is the Navy's preferred alternative  
25 because it fully supports the type and frequency of

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 activities required to achieve complete Fleet readiness  
2 and allows the Navy to carry out its mission in the  
3 range complex.

4 In preparing the Draft EIS the Navy evaluated the  
5 potential effects of the alternatives to the marine,  
6 terrestrial and human environments.

7 We have taken a comprehensive approach in  
8 assessing the potential effects to the physical,  
9 biological and socioeconomic resources.

10 We encourage you, if you haven't already, to  
11 review the Draft EIS which presents the findings of the  
12 Navy's environmental analysis for each of these  
13 resource areas.

14 The Navy's use of active sonar and explosives puts  
15 sound in the marine environment. While preparing the  
16 EIS, Navy scientists analyzed the potential effects of  
17 sound in the water to marine life, including marine  
18 mammals, sea turtles, fish, seabirds and marine  
19 invertebrates.

20 The method for determining potential sound  
21 exposures to marine animals was jointly developed by  
22 the Navy and the National Marine Fisheries Service, and  
23 represents the best science currently available.

24 Marine animal species have a widely varying  
25 sensitivity to sound based on frequencies. This is a

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 reflection of how different species have evolved to  
2 cope with life in a marine environment, including  
3 differences in size, prey, habitats, and the predators  
4 they try to avoid.

5 Using the five general steps listed here, the Navy  
6 was able to calculate the number of potential marine  
7 animal exposures to sound from active sonar and  
8 explosives. Section 3.9 of the Draft EIS provides the  
9 results of the computer model as it relates to  
10 potential annual exposures to marine animals.

11 Marine mammal sensitivity was determined by  
12 biologists from the National Oceanic and Atmospheric  
13 Administration, and that information was entered into  
14 the computer model. Marine animals can react to  
15 different sounds in different ways. For example, the  
16 harbor porpoise found off the coast is very skittish.  
17 And therefore, sounds at lower volumes will cause them  
18 to startle much sooner than other cetaceans.

19 While there is the possibility for non-lethal  
20 impacts and altered behavior from the use of active  
21 sonar and explosives, no mortality of marine mammals  
22 is anticipated. In addition, the estimation of sound  
23 exposures does not consider the use of protective  
24 measures, such as sonar safety zones, which would  
25 reduce the likelihood of exposures at the the highest

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 sound levels.  
2 No significant impact to sea turtles, fish,  
3 seabirds or marine invertebrates are anticipated from  
4 the use of active sonar.

5 The use of explosives in Navy activities may  
6 result in injury or mortality to individual fish or  
7 seabirds in the immediate area, however, these  
8 activities would not result in significant harm to  
9 overall bird or fish populations or habitat.

10 Given the relatively low number of explosive  
11 detonations associated with the Proposed Action, no  
12 significant impacts to marine invertebrates are  
13 anticipated. Also, the low occurrence of sea turtles  
14 in the Range Complex makes the potential for similar  
15 impact to sea turtles unlikely.

16 The Navy does not expect to harm marine mammal  
17 populations, but it recognizes that there may be  
18 potential effects to individual marine mammals.

19 To guard against harming individual whales and  
20 other marine mammals during training, the Navy has  
21 developed protective measures, including:

- 22 Posting a minimum of three well-trained
- 23 lookouts 24 hours per day.
- 24 Conducting aerial sweeps of training areas
- 25 during air operations,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Establishing sonar safety zones during  
2 training exercises using mid-frequency  
3 sonar. In these events the sonar is powered  
4 down if a marine mammal enters within 1,000  
5 yards of the safety zone, and is powered off  
6 if the marine mammal enters within 200 yards  
7 of the sonar dome.  
8 The Navy also coordinates with the National  
9 Marine Fisheries Service and reports marine  
10 mammal sightings during major exercises.

11  
12 And over the past five years, the Navy has funded  
13 more than 100 million dollars in marine mammal  
14 research.

15 A summary of the findings of the Draft EIS are  
16 presented here, using language required by  
17 environmental regulations.

18 Most of the resources analyzing the Draft EIS, we  
19 found no significant impacts. For your review of the  
20 Draft EIS, the four areas you may want to examine in  
21 more detail for species that may be affected by the  
22 Proposed Action are endangered species of fish, sea  
23 turtles, marine mammals and bird species.

24 The Navy in consultation with the National Marine  
25 Fisheries Service and the U.S. Fish and Wildlife

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Service -- I'm sorry, the Navy is in consultation with  
2 the National Marine Fisheries Service and the U.S. Fish  
3 and Wildlife Service to ensure the effects to  
4 endangered species or threatened species listed under  
5 the Endangered Species Act are minimized.

6 The Northwest Training Range Complex EIS also  
7 analyzed the potential effects of the Navy's training  
8 on the human environment. The resource areas and  
9 issues analyzed include:

10 Cultural resources,  
11 Traffic,  
12 Socioeconomics,  
13 Environmental justice and the protection of  
14 children, and  
15 Public safety.

16  
17 The findings of the EIS show that no significant  
18 impacts to the human environment are likely from the  
19 implementation of the Proposed Action.

20 In addition, the Navy has initiated consultations  
21 with federally recognized Native American Tribes in the  
22 Northwest Training Range area.

23 In addition to complying with NEPA, the Navy also  
24 complies with all Federal environmental laws, including  
25 those listed here and all other applicable

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 environmental laws and regulations.

2 The Navy has completed the first three steps of  
3 the NEPA process. We are now in the phase providing  
4 for public review of the Draft EIS.

5 To review the progress so far:

6 The EIS was initiated on July 31, 2007, and the  
7 Navy held public scoping meetings in Washington,  
8 Oregon and Northern California in September of 2007.

9 Government agencies, organizations and the public  
10 were encouraged to submit comments at the scoping  
11 meetings or to provide written comments through the  
12 public comment period. The comments received were  
13 considered in the preparation of the Draft EIS that  
14 we've discussed tonight.

15 We're now in the public hearing and documentation  
16 review step of the NEPA process. This phase is an  
17 essential part of the NEPA process because it allows  
18 for public review of the documents and comments on the  
19 Navy's analysis of environmental effects. We encourage  
20 you to provide your input by February 11th so it can  
21 be considered for incorporation during the development of  
22 the Final EIS. All comments received will be  
23 considered.

24 The Navy is committed to keeping the community  
25 informed throughout the continued development of the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Northwest Training Range Complex EIS. These public  
2 hearings are just one of many public opportunities to  
3 share information about the EIS and, more importantly,  
4 to encourage your feedback and comments.

5 I'll now turn back over to Lewis Michaelson to  
6 describe how to obtain more information and how to  
7 comment on the EIS.

8 MR. MICHAELSON: Thank you, John. In  
9 addition to holding these public hearings, the Navy has  
10 established a web site that you should know about to  
11 make it easier for you to find and comment on the  
12 environmental documents. The Draft EIS, for example,  
13 is posted on that web site. It also has additional  
14 background information and links to the fact sheets  
15 that are available here tonight.

16 You may also review the Draft EIS and other public  
17 available documents related to the Northwest Training  
18 Range Complex EIS by visiting the designated  
19 information repositories. The addresses of the  
20 repositories are provided in the fact sheets that you  
21 received tonight.

22 Both the information repositories and the project  
23 web site contain project documents, fact sheets and  
24 background information for you to review.

25 The Navy welcomes your review and input on the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

21

1 analysis contained in the Draft EIS. And there are  
2 several ways for you to submit comments. We are  
3 accepting oral comments here tonight immediately after  
4 this presentation.

5 Written comments can be submitted by filling out a  
6 comment sheet, and either dropping it in the drop box  
7 located at the registration table, or you can mail it  
8 to the address provided on the fact sheets.

9 Comments may also be submitted electronically via  
10 the project web site at [www.NWTRangeComplexEIS.com](http://www.NWTRangeComplexEIS.com).  
11 That's available in the fact sheets, you don't have to  
12 to write that down.

13 All comments should be received by February 11,  
14 2009 in order to ensure that they are considered in the  
15 Final EIS.

16 It's now the time where we would begin the oral  
17 comment portion of the public hearing. Do we have any  
18 sign up sheets yet? Okay. Is there anybody who has  
19 been inspired by this presentation to want to offer up  
20 an oral comment? Oh yes, sorry, I should have warned  
21 about but about the lights being turned back on. Is  
22 there anybody here that's been moved to provide oral  
23 comment?

24 If not, we will be adjourned. We're here until  
25 8:30. We can answer more questions if you have them,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

22

1 so please feel free to go back to the poster stations.  
2 Thank you very much.  
3 (Hearing adjourned at 8:05 p.m.)  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2 STATE OF WASHINGTON )  
3 ) ss  
4 COUNTY OF SNOHOMISH )  
5 I, LESLIE ANDRES, Certified Shorthand Reporter and  
6 Notary Public duly and qualified in and for the State  
7 of Washington do hereby certify that the aforementioned  
8 hearing was held before me at the time and place set  
9 forth.  
10 I further certify that the foregoing transcript is  
11 a true and correct transcript of my original  
12 stenographic notes.  
13 I further certify that I am neither attorney or  
14 counsel for, nor related to or employed by any of the  
15 parties to the action in which this deposition is  
16 taken; and furthermore, that I am not a relative or  
17 employee of any attorney or counsel employed by the  
18 parties hereto or financially interested in the action.  
19 IN WITNESS WHEREOF, I have hereunto set my hand  
20 and affixed my Notarial Seal this 6th day of  
21 February 2009.  
22  
23  
24  
25

LESLIE ANDRES  
NOTARY PUBLIC

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
24  
25

---

NAVY'S NORTHWEST TRAINING RANGE COMPLEX DRAFT EIS/OEIS

OPEN HOUSE and PUBLIC HEARING

---

January 29, 2009  
5:00 p.m.

Grays Harbor College Cafeteria  
1602 Edward P. Smith Drive  
Aberdeen, WA 98520

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

Moderator:

Lewis Michaelson

Executive Officer:

Commander Matthew Miller

Project Manager:

Mr. John Mosher

Reported by: Leslie A. Andres, CCR 2489

North Sound Reporting

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

LIST OF SPEAKERS

NAME	PAGE
Franz Schneider	23
Ann Schneider	25
Harold Brumstad	27

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BE IT REMEMBERED that on the 29th day of  
January 2009, beginning at the hour of 5:00 p.m. of  
said day, at the Grays Harbor College Cafeteria in the  
City of Aberdeen, County of Grays Harbor, State of  
Washington, the following proceedings were taken before  
Leslie Andres, a Notary Public in and for the State of  
Washington.

WHEREUPON, the following proceedings  
were had and testimony given, to wit:

\*\*\*

P R O C E E D I N G S

MR. MICHAELSON: Good evening, and thank you  
for coming tonight. My name is Lewis Michaelson, and  
I'll be the moderator for tonight's hearing on the  
Navy's Northwest Training Range Complex Draft  
Environmental Impact Statement, Overseas Environmental  
Impact Statement, or Draft EIS as we will refer to it  
as.

If I can ask you now, if you have not already, to  
please turn off your cell phones, at least turn the  
sound off, so people are not interrupted when they're

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 speaking, I would greatly appreciate it.  
2 Tonight here to receive your comments are  
3 Commander Matthew Miller, Executive Officer of the  
4 Naval Air Station Whidbey Island, and Mr. John Mosher,  
5 the project manager from the Navy's Pacific Fleet.  
6 Mrs. Kimberly Kler, she's waving her hand right now,  
7 she's also with us. She's the primary point of contact  
8 for sharing your written comments about the project.

9 So let's look at the agenda tonight. Hopefully  
10 you all had the opportunity to talk to the many  
11 knowledgeable experts and program officials who are  
12 staffing the exhibits during the open house portion.  
13 The primary purpose for this portion of the hearing is  
14 for the panel members to be able to listen to your  
15 comments firsthand. They will not be answering  
16 questions during this phase. Comments and questions  
17 will be addressed in the Final EIS.

18 After I finish this introduction Commander Miller  
19 will give a brief overview of the Navy's activities in  
20 the Northwest Training Range Complex.

21 Next Mr. John Mosher will brief you on the  
22 environmental impact analysis process and summarize the  
23 results reported from the Draft EIS.

24 The last item on the agenda, however, is really  
25 the most important. The public comment section is your

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 opportunity to provide information and make statements  
2 for the record.

3 Your input ensures that the decision makers can  
4 benefit from your knowledge of the local area and any  
5 environmental effects you think may result from the  
6 Proposed Action and alternatives.

7 Keep in mind that the EIS process is intended to  
8 ensure that decision makers will be fully informed  
9 about the potential environmental impacts associated  
10 with the various alternatives before they decide on a  
11 course of action.

12 Please remember also that comments on issues  
13 unrelated to this EIS are beyond the scope of this  
14 hearing.

15 To request an opportunity to make a verbal comment  
16 during tonight's hearing, please fill out a verbal  
17 comment card available at the registration table or you  
18 can get one from Kimberly standing right there, if you  
19 would like to speak and haven't already filled one  
20 out.

21 Every speaker, including public officials,  
22 organizations, spokespersons and private individuals  
23 will have four minutes each to provide his or her  
24 comment.

25 If you don't feel comfortable standing up here

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 tonight to make a statement you have until February 11,  
2 2009 to submit a written statement for consideration in  
3 the Final EIS. Or after we finish taking public  
4 comments here you can provide your comments privately  
5 orally one-on-one with the court reporter, if you would  
6 like to.

7 Keep in mind, however, that written comments are  
8 given the same consideration as verbal comments offered  
9 here tonight.

10 So now it is my pleasure to introduce Commander  
11 Miller.

12 COMMANDER MILLER: Thank you, Lewis.

13 Welcome to the public hearings for the Northwest  
14 Training Range Complex Draft Environmental Impact  
15 Statement.

16 As Lewis said, my name is Commander Matt Miller,  
17 and I'm the Executive Officer of Naval Air Station  
18 Whidbey Island.

19 I want to thank you on behalf of the United States  
20 Navy for attending this evening. This is one of five  
21 public hearings the Navy is holding in Washington,  
22 Oregon and Northern California for the Northwest  
23 Training Range Complex Draft EIS.

24 As Lewis mentioned, we hope you had the chance to  
25 visit the poster stations this evening and meet with

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

7

1 the Navy project team members.

2 A little bit of background for me, I've been a  
3 commissioned officer in the Navy for over 21 years.  
4 I'm originally from Silver Spring, Maryland. I  
5 graduated from the University of Maryland. I've been  
6 the Executive Officer for about a year at NAS Whidbey  
7 Island. Before that I was the operations officer.  
8 Prior to that I was on the USS Abraham Lincoln  
9 stationed in Naval Station Everett. And before that  
10 back at Whidbey as an instructor at the electronic  
11 attack weapons school. I've been lucky to be in the  
12 northwest for almost ten years. It's sometimes a  
13 challenge to do on active duty, but I'm originally from  
14 the east coast, but now I'm a northwest transplant, and  
15 I don't plan on going back.

16 I am a carrier aviator, flew the Intruder, and  
17 also the EA-6B electronic countermeasures officer.  
18 I've got over 2,000 hours flying on carrier aircraft.

19 As Lewis stated before, you will have an  
20 opportunity to make oral comments regarding the content  
21 of the environmental analysis. Written comments will  
22 be accepted tonight and throughout the public comment  
23 period, which closes on February 11, 2009.

24 The Northwest Training Range Complex is a military  
25 training area that has been in use by the Navy since

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

8

1 World War II. It is comprised of two primary  
2 components; the Offshore area and the Inshore area.

3 The mission of the Northwest Training Range  
4 Complex is to serve as principal backyard training  
5 range for those units homeported in the Pacific  
6 Northwest area, including surface ship, submarine,  
7 aviation and Explosive Ordnance Disposal units located  
8 at Naval Air Station Whidbey Island, Naval Station  
9 Everett, Puget Sound Naval Shipyard, Naval Base  
10 Kitsap-Bremerton and Naval Base Kitsap-Bangor.

11 The range complex also supports military units  
12 from outside the the range complex areas, such as naval  
13 special warfare units. The range complex includes  
14 ranges, training areas and airspace that extend west to  
15 250 nautical miles beyond the coast of Washington,  
16 Oregon and Northern California, and east of the  
17 Washington/Idaho border.

18 The Offshore component of the range encompasses  
19 122,400 square nautical miles of air, surface and  
20 subsurface ocean training areas. The Inshore component  
21 includes about 875 acres of land on Whidbey Island and  
22 Indian Island, more than 12,000 square nautical miles  
23 of Special Use Airspace, and surface and subsurface  
24 training areas within the Puget Sound.

25 Military activities currently conducted in the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 Northwest Training Range Complex can be divided into  
2 primary mission areas listed here.

3 To accomplish its mission in the Pacific  
4 Northwest, it is critical for the Navy to maintain and  
5 operate the necessary facilities and to provide those  
6 critical training areas to U.S. Navy commands so that  
7 forces can train realistically.

8 Realistic training ensures U.S. Navy personnel  
9 maintains the highest level of readiness and capability  
10 and is the single greatest asset the military has in  
11 preparing and protecting American service men and women  
12 to defend the nation. There is no such thing as  
13 routine training when it comes to practicing combat  
14 skills.

15 To ensure Navy forces are fully ready prior to  
16 deployments requires specialized ranges where military  
17 personnel can learn, through hands-on experience, the  
18 technical skills necessary to effectively plan and  
19 conduct operations. Continuing technological advances  
20 also require more complex and varied testing and  
21 training scenarios to be able to combat new threats.

22 The ranges, facilities and installation of the  
23 Northwest Training Range Complex are unique and provide  
24 training opportunities essential for the safety and  
25 readiness of military personnel and the success of the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 military mission.

2 Environmental stewardship is a priority goal of  
3 the Navy during mission training activities.

4 The Navy is committed to protecting the physical  
5 and natural environment and has established a  
6 successful track record of environmental stewardship  
7 while completing our mission.

8 To accomplish our environmental stewardship goals,  
9 the Navy implements protective measures on land and at  
10 sea to review potential effects to the terrestrial and  
11 maritime and marine environment, and ensure public  
12 safety and accessibility.

13 I will now turn the presentation over to John  
14 Mosher from the U.S. Pacific Fleet, who will tell you  
15 about the Navy's Proposed Action for the Northwest  
16 Training Range Complex and give you an overview of the  
17 Draft EIS and the environmental analysis process.

18 MR. MOSHER: Thank you, Commander.

19 My name is John Mosher, I'm the project manager  
20 for the Northwest Training Range Complex EIS. I'm here  
21 tonight to give you an overview of the findings of the  
22 Draft EIS.

23 The EIS was prepared by the U.S. Navy to comply  
24 with both the National Environmental Policy Act - or  
25 NEPA - as well as Executive Order 12114, which requires

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 federal agencies to consider the environmental effects  
2 of their activities that occur outside of the  
3 territorial waters of the United States. The Draft EIS  
4 represents compliance with these environmental statutes  
5 and is an important part of the Navy's overall  
6 commitment to environmental stewardship as it tests and  
7 trains.

8 The Navy is the lead agency for the EIS. The  
9 National Marine Fisheries Service is a cooperating  
10 agency, in addition to their role as a regulator. As a  
11 cooperating agency, they provide early review of the  
12 Proposed Action, alternatives and analysis methods. As  
13 a regulator, they help ensure that the EIS and the  
14 Proposed Action are in full compliance with the  
15 environmental laws and regulations.

16 This slide lists the actions the Navy is proposing  
17 to conduct that are analyzed in the Draft EIS. Not all  
18 of the actions are included in each alternative. Over  
19 the next three slides, I will discuss which actions are  
20 included in each alternative.

21 The Proposed Action is needed to provide a  
22 training environment consisting of ranges, training  
23 areas and range instrumentation, with the capacity for  
24 full support -- to fully support required training  
25 tasks for operational units and military schools. The

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 proposed action supports the overall Navy mission as  
2 required by federal law.

3 Under the No Action alternative, training and  
4 testing activities would continue at current levels.  
5 This alternative would not accommodate increased or new  
6 training activities, and range investments and  
7 enhancements would not be implemented.

8 The No Action alternative provides a baseline for  
9 assessing the potential environmental effects of the  
10 other alternatives.

11 Alternative 1 is a proposal designed to meet the  
12 Navy and Department of Defense current and near-term  
13 training requirements.

14 This alternative includes an increase in training  
15 activities currently conducted, and accommodates four  
16 structure changes associated with the introduction of  
17 new weapon systems, vessels and aircraft. These  
18 include:

19 The EA-18G Growler Aircraft,  
20 The SSGN Guided Missile Submarine,  
21 The P8-A Multimission Maritime Aircraft and  
22 Unmanned aerial systems.

23  
24 Alternative 2 is also designed to meet current and  
25 near-term training requirements as well.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 It includes all activities identified under  
2 Alternative 1; plus an increase in the level of  
3 training activities identified in Level 1.

4 In addition, Alternative 2 provides for the  
5 implementation of range enhancements, including:

6 New air and sea surface targets,  
7 the operation of air target surfaces for  
8 locally-based aircraft and vessels,  
9 The development of an additional electronic  
10 signal emitter,  
11 The development of an underwater training  
12 minefield, and  
13 The use of portable undersea tracking range.

14  
15 Alternative 2 is the Navy's preferred alternative  
16 because it fully supports the type and frequency of  
17 activities required to achieve complete Fleet readiness  
18 and to carry out its mission in the range complex.

19 In preparing the Draft EIS, the Navy evaluated the  
20 potential effects of the alternatives to the marine,  
21 terrestrial and human environment.

22 We have taken a comprehensive approach in  
23 assessing the potential effects to physical, biological  
24 and socioeconomic resources.

25 We encourage you, if you have not already, to

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 review the Draft EIS which presents the Navy's findings  
2 and environmental analysis for each of these resource  
3 areas.

4 The Navy's use of active sonar and explosives puts  
5 sound into the marine environment. While preparing the  
6 Draft EIS, Navy scientists analyzed the potential  
7 effects of sound in the water to marine life, including  
8 marine mammals, sea turtles, fish, seabirds and marine  
9 invertebrates.

10 The method for determining potential sound  
11 exposures to marine animals was jointly developed by  
12 the Navy and the National Marine Fishery Service, and  
13 represents the best science currently available.

14 Marine mammal species have widely varying  
15 sensitivities to sound based on frequency. This is a  
16 reflection of how different species have evolved to  
17 cope with life in the marine environment, differences  
18 in size, prey, habitats, and the predators they try to  
19 avoid are all reflected in how these species have  
20 evolved.

21 Using the five general steps listed here, the Navy  
22 was able to calculate the number of potential marine  
23 animal exposures to sound from active sonar and  
24 explosives. Section 3.9 of the Draft EIS provides the  
25 results of the computer model as it relates to the

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 potential annual exposures to marine animals.

2 Marine mammal sensitivity was determined by  
3 biologists from the National Oceanic and Atmospheric  
4 Administration, and that information was entered into  
5 the computer model. Marine animals can react  
6 differently to different sounds. For example, the  
7 harbor porpoise found off the coast is very skittish.  
8 Therefore, sounds lower in volume will cause them to  
9 startle more frequently or sooner than in other  
10 cetaceans.

11 While there is the possibility for non-lethal  
12 impacts and altered behavior from the use of active  
13 sonar and explosives, no mortality to marine animals  
14 is anticipated. In addition, the estimation of sound  
15 exposures does not consider the use of protective  
16 measures, such as sonar safety zones, which would  
17 reduce the likelihood of exposures at the highest sound  
18 levels.

19 No significant impact to sea turtles, fish,  
20 seabirds or marine invertebrates are anticipated from  
21 active sonar use.

22 The use of explosives in Navy activities may  
23 result in injury or mortality to individual fish or  
24 seabirds in the immediate area of the training.  
25 However, these activities would not result in

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292



1 significant harm to overall bird or fish populations or  
2 habitat.

3       Given the relatively low number of explosive  
4 detonations associated with the proposed action, no  
5 significant impacts to marine invertebrates are  
6 anticipated. Also, the low occurrence of sea turtles  
7 in the range complex area makes the potential for  
8 significant impact to turtles unlikely.

9       The Navy does not expect harm -- does not expect  
10 to harm marine mammal populations, but it recognizes  
11 that there may be potential effects to individual  
12 marine mammals.

13       To help guard against harming individual whales or  
14 other marine mammals during training, the Navy has  
15 developed protective measures, including:

16       Posting of a minimum of three well-trained  
17 lookouts for 24 hours a day,  
18       Conducting aerial sweeps of training areas  
19 used during air operations,  
20       Establishing a safety zone during training  
21 exercises using mid-frequency sonar. Sonar  
22 is powered down if a marine mammal enters  
23 within the 1,000 yard safety zone, and sonar  
24 is powered off if a marine mammal enters  
25 within 200 yards of the sonar dome.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

17

1  
2       The Navy also coordinates with the National Marine  
3 Fisheries Service to report marine mammals sighted  
4 during major exercises.

5       Over the past five years the Navy has funded  
6 more than 100 million dollars in the research of marine  
7 mammals.

8       A summary of findings of the Draft EIS are  
9 presented here, using language required by  
10 environmental regulations.

11       For most of the resources analyzed in the Draft  
12 EIS, we found no significant impacts. For your review  
13 of the Draft EIS, the four areas you may want to  
14 examine in more detail for species that may be affected  
15 by the Proposed Action include endangered species of  
16 fish, sea turtles, marine mammals and bird species.

17       The Navy is in consultation with the National  
18 Marine Fisheries Service and the U.S. Fish and Wildlife  
19 Service to ensure the effects to endangered or  
20 threatened species listed under the Endangered Species  
21 Act are minimized.

22       The Range Complex EIS also analyzes the potential  
23 effects of Navy training on the human environment. The  
24 resource areas and issues analyzed include:

25       Cultural resources,

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

18

1 Traffic,  
2 Socioeconomics,  
3 Environmental justice and the protection of  
4 children, and  
5 Public safety.

6  
7 The findings in the EIS show that no  
8 significant impacts to the human environment are likely  
9 from implementation of the Proposed Action.

10 In addition, the Navy has initiated consultations  
11 with federally recognized Native American Tribes in the  
12 Northwest Training Range Complex area.

13 In addition to complying with NEPA, the Navy  
14 also complies with other applicable federal  
15 environmental laws, including those listed here and  
16 other applicable laws and regulations.

17 The Navy has completed the first three steps of  
18 the NEPA process, and we're in the phase now providing  
19 for public review of the Draft EIS.

20 To review our progress so far, the EIS was  
21 initiated on July 31, 2007, and the Navy held public  
22 scoping meetings in Washington, Oregon and Northern  
23 California in September 2007.

24 Government agencies, organizations and the public  
25 were encouraged to submit comments at the scoping

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 meetings or to provide written comments throughout the  
2 public comment period. The comments received were  
3 considered in the preparation of the Draft EIS that  
4 we've discussed here tonight.

5 We are now in the public hearing and  
6 documentation -- and document review step of the NEPA  
7 process. This phase is an essential part of the NEPA  
8 process, because it allows the public to review the  
9 document and comment on the Navy's analysis of the  
10 environmental effects. We encourage you to provide  
11 your input by February 11th so it can be considered in  
12 the incorporation during the development of the Final  
13 EIS. All comments received will be considered.

14 The Navy is committed to keeping the community  
15 informed throughout the continued development of the  
16 Northwest Training Range Complex EIS.

17 These public hearings are just one of many  
18 opportunities to share information about the EIS, and  
19 more importantly, to encourage your feedback and  
20 comments.

21 I'll now turn back to Lewis Michaelson to describe  
22 how to obtain more information and how to comment on  
23 the Draft EIS.

24 MR. MICHAELSON: Thanks. In addition to  
25 holding these public hearings, the Navy has established

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 a web site to make it easy for you to find and comment  
2 on environmental documents. The Draft EIS is posted to  
3 the web site. The web site also has additional  
4 background information and links to the fact sheets  
5 that are available here tonight.

6 You may also review the Draft EIS and other  
7 publicly available documents related to the Northwest  
8 Training Range Complex EIS by visiting the designated  
9 information repositories. The addresses  
10 of the repositories are provided in the fact sheet.

11 The Navy welcomes your review and input on the  
12 analysis contained in the Draft EIS and there's several  
13 ways for you to submit comments.

14 First, obviously, we're accepting oral comments  
15 tonight immediately after this presentation. Written  
16 comments can be submitted by filling out a comment  
17 form, and either dropping it in the drop box located at  
18 the registration table or mailing it to the address,  
19 which is listed on the fact sheets. Comments may also  
20 be submitted electronically via the web site at  
21 [www.NWTRangeComplexEIS.com](http://www.NWTRangeComplexEIS.com). If you don't already have  
22 that e-mail address, it's also contained in the fact  
23 sheets.

24 Please keep in mind that the comments should be  
25 received by February 11, 2009 in order to ensure that

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 they are considered in the Final EIS.

2 So we're ready to begin the oral comment portion  
3 of the public hearing. To ensure that we get an  
4 accurate record of what you have to say, please help me  
5 by respecting the following ground rules.

6 First, please speak clearly and slowly into the  
7 microphone at the lectern starting with your name and  
8 any organization you represent, if that applies.

9 Second, as I mentioned, each of you will be  
10 allowed four minutes to speak. Depending upon the  
11 number of speakers, we may have time for second  
12 helpings, and I think we will definitely have that  
13 tonight.

14 Third, if you've prepared a written statement, you  
15 may turn it in at the registration table or you may  
16 read it outloud if you can do so within the four-minute  
17 time limit.

18 Fourth and finally, please honor any request that  
19 I make for you to stop speaking when you reach the  
20 four-minute time limit. In order to make that easy for  
21 you to know when that time is for you to comfortably  
22 wrap up your comments, when you have 30 seconds left of  
23 your four minutes I will hold up this card, and when  
24 you've reached four minutes I will hold up this one so  
25 that you will know when your four minutes is done.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1 We're now ready to begin taking oral comments. I  
2 have three comment cards that have been handed to me.  
3 I'll go ahead and read the names so you will know in  
4 the order in which you'll be coming up. Franz  
5 Schneider, Ann Schneider and Harold Brumstad. Mr.  
6 Schneider, you're first. All I need you to do is  
7 give your name. Thank you.

8 MR. SCHNEIDER: In a sense I'm totally  
9 overwhelmed by the presentation on the part of the Navy  
10 that fed us the summaries of thousands of words in a  
11 few minutes. And it's absolutely impossible to make  
12 rational sense out of it. One feels one is in the  
13 Kafkaesque situation where anything that one brings up  
14 will be commented on, prescribed or interpreted,  
15 avoided, et cetera.

16 My question is -- and it is not clear from any of  
17 the material I saw tonight -- that the area we are  
18 talking about is supposed to be enlarged, isn't it? Or  
19 is it the old areas? And what are the dimensions of  
20 the area?

21 The thing that intrigues me most is the kind of  
22 combat threat all this is supposed to counteract. Whom  
23 are we erecting this system against? Silent running  
24 submarines from Iran or North Korea? It's almost like  
25 Dr. Strangelove. When Oppenheimer left office, the man

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

23

1 who created the first atom bomb, we had 300 atom bombs,  
2 now we have 70,000. What are we doing with all of  
3 this? And who is going to pay for this?

4 I would like to use an analogy using some of your  
5 own language. You said that this is safe and that your  
6 models are relatively perfect and backed up by the  
7 latest science, yet, if you were to say that this  
8 medication is safe when it led to injury or mortality,  
9 it was only an exception, and it is statistically  
10 insignificant. And I think that's what you're doing  
11 with your sonar.

12 You say the whales that have been beached are  
13 merely a matter of a few occurrences that happen now  
14 and then, yet it's exactly the exceptions that give us  
15 pause, because the exceptions usually goofs the rule.

16 Another point that I would like to look at some  
17 enlightenment on, why did four supreme court justices  
18 rule against this project? And absolutely nothing has  
19 been said about that.

20 As a matter of fact, this is an argument pro, and  
21 there are no arguments con. And I would like to see  
22 some arguments con. Are there non-scientific  
23 organizations that have commented on this program? And  
24 where are their comments?

25 I don't want to get in trouble with my wife, I

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

24

1 better shut up and leave you with this thought; it's  
2 not a dirty lymeric, but it's a lymeric; "When humans  
3 who like to be free degrade our earth and the sea all  
4 the navies on earth won't be of much worth, for our  
5 world will be dead. Don't you see?"

6 On the other hand, I have the highest respect for  
7 our soldiers.

8 MR. MICHAELSON: Thank you. Thank you very  
9 much. Ann Schneider.

10 MRS. SCHNEIDER: I'm sorry for you, but I'm  
11 not a speaker.

12 MR. MICHAELSON: I have to make sure that  
13 you're speaking into the microphone. Would you mind  
14 starting over? I'm sorry, Mrs. Schneider.

15 MRS. SCHNEIDER: I'm not a speaker, and I am  
16 sorry for you having to listen to this jumble. I  
17 haven't any background information, so what I am about  
18 to say is what I learned from when I walked in the door  
19 here.

20 And from this EIS, quote, you want to increase the  
21 number of training activities and to accommodate force  
22 structure changes. This gives me just a chill of  
23 fright. That's an open-ended assignment. What is the  
24 civilian oversight structure that will go into the  
25 future with you with this endeavor? I didn't see any

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

25

1 balances of power.

2 On page one you have an operating, quote, area  
3 over the Olympic Host National Marine Sanctuary. This  
4 does not seem at all right to me. It also is a  
5 restricted area. Restricted to the Navy only?

6 Page three, sonar, quote, could lead to unquote,  
7 harm for, quote, marine animals. You don't know. You  
8 know potential affects of explosions on marine life.  
9 You are quote, evaluating, closed quote, and in a  
10 different spot you are quote, modeling. Where are your  
11 findings? Where are the conclusions from those  
12 findings? I didn't see them in the room.

13 Four, on page four of this book, what are sonar  
14 safety zones? I couldn't see a definition. That  
15 reduce quote, explosions at the highest sound levels,  
16 closed quote. It's so general it's meaningless to me.

17 Page six, quote, protective measures, closed  
18 quote, open quote, would provide a high level of  
19 protection for birds.

20 Page seven, what are your protective measures?  
21 Quote, developing a science, closed quote. Open quote,  
22 resource policy. Thank you. This is not good enough.

23 On page ten after generalized statements you  
24 conclude always with, "No significant impacts," but no  
25 proof. Only for commercial fishing do you say there is

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

26

1 potential for economic impact. Commercial fishing here  
2 can bear no more negative impacts.

3 I'm against this EIS because it's incomplete for  
4 me.

5 MR. MICHAELSON: Thank you. Next speaker is  
6 Harold Brumstad.

7 MR. BRUMSTAD: My name is Harold Brumstad,  
8 I'm just here representing myself.

9 I'm pretty impressed by the precautions that the  
10 Navy takes. I was a participant in many of these  
11 exercises and training exercises that you're proposing  
12 to do 45 years ago. And it's a lot different now than  
13 what precautions you're taking and what's being done to  
14 protect the environment which has become an important  
15 consideration for everything we do anymore, and it's  
16 important to all of our citizens.

17 I'm not too sure I've often thought many times the  
18 impacts of military operations, and the way the battles  
19 that went on, and the South Pacific, the ships that  
20 were sinking, that were sunk in the Atlantic and the  
21 Pacific, and I've never heard of the -- any real  
22 impacts. That's not saying that that's a good thing,  
23 but you look at Pearl Harbor itself, it's a pretty good  
24 ecosystem at the time. And I don't know how long it  
25 took to heal.

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

27

1 But what I'm saying is that I'm familiar enough  
2 with the threats that unfortunately still exist in this  
3 world and of the training that goes on to face that  
4 threat. And I thank the Navy for what they're doing  
5 throughout the world at this time, and their  
6 precautions and the work that goes into ensuring that  
7 these protections are made. It's important to all  
8 citizens, and our environment is very important.

9 And I would just like to close saying that I  
10 highly support, proud to support the Navy in this  
11 effort to increase their training and be able to  
12 operate the high tech equipment that exists at this  
13 time. And I would support Alternative 2.

14 MR. MICHAELSON: Thank you.

15 Has anyone turned in another card in the  
16 meantime? Is there anyone else who's been inspired by  
17 our first three speakers that they would like to speak  
18 at this time?

19 If not, is there anyone who already came up once  
20 who would like to come up for another chance, another  
21 four minutes? Anything you didn't get a chance to  
22 say? Kind of hard to top the lymeric.

23 Then we will adjourn. We'll be here until 8:30,  
24 and you're welcome to go back to the stations and ask  
25 additional questions. Perhaps get an answer on whether

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

28

1 there's an expansion or not, that question that you  
2 have. You should be able to get that at the poster  
3 station. Thank you. We're adjourned.

4 (Hearing adjourned at 7:40 p.m.)  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

1  
2 STATE OF WASHINGTON )  
3 ) ss  
4 COUNTY OF SNOHOMISH )  
5 I, LESLIE ANDRES, Certified Shorthand Reporter and  
6 Notary Public duly and qualified in and for the State  
7 of Washington do hereby certify that the aforementioned  
8 hearing was held before me at the time and place set  
9 forth.

10 I further certify that the foregoing transcript is  
11 a true and correct transcript of my original  
12 stenographic notes.

13 I further certify that I am neither attorney or  
14 counsel for, nor related to or employed by any of the  
15 parties to the action in which this deposition is  
16 taken; and furthermore, that I am not a relative or  
17 employee of any attorney or counsel employed by the  
18 parties hereto or financially interested in the action.

19 IN WITNESS WHEREOF, I have hereunto set my hand  
20 and affixed my Notarial Seal this 6th day of  
21 February 2009.  
22

23 LESLIE ANDRES  
24 NOTARY PUBLIC  
25

NORTH SOUND REPORTING - Ph. 360-629-2193 Fax 360-629-0490  
32112 24th Avenue N.W., Stanwood, WA 98292

NORTHWEST TRAINING RANGE COMPLEX  
DRAFT ENVIRONMENTAL IMPACT STATEMENT/  
OVERSEAS ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARING

AND

PUBLIC COMMENT SESSION

TRANSCRIPT OF PROCEEDINGS

Volume I --- Pages 1 - 44

DATE: January 30, 2009

TIME: 7:00 - 8:30 p.m.

LOCATION: Hatfield Marine Science Center  
Visitor Center  
2030 SE Marine Science Drive  
Newport, Oregon 97365

MODERATOR: Lewis Michaelson

REPORTED BY:  
ANNE M. DUFFEY  
OREGON CSR NO. 07-0405

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

P R O C E E D I N G S I N D E X

PAGE

OPENING REMARKS

Lewis Michaelson.....3

U.S. NAVAL AIR STATION WHIDBEY ISLAND PRESENTATION

Commander Matthew Miller.....5

PROJECT MANAGER'S PRESENTATION

John Mosher.....9

PUBLIC TESTIMONY INTRODUCTION

Lewis Michaelson.....16

PUBLIC TESTIMONY

Terry Obteshka.....19, --  
James Carlson.....20, --  
David Jincks.....22, 41  
Terry Thompson.....25, 39  
Marie Gargano.....28, 40  
Bruce Mate.....31, 42  
Charlotte Mills.....35, --  
Patty Burke.....37, --  
Marcus Horning.....38, --

CLOSING COMMENTS

Lewis Michaelson.....43

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066



1 NEWPORT, OREGON, FRIDAY, JANUARY 30, 2009, 7:05 P.M.

2  
3 MR. MICHAELSON: Good evening and thank you for  
4 coming tonight. My name is Lewis Michaelson and I will be  
5 the moderator for tonight's hearing on the Navy's Northwest  
6 Training Range Complex Draft Environmental Impact  
7 Statement/Overseas Environmental Impact Statement or Draft  
8 EIS as we will refer to it as.

9 Here to receive your comments tonight are  
10 Commander Matthew Miller, Executive Officer of Naval Air  
11 Station Whidbey Island, and Mr. John Mosher, the Project  
12 Manager for the CIS and the Navy's Pacific Fleet. Also with  
13 us is Mrs. Kimberly Kler waving to you in the back, the  
14 Project Coordinator for the Naval Facilities Engineering  
15 Command Northwest who is the primary point of contact for  
16 sharing your written comments about the project.

17 Let's look at the agenda for tonight.  
18 Hopefully, you all had the opportunity to talk to the many  
19 knowledgeable experts and program officials who were  
20 staffing the exhibits during the open house. The primary  
21 purpose for this portion of the hearing is for the panel  
22 members here to listen to your comments firsthand. They  
23 will not be answering questions during this phase of the  
24 proceedings. Comments and questions will be addressed in  
25 the Final EIS.

1 After I finish this introduction, Commander  
2 Miller will give a brief overview of the Navy's activities  
3 in the Northwest Training Range Complex. Next Mr. John  
4 Mosher will brief you on the Environmental Impact Analysis  
5 process and summarize the results reported in the Draft EIS.  
6 The last item on the agenda, however, is the most important.  
7 The public comment session is your opportunity to provide  
8 information and make statements for the record. Your input  
9 ensures that the decision makers can benefit from your  
10 knowledge of the local area and any environmental effects  
11 that you think may result from the Proposed Action and  
12 alternatives.

13 Keep in mind that the EIS process is intended  
14 to ensure that decision makers will be fully informed about  
15 the potential environmental impact associated with the  
16 various alternatives before they decide on a course of  
17 action. Also, remember that comments issued -- comments on  
18 issues unrelated to this EIS are beyond the scope of this  
19 hearing.

20 To request an opportunity to make a verbal  
21 comment during tonight's hearing, please fill out a verbal  
22 comment request card such as this. We've got more down  
23 here, up there, and down here anywhere so if you haven't yet  
24 and you would like to, just ask them for one and fill it  
25 out. Every speaker including public officials,

1 organizational spokesperson and private individuals will  
 2 have four minutes each to provide his or her comment. If  
 3 you don't feel comfortable standing up here tonight to make  
 4 a statement, you have until February 11th, 2009, to submit a  
 5 written statement for consideration in the Final EIS or  
 6 after this session, you can make private comments to the  
 7 court reporter one-on-one. Keep in mind, the written  
 8 comments are given the same consideration as the verbal  
 9 comments offered here tonight.

10 Now it is my pleasure to introduce Commander  
 11 Miller.

12 COMMANDER MILLER: Thank you, Lewis. Welcome  
 13 to the public hearings for the Northwest Training Range  
 14 Complex Draft Environmental Impact Statement. My name's  
 15 Commander Matt Miller and I'm the Executive Officer of the  
 16 Naval Air Station Whidbey Island. I want to thank you on  
 17 behalf of the United States Navy for attending this evening.

18 This is one of five published hearings -- this  
 19 is one of five public hearings the Navy is holding in  
 20 Washington, Oregon, Northern California for the Northwest  
 21 Training Range Complex Draft EIS. As Lewis mentioned, we  
 22 hope you had the opp- -- the chance to visit the poster  
 23 stations this evening and meet with Navy project team  
 24 members.

25 A little bit about my background. I've been

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 wearing a Navy uniform for about 26 years. I've been a  
 2 commissioned officer for about 21 years. I'm originally  
 3 from Silver Spring, Maryland, outside of Washington D.C. I  
 4 graduated from the University of Maryland. I've been the  
 5 Executive Officer for a year. Before that I was the  
 6 Operations Officer, Whidbey Island. My recent tours in the  
 7 area: I was on the USS Abraham Lincoln stationed at Everett  
 8 Naval Station; I was an instructor at the Electronic Attack  
 9 Weapons School Whidbey Island. So I've been in the area --  
 10 I've been lucky to be in the area of the Northwest for the  
 11 last ten years and I'm not going back to the East Coast. So  
 12 I like it out here in the Northwest.

13 As Lewis stated before, you'll have an  
 14 opportunity to make oral comments regarding the content of  
 15 the environmental analysis. Written comments will be  
 16 accepted tonight and throughout the public comment period  
 17 which closes on February 11th, 2009.

18 The Northwest Training Range Complex is a  
 19 military training area that has been in use by the Navy  
 20 since World War II. It is comprised of two primary  
 21 components; the off-shore area and the in-shore area. The  
 22 mission of the Northwest Training Range Complex is to serve  
 23 as the principal backyard training range for those units  
 24 homeported in the Pacific Northwest area including surface  
 25 ship, submarine, aviation and Explosive Ordnance Disposal

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 units located at the Naval Air Station Whidbey Island, Naval  
2 Station Everett, Puget Sound Naval Shipyard, Naval Base  
3 KitsapBremerton and Naval Base KitsapBangor. The Range  
4 Complex also supports military units from outside the Range  
5 Complex area such as Naval Special Warfare units.

6 The range complex includes ranges, training  
7 areas and airspace that extend west to 250 nautical miles  
8 beyond the coasts of Washington, Oregon and Northern  
9 California and east to the Washington/Idaho border. The  
10 off-shore component of the Range Complex encompasses 122,400  
11 square nautical miles of air, surface and subsurface ocean  
12 training areas. The in-shore component includes about 875  
13 acres of land on Whidbey Island and Indian Island, more than  
14 12,000 square nautical miles of special reserve space and  
15 surface and subsurface training area within the Puget Sound.

16 Military activities currently conducted in the  
17 Northwest Training Range Complex is going to be divided into  
18 the primary mission areas listed here. To accomplish -- to  
19 accomplish its mission in the Pacific Northwest, it is  
20 critical for the Navy to maintain and operate the necessary  
21 facilities to provide these critical training areas to U.S.  
22 Navy commands so the force can train realistically.

23 Realistic training ensures U.S. Navy personnel  
24 maintain the highest level of readiness and capability and  
25 is the single greatest asset the military has in preparing

1 and protecting American servicemen and women to defend the  
2 nation. There is no such thing as routine training when it  
3 comes to practicing combat skills. To ensure Navy forces  
4 are fully ready prior to deployments requires specialized  
5 ranges for military personnel to learn from practical,  
6 hands-on experience the technical skills necessary to  
7 effectively plan and conduct operations. Continuing  
8 technological advancements also require more complex and  
9 varying testing and training scenarios to be able to combat  
10 new threats. The ranges, facilities and installations of  
11 the Northwest Training Range Complex are unique and provide  
12 training opportunities essential to the safety and readiness  
13 of military personnel and the success of the military  
14 mission.

15 Environmental stewardship is a priority goal of  
16 the Navy during the mission training activities. The Navy  
17 is committed to protecting the physical and natural  
18 environment and has established a successful track record of  
19 environmental stewardship while completing our mission. To  
20 accomplish our environmental stewardship goals, the Navy  
21 implements protective measures on land and at sea to reduce  
22 potential effects to terrestrial and the marine environment  
23 and ensure public safety and accessibility.

24 I will now turn the presentation over to John  
25 Mosher from the U.S. Pacific Fleet who will tell you about

1 the Navy's Proposed Action for the Northwest Training Range  
2 Complex and give you an overview of the Draft EIS and the  
3 environmental analysis process.

4 MR. MOSHER: Thank you, Commander. My name is  
5 John Mosher. I'm the Project Manager for the Northwest  
6 Training Range Complex EIS. I am here tonight to give you  
7 an overview of the findings in the Draft EIS.

8 The Draft EIS was prepared by the U.S. Navy to  
9 comply with both the National Environmental Policy Act or  
10 NEPA and Executive Order 12114 which requires federal  
11 agencies to consider the environmental effects of their  
12 activities that occur outside of U.S. territorial waters.

13 The Draft EIS represents compliance with these  
14 environmental statutes and is an important part of the  
15 Navy's overall commitment to environmental stewardship as it  
16 tests and trains. The Navy is the lead agency for the EIS.  
17 The National Marine Fisheries Service is a cooperating  
18 agency in addition to their roles as regulator. As a  
19 cooperating agency, they provide early review of the  
20 Proposed Action, alternatives and analysis methods. As a  
21 regulator, they help ensure the EIS and Proposed Action are  
22 in full compliance with environmental laws and regulations.

23 This slide lists the actions that the Navy's  
24 proposing to conduct that are analyzed in the Draft EIS.  
25 Not all of the actions are included in each alternative.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 Over the next three slides, I will discuss which actions are  
2 included in which alternative. The Proposed Action is  
3 needed to provide a training environment consisting of  
4 ranges, training areas and range instrumentation with the  
5 capacity to fully support the required training tasks for  
6 operational units and military schools. The Proposed Action  
7 supports the overall mission of the Navy as required by  
8 federal law.

9 Under the No Action Alternative, training and  
10 testing activities would continue at current levels. This  
11 alternative would not accommodate an increase for new  
12 training activities and range enhancements and investments  
13 would not be implemented. The No Action Alternative  
14 provides a baseline for assessing potential environmental  
15 effects for the other alternatives.

16 Alternative 1 is a proposal designed to meet  
17 Navy and Department of Defense near-term training  
18 requirements. This alternative includes an increase in  
19 training activities currently conducted and accommodates  
20 force structure changes associated with the introduction of  
21 new weapons systems, vessels and aircraft. These include  
22 the EA-18G Growler Aircraft, the SSGN Guided Missile  
23 Submarine, the P-8A Multimission Maritime Aircraft and  
24 Unmanned Aerial Systems.

25 Alternative 2 is also designed to meet current

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 and near-term training requirements. It includes all the  
2 activities identified under Alternative 1 plus an increase  
3 in the level of training activities identified in  
4 Alternative 1.

5 In addition, Alternative 2 provides for  
6 implementation of range enhancements including new air and  
7 sea surface targets; the operation of air target surfaces --  
8 services for locally-based aircraft and vessels; the  
9 development of an additional electronic signal emitter; the  
10 development of an underwater training minefield and use of a  
11 portable undersea tracking range.

12 Alternative 2 is the Navy's preferred  
13 alternative because it fully supports the type and frequency  
14 of activities required to achieve complete Fleet readiness  
15 and allow the Navy to carry out its mission in the Range  
16 Complex.

17 In preparing the Draft EIS, the Navy evaluated  
18 the potential effects of the alternatives to the marine,  
19 terrestrial and human environment. We have taken a  
20 comprehensive approach in assessing the potential effects to  
21 physiological, biological and socioeconomic resources. We  
22 encourage you, if you haven't already, to review the Draft  
23 EIS which presents the findings of the Navy's environmental  
24 analysis for each of these resource areas.

25 The Navy's use of active sonar and explosives

1 puts sound into the marine environment. While preparing the  
2 Draft EIS, Navy scientists analyzed the potential effects of  
3 sound in the water to marine life including marine mammals,  
4 sea turtles, fish -- we lost the mike.

5 (Interruption in proceedings.)

6 While preparing the Draft EIS, Navy scientists  
7 analyzed the potential effects of sound in the water to  
8 marine life including marine mammals, sea turtles, fish,  
9 seabirds and marine invertebrates. The method for  
10 determining potential sound exposures to marine mammals was  
11 jointly developed by the Navy and the National Marine  
12 Fisheries Service and represents the best science currently  
13 available.

14 Marine mammal species have widely varying  
15 sensitivities to sounds based on frequency. This is a  
16 reflection of how different species have evolved to cope  
17 with life in a marine environment, including differences in  
18 size, prey, habitat and the predators to try to avoid.

19 Using the five general steps listed here, the  
20 Navy was able to calculate the number of potential marine  
21 animal exposures to sound from active sonar and explosives.  
22 Section 3.9 of the Draft EIS provides the results of the  
23 computer model as it relates to the potential annual  
24 exposures to marine animals. Marine mammal sensitivity was  
25 determined by biologists from the National Oceanic and

1 Atmospheric Administration and that information was entered  
 2 into the computer model. Marine animals can react  
 3 differently to sounds. For example, a harbor porpoise found  
 4 off the coast is very skittish. Therefore, sound at a lower  
 5 volume will cause them to startle much sooner than other  
 6 cetaceans.

7 While there is a possibility for non-lethal  
 8 impacts and altered behavior from the use of active sonar  
 9 and explosives, no mortality to marine animals is  
 10 anticipated. In addition, the estimation of sound exposures  
 11 does not consider the use of protective measures such as  
 12 sonar safety zones which would reduce the likelihood of  
 13 exposures to sound at the highest levels. No significant  
 14 impacts of sea turtles, fish, seabirds or marine  
 15 invertebrates are anticipated from the use of active sonar.

16 The use of explosives in Navy activities may  
 17 result in injury or mortality to individual fish or seabirds  
 18 in the immediate area of the training. However, these  
 19 activities would not result in significant harm for overall  
 20 bird or fish populations or habitat. Given the relatively  
 21 low number of explosive detonations associated with the  
 22 Proposed Action, no significant impacts to marine  
 23 invertebrates are anticipated. Also, the low occurrence of  
 24 sea turtles in the Range Complex area makes the potential  
 25 for significant impacts to sea turtles unlikely.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 The Navy does not expect to harm marine mammal  
 2 populations but it does recognize that there may be  
 3 potential effects to individual marine mammals. To help  
 4 guard against harm to individual whales or other marine  
 5 mammals during training, the Navy has developed protective  
 6 measures including posting a minimum of three well-trained  
 7 lookouts 24 hours a day; conducting aerial sweeps of the  
 8 training areas during air operations; establishing a safety  
 9 zone during training exercises and using mid-frequency  
 10 active sonar. During this training, sonar is powered down  
 11 if a marine mammal enters the 1,000-yard safety zone and  
 12 sonar is powered off if the marine mammal enters within  
 13 200 yards of the sonar dome. The Navy also coordinates with  
 14 the National Marine Fisheries Service and reports marine  
 15 mammals sighted during major exercises.

16 Over the past five years, the Navy has funded  
 17 more than 100 million dollars in marine mammal research. A  
 18 summary of the findings of the Draft EIS are presented here  
 19 using language required by environmental regulations. For  
 20 most of the resources analyzed in the Draft EIS, we found no  
 21 significant impacts.

22 In your review of the Draft EIS, the four areas  
 23 you may want to examine in more detail for species that may  
 24 be affected by the Proposed Action include endangered  
 25 species of fish, sea turtles, marine mammals and bird

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 species. The Navy is in consultation with the National  
 2 Marine Fisheries Service and the U.S. Fish and Wildlife  
 3 Service to ensure the effects to endangered or threatened  
 4 species listed under the Endangered Species Act are  
 5 minimized.

6 The Navy Range Complex EIS also analyzed the  
 7 potential effects of Navy training on the human environment.  
 8 This resource area -- the resource areas and issues analyzed  
 9 would include cultural resources, traffic, socioeconomics,  
 10 environmental justice and the protection of children and  
 11 public safety. The findings in the EIS show that no  
 12 significant impacts to the human environment are likely from  
 13 the implementation of the Proposed Action.

14 In addition, the Navy has initiated  
 15 consultations with federally recognized Native American  
 16 tribes in the Northwest Training Range Complex area. In  
 17 addition to complying with NEPA, the Navy also complies with  
 18 other applicable federal and environmental laws including  
 19 those listed here and all other applicable laws and  
 20 regulations.

21 The Navy has completed the first three steps of  
 22 the NEPA process and we're now in the phase for providing  
 23 public review of the Draft EIS. To review the progress so  
 24 far, the Navy initiated the EIS in July of -- July 31st of  
 25 2007. The Navy held -- excuse me. The Navy initiated -- on

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 July 31st, 2007, the Navy held public scoping meetings in  
 2 Washington, Oregon and Northern California. Government  
 3 agencies, organizations and the public were encouraged to  
 4 submit comments at the scoping meetings or to provide  
 5 written comments throughout the public comment period. The  
 6 comments received were considered in the preparation of the  
 7 Draft EIS that we have discussed here tonight.

8 We are now in the public hearing and document  
 9 review step of the NEPA process. This phase is an essential  
 10 part of the NEPA process because it allows the public to  
 11 review this document and comment on the Navy's analysis of  
 12 its environmental effects. We encourage you to provide your  
 13 input by February 11th so it can be considered for  
 14 appropriation in the development of the Final EIS. All  
 15 comments received will be considered.

16 The Navy is committed to keeping the community  
 17 informed throughout the continuing development of the  
 18 Northwest Training Range Complex EIS. These public hearings  
 19 are just one of many opportunities to share information  
 20 about the EIS and more importantly, to encourage your  
 21 feedback and comments.

22 I'll now turn back to Lewis Michaelson to  
 23 describe how to obtain more information and how to comment  
 24 on the Draft EIS.

25 MR. MICHAELSON: Thank you, John. In addition

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 to holding these public hearings, the Navy has established a  
 2 website to make it easy for you to find and comment on the  
 3 environmental documents. The Draft EIS, for example, is  
 4 posted to that website. It also has additional background  
 5 information and links to the fact sheets that are available  
 6 here tonight.

7           You may also review the Draft EIS and other  
 8 publically available documents related to the Northwest  
 9 Training Range Complex EIS by visiting the designated  
 10 information repositories. The addresses of the repositories  
 11 are provided in the fact sheets you received tonight. Both  
 12 the information repositories and their project website  
 13 contain documents, fact sheets and background information  
 14 for your review.

15           The Navy welcomes your review and input on the  
 16 analysis contained in the Draft EIS and there are several  
 17 ways for you to submit comments. First of all, we're  
 18 accepting oral comments tonight immediately after this  
 19 presentation. Written comments can be submitted by filling  
 20 out a comment form and either dropping it in the box at the  
 21 registration table or mailing it to the address provided  
 22 here which is also listed on the fact sheet. Comments may  
 23 also be submitted electronically via the project website at  
 24 [www.NWTRangeComplexEIS](http://www.NWTRangeComplexEIS). That website address is also in the  
 25 handout you received.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1           A reminder, again, all comments must be  
 2 received by February 11th, 2009, in order to ensure  
 3 consideration in the Final EIS.

4           We're now ready to begin our comment portion.  
 5 To ensure that we get an accurate record for our court  
 6 reporter so that we have a written record of these  
 7 proceedings, please help me respect the following ground  
 8 rules:

9           First, I'm going to ask you to come up to this  
 10 podium or lectern here and speak clearly and slowly into the  
 11 microphone starting with your name and the organization you  
 12 represent that applies.

13           Second reminder, each person will be allotted  
 14 four minutes to speak. Depending upon the number of  
 15 speakers and the time remaining, we may be able to have  
 16 additional time for you to speak after this.

17           Third, if you've prepared a written statement,  
 18 you may turn it in at the registration table or you may read  
 19 it out loud if you can do so within the four-minute time  
 20 limit.

21           Finally, please honor any requests that I make  
 22 for you to stop speaking when you've reached the four-minute  
 23 time limit. In order to make it easy for you to know when  
 24 that's going to come up so that you can comfortably end your  
 25 comment, I will hold up this card indicating you have 30

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066



1 seconds remaining and then finally, when you've reached four  
2 minutes, I will hold up this card.

3           We appreciate your cooperation in paying  
4 attention to these rules. I'm going to read ahead the first  
5 speakers so that you'll have an idea of when your time to  
6 come up will be. So my first speaker will be Terry Obteshka  
7 followed by a Jim Carlson, then David Jincks, Terry Thompson  
8 and Marie Gargano.

9           By the way, they're numbered four and then it  
10 skips to six so if we can make sure I'm not missing Number  
11 5, that would be great. I think it may just have been a  
12 mis-numbering.

13           So Terry Obteshka, if you will start us off.  
14 Again, just begin with your name and your organization.  
15 Thank you very much.

16           MR. OBTESHKA: Yes. My name's Terry Obteshka.  
17 I'm a private citizen. I haven't had a chance to read the  
18 EIS so I have more questions than answers, but I do have  
19 concerns. One of my concerns is you go ahead with this  
20 project and if environmental -- adverse environmental  
21 impacts do occur that there's going to be provisions that  
22 you'll cease or desist.

23           Another -- and, of course, Newport, we have --  
24 the off-shore fisheries is very important. Of course, the  
25 whales and the sonar and especially the explosive devices,

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 impulsive sounds can cause instant and permanent damage to  
2 humans and any other creatures on the earth.

3           We have an off-shore salmon fishery which is,  
4 you know, a threatened species. We have a tuna fishery.  
5 You know, for some reason, you scatter the bait fish of the  
6 tuna and they take off, there could be adverse impacts  
7 economically on the local economy. And, of course, I would  
8 hope that, you know, if these operations do cause negative  
9 impacts in the fisheries, there would be some kind of a  
10 takings provision where the fishing industry would be  
11 compensated for their losses.

12           And in -- Oregon's done a lot of work on  
13 mapping the ocean, discussions on marine reserves and  
14 off-shore energy, buoys, maybe aquaculture in the future.  
15 This is just another impact, another use of the ocean and I  
16 don't know how it's all going to fit in.

17           In closing, I would wish you to reconsider  
18 the -- you know, no change option to what you're doing right  
19 now.

20           MR. MICHAELSON: Thank you very much. The next  
21 speaker is Jim Carlson.

22           MR. CARLSON: Well, first of all, thank you so  
23 much for being here and I would like to extend my thanks to  
24 all of you for your service to our country and I appreciate  
25 that. I guess an example of feeling comfortable that you're

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 taking care of business is that you had that spare mike  
2 right there. I was impressed.

3 MR. MICHAELSON: State your name, please.

4 MR. CARLSON: Jim Carlson. I'm actually a  
5 resident of Tillamook County which is the next county up  
6 from -- from Lincoln and I'm here tonight wearing two hats.  
7 One being that I am the central coast organizer for a  
8 environmental or conservation group called Our Ocean and I'm  
9 also representing five different sea pacts in Tillamook  
10 County that I think some of you -- I've already explained  
11 what that is, but just for the record, these are groups of  
12 citizens that come together once a month and they discuss  
13 land-use and near-shore issues that are coming to -- you  
14 know, to fruition in our area. And so it's an advisory  
15 group only but we advise the county commissioners and the  
16 County Planning Commission on concerns that we have on --  
17 not only on the land but the near-shore as well.

18 There's tremendous amount of information for me  
19 to digest tonight. Unfortunately, I wasn't really given too  
20 much of a lead time to know that this hearing was taking  
21 place so I will not probably give any specifics as far as  
22 what I feel is appropriate or not appropriate activity as  
23 far as the military is concerned on our coast.

24 But I would want you folks to understand that  
25 we as Oregonians right now are given the task to take

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 another look at our near-shore and how we're going to use  
2 it, whether that be undersea cables, whether that be marine  
3 reserves, wave energy, aquaculture projects and on and on  
4 and these are all kind of new ideas to our -- to Oregonians  
5 so this is just one more piece of the puzzle that we need to  
6 take a look at.

7 So my recommendation is that the fact that I'm  
8 the only one here from Tillamook County that I'm aware of  
9 that's able to come to this meeting or, in fact, was aware  
10 that it was taking place, that you reconsider your deadline  
11 because that gives us less than a little over ten days to --  
12 first of all, to go through all this information that I'm  
13 sure you guys have lived with for a long time but it's new  
14 to us.

15 And so, respectfully, I would ask that you  
16 consider pushing that deadline out to at least a minimum of  
17 30 days to give us an opportunity as coastal Oregonians to  
18 decipher this information and give you a -- you know, an  
19 educated guess on what we -- how we want to proceed here.  
20 Thank you so much.

21 MR. MICHAELSON: Thank you. The next speaker  
22 is David Jincks.

23 MR. JINCKS: My name's David Jincks. I live at  
24 1260 Southeast Wade Way in Newport, Oregon. I'm here  
25 representing Midwater Trawlers Cooperative. It's a fishing

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 organization that has vessels that participate in the  
 2 fisheries on the West Coast and Alaska. I'm also going to  
 3 represent Pacific Whiting Cooperative and United Catcher  
 4 Boat Association from Seattle, Washington. They're also  
 5 fishing organizations that fish these areas between Alaska  
 6 and the West Coast.

7           The main fisheries that we participate in on  
 8 the West Coast is the Whiting Fishery. It's a pelagic fish  
 9 and it migrates from California north up the coast past  
 10 Puget Sound into Canada before turning around and heading  
 11 back to California. These fisheries take place May 15th  
 12 sometimes running into November 15th, sometimes into  
 13 December. It's a full summertime fishery and into -- you  
 14 know, some of the early wintertime so.

15           The depths these vessels fish are from probably  
 16 40 fathoms out to 800 fathoms. They're a wide-ranging  
 17 fleet. They'll range from the Oregon-California border to  
 18 the Puget Sound. They -- they range in size. It's  
 19 probably -- this -- this fleet here is probably 68 vessels  
 20 and they range in size from 70-foot to 550-foot.

21           It's an economic engine for the West Coast.  
 22 Um, economic indicators indicating in the last couple years  
 23 165 million dollars return to the coastal communities  
 24 between Oregon and Washington. So it is very important to  
 25 us and that the areas are open for us to fish in. So I've

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 -- this is pretty much new to me. I just got called an hour  
 2 and a half ago that this was going to be a hearing here so I  
 3 wasn't really prepared to speak on it, but I'm going to do  
 4 the best I can.

5           I'm going to just make a statement that I know  
 6 from talking to several of you in the hallway which the  
 7 information is very good. Thank you. And it's the typical  
 8 EIS that's being done it looks like. And though you've been  
 9 working with National Marine Fisheries Service, the National  
 10 Marine Fisheries Service doesn't always work with us very  
 11 well and so the information doesn't trickle down to the  
 12 fishing groups. And so we're asking for more coordination  
 13 with us, with the local fishing groups. There's several of  
 14 us that represent some of the larger fishing industries and  
 15 also some of the other ones.

16           I mean, I'm just representing a small bunch of  
 17 the fisheries. You have the crab fisheries, salmon  
 18 fisheries, long-line, pot fisheries. I mean, it's a  
 19 tremendous amount of fishing that goes on in these areas out  
 20 here all year round when you get into them. I'm just  
 21 speaking about the whiting fishery for the May through  
 22 December. But through the rest of the time, there's a  
 23 tremendous amount of ground that's being fished out here all  
 24 the time. And so what we're asking for also is the February  
 25 11th deadline on written comment is coming right up on us

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 which we didn't know about. I didn't know about the EIS. I  
2 haven't looked at it yet so.

3           And, um, I think that under NEPA, I think that  
4 we should be allowed a little more time because it is a very  
5 large impact that is unforeseeable to us what the impact  
6 will be. I mean, I look at some of the information out  
7 there and it says that there could be potential economic  
8 impacts to commercial fishing from use of portable undersea  
9 tracking range which I -- like I say, I haven't read the EIS  
10 so I'm not aware of what the -- what the portable undersea  
11 tracking range is going to be, how much ground it's going to  
12 take up, what the notice would be to mariners to move out of  
13 that area and how long that would -- how long that would be.

14           30 seconds remaining. Well, thank you.

15 Anyway, so that's -- briefly, that's my statement and I'd  
16 hope that over time that you would instead of engaging with  
17 National Marine Fisheries Service, you might engage with the  
18 fishermen that actually use the ocean. Thank you.

19           MR. MICHAELSON: Thank you. The next speaker  
20 is Terry Thompson.

21           MR. THOMPSON: My name is Terry Thompson. I  
22 represent the Lincoln County Commission and also Undersea  
23 Cables. And I'll start off by telling you why this is a  
24 little passionate for me. I've been about 4,200 days at sea  
25 in my life. In that time, I've known eight vessels that

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 have vanished because of submarine activity and five men  
2 have died. Now, I consider that a pretty serious issue.  
3 Now, to know it's the U.S. Navy or another vessel is -- no  
4 vessels ever come to the surface for us to be able to  
5 identify, but when you lose friends at sea because of  
6 activities by someone underneath the water that's obviously  
7 running a vessel that's big enough it can tow a 75-foot  
8 sideways at eight knots, it's obvious there's somebody that  
9 needs to work on communications.

10           Now, I cannot say who it was, but one of the  
11 things that we have tried to pride ourselves and the West  
12 Coast Fleet on this coast is the development of an open  
13 communication system. And this meeting today represents an  
14 opportunity that we've never had before and that's to  
15 actually communicate with you about some of the facilities  
16 and personnel and equipment that we use in our fishing  
17 operations that we are -- have off shore. That  
18 communications, I think, can further the lack of -- can  
19 stimulate a situation so we won't have conflicts in the  
20 future and I very much applaud you for that.

21           We represent about 100,000 -- or excuse me --  
22 100 million dollars' worth of fisheries products just in  
23 Lincoln County. It's a major business for us and anything  
24 we can do to help communicate between you and us can only  
25 help our communities.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 One of the things that by looking at the EIS  
 2 that bothered me the most was the potential for a minefield  
 3 to be built out here and a permanent closure. And then when  
 4 I looked back and say there's no socioeconomic impact to the  
 5 fishing industry, well maybe not as it is today under what's  
 6 there, but if you put a minefield in there and tell us it's  
 7 permanent and we can't go there, it definitely has an impact  
 8 on our community. So I think you need to rethink what that  
 9 social impact might be.

10 David Jincks just talked about the whiting  
 11 fishery. It's one that would very likely be in conflict  
 12 with you because they haul such big nets and they move at  
 13 high speed in the ocean. Whether you're using an ROV or a  
 14 potential minefield, I'm sure that within a short time,  
 15 we'll have one of your devices in our nets.

16 Another area that bothers me is the amount of  
 17 shells and marine debris the Navy leaves behind. When I  
 18 fished off San Francisco trawling, I found parts of old  
 19 airplanes that had been left by the Navy when they came in  
 20 from World War II. Stainless steel landing gears, pieces  
 21 like that, and if you're going to shoot debris into the  
 22 ocean in shallower water inside of 700 fathoms, it won't be  
 23 long before we're going to have that debris.

24 Our fishing industry has done a lot to try to  
 25 clean the bottom of the ocean. We actually work now with

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 NOAA to remove old fishing nets. We do all kinds of  
 2 operations to bring stuff ashore instead of dumping it back  
 3 overboard and for the Navy to leave marine debris on the  
 4 bottom, it's not good for our operation and I'm not sure  
 5 what the effects would be with some of the sea life but some  
 6 of it would probably be impacted.

7 One of the problems that also bothered me about  
 8 this meeting was the lack of communications in this meeting  
 9 being held. I didn't know about it until yesterday and I  
 10 immediately went to the Governor's Office who didn't know  
 11 about it. Apparently, Department of State Lands had some  
 12 knowledge of it. I contacted the Undersea Cable Committee  
 13 which is the main communication system for the Trawl Fleet  
 14 today and they had been involved early on but they weren't  
 15 aware that this meeting was here and the general public in  
 16 our area didn't know that. So I've got -- to cut this  
 17 short, I'll make one final comment. Because of that lack of  
 18 communications that I think you guys meant well in your  
 19 effort to communicate with the public, I think you need to  
 20 extend this period so that we can have time for the public  
 21 comment and a lot more local people to be engaged.

22 MR. MICHAELSON: All right. Thank you,  
 23 Mr. Thompson. The next speaker is -- I hope I pronounce  
 24 this correctly -- Marie Gargano?

25 MS. GARGANO: That's correct. Good evening.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 My name is Marie Gargano. I live in Depoe Bay and I live  
 2 right on the water so your 12-mile buffer between your zones  
 3 and my house is very important to me. I will preface what I  
 4 say by saying and agreeing with previous speakers; I found  
 5 out about this hearing on Monday and that's through an  
 6 organization that I belong to called Oregon Coast Watchers.

7 I'm not here representing them, but I'm here to  
 8 gather information for them and also for another  
 9 organization called Oregon Coast Watch -- or Oregon Shores.  
 10 Pardon me. We did not have a lot of notice for this hearing  
 11 and I don't know what your mechanism is for notifying the  
 12 public, but I have been in this room for topics that are far  
 13 less consequential where there's been standing room only.  
 14 So I would say looking out and seeing all these empty seats,  
 15 to me, that's an indicator that there really hasn't been  
 16 adequate notification to the public.

17 I'm going to read some excerpts from the  
 18 January/February 2009 newsletter for the National Resources  
 19 Defense Council. I'm a member of that organization and I'm  
 20 sure all you gentlemen are very familiar with them because  
 21 they have had numerous suits against the Navy.

22 Ruling 6 to 3 in a case brought by the NRDC,  
 23 the Supreme Court has recently struck down two important  
 24 safeguards that protect whales from dangerous mid-frequency  
 25 sonar during naval exercises off the coast of California.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 The decision -- quote, the decision places marine mammals at  
 2 greater risk of serious and needless harm said Joel  
 3 Reynolds, Director of the NRDC Marine Mammal Protection  
 4 Program. The ruling was very narrow, said Reynolds. It  
 5 left in place four vital safeguards that we have won in the  
 6 lower courts.

7 As a result, the Navy's sonar ships will still  
 8 be required to avoid key wild -- key whale habitat in a  
 9 12-mile coastal zone and also to use marine mammal lookouts,  
 10 to power down its sonar when marine mammals are within a  
 11 half a mile.

12 I have not seen the EIS because I'm seeing the  
 13 website right now for the first time. I'll quote again from  
 14 this newsletter. The Navy itself has estimated that the  
 15 California sonar drills will disturb or injure 170,000  
 16 marine mammals and cause permanent injury to more than 450  
 17 whales. And I know from other organizations that I belong  
 18 to there is certainly suspect that the Navy has been the  
 19 cause of marine mammal deaths including whales.

20 So one of the questions that I have is this was  
 21 a suit for the coast of California. What are the statistics  
 22 relevant to the Oregon coast and will the Navy be following  
 23 these same vital four safeguards for any activities off of  
 24 the Oregon coast?

25 Despite this legal setback, the trend is

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 definitely toward a more whale-friendly Navy, said Reynolds.  
 2 We've made enormous progress over the past decade in getting  
 3 the military to study the impacts of sonar and put  
 4 precautions in place. So you are going in the right  
 5 direction, but because it's whales, we don't know when there  
 6 are going to be fatalities. We won't see the carcasses on  
 7 land. They will sink and they'll be gone. So I would  
 8 really question what's going to happen with our whale  
 9 population off the coast of Oregon. Thank you very much.

10 MR. MICHAELSON: Thank you. The next speaker  
 11 is Dr. Bruce Mate.

12 DR. MATE: Good evening. And I want to add my  
 13 thanks to your coming here and including Newport in one of  
 14 your areas to hold hearings and public comment. I'm very  
 15 grateful for that and I'm also grateful to you gentlemen for  
 16 upholding the finer traditions of the services in protecting  
 17 our well-being. I think we're all appreciative of the job  
 18 you're doing on behalf of the United States.

19 Because these are important matters, I do think  
 20 that what we've heard tonight and what I've experienced in  
 21 this last week, I would very much hope that you'd extend the  
 22 comment period by another 30 days. The material is -- that  
 23 you've put together is in many areas wonderful but at 1,068  
 24 pages, a bit daunting for most of us to get through.

25 In my particular area, I'm representing myself

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 tonight as a citizen, but I have considerable marine mammal  
 2 experience. I do not represent Oregon State University, but  
 3 I do direct the Marine Mammal Institute here and I've been  
 4 in Oregon doing marine mammal work since 1968. I can tell  
 5 you that there are some things in the document that will  
 6 actually require some reassessment. Some of that is local  
 7 knowledge. Some of it's very current.

8 And I had the opportunity to speak during the  
 9 time period before this group came in and I appreciated the  
 10 candor of several of the folks with me and the expression  
 11 also of the difficulty for those of us who view this  
 12 professionally in assessing impact because risk is a  
 13 combination of a species, the time and the place. And the  
 14 time and the place is a very difficult thing for you to be  
 15 specific about for a variety of reasons and we appreciate  
 16 what some of those are.

17 But just simple things like knowing that gray  
 18 whales are here during the summertime and near shore, that  
 19 we have blue whales and humpbacks off shore. Because we  
 20 have a narrow continental shelf within a very steep slope,  
 21 we have very close access to deep water. So a lot of the  
 22 species that are of public concern and are a part of the  
 23 debate going on about the impacts of sonar and other  
 24 activities are going to be a part of our concerns and these  
 25 include beaked whales and sperm whales, other deep divers

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 where sound channeling can occur in deep waters.

2 I think there are a number of things that we  
3 have to think a little longer about as a community and it'll  
4 take a little bit of time for this to come through. When we  
5 start talking about permanent threshold shifts that are  
6 based on 50 percent tympanic membrane ruptures and not  
7 consider that underwater detonations may also be a source of  
8 that but it's just related to sonar. There are things like  
9 that that'll take time for people to evaluate for themselves  
10 for a little while.

11 Or why lung injury may only be associated with  
12 harbor seals and yet they're the very nearshore species.  
13 There are aspects related to fish where we aren't seeing a  
14 very thorough impact assessment with regard to active sonar  
15 activities in this document and I do know that some of the  
16 consultants you've had are experts in some of these areas so  
17 I would like to see some of that more fully explored in the  
18 Final EIS.

19 I think that there could be a variety of  
20 aspects of getting ready to start these activities where  
21 you're trying to assess whether there are animals in the  
22 region where you have ten minutes of helicopter time  
23 devoted. Quite clearly that's not going to be adequate for  
24 deep diving animals that may spend 45 minutes on a dive like  
25 sperm whales or over half an hour like beaked whales.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 So some of those things may need a little more  
2 development in terms of your pre-activity, um, assessments  
3 and also probably in your mitigation processes. I think at  
4 a minimum, the scientific community would like to know that  
5 after the fact, your operations will know when and where  
6 those occurred so that anything that may come up, we could  
7 start to think about some correlations. These are things  
8 that can clear your -- all our collective consciousnesses  
9 (sic) as well as knowing the correlation is not cause and  
10 effect.

11 We've had strandings of beaked whales along the  
12 Oregon coast for years. As recently as last week, we had  
13 sightings of L pod, the southern orcas, right here off  
14 Lincoln County in the last two weeks and being a listed  
15 species, that's a concern.

16 Finally, in summarizing, I'd just like to say  
17 that the mitigation process kind of goes both ways about  
18 getting ready to do things and then after the fact looking  
19 at possible effects. So we need to be able to do that.  
20 Thank you very much.

21 MR. MICHAELSON: Thank you. I think we will  
22 have time for second helpings if anyone wants to add  
23 anything. I just need to make sure everyone gets a first  
24 chance to come up here.

25 Have there been any more cards turned in?

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066



1 Okay. Is there anybody who hasn't filled out a card who  
2 would like to speak? Yes. I'm just going to ask you to  
3 fill out a card afterwards. Why don't you come up here and  
4 all I need is your name and you'll have your opportunity.

5 MS. MILLS: My name is Charlotte Mills and I  
6 live in Tidewater, Oregon, and I'm a member of Oregon Shores  
7 Conservation Coalition, one of the oldest citizens groups  
8 that have had attention to the marine issues and we were  
9 very prominent in getting the beach bill.

10 I'm also a member of Our Ocean like the  
11 gentleman was here from Tillamook and Our Ocean has had some  
12 action teams. We've been working for two years to get the  
13 marine reserve networks here and our group has recommended  
14 nine sites along the Oregon coast. We've got 362 coastal  
15 miles.

16 (Interruption in proceedings.)

17 MS. MILLS: And along those 362 coastal miles,  
18 we have proposed nine of them. Our pod, our group was  
19 proposing the marine reserve between Haceta Head and Cape  
20 Perpetua. We called our -- we were the Yachats Pod on that.  
21 So I only got -- found out about this meeting at  
22 4:00 yesterday afternoon and a friend who was on the  
23 Internet got some of the information to us.

24 And so Oregon Shores Conservation Coalition was  
25 not on your list of organizations that got notified, nor

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 were -- I don't believe Our Ocean got notified either and I  
2 can tell you that if either one of those organizations had  
3 been notified, this would have been full attendance tonight.

4 So I want to say most importantly that your  
5 NEPA -- your National Environmental Policy Act, your notice  
6 and comment efforts have been inadequate. They did not  
7 reach not hundreds but thousands of people along the Oregon  
8 coast. Many of them are property owners along the coast.  
9 Some of them are fishing communities. Some of them are  
10 marine commercial activities as well as private property  
11 owners. If you had notified the Oregonian or the Associated  
12 Press, one of those organizations, we'd have had more people  
13 here tonight.

14 So my recommendations are -- I'm going to go  
15 beyond extending the comment period. I believe you should  
16 have another public meeting. I think you need to have it --  
17 reschedule this and notify the right media, notify the right  
18 organizations and have another one. I don't -- and then  
19 extend the comment period.

20 Those about cover it for me except that, you  
21 know, we spent a long time on trying to create these marine  
22 reserves and I can tell you the issues that I found in your  
23 literature yesterday are kind of like what Terry Thompson  
24 was talking about; that if we're talking about your -- you  
25 have air, land and sea activities, all three of those, and

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 our marine reserves are only going out to the three-mile  
 2 limit and we're concerned about the kelp forest and the big  
 3 fat female fish who seek shelter in those kelp gardens to  
 4 feed and to spawn, and if there are going to be explosives,  
 5 if there are going to be minefields, if there are going to  
 6 be this whatever undersea tracking range for anti-submarine  
 7 training, all of those off-shore activities, I don't think  
 8 we need to even guess. I know they will have an impact on  
 9 these marine reserves we're proposing. Thank you very much.

10 MR. MICHAELSON: Thank you. Is there anyone  
 11 else?

12 MS. BURKE: Yeah.

13 MR. MICHAELSON: Just come on up here. If you  
 14 get her to fill out a card, that would be great.

15 MS. BURKE: Hi. My name is Patty Burke and I'm  
 16 from Waldport, Oregon, and I'm speaking as a citizen as  
 17 Bruce is, but I'm also kind of involved in fisheries  
 18 management here. I do work for NOAA and I also only just  
 19 heard about the meeting yesterday. So I do think it would  
 20 be beneficial to extend the comment period.

21 For example, the program that I run is  
 22 responsible for serving fisheries up and down the coast.  
 23 We've got transects in all the areas that you're talking  
 24 about and next week we're meeting in Santa Cruz to talk with  
 25 the National Marine Sanctuaries Program about access for

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 science and for research in those areas. And so I know that  
 2 we haven't had those dialogues with you and I think that  
 3 it's important that we try to at least acknowledge the good  
 4 work that you've done by giving us some time to do some of  
 5 the interactions with you locally on the issues. So thank  
 6 you very much.

7 MR. MICHAELSON: Thank you. Anyone else who  
 8 would like to speak who hasn't had a chance to yet? Sure.  
 9 Go ahead.

10 MR. HORNING: Thank you for the opportunity.  
 11 My name is Marcus Horning. I speak as a resident of the  
 12 City of Newport and will actually be providing most of my  
 13 comments probably by on-line submission but would like to  
 14 add my name to the list of many this evening who have  
 15 commented on the fact that it is very laudable that you're  
 16 reaching out and having this forum but sadly many of us were  
 17 not really informed of this until recently.

18 So I also only found out about this yesterday  
 19 and would like to take the time to really read the EIS in  
 20 detail to be able to understand it as much as possible and  
 21 then provide comment based on my opportunity to read that in  
 22 detail. So I would also like to ask you to extend the  
 23 public comment period, if possible, and the suggestion of  
 24 30 days that several have come up with sounds like a very  
 25 reasonable one. Thank you.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 MR. MICHAELSON: Thank you. Is there anyone  
2 else? Is there any -- yes? If not, if no one is new, if  
3 anyone who already spoke for four minutes would like another  
4 chance at that, please feel free to come up and add to your  
5 time an additional four minutes. All you need to do is  
6 state your name for me. Thank you.

7 MR. THOMPSON: Terry Thompson again. Lincoln  
8 County Commissioner. There's a couple of areas in specific  
9 in the EIS I'd like to cover. One is there was -- when I  
10 examined the document, it looked like to me, like the Navy  
11 document did not have a very good understanding of the  
12 fishing industry. I'll give you an example.

13 It discussed in one area where salmon are  
14 trawlers and trollers fish for flat fish. Now, that's a  
15 basic error that shouldn't be in a document like this.  
16 Trollers fish with wires and they fish for salmon and  
17 Trawlers fish for bottom fish.

18 There were several things in there related to  
19 the commercial fishery and I suggest that you go back and  
20 get with some commercial fishermen and work this document a  
21 little better and the contact point may be through the  
22 Undersea Cable Committee. I mentioned that that exists on  
23 this coast. It's a group of trawlers that communicate up  
24 and down and that have probably been involved in every  
25 fishery and we have a contact point with the manager who

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 really understands fisheries and could work with you to  
2 improve some of that information related to the fishing  
3 industry. It can only help.

4 Another area that bothered me wasn't in there  
5 was that today under our modern management system, we've  
6 made agreements in trawling which is the one you're going to  
7 most have a chance to have conflict with that I'll restate  
8 the comment. It's now closed outside of 700 fathoms. So  
9 that's a very important factor when you're working. The  
10 only boats that'll probably be outside of 700 fathoms are a  
11 very occasional whiting boat and a tuna fleet. So there's  
12 not a lot of activity out there beyond 700 fathoms by our  
13 fishing fleet. And that should do it, but good luck. I  
14 hope you'll try to rework that section related to the  
15 fishing industry.

16 MR. MICHAELSON: Thank you. Anyone else like  
17 to come back up?

18 MS. GARGANO: Marie Gargano, Depoe Bay. I  
19 heard the one lady say that she encourages you to have a  
20 rehearing, a second hearing. I think you have heard from a  
21 good number of speakers that the notification here along the  
22 coast was grossly inadequate and I know that's probably not  
23 your fault, but I think we need to have another hearing so  
24 just extending this by 30 days, I think, is inadequate, um,  
25 and to encourage that to happen, I'm going to be calling the

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 Governor's Office tomorrow and also my two senators and ask  
 2 them to intercede with the Secretary of the Navy to try to  
 3 make that happen. So we may see your smiling faces back  
 4 here again, but I think that that's really what needs to  
 5 happen because you come back again and this room is going to  
 6 be filled to capacity. I can promise you. Thank you.

7 MR. MICHAELSON: Thank you.

8 MR. JINCKS: Yes. My name's David Jincks. I  
 9 spoke earlier. I'd like to make one more comment and that  
 10 has to do with the fishing fleet again and if this is --  
 11 does become a foregone fact and this is a reality for us,  
 12 we'd like to have in the records that hopefully you'll work  
 13 with us and our navigation programs as far as updating us on  
 14 these zones and areas.

15 There's several different navigation programs  
 16 that are used on these vessels. Some of us use Globe, Olex,  
 17 but local fleets around here use many different other types,  
 18 too. But most of the chart companies are -- and these  
 19 navigation companies are willing to update our nav.  
 20 programs for us with closures and these areas. We use them  
 21 quite a bit up in Alaska for closures and other areas, but  
 22 hopefully you will pay attention and look into this because  
 23 it is -- it would be very helpful to us. Thank you.

24 MR. MICHAELSON: Anyone else like a second  
 25 chance? Yes, sir.

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 DR. MATE: Bruce Mate again and I just want to  
 2 add a few comments. One is that there are several other  
 3 noise makers in the ocean who are held to a different  
 4 standard of accountability and we understand why that would  
 5 be. But, for instance, the National Marine Fisheries  
 6 Service establishes 160 decibel level for the exposure of  
 7 marine mammals as an indication of where 50 percent of the  
 8 population is going to be behaviorally disturbed. And that  
 9 means cutting off feeding behaviors or doing something  
 10 different than they might normally be doing.

11 At 235 decibels and knowing that this is a  
 12 logarithmic scale, the kind of noise level that the Navy is  
 13 proposing to make in this area is substantially larger than  
 14 that which would be regulated in other industries. And I  
 15 guess it would be really nice to get some scaling for those  
 16 who are less physics oriented and the circles you have of  
 17 influence for temporary threshold shifts and permanent  
 18 threshold shifts, if you could provide for the more general  
 19 community some sense of what scale that is and the frequency  
 20 ranges you operate in so that we would be better informed as  
 21 a public to reflect back to you what we think of that, that  
 22 would be very helpful I think.

23 And when you look at something like the summary  
 24 table on effects on 3.9-13, most of that table is populated  
 25 with assessments that read either perhaps no effect in your

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 judgment or as several of them are, MA or not enough data  
2 basically, or MA, may affect, I'd say that those kinds of  
3 sort of broad-sweeping three categorical choices don't leave  
4 a lot of leeway for people to make good interpretations for  
5 themselves about what you might really expect to happen.  
6 I'd like to see it quantified a little more.

7 I know you've done these things in terms of  
8 modeling in terms of the populations, the seasonality, their  
9 sensitivity and so forth and I commend you for the depth of  
10 detail that's in the Draft EIS, but I would like to see you  
11 go a bit further in this regard for people who are less  
12 familiar with that kind of information.

13 Thank you very, very much for coming. I do  
14 hope we see you again and whether it's in this kind of a  
15 forum or in an opportunity to have more dialogue with a  
16 community that feels very not only attached to this area  
17 aesthetically, but a livelihood and a connection with the  
18 wildlife that's here. Thank you.

19 MR. MILLER: Thanks again.

20 MR. MICHAELSON: Thank you. Anyone else who  
21 would like to speak for the first time or for the second  
22 time? If not, we will adjourn for now and if you'd like,  
23 you can go back to the poster stations. We are here till  
24 8:30. Thank you very much for coming tonight.

25 (Public hearing adjourned at 8:09 p.m.)

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

AUTHENTICATION

1  
2  
3 This is to certify that the foregoing  
4 transcription of the proceedings held at the Northwest  
5 Training Range Complex, Draft EIS/OEIS Hearing held on  
6 Friday, January 30, 2009, at 7:00 p.m. is a true and correct  
7 transcription of said proceedings and the original thereof  
8 delivered to Katz & Associates mailed by Priority Mail on  
9 Thursday, February 12, 2009.

10  
11  
12  
13 \_\_\_\_\_  
14 Anne M. Duffey,  
15 Certified Shorthand Reporter for Oregon  
16 CSR No. 07-0405  
17 Notary Public for Oregon, Comm. No. 409050  
18 My Commission Expires August 13, 2010  
19  
20  
21  
22  
23  
24  
25

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 NORTHWEST TRAINING RANGE COMPLEX  
2 DRAFT ENVIRONMENTAL IMPACT STATEMENT/  
3 OVERSEAS ENVIRONMENTAL IMPACT STATEMENT

4 OPEN HOUSE

11  
12 TRANSCRIPT OF ORAL STATEMENT

13 VOLUME I -- PAGES 1 - 4

15 DATE: Friday, January 30, 2009

16 TIME: 5:00 - 7:00 p.m.

17 LOCATION: Hatfield Marine Science Center  
18 Visitor Center  
19 2030 SE Marine Science Drive  
20 Newport, Oregon 97365

24 REPORTED BY:  
25 ANNE M. DUFFEY  
OREGON CSR NO. 07-0405

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 NEWPORT, OREGON, FRIDAY, JANUARY 30, 2009, 5:00 P.M.

3 (Transcription of oral statement given at Open  
4 House as follows:)

5 COURT REPORTER: First, I need you to state  
6 your name and address.

7 MR. CARLSON: James H. Carlson, P.O. Box 47,  
8 Netarts, Oregon, 97143.

9 COURT REPORTER: Okay. Go ahead.

10 MR. CARLSON: I'm a resident of Tillamook  
11 County which is the county north of Lincoln. We're now in  
12 Lincoln County. I'm a little bit concerned about the  
13 outreach as far as having all coastal Oregon residents  
14 having, at least if nothing else, a basic understanding of  
15 what the Navy is proposing to make any significant or not  
16 significant changes.

17 So I'm real involved with land-use issues in  
18 Tillamook County as a chair of the Netarts Planning Advisory  
19 Council for Tillamook County. So we're advisory only, but  
20 we operate under the guise of county commissioners in the  
21 Tillamook County Planning Commission and so it's -- it would  
22 be nice if Tillamook County residents would have had an  
23 opportunity to give their input on these issues.

24 One of the -- one of your areas that is  
25 designated as a training area and that is W-570 is adjacent

BERMAN COURT REPORTING

SALEM (503)364-2551 ----- PORTLAND (503)222-6066

1 to Tillamook County. And so I'm here tonight to express my  
 2 concern that the timeline for deciphering all this  
 3 information and giving feedback back to the Navy is a pretty  
 4 short timeframe. And if I'm correct, the due date on any  
 5 comments is February 20th or sooner -- oh, February 11th.  
 6 So my -- that's a big concern and that's a pretty good  
 7 stretch of marine real estate that Tillamook County is next  
 8 to. And so I really do not have anything else to say. This  
 9 is all new to me.

10  
 11 (Oral statement of Mr. Carlson concluded. No  
 12 further oral statements given.)  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

1 AUTHENTICATION  
 2

3 This is to certify that the foregoing  
 4 transcription of the oral statements taken during the Open  
 5 House held at the Northwest Training Range Complex, Draft  
 6 EIS/OEIS Hearing held on Friday, January 30, 2009, at 5:00  
 7 p.m. is a true and correct transcription of said proceedings  
 8 and the original thereof delivered to Katz & Associates  
 9 mailed by Priority Mail on Thursday, February 12, 2009.

10  
 11  
 12 \_\_\_\_\_  
 13 Anne M. Duffey,  
 14 Certified Shorthand Reporter for Oregon  
 15 CSR No. 07-0405  
 16 Notary Public for Oregon, Comm. No. 409050  
 17 My Commission Expires August 13, 2010  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

0001  
1 U.S. NAVY NORTHWEST TRAINING RANGE COMPLEX  
2 DRAFT ENVIRONMENTAL IMPACT STATEMENT/OVERSEAS  
3 ENVIRONMENTAL IMPACT STATEMENT  
4 EUREKA, CALIFORNIA  
5  
6  
7  
8

9 REPORTER'S TRANSCRIPT  
10 OF PROCEEDINGS  
11  
12 MONDAY, FEBRUARY 2, 2009  
13  
14

15 7:00 P.M.  
16

17 Location: Eureka Women's Club  
18 1531 J Street  
Eureka, CA 95501  
5:00 P.M.

19 COURT REPORTER: MARLENE A. RAGAIN, CSR #11343  
20  
21  
22  
23  
24  
25

0002  
1 A P P E A R A N C E S  
2  
3

4 LEWIS MICHAELSON  
5 Moderator  
6

7 COMMANDER MATTHEW MILLER  
8 Executive Officer of Naval Air Station  
9 Whidbey Island  
10

11 JOHN MOSHER  
12 Project Manager from the Navy's Pacific  
13 Fleet  
14

15 KIMBERLY KLER  
16 Project Coordinator from Naval  
17 Facilities Engineering Command, Northwest  
18

19 PUBLIC SPEAKERS:  
20 Patrick Higgins  
21 Mary Bawden  
22 Gordon Anderson  
23  
24  
25

0003  
1 EUREKA, CALIFORNIA; MONDAY, FEBRUARY 2, 2009

2 7:00 P.M.  
3 . . .  
4

5 MODERATOR MICHAELSON: Good evening and thank  
6 you for coming tonight.

7 My name is Lewis Michaelson, and I will be  
8 the -- actually if I could ask the my poster station  
9 people to politely disengage, I would appreciate it.  
10 Thank you.

11 My name is Lewis Michaelson, and I will be  
12 the Moderator for tonight's hearing on the Navy's  
13 Northwest Training Range Complex Draft Environmental  
14 Impact Statement/Overseas Environmental Impact  
15 Statement, or Draft EIS.

16 If I could ask everyone to please turn off or  
17 turn down your cell phones at this point, I would  
18 appreciate it.

19 Here to receive your comments are Matthew  
20 Miller, Executive Officer of Naval Air Station Whidbey  
21 Island; Mr. John Mosher, the project manager from the  
22 Navy's Pacific Fleet; Mrs. Kimberly Kler, standing to  
23 my right, your left -- she's raising her hand -- is  
24 the project coordinator from Naval Facilities  
25 Engineering Command, Northwest, is here as the primary

0004  
1 point of contact for sharing your written comments  
2 about the project.  
3 Let's look at the agenda for tonight.

4 Hopefully you all had the opportunity to talk  
5 to the many knowledgeable experts and program  
6 officials who were staffing exhibits during the open  
7 house. The primary purpose for this portion of the  
8 hearing is for the panel members to listen to your  
9 comments firsthand. They will not be answering  
10 questions during this phase of the proceedings.  
11 Comments and questions will be addressed in the Final  
12 EIS.

13 After I finish this introduction, Commander  
14 Miller will give a brief overview of the Navy's  
15 activities in the Northwest Range Complex.

16 Next, Mr. John Moser will brief you on the  
17 environmental impact analysis process and summarize  
18 the results reported in the Draft EIS.

19 The last item on the agenda, however, is the  
20 most important. The public comment session is your  
21 opportunity to provide information and make statements  
22 for the record.

23 Your input ensures that the decision makers  
24 can benefit from your knowledge of the local area and  
25 any environmental effects you think may result from

0005  
1 the Proposed Action or alternatives.  
2 Keep the mind the EIS process is intended to  
3 ensure that decision makers will be fully informed  
4 about the potential environmental impacts associated  
5 with the various alternatives before they decide on a  
6 course of action.



7 Please remember the comments on issues  
8 unrelated to this EIS are beyond the scope of this  
9 hearing.

10 To request an opportunity to make a verbal  
11 comment during tonight's hearing, please fill out a  
12 verbal comment card, such as the one that Allison is  
13 holding up over there in front.

14 Every speaker, including public officials,  
15 organizational spokespersons and private individuals  
16 will have four minutes each to provide his or her  
17 comment.

18 If you don't feel comfortable standing up  
19 here tonight to make a statement, you have until  
20 February 11, 2009, to submit a written statement for  
21 consideration in the Final EIS, or you can wait till  
22 tonight's presentation of public comment session is  
23 over and provide your comments privately to the court  
24 reporter, one-on-one.

25 Keep in mind that written comments are given  
0006

1 the same consideration as verbal comments offered here  
2 tonight.

3 Now it is my pleasure to introduce Commander  
4 Miller.

5 COMMANDER MILLER: Thank you, Lewis.  
6 Welcome to the public hearings for the  
7 Northwest Training Range Complex Draft Environmental  
8 Impact Statement. My name is Commander Matt Miller,  
9 and I am the Executive Officer of Naval Air Station  
10 Whidbey Island.

11 I want to thank you on behalf of the United  
12 States Navy for attending this evening. This is one  
13 of the five public hearings the Navy is holding in  
14 Washington, Oregon and Northern California for the  
15 Northwest Training Range Complex Draft EIS.

16 As Lewis mentioned, we hope that you've had a  
17 chance to visit the poster stations this evening and  
18 meet with Navy project team members.

19 Before we proceed, a little bit of my  
20 personal and professional background. I've been  
21 wearing the Navy uniform for 26 years. I've been on  
22 active duty for 21 years. I'm a career carrier  
23 aviator. I flew the A-6 Intruder and the EA6B  
24 Prowler.

25 I'm originally from Silver Springs, Maryland;  
0007

1 went to the University of Maryland.

2 I've been the Executive Officer for about a  
3 year. Before that, I was the operations officer. And  
4 before that, I was assigned to the USS Abraham Lincoln  
5 Aircraft Carrier stationed in Everett, Washington, and  
6 a year before that, another West Coast tour as an  
7 Electronic Attack Weapons Instructor. So I've been on  
8 the West Coast for almost ten years and transplanted  
9 from the East Coast, and I don't plan to back. I just  
10 like the Northwest. So that's me.

11 As Lewis stated before, you will have the

12 opportunity to make oral comments regarding the  
13 content of the environmental analysis. Written  
14 comments will be accepted tonight and throughout the  
15 public comment period, which closes on February 11,  
16 2009.

17 The Northwest Training Range Complex is a  
18 military training area that has been in use by the  
19 Navy since World War II. It is comprised of two  
20 primary components: The offshore component -- the  
21 offshore area and the inshore area.

22 The mission of the Northwest Training Range  
23 Complex is to serve as the principal backyard training  
24 range for those units homeported in the Pacific  
25 Northwest area, including surface ship, submarine,

0008

1 aviation and Explosive Ordnance Disposal units located  
2 at Naval Air Station Whidbey Island, Naval Station  
3 Everett, Puget Sound Naval Shipyard, Naval Base  
4 Kitsap-Bremerton and Naval Base Kitsap-Bangor.

5 The Range Complex also supports military  
6 units from outside the range complex area, such as  
7 Naval Special Warfare units.

8 The Range Complex includes ranges, training  
9 areas and air space that extend west to 250 nautical  
10 miles beyond the coast of Washington, Oregon and  
11 Northern California and east to the Washington/Idaho  
12 border.

13 The offshore component of the Range Complex  
14 encompassed 122,400 square nautical miles of air,  
15 surface and subsurface ocean training areas. The  
16 inshore component includes about 875 acres of land on  
17 Whidbey Island and Indian Island, more than 12,000  
18 square nautical miles of special use airspace, and  
19 surface and subsurface training areas within the Puget  
20 Sound.

21 Military activities currently conducted in  
22 the Northwest Training Range Complex can be divided  
23 into the primary mission areas listed here.

24 To accomplish its mission in the Pacific  
25 Northwest, it is critical for the Navy to maintain and  
0009

1 operate the necessary facilities and to provide these  
2 critical training areas to U.S. Navy commands so that  
3 forces can train realistically.

4 Realistic training ensures U.S. Navy  
5 personnel maintain the highest level of readiness and  
6 capability and is the single greatest asset the  
7 military has in preparing and protecting American  
8 service men and women to defend the nation. There is  
9 no such thing as routine training when it comes to  
10 practicing combat skills.

11 To ensure Navy forces are fully ready prior  
12 to deployments requires specialized ranges where  
13 military personnel can learn, through practical  
14 hands-on experience, the technical skills necessary to  
15 effectively plan and conduct operations. Continuing  
16 technological advancements also require more complex

17 and varied testing and training scenarios to be able  
18 to combat new threats.

19 The ranges, facilities and installations of  
20 the Northwest Training Range Complex are unique and  
21 provide training opportunities essential for the  
22 safety and readiness of military personnel and the  
23 success of the military mission.

24 Environmental stewardship is a priority goal  
25 of the Navy during mission training activities.

0010

1 The Navy is committed to protecting the  
2 physical and natural environment and has established a  
3 successful track record of environmental stewardship  
4 while completing our mission.

5 To accomplish our environmental stewardship  
6 goals, the Navy implements protective measures on land  
7 and at sea to reduce potential effects to the  
8 terrestrial and marine environment and ensure public  
9 safety and accessibility.

10 I will now turn the presentation over to John  
11 Mosher from the U.S. Pacific Fleet who will tell you  
12 about the Navy's Proposed Action for the Northwest  
13 Training Range Complex and give you an overview of the  
14 Draft EIS and the environmental analysis process.

15 MR. MOSHER: Thank you, Commander.

16 My name is John Mosher, and I am the project  
17 manager for the Northwest Training Range Complex EIS.  
18 I am here tonight to give you an overview of the  
19 findings contained in the Draft EIS.

20 The Draft EIS was prepared by the U.S. Navy  
21 to comply with both the National Environmental Policy  
22 Act, or NEPA, and Executive Order 12114, which  
23 requires federal agencies to consider the  
24 environmental effects of their activities that occur  
25 outside of territorial waters. The Draft EIS

0011

1 represents compliance with these environmental  
2 statutes and is an important part of the Navy's  
3 overall commitment to environmental stewardship as it  
4 tests and trains.

5 The Navy is the lead agency for the EIS. The  
6 National Marine Fisheries Service is a cooperating  
7 agency, in addition to their role as a regulator. As  
8 a cooperating agency, they provide early review of the  
9 proposed action, alternatives and analysis methods.  
10 As a regulator, they help ensure that the EIS and the  
11 Proposed Action are in full compliance with  
12 environmental laws and regulations.

13 This slide lists the actions that the Navy is  
14 proposing to conduct that are analyzed in the Draft  
15 EIS. Not all of the actions are included in each  
16 alternative. Over the next three slides, I will  
17 discuss which actions are included in each  
18 alternative.

19 The Proposed Action is needed to provide a  
20 training environment consisting of ranges, training  
21 areas and range instrumentation, with the capacity to

22 fully support required training tasks for operational  
23 units and military schools. The Proposed Action  
24 supports the overall Navy mission as required by  
25 federal law.

0012

1 Under the No Action Alternative, training and  
2 testing activities would continue at current levels.  
3 This alternative would not accommodate increased or  
4 new training activities, and range investments and  
5 enhancements would not be implemented.

6 The No Action Alternative provides a baseline  
7 for assessing the potential environmental effects of  
8 the other alternatives.

9 Alternative One is a proposal designed to  
10 meet Navy and Department of Defense near-term training  
11 requirements.

12 This alternative includes an increase in  
13 training activities currently conducted and  
14 accommodates force structure changes associated with  
15 the introduction of new weapon systems, vessels and  
16 aircraft. These include the EA-18G Growler Aircraft,  
17 SSGN Guided Missile Submarine, P-8A Multimission  
18 Maritime Aircraft and Unmanned aerial systems.

19 Alternative Two is also designed to meet  
20 current and near-term training requirements.

21 It includes all activities identified under  
22 Alternative One, plus an increase in the level of  
23 training activities identified in Alternative One. In  
24 addition Alternative Two provides for the  
25 implementation of range enhancements including: New

0013

1 air and sea surface targets, the operation of air  
2 target services for locally-based aircraft and  
3 vessels, the development of an additional electronic  
4 signal emitter, the development of an underwater  
5 training minefield, and use of a portable undersea  
6 tracking range.

7 Alternative Two is the Navy's preferred  
8 alternative because it fully supports the type and  
9 frequency of activities required to achieve complete  
10 fleet readiness and carry out its mission in the  
11 Northwest Training Range Complex.

12 In preparing the Draft EIS, the Navy  
13 evaluated the potential effects of the alternatives to  
14 marine, terrestrial and human environment.

15 We have taken a comprehensive approach in  
16 assessing the potential effects to physical,  
17 biological and socioeconomic resources.

18 We encourage you, if you haven't already, to  
19 review the Draft EIS which presents the findings of  
20 the Navy's environmental analysis for each of these  
21 resource areas.

22 The Navy's use of active sonar and explosives  
23 puts sound into the marine environment. While  
24 preparing the EIS, Navy scientists analyzed the  
25 potential effects of sound in the water to marine

0014

1 life, including marine mammals, sea turtles, fish,  
2 seabirds and marine invertebrates.  
3 The method for determining potential sound  
4 exposures to a marine animal was jointly developed by  
5 Navy and the National Marine Fisheries Service, and  
6 represents the best currently available science.  
7 Marine mammal species have widely varying  
8 sensitivities to sound based on frequency. This is a  
9 reflection of how different species have evolved to  
10 cope with life in marine environment, including  
11 differences in size, prey, habitats, and the predators  
12 they try to avoid.  
13 Using the five general steps listed here, the  
14 Navy was able to calculate the number of potential  
15 marine animal exposures to sound from active sonar and  
16 explosives. Section 3.9 of the Draft EIS provides the  
17 results from the computer model as it relates to  
18 potential exposures to marine animals.  
19 Marine mammal sensitivity was determined by  
20 biologists from the National Oceanic and Atmospheric  
21 Administration, and that information was entered into  
22 the computer model. Marine animals can react  
23 differently to sounds. For example, the harbor  
24 porpoise found off the coast is very skittish.  
25 Therefore, sounds at a lower volume will cause them to  
0015  
1 startle much sooner than other cetaceans.  
2 While there is the possibility for non-lethal  
3 impacts and the altered behavior from the use of  
4 active sonar and sound associated with explosives, no  
5 mortality to marine mammals is anticipated. In  
6 addition, the estimation of sound exposures does not  
7 consider the use of protective measures, such as sonar  
8 safety zones, which would reduce the likelihood of  
9 exposures at the highest sound levels.  
10 No significant impact to sea turtles, fish or  
11 seabirds or marine invertebrates are anticipated from  
12 active sonar use.  
13 The use of explosives in Navy activities may  
14 result in injury or mortality to individual fish or  
15 seabirds in the immediate area or training; however,  
16 these activities would not result in significant harm  
17 to overall bird or fish populations or habitat.  
18 Given the relatively low number of explosive  
19 detonations associated with the Proposed Action, no  
20 significant impacts to marine invertebrates are  
21 anticipated. Also, the low occurrence of sea turtles  
22 in the Range Complex area makes the potential for  
23 significant impacts to sea turtles unlikely.  
24 The Navy does not expect to harm marine  
25 mammal populations, but it does recognize that there  
0016  
1 may be potential effects to individual marine mammals.  
2 To help guard against harming individual  
3 whales or other marine mammals during training, the  
4 Navy has developed protective measures, including:  
5 Posting a minimum of three well-trained lookouts 24

6 hours per day, conducting aerial sweeps of training  
7 areas used during air operations, establishing safety  
8 zones during training exercises using mid-frequency  
9 active sonar. Sonar is powered down if a marine  
10 mammal enters the 1,000-yard safety zone, and sonar is  
11 powered off if a marine mammal enters within 200 yards  
12 of the sonar dome.  
13 The Navy also coordinates with the National  
14 Marine Fisheries Service and reports marine mammals  
15 sited during major exercises.  
16 Over the past five years, the Navy has funded  
17 more than 100 million dollars in marine mammal  
18 research.  
19 A summary of the findings of the Draft EIS  
20 are presented here, using language required by  
21 environmental regulations.  
22 For most of the resources analyzed in the  
23 Draft EIS, we found no significant impacts. In your  
24 review of the Draft EIS, the four areas you may want  
25 to examine in more detail for species that may be  
0017  
1 affected by the Proposed Action are endangered  
2 species-listed fish, sea turtles, marine mammals and  
3 bird species.  
4 The Navy is in consultation with the National  
5 Marine Fisheries Service and the U.S. Fish and  
6 Wildlife Service to ensure the effects to endangered  
7 or threatened species are minimized.  
8 The Range Complex EIS also analyzed the  
9 potential effects of Navy training on the human  
10 environment. The resource areas and issues are  
11 analyzed include: Cultural resources, traffic,  
12 socioeconomics, environmental justice and the  
13 protection of children, and public safety.  
14 The findings in the EIS show that no  
15 significant impacts to the human environment are  
16 likely from the implementation of the Proposed Action.  
17 In addition, the Navy has initiated  
18 consultations with federally recognized Native  
19 American Tribes in the Northwest Training Range  
20 Complex area.  
21 In addition to complying with NEPA, the Navy  
22 also complies with other applicable federal  
23 environmental laws, including those listed here and  
24 all other applicable laws and regulations.  
25 The Navy has completed the first three steps  
0018  
1 of the NEPA process, and we are now in the phase  
2 providing for public review of the Draft EIS. To  
3 review the progress so far: The EIS was initiated on  
4 July 31, 2007, and the Navy held public scoping  
5 meetings in Washington, Oregon and Northern California  
6 in September 2007.  
7 Government agencies, organizations and the  
8 public were encouraged to submit comments at the  
9 scoping meetings or to provide written comments  
10 throughout the public comment period. The comments

11 received were considered in the preparation of the  
12 Draft EIS that we've discussed here tonight.  
13 We are now in the public hearing and  
14 documentation review step of the NEPA process. This  
15 phase is an essential parts of the NEPA process,  
16 because it allows the public to review the document  
17 and comment on the Navy's analysis of environmental  
18 effects.  
19 We encourage you to provide your input by  
20 February 11th so it may be considered for  
21 incorporation during the development of the final EIS.  
22 All comments received will be considered.  
23 The Navy is committed to keeping the  
24 community informed throughout the continued  
25 development of the Northwest Training Range EIS.

0019

1 These public hearings are just one of many  
2 opportunities to share information about the EIS and  
3 more importantly, to encourage your feedback and  
4 comments.

5 I will now turn over to Lewis Michaelson to  
6 describe how to obtain more information and how to  
7 comment on the Draft EIS.

8 MODERATOR MICHAELSON: Thank you.  
9 In addition to holding these public hearings,  
10 the Navy has established a Web site to make it easy  
11 for you to find and comment on environmental  
12 documents. The Draft EIS is posted to the Web site.  
13 The Web site also has additional background  
14 information and links to the fact sheets that are  
15 available here tonight.

16 You can also review the Draft EIS and other  
17 publicly available documents related to the Training  
18 Range Complex EIS by visiting the designated  
19 information repositories. The addresses of these  
20 repositories are provided in the fact sheet you can  
21 see tonight. Both the information repositories and  
22 the project Web site contain project documents, fact  
23 sheets and background information for you to review.

24 The Navy welcomes your review and input on  
25 the analysis contained in the Draft EIS, and there are  
0020

1 several ways for you to submit comments. Obviously,  
2 we are accepting oral comments tonight immediately  
3 after this presentation.

4 In addition, written comments can be  
5 submitted by filling out a comment form and either  
6 dropping it in the drop box located at the  
7 registration table or mailing it to the address  
8 provided here, which is also listed on the fact sheet.

9 Comments may also be submitted via the  
10 project Web site at [www.NWTRangeComplexEIS.com](http://www.NWTRangeComplexEIS.com). That  
11 address is also on the fact sheet.

12 Keep in mind, comments must be received by  
13 February 11th, 2009, to be considered in the Final  
14 EIS.

15 We will now begin the oral comment portion of

16 the public hearing.

17 To ensure that we get an accurate record of  
18 what you have to say, and so the court reporter can  
19 capture it, please help me by respecting the following  
20 ground rules: First, please speak clearly and slowly  
21 into the microphone over at the lectern to my left,  
22 starting with your name and any organization you  
23 represent, if that applies.

24 Secondly, each person, as we have in all of  
25 our other four hearings that we've held, this is our  
0021

1 fifth and last hearing, will be allotted four minutes  
2 to speak. Depending on the number of speakers, and we  
3 know that's a fairly short list tonight, there will be  
4 a second opportunity as well, if you'd like to come  
5 back for a second helping.

6 Third, if you have prepared a written  
7 statement, you may turn it in at the registration  
8 table or you may read it out loud if you can do so  
9 within the four-minute time limit.

10 Finally, please honor the request that I make  
11 for you to stop speaking. In order to make it easy  
12 for you to know when your four minutes will be up, I  
13 will hold up this sign when you have thirty seconds  
14 left in your four minutes (indicating), and it will  
15 enable you to find a comfortable place to wrap it up.  
16 And that will be the sign you will see when you've  
17 reached the four-minute time limit (indicating).

18 With that, we are now ready to begin calling  
19 speakers.

20 At this point, I believe I have one card.  
21 And so Patrick Higgins, if you would give us the  
22 honor. Step up to that microphone and again all you  
23 need to do is state your name. Appreciate it.

24 MR. PATRICK HIGGINS: My name's Pat Higgins.  
25 MODERATOR MICHAELSON: Go ahead. We had to  
0022

1 adjust it. It's on. We can hear you.

2 MR. PATRICK HIGGINS: Okay. I'm an elected  
3 official. I'm with the Humboldt Bay Harbor Recreation  
4 and Conservation District. We concern ourselves not  
5 just with development and health of the bay and  
6 recreational opportunities but also with fisheries  
7 near shore. So we've been working with the State of  
8 California and the Ocean Protection Council here to  
9 try to get them to better assess rock fish  
10 populations out here so that we aren't shut off from  
11 fishing for conservation reasons when in fact there is  
12 no need.

13 This -- my interest here this evening is in  
14 marine mammals. We have four submarine canyons here  
15 from the Trinity Canyon to the Eel River Canyon off --  
16 directly offshore here -- to the La Gorda Canyon and  
17 the Mendocino Canyon, so that's very, very  
18 extraordinary rich area in the ocean. And, therefore,  
19 also very, very well populated with marine mammals of  
20 all different types.

21 And I'm going to register concerns about,  
22 you know, when those exercises would be conducted  
23 because of the frequency of use and the richness of  
24 the biological fauna offshore here and in near-shore  
25 areas. We have, you know, thousands of ten thousands

0023  
1 of marine mammals that are potentially affected. And  
2 I'm a little concerned that you want to reserve the  
3 right to train anywhere in this geographic area when  
4 in fact I would think that maybe some of these areas  
5 should be off limits because there's too great a risk  
6 and mitigations still may not be sufficient in terms  
7 of major disruptions to these populations.

8 I need to study this question more.  
9 I'm surprised there aren't more people here,  
10 though, because I think that there is a substantial  
11 disfavor in this community as a whole with the  
12 inordinate amount of money we're spending on the  
13 military. And we think that at some point there  
14 should be some reconsideration because certainly  
15 there's risk, but if we live in a fear-based culture,  
16 we may bankrupt ourselves with these military  
17 expenditures if they're unlimited.

18 Also, we're troubled by the Supreme Court's  
19 decision that you guys set precedent over whether or  
20 not the Endangered Species Act is enforced.

21 I'm here tonight to see that this is properly  
22 mitigated and trust that we can negotiate here with  
23 you and make sure that it doesn't have undue harm on  
24 our local resources.

25 But the question here, too, is, you know, we

0024  
1 can always trump the Endangered Species Act by saying,  
2 There's a dire need because, otherwise, we're going to  
3 be attacked and, you know, I -- I think if we live in  
4 a fear-based culture, it won't lead to enrichment  
5 necessarily or longevity.

6 The last part was just Pat Higgins. That  
7 wasn't anything to do with the Harbor District. I  
8 wasn't representing anyone but myself.

9 MODERATOR MICHAELSON: Thank you.

10 Anyone else who's been inspired to come up  
11 and speak tonight?

12 MR. PATRICK HIGGINS: Aren't you glad I came?

13 MODERATOR MICHAELSON: That was your full  
14 four minutes. If you've got anything else to say, I  
15 think it's time for a second helping. If not, I think  
16 we'll go into recess.

17 MS. MARY BAWDEN: I have one.

18 THE MODERATOR: Would you like to come up?

19 Sure. Go ahead.

20 I do need to have you come up to the  
21 microphone. We'll have you fill out a card  
22 afterwards. How's that?

23 All right.

24 MS. MARY BAWDEN: Thanks for coming tonight  
25 to the Navy.

0025

1 My name's Mary Bawden, and I am -- I live  
2 here in Eureka. And I've worked 29 years at DMV. I  
3 worked a few years at Fish and Game just as a clerk,  
4 but I just -- I guess I'm just curious: Has there  
5 been any -- any studies that show that this type of --  
6 you know, the ordnance and blowing up things, does  
7 that cause -- anything like those dead zones that you  
8 hear about places where, you know, nothing -- nothing  
9 lives.

10 And I was just wondering if there's any -- if  
11 there's any -- if there's any correlation there  
12 between a lot of, you know, bombs and stuff and just  
13 where, you know, there's no fish anymore, just --  
14 something like that.

15 That is my question.

16 MODERATOR MICHAELSON: Thank you very much  
17 for your comments.

18 MS. MARY BAWDEN: Okay. Thank you.

19 MODERATOR MICHAELSON: And anyone else who  
20 would like to come up for the first time?

21 Anyone else for the second time?

22 Go ahead. Give us your name.

23 MR. PATRICK HIGGINS: Pat Higgins coming back  
24 for the second time.

25 Some lethal effects -- you know, if we don't

0026

1 radio tag these marine mammals -- I guess I'll have to  
2 dig into -- it's a hundred million dollars' worth of  
3 studies that you guys have done. Is that all public?

4 I'd like to read to see whether you got  
5 marine mammals tagged because you can -- just because  
6 you don't kill them, doesn't mean you're not  
7 disrupting social behaviors and therefore,  
8 inordinately affecting their ability to reproduce  
9 which then ultimately has the same effect on a  
10 population level and not on an individual level.

11 So I'm very concerned about disruption of  
12 social grouping and behavioral patterns because these  
13 things have tried and true, tested patterns that have  
14 worked for millions of years, and, if you knock them  
15 out of their with sound, then they're no longer in the  
16 environment with which they go along.

17 MODERATOR MICHAELSON: Thank you, very much.

18 We'll go into recess. And the people  
19 staffing stations will go back there, see if there's  
20 any other individual questions that they can answer  
21 for you.

22 Thank you very much.

23 (At 7:35 p.m., a recess was taken.)

24 MODERATOR MICHAELSON: Okay. We're going to  
25 go back on the record here.

0027

1 We have another member of the public to  
2 present himself who would like to make a comment,  
3 so we'll dispense with most of the formalities here  
4 except that -- to explain we do have a consistent

5 way of taking comments. We allow four minutes for  
6 everybody, and -- but we also allow second helpings.  
7 This might seem a little perfunctory, but  
8 we'll just go through it to make sure it's consistent  
9 with all the hearings. At three and a half minutes,  
10 I'll hold up this sign letting you know you have  
11 thirty seconds left (indicating). And then when you  
12 get to four, I'll hold up this one (indicating).  
13 And then I'll ask if anyone else has any  
14 comments, if not, I'll give you another four  
15 minutes.  
16 So that's how we'll do it.  
17 So give us your name.  
18 MR. GORDON ANDERSON: My name's Gordon  
19 Anderson. I've lived here locally for the last 35  
20 years.  
21 And I'm just very concerned about -- in this  
22 assessment of whether this is environmentally  
23 positive. I'm very concerned for the marine mammals  
24 and the sonar relationship to them because of -- it's  
25 known that there -- it's very highly likely -- there's  
0028  
1 correlation with the use of it and beaching and the  
2 death of many whales.  
3 So after talking with the gentleman here, he  
4 -- your placement of the -- your stance is that you're  
5 studying it. You're concerned that mammals and all.  
6 I -- one thing that comes to me is that I  
7 would like to see good, good records of the times and  
8 intensities of the use of the sonar so that if  
9 something does happen, it's detectable -- that there  
10 could be correlations of it would be usable and  
11 documentation of the science of it and the  
12 connection.  
13 I know you guys are going to do what you're  
14 going to do, but it would be nice if it was, you  
15 know -- the rest of the animals on this planet are  
16 more important than our national security, which is  
17 being used to take away safeguards of late, so --  
18 by the Supreme Court -- so I'm just very concerned  
19 with the marine mammals, and that's longevity.  
20 I hope that you'll take that into  
21 consideration, the documentation and making it so it  
22 is available so that it could be used -- not just  
23 certain testing at certain times.  
24 Okay. That's it.  
25 MODERATOR MICHAELSON: All right. Thank you  
0029  
1 very much.  
2 I think we are officially adjourned at  
3 eight-fourteen.  
4 Thank you.  
5 (The proceedings were concluded at 8:14 p.m.)  
6  
7  
8  
9

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
0030  
1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF HUMBOLDT )  
4  
5  
6 I, Marlene A. Ragain, Certified Shorthand  
7 Reporter No. 11343 for the State of California, do  
8 hereby certify:  
9 That said hearing was taken down by me in  
10 shorthand at the time and place therein named and  
11 thereafter reduced to typewriting under my direction  
12 and the same is a true, correct and complete  
13 transcript of said proceedings.  
14 I further certify that I am not interested in  
15 the outcome of the action.  
16 Witness my hand this 20th of February,  
17 2009.  
18  
19  
20  
21  
22  
23  
24  
25  
MARLENE A. RAGAIN, Certified  
Shorthand Reporter No. 11343  
for the State of California

	022609 navy hearing	1
1	NORTHWEST TRAINING RANGE COMPLEX	
2	DRAFT ENVIRONMENTAL IMPACT STATEMENT/ OVERSEAS ENVIRONMENTAL IMPACT STATEMENT	
3		
4		
5	PUBLIC HEARING	
6	AND	
7	PUBLIC COMMENT SESSION	
8		
9	TRANSCRIPT OF PROCEEDINGS	
10	Volume I --- Pages 1 - 57	
11		
12	DATE: February 26, 2009	
13	TIME: 7:00 - 8:30 p.m.	
14	LOCATION: Tillamook County Fairgrounds Auditorium 4603 E. 3rd Street Tillamook, Oregon 97141	
15		
16		
17	MODERATOR: Commander Sherry King	
18		
19		
20		
21		
22		
23		
24	REPORTED BY: KATHERINE SHELLEY SHORTHAND REPORTER	
25		
		2
1	P R O C E E D I N G S I N D E X	
2		PAGE
3	OPENING REMARKS Commander Sherry King.....	3
4	U.S. NAVAL AIR STATION WHIDBEY ISLAND PRESENTATION Captain Gerral David.....	6
5		
	Page 1	

	022609 navy hearing	
6	PROJECT MANAGER'S PRESENTATION John Mosher.....	11
7		
8	PUBLIC TESTIMONY INTRODUCTION Commander Sherry King.....	19
9	PUBLIC TESTIMONY	
10	Linda Buell.....	23, --
11	Edna Kenney.....	24, --
12	Robert Kenney.....	25, --
13	Lorraine Vandecovering.....	26, --
14	Jim Carlson.....	27, --
15	Charlotte Mills.....	29, 52
16	Darus Peake.....	33, --
17	Rick Goche.....	34, --
18	Frank Bohannon.....	36, --
19	Linda Parks.....	39, --
20	Bruce Mate.....	40, 54
21	Garet Lavheis.....	44, --
22	Loren Goddard.....	47, --
23	Lars Robison.....	48, --
24	Terry Thompson.....	49, --
25		
		3
1	TILLAMOOK, OREGON, FEBRUARY 26, 2009, 7:07 P.M.	
2		
3	COMMANDER KING: Good evening. Thank you for	
4	coming tonight. My name is Commander Sherry King, and	
5	I'm the moderator for this hearing on the Northwest	
6	Training Range Complex draft environmental impact	
7	statement or draft EIS.	
8	The acoustics in here aren't the best, so if	
9	you can't understand me or hear us, just say so, and	
10	we'll try to do something different. Also, if you have	
11	cell phones, make sure they are turned to silent so	
	Page 2	

022609 navy hearing  
12 that people don't have to listen to your phone. That  
13 would probably be good.

14 The purpose of this hearing tonight is to  
15 receive public comments on the draft EIS. Before  
16 moving forward I would like to explain my role in this  
17 hearing. I'm a United States Navy Reservist, I'm a  
18 member of the judge advocate's court, and a military  
19 judge. I have not been involved in the development of  
20 this draft EIS, and I am not here to act as a legal  
21 adviser to the Navy or a representer of this proposal.  
22 My role as a moderator is for this to be a fair,  
23 orderly, and impartial hearing and that all who wish to  
24 be heard have the opportunity to speak.

25 Here to receive your comments tonight are <sup>4</sup>

1 Captain Gerral David, commanding officer of Naval  
2 Station Whidbey Island, and Mr. John Mosher, the  
3 project manager from the Navy sonar fleet.  
4 Ms. Kimberly Kler, the project coordinator for the  
5 Naval Facilities Engineering Command Northwest, is also  
6 present. And she is the primary point of contact for  
7 sharing your written comments about the project.

8 Let's look at the agenda for tonight.  
9 Hopefully, you all have had an opportunity to talk to  
10 the experts and program officials who were staffing the  
11 exhibits in the back of the building during the open  
12 house. The primary purpose of this portion of the  
13 hearing is for the panel to listen to your comments  
14 firsthand. They will not be answering questions during  
15 this phase of the proceedings. Comments and questions  
16 will be addressed in the final EIS.

17 After I finish this introduction, Captain

Page 3

022609 navy hearing  
18 David will give you a brief overview of the Navy's  
19 activities in the Northwest Training Range Complex.  
20 Next, Mr. Mosher will brief you on the environmental  
21 impact process and summarize the results reported in  
22 the draft EIS. Mr. Mosher is the EIS project manager  
23 for the U.S. Navy.

24 The last item on the agenda, however, is the  
25 most important. The public comment session is your <sup>5</sup>

1 opportunity to provide information and make statements  
2 for the record. Your input ensures that the  
3 decision-makers can benefit from your knowledge of the  
4 local area and the environment and any environmental  
5 effects that you think may result from the proposed  
6 action or the alternatives.

7 Keep in mind that the EIS process is intended  
8 to ensure that the decision-makers will be fully  
9 informed about the potential environmental impact  
10 associated with the various alternatives before they  
11 decide on a course of action. Please remember that  
12 comments and issues unrelated to this EIS or beyond the  
13 scope of this hearing will not be addressed.

14 If you haven't already done so, to request an  
15 opportunity to make a verbal comment, you'll need to  
16 fill out the verbal comment card. They're available at  
17 the registration desk, and it looks like this. If you  
18 could turn it into a staff person, then we'll add you  
19 to the list of speakers.

20 Every speaker including public officials,  
21 organizational spokespersons, and private individuals  
22 will have five minutes each to provide his or her  
23 comments. If you don't feel comfortable standing up

Page 4



24 there tonight to make a statement, you have until March  
25 11, 2009, to submit a written statement for

6

1 consideration in the final EIS. Or you can wait until  
2 the public comment session is over and provide your  
3 comments privately to the court reporter at the side of  
4 the room. She is over on the left side of the room  
5 here. Keep in mind that written comments are given the  
6 same consideration as the verbal comments offered here  
7 tonight.

8 Now, it is my pleasure to introduce Captain  
9 Gerral David.

10 CAPTAIN DAVID: Thank you. Welcome to the  
11 public hearing for the Northwest Training Range Complex  
12 draft environmental impact statement. My name is  
13 Captain Gerral David. I'm the commanding officer of  
14 Naval Air Station Whidbey Island. I want to thank you  
15 on behalf of the United States Navy for attending this  
16 evening.

17 This is one of about six public hearings that  
18 the Navy has held in Washington, Oregon, Northern  
19 California for the Northwest Training Range Complex  
20 draft EIS. As Commander King mentioned, we hope you  
21 had the chance to visit and meet with the Navy project  
22 team.

23 I became commanding officer of Naval Air  
24 Station Whidbey Island in July 2007. As commander of  
25 the Navy's sole aviation installation in the Pacific

7

1 Northwest, I'm responsible for providing the shore  
2 infrastructure that ensures the people and aircraft of  
3 thirteen electronic attack air squadrons, five patrol  
4 squadrons, two fleet air squadrons, one fleet logistics

5 squadron, and two helicopter search and rescue  
6 attachments are ready for deployment to fight in our  
7 nation's war.

8 So you've got a little personal background on  
9 me, I'm a P-3 Naval flight officer with about 3,300  
10 flight hours, so I've done a whole bunch. I've been  
11 deployed worldwide on the squadron. I was in the  
12 commander squadron in Hawaii. I was in the squadron  
13 when 9/11 happened, and I have crews that have flown in  
14 Afghanistan and Iraq. I had a crew that flew over the  
15 Philippines when Gracia Burnham, the missionary, was  
16 rescued. I've been around a little bit.

17 The other part of my Navy life is, my wife is  
18 an engineer and for the last fourteen years has done  
19 environmental work. Based on that background and what  
20 I've done, I want you to know, personally, I'm proud of  
21 the Navy and the Department of Defense and our  
22 environmental record and things that we do, trying to  
23 do the right thing.

24 At the conclusion of this presentation,  
25 you'll have an opportunity to make oral comments

8

1 regarding the content of the environmental analysis.  
2 Written comments will be accepted tonight and  
3 throughout the public comment period, which closes  
4 March 11, 2009. We aren't authorized to address your  
5 comments tonight, but they will be addressed in the  
6 final project.

7 I'm proud of the involvement our country  
8 played in the active role and that the issues are  
9 discussed openly. And I'm glad you all are here, even  
10 if they make me keep my mouth shut.

022609 navy hearing

11 The Northwest Training Range Complex military  
12 training area has been in use by the Navy since World  
13 War II. It is comprised of two primary components: the  
14 offshore area and the in-shore area. The mission of  
15 the Northwest Training Range Complex is to serve as the  
16 principal backyard training range for those units  
17 homeported in the Pacific Northwest area including  
18 surface ships, submarine, aviation, and explosive  
19 ordnance disposal units located at the Naval Air  
20 Station Whidbey Island, the Naval Station Everett,  
21 Puget Sound Naval Shipyard, Naval Base Kitsap at  
22 Bremerton and the Naval Base Kitsap at Bangor. The  
23 Range Complex also supports military units from outside  
24 the Range Complex area, such as Naval Special Warfare  
25 Units and their training requirements.

9

1 The Range Complex includes ranges, training  
2 areas, and air space that extends west 250 nautical  
3 miles beyond Washington, Oregon, and Northern  
4 California and east to the Washington/Idaho border.  
5 The offshore component of the Range Complex encompasses  
6 122,400 square nautical miles of air, surface, and  
7 subsurface ocean training areas. The in-shore  
8 component includes about 875 acres of land on Whidbey  
9 Island and Indian Island, more than 12,000 square  
10 nautical miles of special-use air space as well as  
11 surface and subsurface training areas within Puget  
12 Sound.

13 I'm not going to read this list of mission  
14 areas to you, but I want you to know I've personally  
15 flown on about 70 percent in these mission areas on  
16 training flights in these ranges. I personally have  
Page 7

022609 navy hearing

17 been involved in ensuring realistic, worthwhile,  
18 effective, and basic training while mitigating  
19 environmental impacts. To accomplish its mission in  
20 the Pacific Northwest, it is critical for the Navy to  
21 maintain and operate the necessary facilities to  
22 provide these critical training areas to the U.S. Navy  
23 commands so that the forces can train realistically.

24 Realistic training ensures that U.S. Navy  
25 personnel maintain the highest level of readiness and  
10

1 capability and is the single greatest asset that the  
2 military has in preparing and protecting the servicemen  
3 and women who defend our nation. There is no such  
4 thing as routine training when it comes to practicing  
5 combat skills. To ensure the Navy is fully ready for  
6 deployment requires specialized ranges for military  
7 personnel to learn through practical hands-on  
8 experience the technical skills necessary to  
9 effectively plan and conduct operations. Continuing  
10 technological advances also require more complex and  
11 varying testing and training scenarios to be able to  
12 combat new threats.

13 The Range's facilities and installations in  
14 the Northwest Training Range Complex are unique and  
15 provide training opportunities essential for the safety  
16 of military personnel, the success of the military  
17 mission, and the security of the United States. That  
18 allows us to have meetings like this one.

19 Environmental stewardship is a priority goal  
20 to the Navy during mission-training activities. We  
21 live here, too. It matters to us. The Navy is  
22 committed to protecting the physical and natural  
Page 8

022609 navy hearing

23 environment and has established a successful track  
24 record of environmental stewardship while completing  
25 our mission. To accomplish our environmental

11

1 stewardship goals, the Navy implements protective  
2 measures on land and sea to reduce potential effects to  
3 terrestrial and marine environment and ensure public  
4 safety and accessibility.

5 Now, I will turn over the presentation to  
6 John Mosher from the U.S. Pacific Fleet who will tell  
7 you about the Navy's proposed actions for the Northwest  
8 Training Range Complex and give you an overview of the  
9 draft EIS and the environmental analysis process.

10 MR. MOSHER: Thank you, Captain. My name is  
11 John Mosher, and I'm the project manager for the  
12 Northwest Training Range Complex. I'm the Pacific  
13 fleets' liaison to the Northwest and the environmental  
14 area. I'm here tonight to give you the overview and  
15 the findings of the draft EIS.

16 The draft EIS was prepared by the U.S. Navy  
17 to comply with both the National Environmental Policy  
18 Act, or NEPA, and Executive Order 12114, which requires  
19 federal agencies to consider the environmental effects  
20 of their activities that occur outside the U.S.  
21 territorial waters.

22 The draft EIS represents compliance with  
23 these environmental statutes and is an important part of  
24 the Navy's overall commitment to environmental  
25 stewardship as it tests and trains. The Navy is the

12

1 lead agency for the EIS, and the National Marine  
2 Fisheries Service is a cooperating agency, in addition

Page 9

022609 navy hearing

3 to their role as regulator. As a cooperating agency,  
4 they provide early review of the proposed action, and  
5 they provide analysis of the Navy's alternatives and  
6 its methods. As regulator, they also ensure the EIS  
7 and the proposed action are in full compliance with the  
8 environmental laws and regulations.

9 This slide lists the actions that the Navy's  
10 been proposing to conduct that are analyzed in the  
11 draft EIS. Not all the actions are included and each  
12 alternative. Over the next three slides, I will  
13 discuss which actions are included and each  
14 alternative. The proposed action is needed to provide  
15 a training environment consisting of ranges, training  
16 areas, and range instrumentation with the capacity to  
17 fully support the required training tasks for operation  
18 units and military schools. The proposed actions  
19 support the overall mission of the Navy as required by  
20 federal law.

21 Under the no-action alternative, training and  
22 testing activities will continue at current levels.  
23 This alternative will not accommodate an increase for  
24 new training activities and range investments, and  
25 enhancements will not be implemented. The no-action

13

1 alternative provides a baseline for assessing potential  
2 environmental effects of the other alternatives.

3 Alternative 1 is a proposal designed for the  
4 Navy and Department of Defense near-term training  
5 requirement. This alternative includes an increase in  
6 training activities currently conducted and  
7 accommodates force-structure changes associated with  
8 the introduction of new weapon systems, vessels, and

Page 10

022609 navy hearing  
9 aircraft. These include the EA-18G Growler Aircraft,  
10 the SSGN Guided Missile Submarine, PA-8 Multimission  
11 Maritime Aircraft, and unmanned aerial systems.

12 Alternative 2 is also designed to meet  
13 current and near-term training requirements. It  
14 includes all activities identified under Alternative 1  
15 plus an increase in the level of training activities  
16 identified in Alternative 1. In addition, Alternative  
17 2 provides for the implementation of potential range  
18 enhancements including new air and sea surface targets,  
19 the operation of air target surfaces, services for  
20 locally based aircraft and vessels, the development of  
21 additional electronic signal emitter, the development  
22 of an underwater nonexplosive training mine field, and  
23 the use of portable undersea tracking range.

24 Alternative 2 is the Navy's preferred  
25 alternative because it fully supports the training<sup>14</sup>  
1 activities required to achieve complete fleet readiness  
2 and allows the Navy to carry out its mission in the  
3 Range Complex.

4 In preparing the draft EIS, the Navy  
5 evaluated potential effects of the alternatives to the  
6 marine, terrestrial, and human environment. We have  
7 taken a comprehensive approach in assessing potential  
8 effects to physical, biological, and socioeconomic  
9 resources. We encourage you, if you haven't already,  
10 to review the draft EIS which presents the findings of  
11 the Navy's environmental analysis for each of these  
12 resource areas.

13 The Navy's use of active sonar and explosives  
14 puts sound in the marine environment. While preparing

022609 navy hearing  
15 the EIS, Navy scientists analyzed the potential effects  
16 of sound in the water to marine life, including marine  
17 mammals, sea turtles, fish, sea birds, and marine  
18 invertebrates. The method for determining potential  
19 sound exposures to marine mammals was jointly developed  
20 by the Navy and the National Marine Fisheries Service  
21 and represents the best science currently available.

22 Marine mammal species have widely varying  
23 sensitivity to sound based on frequency. This is a  
24 reflection of how different species have evolved to  
25 cope with life in the marine environment, including<sup>15</sup>

1 differences in size, prey, habitat, and the predators  
2 they try to avoid. Using the five general steps listed  
3 here, the Navy was able to calculate the number of  
4 potential marine animal exposures to sounds from active  
5 sonar and explosives. Section 3.9 of the Draft EIS  
6 provides the results of the computer model as it  
7 relates to the potential exposures to marine animals.

8 Marine mammal sensitivity was determined by  
9 biologists from the National Oceanic and Atmospheric  
10 Administration and that information was entered into  
11 the computer model. Marine animals react differently  
12 to sounds. For example, the harbor porpoise found off  
13 the coast is very skittish. Therefore, sounds at a  
14 lower-level volume will cause him to startle much  
15 sooner than other cetaceans.

16 While there is a possibility for non-lethal  
17 impacts and altered behavior from these active sonars  
18 and sounds associated with explosives, no mortality to  
19 marine animals is anticipated. In addition, the  
20 estimation of sound exposures does not consider the use

21 of protective measures such as sonar safety zones,  
22 which will reduce the likelihood of exposures to sound  
23 at the highest levels. No significant impacts of sea  
24 turtles, fish, sea birds, or marine invertebrates are  
25 anticipated from the use of active sonar.

16

1 The use of explosives may result in injury or  
2 mortality to individual fish or sea birds in the area,  
3 however, these activities would not result in  
4 significant harm to overall bird or fish populations  
5 and habitat. Given the relatively low number of  
6 explosive detonations associated with the proposed  
7 action, no significant impacts to marine invertebrates  
8 are anticipated. The low occurrence of sea turtles in  
9 the Range Complex area makes the potential for  
10 significant impacts to the sea turtles unlikely.

11 The Navy does not expect to harm marine  
12 mammal populations, but does recognize that there may  
13 be potential effects to individual marine animals. To  
14 help guard against harm to whales or other mammals  
15 during training, the Navy has developed protective  
16 measures, including posting a minimum of three  
17 well-trained lookouts 24 hours a day, conducting aerial  
18 sweeps of the training area during air operations,  
19 establishing a sonar safety zone during training  
20 exercises, and using mid-frequency active sonar.

21 In this situation, the sonar is powered down  
22 if the marine mammal enters the 1,000-yard safety zone  
23 and sonar is powered off if the marine mammal enters  
24 within 200 yards of the sonar dome. The Navy also  
25 coordinates with the National Marine Fisheries Service

17

1 and reports marine mammals sighted during major

2 exercises.

3 Over the past five years, the Navy has spent  
4 over \$100 million in marine mammal research. Some of  
5 the findings of the draft EIS are presented here using  
6 language required by environmental regulations. For  
7 most of the resources analyzed in the draft EIS, we  
8 found no significant impacts.

9 In your review of the draft EIS, the four  
10 areas you may want to examine in more detail for  
11 species that may be affected by the proposed actions  
12 include endangered species of fish, sea turtles, marine  
13 mammals, and bird species. The Navy is in consultation  
14 with the National Marine Fisheries Service and the U.S.  
15 Fish and Wildlife Service to ensure the effects to  
16 endangered or threatened species are minimized.

17 The Range Complex EIS also analyzed the  
18 potential effects of Navy training on the human  
19 environment. This resource area analysis included  
20 cultural resources, traffic, socioeconomics,  
21 environmental justice in the protection of children,  
22 and public safety. Although there is no potential  
23 for -- although there is potential for negative  
24 economic impacts from implementation of the undersea  
25 tracking range and the undersea explosive mine fields,

18

1 the findings in the EIS show that no significant  
2 impacts to the human environment are likely from the  
3 implementation of the proposed action.

4 In addition, the Navy has initiated  
5 consultations with federally recognized Native American  
6 tribes in the Northwest Training Range area. In  
7 addition to complying with NEPA, the Navy also complies

022609 navy hearing

8 with other applicable federal and environmental laws  
9 including those listed here and all other applicable  
10 laws and regulations.

11 The Navy has completed the first three steps  
12 of the NEPA process and is now in the phase for  
13 providing public review and comments of the draft EIS.  
14 To review progress so far, the EIS was initiated on  
15 July 31, 2007, and held public scoping meetings in  
16 Washington, Oregon, and Northern California in  
17 September of 2007. Government agencies and  
18 organizations and the public were encouraged to submit  
19 comments at the scoping meetings or provide brief  
20 written comments throughout the public comment period.  
21 The comments received were considered in the  
22 preparation of the draft EIS that we discussed tonight.

23 We are now in the public hearing and document  
24 review step of the NEPA process. This phase is an  
25 essential part of the NEPA process because it allows  
19

1 the public to review the document and comment on the  
2 Navy's analysis of the environment effects. We  
3 encourage you to provide your input by March 11th so it  
4 can be considered in appropriation in the development  
5 of the final EIS. All comments received will be  
6 considered.

7 The Navy is committed to keeping the  
8 community informed throughout the continued development  
9 of the Northwest Training Range Complex EIS. These  
10 public hearings are just one of many opportunities to  
11 share information about the EIS and more importantly to  
12 produce your feedback and comments.

13 I'll now turn you back to Commander King to  
Page 15

022609 navy hearing

14 describe how to obtain more information and how to  
15 comment on the draft EIS. Thank you.

16 COMMANDER KING: Thank you. In addition to  
17 holding these public hearings, the Navy has established  
18 a website to make it easy for you to find and comment  
19 on the environmental documents. The draft EIS is  
20 posted on the website. The website also has additional  
21 background information and links to the fact sheets  
22 that are available here tonight.

23 You may also review the draft EIS and other  
24 publically available documents related to the Northwest  
25 Training Range Complex EIS by visiting the designated  
20

1 information repositories. The addresses of the  
2 repositories are listed in the NEPA progress and  
3 community involvement fact sheet that I think most of  
4 you got. We've also sent the information to an  
5 additional repository. Those additional repositories  
6 are listed on the website. Both the information  
7 repositories and the project website contain project  
8 information and background information for you to  
9 review.

10 The Navy welcomes your comments and input  
11 into the analysis containing the draft EIS, and there  
12 are several ways for to you submit your comments.  
13 First and foremost, we will be accepting your comments  
14 here tonight immediately after this presentation.  
15 Written comments can be submitted by filling out a  
16 comment form and either dropping it off here tonight at  
17 the registration table or mailing it to the address  
18 provided to the form. Comments may be submitted via  
19 the website at [www.NWTRangeComplexEIS.com](http://www.NWTRangeComplexEIS.com). The address  
Page 16

20 is there on the screen and it is also in the fact sheet  
21 that you picked up tonight. All comments must be  
22 received by March 11, 2009 to be considered in the  
23 final EIS.

24 We will now begin the public comment portion  
25 of this hearing. If there is anybody that did not fill  
21

1 out one of these comment sheets, but would like to make  
2 an oral comment, please raise your hand and we can get  
3 you a form.

4 We have a stenographer here tonight who will  
5 report each speaker's comments. To ensure she gets it  
6 accurately, if you would please speak clearly into the  
7 microphone provided and speak one person at a time. At  
8 the start of your comments please state and spell your  
9 name so the court reporter can record it accurately.  
10 If you are reading from a document, please read slowly  
11 and clearly. If you provide us with a copy of that  
12 written statement, that will ensure that it's accurate  
13 when it's reported.

14 Each person will be allotted five minutes to  
15 speak. Depending on the number of speakers and the  
16 time remaining in this public hearing, I may be able to  
17 offer individuals a second opportunity to speak.

18 Third, if you have prepared a written  
19 statement and you would like to turn it in instead of  
20 reading it out loud, you can do that. Or you can also  
21 read it out loud if you can do so within the  
22 five-minute time limit.

23 And, finally, I ask please honor any request  
24 I make for you to stop speaking when you have reached  
25 the five-minute time limit. I have some cards that I  
Page 17

1 will hold up. They may be kind of hard to see when  
2 you're speaking, but the green is one minute left,  
3 yellow is thirty seconds left, and when I hold up the  
4 red sign, had means your five minutes are up. I would  
5 ask that you finish at that time and take your seat so  
6 the next person can make their comments.

7 If you still have more to say, the court  
8 reporter will be here afterwards and you can privately  
9 give her the information and she'll take it down for  
10 you, write it down. All comments are considered,  
11 however made, as long as they are given by March 11th.  
12 Keep in mind the written comments are given the same  
13 consideration as verbal comments. So if you really do  
14 have something to say and don't want to say it publicly  
15 tonight, certainly feel free to take one of those forms  
16 with you or fill it out here or go to the website.

17 Do you have a question?

18 UNIDENTIFIED SPEAKER: Is there going to be a  
19 question-and-answer period at all?

20 COMMANDER KING: If there is time afterwards  
21 and you would like to talk to some of the people here,  
22 but there is not a public question-and-answer session  
23 during this portion. This portion is for you to give  
24 your comments to the Navy officials. Those questions  
25 will be reviewed and commented on in the final EIS.  
23

1 Now, for all of those people who have signed  
2 up to speak, have completed their comments before our  
3 meeting ends at 8:30, a second opportunity will be  
4 given to those who wish to do so a second time. And at  
5 that time, once we reach 8:30, we will adjourn.

6 022609 navy hearing  
Before I start taking comments from the  
7 public, I want to offer public officials or  
8 representatives of public officials an opportunity to  
9 make a comment, if you wish. Are there any public  
10 officials or representatives of public officials who  
11 wish to make a comment?  
12 UNIDENTIFIED SPEAKER: I'll take my turn with  
13 everybody else.  
14 COMMANDER KING: We'll start with Linda  
15 Buell.  
16 MS. BUELL: My name is Linda Buell, L-i-n-d-a  
17 B-u-e-l-l. I represent the Fisherman's Advisory Group  
18 for Tillamook. And I'd like to thank the Navy for  
19 coming here tonight and giving us the opportunity to  
20 ask questions.  
21 You answered almost all my questions. I have  
22 one comment to make, and that would be, if you're in  
23 our area and going to deploy ships, that they don't  
24 affect fishermen very much. Did you contact, perhaps,  
25 the Oregon Department of Fish and Wildlife and the  
24  
1 local fishermen's committees up and down the coast.  
2 There is a fishermen's committee in Newport and so  
3 forth, to ask about our seasons? As an example, we  
4 have a halibut season that is only about twelve days in  
5 the spring. If you were going to do some activities on  
6 those days and didn't let us get out for halibut, that  
7 would cost a significant part of our wage. That is the  
8 only comment that I have to make. Thank you. I'm  
9 sorry, I should add that there are other seasons, too,  
10 so that is why you should contact the local agencies.  
11 COMMANDER KING: Thank you very much. The

12 022609 navy hearing  
next speaker I have is Mick Buell.  
13 Edna Kenney.  
14 MS. KENNEY: My name is Edna Kenney, E-d-n-a  
15 K-e-n-n-e-y. I thank you, the Navy, for coming  
16 tonight.  
17 I just want you to know we're in favor of all  
18 this. I'm very pleased that they are doing the studies  
19 and all to make sure everything is all right. But I  
20 feel that our Navy, our troops, they need proper  
21 training and proper exercise. The equipment that we  
22 have today is so different from what we used to have,  
23 and I feel that they need to be trained with the  
24 equipment so they can do the jobs they are asked to do.  
25 We do have four children that are in the Navy  
25  
1 at this time. They travel all over the world. We  
2 never know where they are until they're back. Their  
3 lives are in danger many, many times, and it's nice to  
4 know that they know what they are doing when they are  
5 there and do have the equipment to use while they're  
6 there and they know how to use it properly. Thank you.  
7 COMMANDER KING: And Robert Kenney, do you  
8 want to make a statement?  
9 MR. KENNEY: My name is Robert Kenney,  
10 K-e-n-n-e-y, and I'm a Navy veteran.  
11 As my wife just said, we have four kids in  
12 the Navy. If they don't get the proper training, their  
13 lives are in danger. We need them to have the best and  
14 the proper training.  
15 We were fortunate in that we rode a destroyer  
16 up from San Diego to Everett, Washington, on a family  
17 cruise. It was very impressive to see how they were



022609 navy hearing  
18 environmentally conscious from the polish to the brass.  
19 The grandson got a chance to view that. Material was  
20 not thrown overboard, it was put into containers for  
21 when they got to the dock to go into dumpsters. When  
22 we did pull into the docks, the first thing that went  
23 around that ship was an absorbing boom so if there was  
24 any spills, leakage, on that Navy ship it would have  
25 been contained. I was very impressed with how the Navy  
26

1 was environmentally friendly.

2 we need to have the best training that you  
3 guys can possibly give them, and we support you 100  
4 percent. Thank you.

5 COMMANDER KING: Thank you. And the next  
6 speaker I have is Lorraine Vandecovering.

7 MS. VANDECOVERING: welcome to the Navy. And  
8 I thank all of you for coming. I'm Lorraine  
9 Vandecovering from Garibaldi.

10 My family was in the fishing business since  
11 1957 from Alaska to California. And I would like to  
12 have the Navy know how much we appreciate them here  
13 working so well with the environment. That is very  
14 important to us because our food production off the  
15 ocean depends on the environment. And, also, I would  
16 like to say that our fishermen are very environmentally  
17 conscious. They bring a lot of the -- they bring all  
18 that they possibly can and some of the stuff doesn't --  
19 it's irretrievable.

20 And we were at one time also in the charter  
21 business. We had the largest family-owned fishing  
22 fleet on the Oregon coast for a number of years. And  
23 during that time we were -- well, Teddy Roosevelt

Page 21

022609 navy hearing  
24 established Three Arch Rocks as a national game  
25 preserve. And for a while we would very carefully take  
27

1 tourists around to Three Arch Rocks to see all the rare  
2 birds and the common birds. It was an enormous draw  
3 for people all over the world. And all of a sudden we  
4 were restricted from going over there. I'm retired, so  
5 it's been a few years.

6 we were restricted from going very close to  
7 the rocks. Now, my question is, how would the -- how  
8 would the sonar and activity not affect our seafood if  
9 it -- if we were restricted from going too close to the  
10 rocks? And, there again, our tourist business really  
11 benefited by having these international guests be  
12 treated to such a sight. Thank you.

13 COMMANDER KING: Thank you. The next speaker  
14 will be Jim Carlson.

15 MR. CARLSON: Thank you so much for coming to  
16 Tillamook.

17 I was at the meeting in Newport last month,  
18 and I basically found out about that meeting the day,  
19 the morning, of the meeting, and unfortunately was a  
20 little bit disappointed that there either wasn't  
21 appropriate outreach for this meeting. In this part of  
22 the world, we usually give people at least a week,  
23 usually a couple weeks lead time in the newspaper and  
24 radio and whatnot in order to put their schedules  
25 together so they can come to an important meeting like  
28

1 this.

2 Unfortunately, I believe the newspaper came  
3 out yesterday with an ad informing the public to this  
4 meeting. I obtained a postcard, I suppose from the

Page 22

022609 navy hearing

5 mailing list that I got on from the last meeting this  
6 morning, so I would hope that other meetings that you  
7 have take into consideration that people need a little  
8 bit more lead time so they know that it's an important  
9 issue to calendar and speak to or get informed on.

10 which brings me to the fact that this, the  
11 EIS report, is a large document, it's very complicated  
12 and technical. And it usually takes the average person  
13 quite a while to decipher what you folks may seem to be  
14 pretty straightforward information.

15 But I am a little bit concerned about how  
16 operations will affect, number one, the tuna fleet. I  
17 didn't notice in any of the information or the slide  
18 show that there were references to tuna. I know  
19 they'll be fishing for tuna out in this part of your  
20 designated area.

21 And I also want to encourage you to be very  
22 cognizant of our whale population. This is a  
23 destination area, and we have a lot of people that come  
24 out to this part of the world to do whale watching.  
25 That would have a desiccating effect on some of the  
29

1 operations and hotels and whatnot that use that as a  
2 money-making opportunity.

3 So three things I would recommend. Number  
4 one, I didn't mention before, but I think you should be  
5 aware that the state of Oregon is in the process of  
6 amending the Territorial Sea Plan, which incorporates  
7 some areas of what you're talking about. So I would  
8 hope you can work and inform the Governor's office, and  
9 specifically the people working, the working group that  
10 is working on the Territorial Sea Plan, so that there

Page 23

022609 navy hearing

11 can be a cooperative involvement and shared information  
12 on that.

13 Secondly, hopefully, we'll have more time for  
14 folks that have gained information tonight to respond.  
15 So I would hope that you would, rather than have the  
16 March 11th date for public comment, push that out a  
17 couple more weeks at the very least.

18 And, thirdly, I recommend that you stay with  
19 the current activities. Thank you so much.

20 COMMANDER KING: The next speaker will be  
21 Charlotte Mills.

22 MS. MILLS: My name is Charlotte Mills. I  
23 live in Lincoln County in Tidewater, 480 Buck Creek  
24 Road.

25 And I -- read the name for the second time,  
30

1 like Jim, I attended the January 30th meeting in  
2 Newport and I came as an individual, then, and I come  
3 tonight as a member of a group, who after that 30th  
4 meeting, because of the low attendance, called the  
5 newspaper and the library and found out the NEPA  
6 compliance. Did the newspaper in Oregon get notified?  
7 Did the library get a copy of the environmental  
8 statement? Did even one Oregon citizen get properly  
9 notified of that 30th meeting? They did not.

10 And we have contacted the congressional  
11 delegation five days in a row recently to report those  
12 incidents, and I think that is why this meeting here in  
13 Tillamook has been scheduled. Because our  
14 congressional delegation said -- they said -- because  
15 we reported to them the Navy has not complied with  
16 NEPA, with the National Environmental Policy Act, which

Page 24

022609 navy hearing

17 meant that they were to inform -- because they only  
18 scheduled one meeting in Oregon, at least one  
19 newspaper.

20 For some strange reason, they said they  
21 informed the Lincoln City News Guard and that they  
22 placed a copy of the environmental impact statement at  
23 the Driftwood Library in Lincoln city. That is a good  
24 paper and a good library, but that wasn't where the  
25 meeting was held. It was held in Newport at the

31

1 Hatfield Marine Science Center.

2 When we called the News Guard, the News Guard  
3 said, "we didn't know anything about it." Five days  
4 later after we asked the questions, they found out on  
5 their own that there was a meeting, and then they  
6 properly published that story.

7 When we called the library we said, "we want  
8 to read the environmental impact statement, is it  
9 available?" The librarian said, "I have no idea." So  
10 he called back later and said, "well, it's in a box,  
11 but there is no cover letter with it saying what it is  
12 for or if it's time related." And so he called back  
13 later and said -- on the 13th of February, fifteen days  
14 after the 30th meeting, that it is now available for  
15 the public.

16 So believe me, bear with me, I'm not a public  
17 speaker, and I'm not sure I'm going to make this in  
18 five minutes, but I'll attempt to. When I moved my  
19 comments up in front to say, we found out similar  
20 things happened because of Tillamook. I called the  
21 Antler at Tillamook, the Lighthouse, and I said, "when  
22 did you get a notice of this meeting?" She said, "It's

Page 25

022609 navy hearing

23 too late for last week's edition, so we'll put it in  
24 the 25th." That was yesterday. So the people in  
25 Tillamook, at least in print media, were only informed

32

1 yesterday.

2 By the way, I enjoyed this beautiful postcard  
3 I got in my mail box yesterday, the 25th, one day  
4 before this meeting that this was to happen.

5 So when we called Sarah at the Tillamook  
6 Library we said, "Is there a copy of the environmental  
7 impact statement so people in this area can read it and  
8 see what the Navy has planned?" So the librarian said,  
9 this is bizarre, she said, "It did come in a box some  
10 time ago, I don't remember the date. The address said  
11 our Tillamook Library but it was addressed to the  
12 Newport public library, so I sent it on to the Newport  
13 library," where they now have two copies and Tillamook  
14 has none.

15 So I'm going to say at the risk -- and I can  
16 talk to you about the fifteen newspapers on the Oregon  
17 coast. We understood one was forty-five pages, and  
18 I'll give you the score that eight of these coastal  
19 newspapers got no notice at all; eight of them, weekly  
20 papers, got it too late for last week; and it only  
21 was published yesterday for this meeting.

22 I'll end there. And I hope we can complete  
23 giving you the evidence why we believe this is an  
24 illegal and invalid meeting, as the 30th in Newport  
25 was.

33

1 COMMANDER KING: The next speaker is Darus  
2 Peake.

Page 26

022609 navy hearing

3 MR. PEAKE: My name is Darus Peake, D-a-r-u-s  
4 P-e-a-k-e. Thank you for inviting us. We appreciate  
5 it.

6 My name is Darus Peake. I'm an attorney with  
7 the Oregon Salmon Commission and the Oregon Albacore  
8 Commission, an industry-funded state commodity. We  
9 represent approximately 1,400 vessels or 1,400 small  
10 businesses. Salmon and tuna are two of the most  
11 valuable fish on the Oregon coast and also the most  
12 sound and temperature sensitive. Fishermen will tell  
13 you that any sound created by a vessel will kill any  
14 biting and also drives fish from the area. We're  
15 talking about sounds caused by vibrations or other  
16 sounds generated by the boat.

17 In the past years we've used legal seal bombs  
18 that have been used offshore to keep the sea lions away  
19 from the vessel. You seal the bomb and detonate it in  
20 the water, it drove the fish from the area.

21 Our fish are also temperature sensitive, and  
22 will change the migratory pattern to follow such  
23 temperatures. We look at the internet and see where to  
24 change our fishing to follow for the ocean heat

25 patterns. If the Navy has that area closed and the

34

1 fish are migrating through that area, we will lose  
2 parts of our really short season. We only have a few  
3 days for our fishing season. Salmon is now counted in  
4 days. The Navy testing could have a serious effect on  
5 the economy, and we're worried about it.

6 Right now, after these meetings today, we  
7 found out that with no mortality rate being minimal, we  
8 can't condone this relationship. Thank you.

Page 27

022609 navy hearing

9 COMMANDER KING: Thank you. And the next  
10 speaker is Rick Goche.

11 MR. GOCHE: I'm a commercial fisherman, my  
12 name is Rick Goche, G-o-c-h-e.

13 I'm a sheriff of the Oregon Outdoor  
14 Commission and I'm a member of the Southern Oregon  
15 Ocean Resource Council that is involved in the  
16 Territorial Sea Plan. The Oregon Outdoor Commission is  
17 charged with allocating for albacore, and those  
18 families and businesses that depend on them, the  
19 albacore.

20 As Darus mentioned, albacore and tuna are  
21 really sensitive to noise. I actually have an acoustic  
22 specialist come to my boat every year and test it to  
23 make sure it's not putting off noise that the albacore  
24 will be driven away from the boat by. Even a small  
25 noise, like he said, can shut off the bite.

35

1 So one of the -- one of the hopes that we  
2 would have is that if you are going to introduce  
3 surface or subsurface detonations, that you, in effect,  
4 fire a warning shot so that the area will clear itself  
5 from fish and sea life and that will help.

6 Some of the concerns that we have are the  
7 size of the operation of the area. The area of  
8 operation, if it's a very large area, that -- that  
9 we're going to ask that it be excluded. Like Darus  
10 said, the wrong time or place it can have a devastating  
11 impact on our economy and the families, et cetera. The  
12 length of time of the operation is also a concern.

13 And the lead time that we get -- get  
14 notification of the area. Many times we might be in

Page 28

022609 navy hearing

15 rough weather that you guys can operate in, but we're  
16 shut down, we're dead in the water. We can't pick up  
17 and drive away, it's too dangerous, we can sink our  
18 boats. So that needs to be considered, too. If the  
19 operation comes into the area and we can't move, sorry.

20 We're also concerned about any intended use  
21 of the depleted uranium with the munitions being used  
22 in the area and the potential for impact on our  
23 livelihoods.

24 I also wanted to echo Ms. Buell's comments  
25 regarding coordinating with the different fisheries.

36

1 Every fishery has representation, like I represent the  
2 albacore fishery, Darus represents the salmon fishery.  
3 Each fishery has someone representing it that you --  
4 that you can interface with so you can know what is  
5 going to be happening in that area. We appreciate that  
6 cooperation.

7 So I don't have any illusions that the Oregon  
8 Albacore Fishery is going to boss the Navy around, but  
9 I would like you to consider the no-action option. I  
10 think that would be best for our fishery. Thank you.

11 COMMANDER KING: Thank you. And then the  
12 next speaker will be Frank Bohannon.

13 MR. BOHANNON: It's B-o-h-a-n-n-o-n.

14 Good evening. I'm kind of a semi-retired  
15 fisherman, but I've been a vessel owner and captain  
16 since 1962. I've fished on every ocean on the planet  
17 except for the Indian Ocean. I spent most of my time  
18 in the Bearing Sea, a lot of it off the West Coast,  
19 fished for almost all the fisheries, so I have some  
20 experience. And the one thing I'm concerned about is

Page 29

022609 navy hearing

21 the whiting fish, one of the fisheries I helped  
22 pioneered in the late '70s.

23 Your area of operation takes up an awful lot  
24 of this coast, and I didn't think you realize that the  
25 whiting fishery starts in the spring somewhere around  
37

1 Fort Bragg, California -- and that's 40 North, 41  
2 North, I don't have a chart with me -- and goes clear  
3 to Cape Flattery, which is 48; from 25 fathoms, and  
4 that could be anywhere from two to ten miles off the  
5 coast, out to 400 fathoms.

6 And there is -- what that fleet includes is  
7 thirty-seven boats, 85 to 100 long, 150 long delivering  
8 to short plants. Another -- that is fifteen short  
9 plants from Eureka, Crescent City, Coos Bay, Newport,  
10 Columbia Ridge, and Westport. And it's twenty-four  
11 fishing vessels, same size, 85 to 150 feet delivering  
12 to the processors, the mother ship. There is five  
13 mother ships, they're 250 to 630 feet long. There is  
14 ten different processors, and they're 250 to 350. It's  
15 a total of ninety-one vessels with approximately 1,700  
16 personnel aboard. The shore plants have another 1,500  
17 people. These are all people in the coastal  
18 communities.

19 Most of the time the fishing is spread out  
20 and each individual fleet is working -- working  
21 together but spread out. There are other times that  
22 the fish are concentrated in one area and most of the  
23 fleet is on that spot.

24 When fishing, each individual fishing boat,  
25 whatever the size, has three times the depth of water  
38

1 they're fishing in and the amount of cable they have on  
Page 30

022609 navy hearing

2 them. They also have a net that measures about 100,000  
3 feet. That translates, related here, to a value of up  
4 to one million bucks. This isn't just a part-time  
5 deal, it's a year-around operation. It is high end and  
6 costs a lot of money.

7 If you take a look at the diagram, we're  
8 operating vessels that are spread over a mile long,  
9 there is lots of fish. But they've got a mile here,  
10 and some of that gearing is worth a million bucks.  
11 And, of course, the vessel is worth quite a bit more.  
12 So it's pretty important fishing.

13 We took 270,000 tons of that fish last year,  
14 and the value of that was \$60 million. When you put  
15 the -- add the value to the process it was 250 million,  
16 and when you put the coastal multiplier on, and it's  
17 somewhere four to five billion dollars of value to this  
18 community.

19 The fishery is sensitive to loud detonations.  
20 I have personal experience. When we had oil  
21 exploration down here in the '60s, a lot of people  
22 claimed a lot of things were or weren't happening, but  
23 one thing is for sure, that detonation happened and  
24 that scattered the fish. I don't know how much it  
25 killed, I'm not here to talk about that. what it does  
39

1 do is spread that fish out and all of a sudden you've  
2 got a fleet that costs a lot of money to operate or  
3 having to go somewhere else.

4 I've got this written up if it will help.  
5 I'm not here to stop you, we need you, obviously. I'm  
6 a good American, love the Navy, but I think you've got  
7 to get a liaison to work with this fleet during the

Page 31

022609 navy hearing

8 summertime, and not be doing this like you did the  
9 Santa Barbara channel and not being able to transit it.  
10 To use the vessels, you can't do it in a small lane.  
11 We cover a lot of space. There is other fish that I'm  
12 concerned about, too. I think that is the main one,  
13 and one of the most valuable in this coast, and  
14 something you should consider.

15 COMMANDER KING: Thank you. The next speaker  
16 will be Linda Parks.

17 MS. PARKS: L-i-n-d-a P-a-r-k-s.

18 Well, this is kind of new for me. But this  
19 is really important, I think. And as quite a few of  
20 the people have said before, our lifestyle and  
21 livelihoods are very, very fragile. And I can't see  
22 how this won't impact incredibly a lot. And I implore  
23 you to take the no-action. And I understand that --  
24 it's twelve miles out from the shore, and that's pretty  
25 close. And I gather that at this time most of the  
40

1 sonar is happening in California, and I would like to  
2 ask that that continue in California and our fish and  
3 sea life up here hopefully won't be impacted any more  
4 than they have been.

5 So I ask that you also consider our -- we're  
6 trying the Oregon Energy Camp plant out here, and  
7 please take that into consideration. That is very,  
8 very important for Oregon right now. And take the  
9 no-action plan, please. Thank you very much.

10 COMMANDER KING: Thank you. And the next  
11 speaker will be Dr. Bruce Mate.

12 MR. MATE: Good evening, Commander King,  
13 Captain David, Mr. Mosher.

Page 32

022609 navy hearing

14 Thank you for returning to Oregon. We  
15 appreciate you being here and the serious nature of  
16 your business, all of us, and keeping us safe. And I  
17 want to assure you that we're very grateful for your  
18 honest opinion and paying attention to the  
19 environmental aspects of what you're doing.

20 I'm here as a private citizen today, but I  
21 have some credentials. I've been studying marine  
22 mammals here in Oregon for forty years. I direct the  
23 Oregon State University Marine Mammal Institute. I'm  
24 going to make a number of comments quickly and I'll be  
25 a little erratic. The 165 decimal level is the level<sup>41</sup>

1 at which the National Fisheries Service determines that  
2 about half the individuals will have a behavioral  
3 reaction and will have a detriment. Your signals are  
4 set at 235, seventy decimals above that. And, of  
5 course, we know that this is a long distance scale and  
6 we know that the animals are going to be right on top  
7 of this source.

8 It sounds like the 165 level most generally  
9 should be out there about two kilometers away. So some  
10 of the mediation that you have in place will be very  
11 helpful and others you may need a little more attention  
12 to, perhaps.

13 I'll make some specific suggestions. As I  
14 came tonight, I wondered why anybody might have  
15 predicted the impact on the harbor seal and the matter  
16 of similar impacts on shallow-water species which are  
17 harbor porpoises and sea lions. I must admit that the  
18 model is a bit daunting, even for me. And I can't  
19 imagine some of the other people struggling with it.

Page 33

022609 navy hearing

20 What I learned this evening, actually, you  
21 use the randomizing process sort of sandwiched through  
22 the entire operation area, sort of a mathematical model  
23 to spread around where the operation may be at  
24 different times and places. And that in most cases you  
25 also considered marine mammals in the area. This is,<sup>42</sup>

1 of course, not a realistic aspect how your operations  
2 work with marine mammals. They are, in fact, sometimes  
3 passing your ships in time and space because of  
4 migrations. Your operations also are not uniform nor  
5 equally spread out, so I'd also have you give us the  
6 details that are blind to us, a realistic expectation  
7 of where you're going to do these things, and have you  
8 work through that model and give us a more realistic  
9 appraisal of what you think the impact is going to be,  
10 rather than give us something that we know is going to  
11 be strongly off balanced in character.

12 With regard to the detonations, we see  
13 fourteen animals may have a 50 percent tympanic  
14 membrane rupture. This is likely going to dramatically  
15 affect their ability to feed and forage effectively, if  
16 not their sounds and predators. Not that fourteen  
17 animals is a large number but I think we ought to be  
18 forthright in the EIS about communications and consider  
19 the effects. I think there are other areas in which  
20 Level A impacts may occur. I think we ought to make  
21 some of those observations as well.

22 When the table summarizes all this  
23 information and says "may effect," what does that  
24 really mean? I suspect there is no significant impact  
25 in population levels actually, but is it likely that  
Page 34

1 that doesn't mean it won't cost the individuals. And I  
 2 think what we're looking at here is the baseline for  
 3 the first time. We're looking at honestly trying to  
 4 figure out what happens when you do the operations  
 5 which you've been doing for a number of years. Even  
 6 the Level 2 assessments you have here, the sonar  
 7 operations will not change dramatically.

8           What we'd like to know, both historically,  
 9 and when your operations are been going on, so we can  
 10 look at correlations of things like stranding events,  
 11 beached whales. We would also like to know a close  
 12 period of time, if you can't tell us ahead of time,  
 13 when you'll operate. We'd like to know as a scientific  
 14 community and interested public when you're doing  
 15 operations and when you've completed those so we can  
 16 look at correlations and other events. Mind you, we  
 17 know they're not cause and effect relationships,  
 18 necessarily. This is the way science approaches the  
 19 issue of what may or may not have effects on the  
 20 wildlife.

21           With regard to detonation, I'd suggest that  
 22 you spend a little more time looking at the area to  
 23 ensure it's clear and that you actually spend some  
 24 dedicated time on the active follow-up to see if  
 25 animals appear in the area and particularly if their  
 44

1 behavior is abnormal. It's those kind of recap  
 2 assessments that are going to be important to us.

3           I'd like you to think seriously about this  
 4 five-year authorization period of coming back with  
 5 another EIS that provides us with an analysis of what

6 you've expended effort and what you've seen

7 particularly, to share with the public, and have a  
 8 better understanding of how your operations affect  
 9 offshore issues.

10           When you have a chance, I hope you will  
 11 possibly develop your technical protocols and training  
 12 in areas where they have the least amount of impact. I  
 13 recognize what you're doing is extremely important.  
 14 Thank you.

15           COMMANDER KING: The next speaker will be  
 16 Garet Lavheis.

17           MR. LAVHEIS: G-a-r-e-t L-a-v-h-e-i-s. I'm a  
 18 scientist as well from Portland, Oregon, and I only  
 19 found out about this a few days ago. I study  
 20 vocalizations and acoustic communications in mice.

21           So I just want to bring up a few things that  
 22 concern me a little bit. I certainly realize the  
 23 importance of the work that you do, especially now with  
 24 the two wars. But I think there are a couple things we  
 25 should do with regard to the sonar. The level of

45

1 sonar, the sound will be, what I understand, will be at  
 2 140 decibels at about fifty-one to 130 kilometers out,  
 3 that is about eighty miles. Eighty miles out, there is  
 4 going to be a constant sound of about 140 decibels.

5           The reason I think that is important, is that  
 6 if you look in your EIS in another place, you've got a  
 7 very nice -- done a very nice job of the source level  
 8 of sound coming from different species of marine  
 9 mammals. And at the source when the sound is the  
 10 loudest and they're emitting their vocalizations, their  
 11 communication for collecting food, et cetera, this is



022609 navy hearing  
12 about the same decibel.  
13 The way I read it here, we're talking for  
14 eighty miles in any direction, which is a lot more than  
15 twelve miles off the coast. This is a substantial  
16 amount of area. You're essentially flooding this area  
17 with constant sonar sound that is going to essentially  
18 wipe out communication between the species for an  
19 extended period of time: five, six, seven hundred  
20 hours, the time the sonar is going on in a given year.  
21 Again, I've only had a few hours to look at  
22 this environment impact statement because I just found  
23 out about this meeting. The concern is really simply  
24 that when humans interact, when we communicate, we're  
25 used to hearing sounds go up and down, and we're very  
46  
1 sensitive to the frequency at which we talk. If we  
2 were always being blasted, essentially, at levels  
3 equivalent to shouting at each other for several hours,  
4 I can't imagine that that would not have some pretty  
5 substantial impact on marine mammals. And I have no  
6 idea about fish. I think it's a valid question.  
7 I don't see anything addressed in this EIS  
8 about how this constant or mechanical sonar would  
9 essentially disrupt -- essentially -- we already know  
10 communications for these animals can be seen several  
11 tens of miles. To be giving such a loud sound  
12 essentially blanketing the whole region. Its got to  
13 have an effect.  
14 I know as a scientist that there is a lot  
15 more that we don't know than we do know. I think one  
16 thing we do is try to make the best judgment with the  
17 little bit of information we have. I think there is a

022609 navy hearing  
18 fair amount here that we really don't know about what  
19 is going on. I think if we do this, there is a  
20 potential to disrupt things a lot more than what we  
21 think. So as much as I respect what the Navy is doing,  
22 I think that the no alternative to would be ideal  
23 because mostly because this would be a lot more  
24 disruption. I think scientists could adequately  
25 predict what would happen. Thank you very much, and  
47  
1 thanks for listening.  
2 COMMANDER KING: Thank you. And the next  
3 speaker will be Loren Goddard.  
4 MR. GODDARD: L-o-r-e-n G-o-d-d-a-r-d.  
5 Good evening. Thank you for giving us this  
6 opportunity to speak to you and let us know -- let you  
7 know what is on our minds.  
8 I represent a group from Depot Bay, the Depot  
9 Bay Near Shore Action Team. And we have recently  
10 finished conducting a number of public outreach  
11 meetings regarding a relatively small marine preserve  
12 proposal, a mere 731 acres. The public outreach that  
13 we did for that marine preserve, just the small city of  
14 Depot Bay, a couple thousand people, constituted four  
15 different public outreach meetings. I find it pretty  
16 amazing that the Navy schedules six public outreach  
17 meetings for something of this scope. And my feeling  
18 is that that is woefully inadequate.  
19 I've further had concerns given the nature of  
20 how the notification was handled regarding the  
21 meetings, that there may be a correlation between  
22 notice of these public outreach meetings and any notice  
23 of any information that may impact us. Thank you.

022609 navy hearing  
24 COMMANDER KING: The next is Lars Robison.  
25 MR. ROBSON: My name is name is Lars Robison  
48

1 I have a charter boat company in Depot Bay, Oregon, and  
2 we are involved in every fishery we can be from the  
3 tuna offshore to the halibut. And, as well, I make --  
4 probably over 50 percent of my business comes from  
5 whale watching, watching gray whales, orca whales, and  
6 on some great days, the humpback whales.  
7 And, of course, my concerns are for my  
8 company as well as the rest of the Depot Bay fleet,  
9 that we not be financially impacted by these Navy  
10 exercises out here. We have, of course, tuna fishing,  
11 halibut, salmon, rock fish, albacore. So I'd like to  
12 have the Navy be in touch with the Oregon Department of  
13 Fish and Wildlife and some of other local groups, Depot  
14 Bay Near Shore Action Team group, a fine committee out  
15 of Newport, Oregon. And we do have quite a few of  
16 them. The Fact Group, which is another coastal  
17 fisheries group, the Very Concerned Citizens of  
18 Tillamook County, they are all people in the mix, and  
19 be notified when you are doing these exercises.  
20 And also these groups are available to help  
21 you guys avoid impacts on the economics of the  
22 fishermen out here in the coastal waters as our tuna  
23 fish is generally from twelve miles out to, say, fifty  
24 to sixty miles. And, also, I'd probably -- I'm not a  
25 member of the Salty Dog Team here. But I know that  
49

1 there is a group -- a website, ifish.net -- which has a  
2 tremendous amount of sport fishermen, and the saltwater  
3 component of that is the Salty Dogs. They have quite a  
4 website or a blog that they readily give out  
Page 39

022609 navy hearing

5 information to each other, it's quite a site and there  
6 is a -- I'm sure there will be a lot of comments on  
7 that as well.  
8 We'd like to help the Navy in any way we can  
9 to avoid impacts on fishing in this area. And we're  
10 available -- the Depot Bay Near Shore Action Team is  
11 available all the time under the auspices of the Depot  
12 Bay City Council in Depot Bay, Oregon. That is it.  
13 I'm worried about the impacts as well as the delayed  
14 impacts. That is all I have. Thank you.  
15 COMMANDER KING: Thank you very much. The  
16 next speaker is David Adams. Mr. Adams is apparently  
17 not here.  
18 Terry Thompson.  
19 MR. THOMPSON: Thanks for coming back to the  
20 Oregon coast. I addressed most of you in Newport and  
21 my comments were aimed at the safety issues that  
22 existed between submarine vessels and the offshore  
23 trawling industry.  
24 There have been several contacts over the  
25 years. I've had a chance to do some research into and  
50

1 I haven't been able to find that information. I'll try  
2 to in the future get information and pass it to one of  
3 you, from the insurance companies. There is no  
4 evidence that it was a U.S. Navy vessel, but there is  
5 evidence that these vessels had made contact with  
6 submarines.  
7 So in order to make this short, I tried to  
8 think about how we could minimize the potential  
9 conflicts that have existed in the past. And by doing  
10 that, I think by -- and you heard other fishing  
Page 40

022609 navy hearing

11 organizations say that they're ready and willing to  
12 help you. After thinking about it for a while, it  
13 seems that Sea Grants around the United States has a  
14 pretty good knowledge of every fishery around the  
15 coastal United States. Seems that would be the natural  
16 contact point since Sea Grants is a federally managed  
17 organization.

18 Here on this coast, we have Heath Hildebrand  
19 which coordinates all of our commodity fishing and all  
20 the different fishing groups and is quite familiar with  
21 all the action committees. That would be the logical  
22 point of contact if somebody was to contact them to  
23 take this information, to learn about the fleet.

24 Then I think you need to come together, with  
25 probably Scott McClennen for Undersea Cable, Brad

51

1 Metzger from the trawlers organization, David Jenkins  
2 from Midwater Trawlers, maybe myself, to actually  
3 convene a meeting with a representative from the Navy  
4 to try to understand what we're doing. It's this  
5 understanding, this communication, which will minimize  
6 the potential damage to our vessels and conflicts with  
7 your operations.

8 We do not want to interfere with your  
9 operations, and I know for sure we absolutely don't  
10 want you to interfere with our operations. My comment  
11 is, that is how I would go about trying to solve a  
12 potential safety problem here. I don't think we  
13 require a lot of time on the Navy's part, but some  
14 development of coordination might help. Our industry  
15 will change, and if we have that coordination set up,  
16 we could show you how it was going to change so it may

Page 41

022609 navy hearing

17 reduce any potential conflicts.

18 Thank you, again. Really, I never thought  
19 I'd see you in Oregon. I was worried about what had  
20 happened. I mean, it was a perception that the Navy is  
21 it might have tried to sneak one under us. I am  
22 absolutely convinced today that that is not the case.  
23 You had never tried to come to Oregon before. Since I  
24 represent Oregon citizens, it's a challenge to get  
25 people in the room. You don't realize how difficult it

52

1 is to get this roomful of people. Thank you.

2 COMMANDER KING: Just one more time, is David  
3 Adams here? That is the last card I have.

4 Is there anyone else who would like to make a  
5 statement at this time who has not had the opportunity  
6 to do so? We have a couple of minutes, is there anyone  
7 who has made a statement who would like to make a very  
8 brief second statement?

9 Ma'am, go ahead. If you could do it in five  
10 minutes or less.

11 MS. MILLS: Charlotte Mills from Tidewater,  
12 Oregon.

13 Just to briefly continue what I left off with  
14 a while ago. What our group in Oregon, has Lincoln  
15 County, has recommended to our congress people is that  
16 because these two meetings have not been in compliance  
17 with NEPA mandates, that the Navy reschedule three  
18 hearings in the state of Oregon as they scheduled in  
19 the state of Washington. Why they only scheduled one  
20 originally in this state, it's unknown. But those  
21 meetings should be correctly -- should be correctly  
22 given timely notice and copies of the environment

Page 42

022609 navy hearing

23 impact statement should be available to them in a  
24 timely way.

25 Probably one of the most disturbing things<sup>53</sup>

1 that our group found out since the last meeting was, of  
2 this \$15 million lawsuit that the Navy has settled just  
3 last December in the state of California. Not for  
4 exactly these reasons, but for similar reasons of  
5 noncompliance. That is with citizens. And the Natural  
6 Resource Defense Council had settled with the Navy, \$15  
7 million. So we hope the Navy is not entertaining  
8 another false appearance in the state of Oregon for  
9 those reasons.

10 The last thing is, we don't hold the Navy  
11 personnel in Silverdale, Washington, altogether  
12 responsible for failing to notify the public or provide  
13 these impact statements. They hired a PR firm called  
14 Katz who has no Oregon office, they are in Seattle and  
15 California. And they have placed ads in the eight  
16 papers that did get notified only yesterday, so those  
17 ads appeared. So that PR firm obviously did not  
18 understand about the most basic Journalism 101,  
19 understand about weeklies, bi-weeklies, and daily  
20 newspaper deadlines.

21 The other thing we did bring up is about  
22 budget. Our group would like to know what the budget  
23 was for this extravagant posters, graphics, and  
24 brochures and why the ads in papers were so tiny. Then  
25 we'd like to know what the budget was for the eight-day<sup>54</sup>

1 excursion that nineteen presenters and panelists took  
2 from Oregon, Washington, and California, back again.

Page 43

022609 navy hearing

3 More important, we asked at the last meeting, what does  
4 the budget the Navy proposes for this entire operation  
5 that the taxpayers -- and just this sort of  
6 interruption of economic chaos. We'd like those  
7 figures in about ten days. We've already prepared a  
8 freedom of information request to submit if we don't  
9 get some budget figures in ten days.

10 And, lastly, our group in Lincoln County sat  
11 around and talked about it and asked the question, If  
12 the Navy will be able to conduct activities and place  
13 installments safely and in compliance, if they'd not  
14 been able to simply notify the public of the hearing or  
15 provide copies of the environmental study. Thank you.

16 COMMANDER KING: Is there anyone else who  
17 would like to make a final statement, very briefly?

18 MR. MATE: I'll make this quite brief. Bruce  
19 Mate, again.

20 I noticed that under one of the tables  
21 3.9-113 in the last paragraph it said: Alternative to  
22 390 hours mostly new, high-frequency active sonar, not  
23 in the no-action, no Alternative 1 categories. So then  
24 it says: The high frequency and mid-frequency  
25 emissions were not included in the sonar modeling. So<sup>55</sup>

1 potential mammal exposures to these sources were not  
2 investigated. I can't think of a good reason why you  
3 wouldn't have estimated those in the appropriate  
4 places. So I think that is something that deserves  
5 attention in the final EIS.

6 And then, finally, for the offshore areas in  
7 the EIS, page 3.9.55, it says: For offshore areas,  
8 predicted species habitat models were built with

Page 44

022609 navy hearing  
9 sufficient numbers of sightings to estimate densities  
10 in the study area. which means it took into account  
11 the more abundant animals. A lot of the animals that  
12 are ESA listed or for which you have non-sufficient  
13 information, are some of the ones of greatest concern  
14 in some of the areas. These include beak whale  
15 species, false killer whales, animals that we don't  
16 know very much about.

17 For those, I guess, I'd like you to probably  
18 make a little more effort. I understand you worked  
19 closely with the National Fisheries Service gathering  
20 available information. But because some of these  
21 species tend to be a little more sensitive on the sonar  
22 issues, they'll probably be -- perhaps wind up coming  
23 to shore. Thank you.

24 COMMANDER KING: Thank you very much. With  
25 that, it's past 8:30, which is our ending time for  
56

1 tonight. That is going to conclude the verbal public  
2 comment period. I want to thank all of you for  
3 attending. Thank you very much.

4 (Public hearing adjourned at 8:40 p.m.)  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

022609 navy hearing

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

57

1 AUTHENTICATION

2

3

4 This is to certify that the foregoing  
5 transcription of the proceedings held for the Northwest  
6 Training Range Complex draft EIS on Thursday, February  
7 26, 2009, at 7:00 at the Tillamook County Fairgrounds,  
8 Tillamook, Oregon, is a true and correct transcript of  
9 said proceedings and the original thereof delivered to  
10 Katz & Associates.

11

12

13

14

15

16

17

18

19

20

Katherine Shelley  
Oregon Shorthand Reporter  
and Notary Public

21 022609 navy hearing  
22  
23  
24  
25

022609 navy private comments 1

1 NORTHWEST TRAINING RANGE COMPLEX  
2 DRAFT ENVIRONMENTAL IMPACT STATEMENT/  
3 OVERSEAS ENVIRONMENTAL IMPACT STATEMENT

4  
5 PUBLIC HEARING  
6 AND  
7 PUBLIC COMMENT SESSION  
8

9 TRANSCRIPT OF PRIVATE COMMENTS  
10 Volume II --- Pages 1 - 11  
11

12 DATE: February 26, 2009

13 TIME: 7:00 - 8:30 p.m.

14 LOCATION: Tillamook County Fairgrounds  
15 Auditorium  
16 4603 E. 3rd Street  
17 Tillamook, Oregon 97141

18 MODERATOR: Commander Sherry King

19 COMMENTS BY: Charlotte Mills  
20  
21  
22  
23

24 REPORTED BY:  
25 KATHERINE SHELLEY  
SHORTHAND REPORTER

2

1 TILLAMOOK, OREGON, FEBRUARY 26, 2009, 7:07 P.M.  
2

3 MS. MILLS: I am a member of a Lincoln County  
4 group who attended the January 30 public hearing in

022609 navy private comments  
5 Newport at the Hatfield Marine Science Center. Few showed  
6 up to that hearing, only fifteen or sixteen people  
7 actually stayed for the slide show and public comments.

8 Later, our group tracked down any public notice  
9 of the 30th meeting. We found that the paper listed by  
10 the Navy to have been notified was the Lincoln City News  
11 Guard. Their editor told us that they received no notice  
12 but found out about it five days after the 30th hearing on  
13 their own. Our group then called the Lincoln City Public  
14 Library where the Navy said they'd placed the two-volume  
15 copy of the environmental impact statement.

16 The librarian there had to look for it. He  
17 later called to say he found it in a box with no cover  
18 letter indicating it was time related. He later called to  
19 say it got cataloged and shelved on February 13, fifteen  
20 days after the Newport public hearing on January 30th.

21 Our group and others researched these issues.  
22 They contacted the Oregon Congressional Delegation in  
23 Washington D.C. asking for an extended public comment  
24 time. The Navy, then, did extend the comment time two  
25 times after receiving many citizens' contacts about the

3

1 nature of what the Navy is proposing in the Northwest  
2 Range Complex plan. This hearing was then scheduled at  
3 the request of representatives of the Oregon Congressional  
4 Delegation.

5 Our group has notified the Congressional people  
6 that we hold that neither the January 30 or this February  
7 26th hearing is valid. The Newport meeting, because the  
8 Navy failed to comply with NEPA requirements to notify the  
9 public in a timely way and because they failed to provide  
10 any library in Oregon with a copy of the environmental

Page 2

022609 navy private comments

11 impact statement to review as required by federal law.

12 And we also contacted the Washington Delegates  
13 that we believe this 26th hearing is also invalid. The  
14 Tillamook Headlight-Herald got notice late and was only  
15 able to publish notice of this meeting yesterday, on  
16 February 25th, not a timely notice.

17 And we contacted the Tillamook Library and got  
18 this story: They received the boxed, environmental  
19 impact, two-volume statement some time ago. But although  
20 the box was addressed to Tillamook, the cover letter was  
21 addressed to the Newport Public Library. So the local  
22 librarian dutifully sent it to the Newport Public Library,  
23 which now has two copies, while the Tillamook community  
24 has no copy of the environmental impact statement to read  
25 and review what the Navy proposes to install and

4

1 activities they plan to conduct off your section of the  
2 Oregon coast.

3 We understand that the Navy says it has notified  
4 forty-two papers in Oregon of this hearing. So we called  
5 all sixteen of the coastal papers located in our seven  
6 coastal counties. Here's the score: Five received no  
7 notice; eight received notice, but too late for last  
8 week's weekly editions. So eight papers published notice  
9 in yesterday's paper, the 25th, one day before this  
10 hearing. Two papers did not receive notice in time to  
11 publish on the 20th and the 24th.

12 Therefore, again, the Navy has failed to comply  
13 with the National Environmental Policy Act about informing  
14 the public of hearings in a timely way. Therefore, this  
15 hearing is not valid.

Page 3

022609 navy private comments

16 All this research indicates that the Navy agents  
17 in Silverdale, Washington, or their hired public affairs  
18 company, Katz, do not understand the most basic lesson  
19 learned in community colleges and university schools of  
20 journalism, that is to be well-informed about publication  
21 deadlines for weekly, bi-weekly, and daily papers. This  
22 is Journalism 101.

23 We recommended to the Congressional delegation  
24 that they require the Navy to schedule three more public  
25 hearings in Oregon -- perhaps at Tillamook, Newport, and

5

1 Coos Bay -- as they provided three locations for the state  
2 of Washington when Washington has half the coastline and  
3 half the coastal population and probably half the coastal  
4 fishing, crabbing, and seafood industries, as well as  
5 recreational businesses to be impacted by the Navy's  
6 proposed activities. We recommended for the Navy to  
7 correct and revise its environmental impact statement  
8 because our readers found old science in most references.  
9 We recommended that they hire independent marine  
10 scientists to revise the environmental impact statement  
11 rather than rehire the authors of the current statement,  
12 who were hired on assignment to show the Navy's plans to  
13 be safe and in compliance with federal law.

14 Something we haven't yet recommended to the  
15 Congressional people is to have the Navy provide them and  
16 our Oregon group with budget figures. Budget for the  
17 extravagant giant posters, graphics, and brochures, and  
18 postcards; budget for the Navy's eight-day excursion from  
19 Washington to Oregon and California on their first public  
20 hearing trip for travel, lodging, and meals. Most  
21 important, what the Navy's budget is for the proposed

Page 4

022609 navy private comments

22 installations and activities they have planned for the  
23 Northwest Range Complex here on the Washington, Oregon,  
24 and California coastline.

25 We need those budget figures in ten days. If

6

1 not received, we have prepared a Freedom of Information  
2 request to be submitted so the citizens of Washington,  
3 Oregon, and California can learn what the Navy's plan will  
4 cost. Thank you.

5

6

7 Survey of Oregon's sixteen coastal newspapers re  
8 February 26 public hearing in Tillamook, Oregon. Score:  
9 Five received no notice, eight received notice late, two  
10 ran on the 20th and 24th.

11 Astoria Daily Astorian. Notice arrived on  
12 February 24, so it appeared on page 3 that day because  
13 this paper is a daily. Public got a two-day notice.

14 Bandon Western World editor said they received  
15 no ad nor news release.

16 Brookings Curry Coastal Pilot editor received an  
17 earlier story from their Washington D.C. news service,  
18 WestCom, which ran on February 18, but it was on the March  
19 11 extension for public comment. No ad and no notice on  
20 February 26 hearing.

21 Coos Bay World editor said they got notice too  
22 late for their weekly deadline, February 18, so notice ran  
23 on February 25, one day before the 26th hearing.

24 Coquille Sentinel is located twenty miles from  
25 coast but has readership in that coastal area. Our group

7

Page 5



022609 navy private comments  
1 gave the name and location of this paper to Silverdale  
2 staff on their request weeks ago. No ad and no notice.

3 Florence Siuslaw News received sometime the week  
4 of February 16 or 23rd, but did not get published in  
5 either of their bi-weekly editions of Wednesday and  
6 Saturday. Staff not sure of receiving an ad when we  
7 called.

8 Gold Beach Curry County Reporter did receive a  
9 notice too late for their weekly edition of the 18th. Did  
10 publish notice on 25th, one day prior to 26th hearing.  
11 Lincoln City News Guard did receive notice too late for  
12 their Wednesday edition, February 18, did publish on 25th,  
13 one day before 26th hearing.

14 Newport News Times did receive notice in time  
15 for their Friday edition on February 20 so readers could  
16 have read of hearing six days before the 26th hearing.  
17 Newport is 100 miles from Tillamook and has little  
18 readership there, only in the library, perhaps.

19 Port Orford News editor reports receiving no ad  
20 or notice. Says he is ex-Navy vet and would like for Navy  
21 to put this paper on its print media list.

22 Reedsport Umpqua Post. Tried three times to  
23 contact this paper. Was unable to have answering service  
24 at office to ever answer.

25 Rogue River Press received no ad and no notice. 8

1 Seaside Sun received an ad notice on 20th, ran  
2 ad on 26th, one day before the 26th hearing. It was  
3 placed by the public relations company, Katz. Editor did  
4 not say a story was notified or run.

5 Tillamook Headlight-Herald received notice too  
6 late for their February 18th edition. Notice story ran in  
Page 6

022609 navy private comments

7 25th edition, one day before the 26th hearing. Contact  
8 could find no ad was sent or published.

9 Warrenton Columbia Press, located only sixty  
10 miles from Tillamook, but received no ad or notice.  
11 South Lincoln County News received notice too late for  
12 18th edition. Ran ad and notice in their 25th edition,  
13 one day before the 26th hearing.  
14  
15

16 Special report on how the environmental impact  
17 statement meant for Tillamook library was handled.  
18 Tillamook librarian, Sarah Beeler, explained that the  
19 two-volume EIS did arrive at the Tillamook Library some  
20 time ago. When she examined the container box and  
21 correspondence, she discovered that the cover letter was  
22 addressed to the Newport Public Library but the address on  
23 the box and letter showed the address for the Tillamook  
24 Public Library. Consequently, Beeler forwarded the box  
25 and correspondence on to the Newport Public Library. 9

1 A call to the Newport Public Library today,  
2 2/26/09, indicated that this library received a two-volume  
3 copy of the EIS some time ago and then received a second  
4 EIS just a few days ago. So the Newport Public library  
5 now has two copies and the Tillamook Public Library has no  
6 copy for public review. That means the Tillamook  
7 community, where the 26th hearing is taking place, has had  
8 no opportunity to examine or review the EIS.

9 Newport librarian reports the first copy is  
10 available at the reference desk, can be used but not taken  
11 out. The second EIS is being cataloged and shelved as

Page 7

12 022609 navy private comments  
13 soon as possible. The librarian is eager to know if they  
14 should send the second copy back to the Tillamook Library.

15 It appears that either the Silverdale Navy staff  
16 or their public affairs agency, Katz, failed to provide  
17 the Tillamook Library or that community with the EIS as it  
18 is believed they were required to do according to NEPA  
19 requirements.

20 This compounds the problem with the Navy's  
21 failure to notify the sixteen Oregon coastal newspapers in  
22 a timely way. Five received no notice. Nine received  
23 notice too late for their weekly deadline during the week  
24 of February 16. Two papers, the Astoria Daily Astorian  
25 and the Newport News Times, received notice in time for  
the Astorian's 24th edition and the News Times' Friday the<sub>10</sub>

1 20th edition. Reedsport Post responded to no calls.  
2 Consequently, eight of the nine coastal papers did publish  
3 the notice in their 25th editions. The Florence Siuslaw  
4 News evidently received the notice too late for their  
5 Wednesday or Friday papers during the week of the 16th,  
6 received notice sometime during the week of the 23rd, but  
7 failed to run the story in their 25th edition.

8 (Conclusion of private comments.)  
9  
10  
11  
12  
13  
14  
15  
16  
17

022609 navy private comments

18  
19  
20  
21  
22  
23  
24  
25

11

1 AUTHENTICATION  
2  
3

4 This is to certify that the foregoing  
5 transcription of the private comments portion of the  
6 public meeting held for the Northwest Training Range  
7 Complex draft EIS on Thursday, February 26, 2009, at 7:00  
8 at the Tillamook County Fairgrounds, Tillamook, Oregon, is  
9 a true and correct transcript of said proceedings and the  
10 original thereof delivered to Katz & Associates.

11  
12  
13  
14 \_\_\_\_\_  
15 Katherine Shelley  
16 Oregon Shorthand Reporter  
17 and Notary Public  
18  
19  
20  
21  
22