

WA State Parks Questions for NSO Training

General Questions:

1. Section 3-1 of the EA states, “The Proposed Action does not include construction on undeveloped lands or permanent ground-disturbing activities over an undisturbed area and human waste would not remain at a training site, thus water quality of training study area surface waters is not expected to undergo a measurable impact due to the Proposed Action.” Are non-permanent ground-disturbing activities proposed? If so, the Navy must identify the nature and location of these proposed activities (so they can be compared against known and documented archaeological sites). Examples of non-permanent ground disturbing activities include: cat holes for waste disposal, tent stakes, grubbing in the ground to level equipment, excavation of features (for concealment).
Navy Response: *No ground disturbing activities to be done, waste to be packed out, no tent stakes, grubbing, or excavation.*
2. One of the five measures for cultural resource protection states, “Navy’s SOI qualified archaeologist would periodically confirm to WA SHPO staff that NWSC activities continue to avoid adverse effects on historic properties.” Please provide details on the monitoring plan proposed by the Navy to monitor impacts to archaeological sites.
Navy Response: *Navy Archaeologist will coordinate with the State Parks Archaeology Program Manager, his staff and appropriate parks personnel to determine how to confirm there were no impacts to archaeological sites from the training activities in a manner complementary to the Parks’ established management procedures.*
3. The five measures for cultural resource protection do not identify mitigation if SOI qualified archaeologists identify impacts to archaeological sites. Will the Navy provide mitigation if damage occurs to a site?
Navy Response: *Yes, under the post-review discovery provisions of 36 CFR § 800.13.*
4. Throughout the EA, the Navy references State Parks management objects and potential best management practices that State Parks may employ to make the proposed training consistent with State Park’s objectives. For example, Section 2-4 states, “Training activities would be consistent with management objectives of individual parks, including prohibiting training in sensitive areas containing important natural and cultural resources. For example, if a site has been revegetated with native plants and the public is prohibited from entering that area, NSWC would also observe this restriction and not enter the area.” It is true that these are important considerations for State Parks and incorporated into the SEPA review process. As a state agency Parks considers more information than the species and habitats protected under federal regulation. Can the Navy provide a supplement to their EA which examines Department of Natural Resource’s Natural Heritage Program (NHP) data and the Washington Department of Fish and Wildlife’s Priority Habitat and Species (PHS) data, as well as determinations regarding the impact the proposed training will have on these species and habitats? State Listed species are a subset of data included in the PHS data, and State Listed Species were examined in the EA.
Navy Response: *The Navy considered State Listed Species in the EA and identified PHS for the requested sites in the SEPA checklist that was submitted as part of the application process. The Navy commits to avoiding sensitive areas that have been identified and will continue to coordinate with appropriate staff to ensure the areas are identified and avoided.*
5. Can the Navy explain how PHS was considered? Additionally, how were steep slope and unstable slope data maintained by local jurisdictions to ensure the proposed land crossing activities will not destabilize slopes considered in the determination process?

Navy Response: They will be following existing trails and avoiding steep slopes and unstable slopes. The objective is to get from the beach to the wooded area without leaving a trace.

6. The tidelands are not included in the boundary of many State Parks. Tidelands not explicitly owned by State Parks are managed by DNR, this is the case even on tidelands withdrawn to State Parks. Therefore, I believe that DNR would need to authorize any activities on tidelands/bedlands. Has DNR been consulted on this proposal? If not, what is the Navy's plan to secure this access?

Navy Response: Navy completed the required Coastal Zone Management Act consultation process with Washington Department of Ecology and received concurrence on September 28, 2018.

7. Section 8 provides a distribution list for the EA, including the tribal distribution list. This list is slightly different than State Park's SEPA distribution list. The Upper Skagit (Cama/Camano/Deception Pass), Lummi Nation (Deception Pass) and the Kikiallus (Cama/Camano) are included in State Park's SEPA distribution. These tribes will receive notification through SEPA.

Navy Response: Section 8 lists the tribes that were notified under the Government-to-Government process and is not the exhaustive list of tribes that were consulted with under Section 106 or generally notified of the action. The Lummi Tribe was generally notified of the action and given opportunity to comment on the Draft EA. As stated in Section 3.2.3 for the Final EA the Upper Skagit Indian Tribe were included in the Section 106 consultation process. The Kikiallus tribe is not federally recognized. Therefore, the Navy did not consult with.

8. There is designated Taylor's Checkerspot Habitat in Deception Pass State Park and the potential for Taylor's Checkerspot at Fort Casey and Deception Pass. It seems like there are also some grasslands at Fort Casey and Hope Island that could provide Taylor's Checkerspot Habitat. There is also known occurrences of Golden Paintbrush at Fort Casey. These species seem very sensitive to disturbance (by being stepped on) particularly at certain times of year. While there were determinations of No Effect or Not Likely to Adversely Affect NLAA for these species, given the nature of the action, how were these made? How will the Navy protect these species? The Navy's RPA applications include these sensitive areas in their area of use. Will the Navy be conducting species surveys? Please revise applications with this information.

Navy Response:

- As stated in Section 3.3.3.2.1 of the Final EA there is "no effect" on the species because the training activities do not overlap with extant populations. The discussion further concludes "no effect" on critical habitat designations because the training locations do not overlap with the designated critical habitat.
 - As stated in Section 3.3.3.3.1 of the Final EA there is "no effect" on the listed Golden Paintbrush at Fort Casey because that area would not be used for training activities. The discussion concludes "no effect" on Taylor's Checkerspot due to no overlap of activities with existing populations and activities would not alter the habitat.
 - Training will take place in beach and wooded areas, avoiding the meadow areas where the species have the potential to occur.
 - If changes in species status or critical habitat changes the Navy will reevaluate the action and consult with USFWS as needed.
9. Section 3.3-38 of the EA describes State Parks-specific natural resources training constraints. This section states, "For example, if a site has been revegetated with native plants and the public is prohibited from entering that area, Naval Special Warfare Command would also observe this restriction and not enter the area." Section 3.3-3.8 also states, "Some state parks have management plans with designated conservation areas that support conservation activities

(e.g., providing important refugia for species, supporting reintroduction sites) or higher land use classifications (e.g., “heritage”), which is the most restrictive for access and is used to protect extremely rare species (e.g., golden paintbrush populations). The following state parks have management plans that proscribe land use classifications that would protect specific species and habitats from stressors of the Proposed Action: Blake Island State Park, Camano Island State Park, Dosewallips State Park, Fort Casey State Park, Fort Ebey State Park, Fort Flagler State Park, For Worden State Park, Hope Island State Park, Illahee State Park, Joseph Whidbey State Park, Manchester State Park, Scenic Beach State Park, and Sequim Bay State Park (Washington State Parks and Recreation Commission, 1997, 2006a, 2006b, 2008a, 2008b, 2008c, 2009, 2013).” What specific measures will the Navy employ to protect these areas? Please update applications to include this information.

Navy Response: *Navy requests State Parks provide maps designating the locations described. The Navy will avoid the designated sensitive areas.*

10. Section 3.3-42 states, “For bald eagles and other raptors (e.g., ospreys) that nest within potential training locations, known nests would be avoided. During the nesting season, on-land and in-water training activities would not occur within 330 feet of eagle nests as recommended by the USFWS National Bald Eagle Management Guidelines (U.S. Fish and Wildlife Service, 2007a). Use of UASs in the vicinity of eagle nests would also maintain a stand-off distance of 330 feet from the nest at a minimum. Raptors tend to demonstrate strong site fidelity (returning to the same nesting areas every season). These nesting sites are identified on federal properties through technical field studies supporting INRMP updates. On other non-federal properties (e.g., state and local parks, private lands), these nest locations would be identified in real estate agreements, and would be used by training activity planners to identify site-specific training constraints. Because known nests would be avoided, trainees would not disturb nesting activities.” This information was not included in the applications. Please revise the applications to include locations off limits resulting from known raptors.

Navy Response: *Navy requests State Parks to provide locations of known raptor nesting locations on State Park’s properties. Once provided Navy will incorporate to maps for avoidance.*

11. The EA states, “Under the No Action Alternative, the baseline of current training activities conducted in Region 1 (Figure ES-1) over the past decades would continue at two training blocks per year in limited areas as approved under the 2015 Northwest Training and Testing Final Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) (“Personnel Insertion/Extraction –Submersible”) and its ROD was signed October 31, 2016, the Northwest Training Range Complex EIS/OEIS (“Nava I Special Warfare Training”) and its ROD signed October 25, 2010, and application of event-based Categorical Exclusions, as applicable. The two EIS/OEIS documents do not cover the full range of naval special operation training activities, locations, and duration needed, or provide the diversity required of naval special operations personnel. This Environmental Assessment (EA) will supersede the “Personnel Insertion/Extraction-Submersible” and “Naval Special Warfare Training” activities as identified in the EIS/OEISs, respectively.” If this EA is superseding aspects of the EIS/OEIS, is it including all the potential impacts to State Parks as a result of naval training and testing?

Navy Response: *This EA is the only document that assesses Navy training activities on State Parks Lands. The other land based NSW training activities covered in the Northwest Training Range Complex EIS/OEIS occur on Navy property only. The NSW training activities covered in the Northwest Training and Testing EIS/OEIS are those activities that only occur in the water. There is no other training and testing that would occur on State Park lands.*

Park Specific Questions:

1. Camano Island State Park – Are activities proposed at Lowell Point in the beach area? It is difficult to tell from the map.

Navy Response: *The OTBs will be conducted in the blue box area as depicted. Beyond that training will occur on the water side of the red and green lines and the park side of the yellow line as we see. Please refer to map and show us where the area of concern is.*

2. Deception Pass State Park – The park is divided between Skagit and Island County. Are activities only proposed in the Island County portion of the park as the map identifies?
The activity will be conducted in both counties, maps will be updated to reflect.

3. Deception Pass State Park - Section 3.1-6 of the EA states, “The addition of proposed High-Angle Climbing training in Region 2 at a known recreation area would be non-invasive, consistent with recreational uses, and infrequent. Thus, training in this location would not impact the public’s recreational use of the area.” Climbing is not a sanctioned recreational activity in the park so climbing would be introducing a new impact. The EA did review high-angle cliff climbing and found the activity is NLAA. However, there is an information gap in this location due to the difficult nature of obtaining data from cliff faces. If the Navy is proposing a new impact on the site then a base line survey needs to be performed to identify the types of vegetation/species using the site, as well as the density of these species. Has this been conducted? If so how was the determination that no impact is likely made?

Navy Response: *In discussions with WA State Parks, they never mentioned that climbing was not sanctioned at Rosario Beach's Refrigerator Rock. Rock climbing websites and published books list it as a rock climbing area that has 11 routes up the rock and it is already bolted, which the Navy observed on its site visit. There is no vegetation growing out of this rock face. The Navy would use the existing bolts and supplement with Camalots and stoppers that would be removed after the training is completed and would leave not trace. This is not a new impact since the site has been used this way for years.*

There is another site that the Navy is interested in using at Deception Pass with the approval of State Parks. This area is adjacent to North Beach by the Deception Pass Bridge Scenic Vista Parking area. The area is solid rock with some vegetation growing out of crevices. The Navy's biologist visited the site and did not observe any raptor nests in the rock face area. Vegetation would not be disturbed for the climb. The same Camalots and stoppers would be used and would be removed after the training is completed. This training would not leave a trace.

- Please update your application to identify the following:
- Where is rock climbing proposed? *Deception Pass Rosario Beach Refrigerator Rock and rock face at North Beach near the Deception Pass Bridge Scenic Vista Parking area (see attached ppt)*
- What methods are used for rock climbing? *While there is some vegetation growing in these areas, high-angle climbing utilizes climbing equipment and ropes to scale the surfaces. Support staff would set-up safety climbing ropes in advance of high-angle climbing training activity and would monitor the ropes to ensure the public would not use the ropes. At the completion of the training, the ropes would be removed. A typical climbing training scenario would be conducting would consist of 8 trainees at a time with 2-4 instructors and a medic present for support. Depending on how tall the cliff is they will send up one guy followed by his partner, then lower 2-4 ropes for the rest of the group to ascend. Likely 2-4 trainees at a time .The trainee climbing team will ascend the rock using both passive and active retrievable climbing gear such as Camalots and stoppers (pictured) to protect their climb. Nothing would be left behind and no*

permanent marks would be left behind either, the idea is to get in and out without being detected or have their presence discovered. The climbing team will bring up 2-4 ropes with them that the rest of the group would use to ascend the cliff after them. Upon leaving they will rig their ropes in a fashion that will be self-recoverable and rappel down the cliff, they will pull their ropes, pack up the gear and return to the water. The whole evolution usually takes between 2 and 6 hours depending on how many repetitions we do. In the end the instructors will inspect the area to ensure that nothing was left behind and that no trace or evidence could be found.

- *Will permanent anchors be set in rock? No permanent anchors, Camalots and stoppers will be used. See attached picture for items that will be used.*
 - *How do they access rock wall? Will trails be formed? The Navy will be using the existing trails in both areas, no new trails will be formed.*
4. *Fort Ebey – There are extensive sandy feeder bluffs in the park. Are activities proposed on these bluffs? If so, how are slopes protected from failures? No bluff scaling is proposed at Fort Ebey. There is an existing trail near Lake Pondilla that would be used to come from beach to woods. Trainees will not trek up tall/steep/crumbling terrain if trails or easier paths are available.*