

Don Hoch
Director



STATE OF WASHINGTON
WASHINGTON STATE PARKS AND RECREATION COMMISSION

1111 Israel Rd S.W. • P.O. Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500
TDD (Telecommunications Device for the Deaf): (360) 664-3133
www.parks.wa.gov

STATE ENVIRONMENTAL POLICY ACT
FINAL MITIGATED DETERMINATION OF NON-SIGNIFICANCE

Project Name: Naval Special Operations Training in Western Washington State
Lead agency: Washington State Parks and Recreation Commission
Agency Contact: Steve Brand
Partnership, Planning, and Real Estate Programs Manager
Steve.Brand@parks.wa.gov
(360) 902-8651

Description of proposal: The United States (U.S.) Naval Special Warfare Command (NSWC) is the U.S. Navy's special operations force and maritime component of the U.S. Special Operations Command. NSWC is proposing to conduct special operations training at multiple locations throughout western Washington, including twenty-eight state parks. The proposed action supports small-unit, intermediate and advanced cold-water maritime and land-based training activities for naval special operations personnel on selected nearshore lands in the inland waters of Puget Sound, including Hood Canal, as well as the southwestern Washington coast. Duration and frequency of activities vary, some sites could be used up to 36 times per year and for a maximum of 72 hours per training event. The Navy is requesting authorization from Washington State Parks and Recreation Commission (State Parks) to conduct training activities on twenty-eight state parks. Training activity descriptions, locations, durations are identified in the "Final Environmental Assessment for Naval Special Operations Training in Western Washington State".

Location of Proposal: The Navy has requested authorization for the following state parks: Blake Island, Cama Beach, Camano Island, Cape Disappointment, Deception Pass, Dosewallips, Fort Casey, Fort Columbia, Fort Ebey, Fort Flagler, Fort Townsend, Fort Worden, Grayland Beach, Hope Island, Illahee, Joseph Whidbey, Leadbetter Point, Manchester, Mystery Bay, Pacific Pines, Scenic Beach, Sequim Bay, Shine Tidelands, Skagit Island Marine, South Whidbey, Triton Cove, Twin Harbors, and Westport Light. For specific locations, please go to <https://parks.state.wa.us/1168/Navy-training-proposal>.

Proponent: The United States Navy – Naval Facilities Engineering Command Northwest

Threshold Determination: Washington State Parks and Recreation Commission (Lead Agency) has reviewed the SEPA checklist submitted March 11, 2020 as well as for reference, the November 2019 “Final Environmental Assessment for Naval Special Operations Training in Western Washington”, and the “Finding of No Significant Impact” signed December 18, 2019 and determined that this proposal will not have a probable significant adverse impact on the environment.

The Lead Agency considered the following information to identify the appropriate Threshold Determination: State Parks’ Classification and Land Management Plans (CAMP) land classification matrix, agency policy, GIS data for sensitive and listed species, and Tribal and public comment.

Pursuant to WAC 197-11-350(3), the Navy’s proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or mitigate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review by the Lead Agency of a completed Environmental Checklist, the “Final Environmental Assessment for Naval Special Operations Training in Western Washington State”, the “Finding of No Significant Impact” and other information on file with the Lead Agency. These documents are available at: <http://bit.ly/ParksSEPA>.

State Parks will condition any future permit to conduct Navy trainings on state parks with the following mitigation measures listed below to avoid, minimize, or mitigate for any potential significant adverse impacts to Plants, Animals, Cultural and Historic Resources, Recreation. These conditions are in addition to the conditions and best management practices (BMPs) outlined in the “2019 Final Environmental Assessment for Naval Special Operations Training in Western Washington”.

B.4. Plants

- The Navy will follow the most up-to-date Best Management Practices (BMPs) to avoid, minimize or otherwise mitigate impacts to plants. BMPs are resource-management decisions based on the latest professional and technical standards for the protection, enhancement, and rehabilitation of natural resources. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, treatment requirements, operating procedures, control practices, and other management practices to prevent impacts to natural resources.
- State Parks will verify the presence of species of conservation concern and Navy trainees are restricted to developed trails in areas where sensitive species are present.
- Trainees are prohibited from using steep slopes and feeder bluffs.
- Trainees are prohibited from using restoration sites or any restored areas off limits to the public.
- All Natural Area Preserves (Washington State Parks land classification) will be excluded from use areas.
- Trainees are prohibited from disturbing eelgrass (*Zostera marina*) beds.
- All climbing activities must stick to established trail routes and all “gardening” (removal or alteration of vegetation) is prohibited, including mosses and lichens.
- No boats will be landed within shores designated within the Natural Areas classification.

B.5. Animals

- The Navy will follow all conditions and Best Management Practices (BMPs) described in the “2019 Final Environmental Assessment for Naval Special Operations Training in Western Washington” as adapted and incorporated below:
 1. Training activities shall be conducted in such a way as to ensure marine animals are not harassed or harmed by human-caused events.
 2. Marine mammal observers are on board ship during range activities. All training personnel shall be trained in marine mammal recognition. Marine mammal observer training is normally conducted by qualified organizations such as NOAA/National Marine Mammal Lab (NMML) on an as needed basis.
 3. Vessels involved in trainings will use safety lookouts during all hours of training activities. Lookout duties include looking for any and all objects in the water, including marine mammals. These lookouts are not necessarily looking only for marine mammals. They have other duties while aboard. All sightings are reported to the Range Officer in charge of overseeing the activity.
 4. Visual surveillance shall be accomplished just prior to all in-water exercises. This surveillance shall ensure that no marine mammals or turtles are visible within the boundaries of the training area. Surveillance shall include, as a minimum, monitoring from all participating surface craft and, where available, adjacent shore sites.
 5. The Navy shall postpone activities until cetaceans (whales, dolphins, and porpoises) leave the project area. When cetaceans have been sighted in an area, all training participants will increase vigilance and take reasonable and practicable actions to avoid collisions and activities that may result in close interaction of naval assets and marine mammals. Actions may include changing speed and/or direction and are dictated by environmental and other conditions (e.g. safety, weather).
- For upland activities, State Parks will verify the presence of species of conservation concern and Navy trainees are restricted to developed trails in areas where sensitive species are present.
- During training activities, Naval personnel shall not harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct any federally or state listed species.
- The Navy is prohibited from conducting trainings during nesting windows for protected species and species of conservation concern in parks where those species exist.
- The Navy is prohibited from entering within 330 feet of nest sites for identified raptor species during breeding seasons.
- No boats will be landed within shores designated within the Natural Areas classification.

B.12. Recreation

- Surveillance of members of the public is prohibited.
- Use of campground areas or overnight accommodations for exercises is prohibited within 1,000 feet of said facility. Exceptions to this buffer may occur only when

permitting staff identify appropriate geological features or site characteristics that would provide equal adequate separation from the public. If found appropriate to reduce the buffer, and/or consistent with other exceptions described in this section, trainings will occur no less than 500 feet from a campground or overnight accommodation.

- Replica weapons may be carried to simulate the bulk and weight of the gear that would be carried by personnel during an actual mission. Use or carrying of weapons capable of launching or firing projectiles of any sort for training or otherwise is prohibited.
- Boat launches may be used for launch and recovery trainings only and are otherwise exempted from exclusion areas.
- Vehicle and pedestrian ingress and egress access for support staff and staging may be exempted from exclusion areas. Vehicles will remain on park roadways or designated parking areas at all times.
- The public will not be excluded from any area that is otherwise open to public access. Observers and safety personnel may intervene in the event of imminent detection of a trainee by a non-participant during training. Such intervention will be limited to informing the non-participant of the activity or as necessary to prevent injury.
- No trainings may occur if a member of the public is present, or approaching, the training area or, if the public enters the training area, training will either cease, be suspended, or be redirected to a different approved training area.
- For in-water activities, Coast Guard Navigation Rules and Regulations Handbook will apply. Vessels may be redirected from the training area or temporarily stopped as necessary for the safety of personnel in the water.
- No vessel operated by a member of the public shall be excluded or evicted from any park during a training exercise.

B.13. Historic and cultural preservation

- No permit will be issued until the Navy provides a monitoring plan consistent with the measures developed during Section 106 consultation (The NHPA Section 106 process concluded on July 23, 2019) which are as follows:
 1. Reopen consultation per 36 CFR 800.5(d) if necessitated by a change in the undertaking;
 2. Ensure a Secretary of Interior (SoI) qualified archaeologist reviews new and renewed real estate agreements for new information such as the presence of eroding archaeological deposits or features;
 3. Implement the Inadvertent Discovery Plan;
 4. Ensure a SoI qualified archaeologist provides awareness training prior to the start of each training block; and
 5. Navy's SoI qualified archaeologist would periodically confirm to SHPO staff that adverse effects are being avoided.
- The Navy will respect any Tribal request to avoid culturally significant locations of special importance on state park property and will not interfere with Tribal fishing or shellfish harvesting activities.
- Consistent with the condition regarding public presence, no trainings may occur in areas where Tribal members are present. If any member of Tribe enters the training area, training will either cease or be redirected to a different approved training area. Prior to any training the Navy must verify with, local tribal enforcement authorities that

- no cultural or traditional activities/events are planned to take place in the training area.
- Digging or otherwise disturbing the substrate is prohibited.

Public Meeting: This proposal will be considered by the Commission, in accordance with (RCW 42.30.080), on January 28th. You may participate remotely by listening and/or watching using one of the following phone numbers or web links:

To participate by phone:

1-415-655-0001 or 1-206-207-1700

Meeting Access Code: 177 271 7815

To watch via the web:

<https://watech.webex.com/watech/onstage/g.php?MTID=ef970e1d50e7c9f0c3b9f2ecab1d7b35a>

Event password: WAP@rks2021

To watch on TVW:

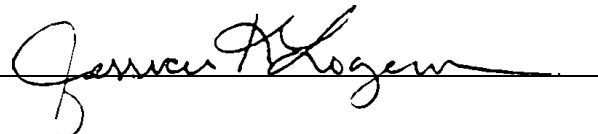
TVW Link: <https://www.tvw.org/watch/?clientID=9375922947&eventID=2021011045>

This Final Mitigated Determination of Non-significance (MDNS) is issued under (WAC) 197-11-350; a 14 day minimum comment period has been completed.

Responsible Official: Jessica Logan
Position/Title: Environmental Program Manager
Phone: 360-902-8679
Email: SEPA@parks.wa.gov
Mailing Address: PO Box 42650 Olympia,
WA 98504-2650

Date: January 27, 2021

Signature: _____



"All Washington State Parks are developed and maintained for the enjoyment of all persons regardless of age, sex, creed, ethnic origin, or physical limitations."

There is no agency SEPA appeal; however, all comments are welcome and will be thoroughly considered.