

DEPARTMENT OF DEFENSE

DEPARTMENT OF THE NAVY

FINDING OF NO SIGNIFICANT IMPACT FOR THE 2006 SUPPLEMENT TO THE 2002 RIM OF THE PACIFIC EXERCISES PROGRAMMATIC ENVIRONMENTAL ASSESSMENT, HAWAII (SPEA).

Pursuant to section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality Regulations (40 CFR, Parts 1500-1508) implementing the procedural provisions of NEPA, the United States Department of the Navy (Navy) gives notice that a Final SPEA has been prepared and an Environmental Impact Statement (EIS) is not required for implementation of the 2006 Rim of the Pacific (RIMPAC) exercises.

RIMPAC has been conducted at various locations throughout the State of Hawaii and surrounding ocean areas biennially since 1968. The purpose of RIMPAC is to implement a selected set of exercises that are combined into a multinational, sea control/power projection Fleet training exercise in a multi-threat environment. RIMPAC exercises enhance the abilities of a multinational Fleet force to communicate and operate in simulated hostile scenarios. In 2002, a Programmatic EA (PEA) was prepared in support of the RIMPAC exercises. The PEA identified the Proposed Action as the set of exercises and locations that would be used for RIMPAC activities for the foreseeable future. It identified the maximum usage of ongoing training assets and exercises that could be conducted within a given RIMPAC event and evaluated the impacts on the environment within those bounds. The FONSI for the RIMPAC PEA, signed June 11, 2002, concluded that as long as future RIMPAC exercises did not exceed the evaluated set of events, the Proposed Action could be implemented without supplemental NEPA documentation. Thus, the scope of each future RIMPAC exercise has been evaluated for consistency with the 2002 RIMPAC PEA and its FONSI.

The 2006 Supplemental Environmental Assessment (SPEA) was prepared to evaluate new training event locations and to compare all proposed RIMPAC 2006 events to the analysis of training events in the 2002 RIMPAC PEA and 2004 SPEA to ensure all 2006 proposed events were addressed, if not previously evaluated.

The comparison included an evaluation of: training levels (personnel and equipment) and types of equipment; facilities and procedures for implementing RIMPAC at each installation or range; and changes in the affected environment or environmental sensitivities. In addition, the 2006 SPEA also includes a description of the Antisubmarine Warfare (ASW) operations, and the ASW acoustic effects modeling completed for RIMPAC 2006.

The 2006 SPEA considers two alternatives in addition to the No Action Alternative. Alternative 1 addresses all of the training events identified in the 2002 PEA and 2004 SPEA and new locations for conducting the Non-Combatant Evacuation Operation (Pacific Missile Range Facility and Niihau). Alternative 2 consists solely of the training events addressed in the 2002 PEA and 2004 SPEA.

The analysis conducted in the SPEA focused on the following resources: terrestrial environment, including cultural resources, and the marine environment. Specifically, the 2006 SPEA includes analysis related to hull-mounted mid-frequency active (MFA) sonar. New scientific information has led to the ability to quantitatively assess marine mammal harassment levels, as defined in the Marine Mammal Protection Act (MMPA) 2004 amendment relating to military readiness activities. The 2006 SPEA provides an analysis of exposure of marine mammals to hull-mounted MFA sonar during the RIMPAC training events proposed for both Alternatives 1 and 2.

Under the No Action Alternative, the RIMPAC Exercise would not be conducted. The existing training events would not be combined into a multinational, sea control/power projection fleet training exercise in a multi-threat environment. Multinational force command, control, and communication training for operating in simulated hostile scenarios would not occur. There would be no enhanced communication and cooperation between nations, and the United States would not be able to ensure that it can accomplish shared operational objectives with other Pacific Rim nations. Operational forces would not be able to engage in multinational battle-realistic training, including aircraft operations, ship maneuvers, amphibious landings, troop movements, gunfire and missile exercises, submarine and antisubmarine warfare training events, mining and demolition activities, salvage, special warfare operations, and humanitarian operations. This would be counter to the readiness

mandate identified in U.S. Code Title 10. For these reasons, the No Action Alternative was rejected.

Based on the review of the proposed RIMPAC 2006 events compared to the analysis of the environmental effects from the RIMPAC 2002 PEA and 2004 Supplement events, there will be no significant impacts on any resources in any of the proposed land-based training areas.

Navy modeling of potential exposures of marine mammals to hull-mounted MFA sonar shows Level B harassment exposures. Level B harassment in the context of military readiness activities is defined as any act that disturbs or is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns including, but not limited to, migration, surfacing, nursing, breeding, feeding, or sheltering to a point where such behavioral patterns are abandoned or significantly altered. The predicted marine mammal sound exposures constituting Level B harassment are presented without an assessment of whether those exposures would cause behavioral patterns to be abandoned or significantly altered and without consideration of standard protective operating procedures. There are no predicted marine mammal sonar exposures that would result in injury or mortality. Navy has prepared a Request for Incidental Harassment Authorization (IHA) from the National Marine Fisheries Service (NMFS) for the incidental harassment of marine mammals from the use of hull-mounted MFA sonar. In addition, Navy is consulting with NMFS under Section 7 of the Endangered Species Act concerning the endangered species that may be affected by the proposed action.

Navy is implementing protective measures such as decreasing the source level and then shutting down MFA sonar operations when marine mammals are encountered in the vicinity of a training event. Although Navy routinely employs standard operating procedures to minimize potential exposures of marine mammals during training operations, at the request of NMFS, during NMFS' review of the 2006 SPEA, Navy has enhanced and added additional protective measures for RIMPAC 2006.

During RIMPAC 2004, a stranding event involving melon-headed whales occurred in Hanalei Bay, HI. A draft NMFS report on the stranding was reviewed by Navy prior to completion of the RIMPAC 2006 SPEA and it is cited in the 2006 SPEA bibliography. On 27 April 2006, NMFS released its final report on the 2004

stranding, which did not differ analytically or factually from the draft report. The facts commonly agreed to between Navy and NMFS and the acoustic analysis contained in both the draft and final NMFS reports are set out in the 2006 SPEA. The final NMFS report was reviewed prior to execution of this FONSI. While Navy agrees with these facts and acoustic analysis, it does not agree with the conclusion that Navy's use of sonar was a "plausible, if not likely contributing factor" to the stranding as set out in the final NMFS report. The Chief of Naval Operations raised this concern in a letter to National Oceanic and Atmospheric Administration (NOAA/NMFS) dated 5 May 2006.

Based on information gathered during preparation of the SPEA, the Department of the Navy finds that implementation of the RIMPAC 2006 exercise will not significantly impact the environment and an Environmental Impact Statement (EIS) is not required for implementation of the 2006 Rim of the Pacific (RIMPAC) exercises. Navy will reopen the EA cited in this FONSI in the event ongoing discussions with NMFS concerning the pending IHA application or ESA consultation present new terms and conditions or additional information that substantially change the fundamental analysis contained in the EA.

The Final SPEA and FONSI may be obtained by written request from: Commander, U.S. Pacific Fleet (N01CE1), 251 Makalapa Drive, Pearl Harbor, HI 96860. For additional information, write to the above address or call 808-471-7836. The Final SPEA and FONSI are also available for public review at the project Web site at <http://www.smdcen.us/rimpac06/>. In addition, the documents may be reviewed at the following locations:

Wailuku Public Library
251 High Street
Wailuku, Hawaii 96793
(Maui)

Hilo Public Library
300 Waianaenue Avenue
Hilo, Hawaii 96720
(Hawaii)

Hawaii State Library
Hawaii and Pacific Section Document Unit
478 South King Street
Honolulu, Hawaii 96813

(Oahu)

Lihue Public Library
4344 Hardy Street
Lihue, Hawaii 96766
(Kauai)

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Dated



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