



BOARD OF SUPERVISORS

COUNTY OF HUMBOLDT

825 5TH STREET

EUREKA, CALIFORNIA 95501-1153 PHONE (707) 476-2390 FAX (707) 445-7299

October 19, 2010

Naval Facilities Engineering Command Northwest
Attn: Mrs. Kimberly Kler – NWTRC EIS
1101 Tautog Circle, Suite #203
Silverdale, WA 98315-1101

RE: Letter Stating Concerns Related to the Final Environmental Impact Statement (EIS) and Overseas Environmental Impact Statement (OEIS) with particular reference to the Northwest Training Range Complex (NWTRC)

Dear Ms. Kler:

As you may recall, Humboldt County Supervisor Jimmy Smith attended the January 9, 2009 public hearing for the Northwest Training Range Complex Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS). During that session, he emphasized the need to protect natural resources and traditional fisheries.

Now that the final documents have been released, the Humboldt County Board of Supervisors would like to reaffirm many of our original concerns as well as those raised separately by Supervisor Duffy in a letter dated April 7, 2009 and by the Mendocino Board of Supervisors in their letter dated October 8, 2010. As you may know, the Humboldt County coastline and adjacent waters are some of the richest in the world. The sea floor has unique characteristics which include deep canyons and sharply rising reefs along with miles of gradually sloping continental shelf.

Our area is also buffeted by prevailing Northwest winds that create some of the strongest upwellings on the West Coast. The result is cold, plankton rich waters with an abundance of forage for fish, sea birds and marine mammals. There are several listed species of fish that deserve special attention. They include Steelhead Trout, Coho Salmon, Coastal Chinook and Yellow Eye Rock fish.

Additionally, these waters host concentrations of Gray Whales, Humpback Whales, Killer Whales and several other species of marine mammals. It is important to note that we also have robust fisheries occurring in the waters you have included in your document. Currently, there are sustainably managed recreational and commercial fisheries for Sole, Black Cod, Salmon, Pink Shrimp and Tuna occurring in these Northern California waters.

Humboldt County would like to state clearly that the only viable mitigation for our coast is complete avoidance. The species we have referred to in these comments are present for long periods or year around. They frequent the areas from 12 to 50 miles offshore and would be vulnerable to your operations. We are especially concerned about the impacts resulting from sophisticated sonar and any explosive devices. Clearly, these important resources should not be subjected to your exercises.

In summary, we would request that the comment period be extended an additional 60 days. The documents are significant and deserve careful attention from our staff and the public. Extending the comment period will allow that review to occur. We also support the Mendocino County Board of Supervisors request to initiate Congressional hearings on this matter, with hearings to be held on the west coast for the convenience of those communities most directly impacted.

Thank you in advance for considering our comments.

Sincerely,



Clif Clendenen, Chair
Humboldt County Board of Supervisors

CC:kh

cc: Congressman Mike Thompson
Senator Barbara Boxer
Senator Diane Feinstein
Mendocino County Board of Supervisors
Dr. Jane Lubchenko, NOAA Undersecretary

Enclosures



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EUREKA, CALIFORNIA 95501-1153 PHONE (707) 476-2390 FAX (707) 445-7299

April 7, 2009

Kimberly Kler, Environmental Planner
Naval Facilities Engineering Command Northwest
1101 Tautog Circle, Suite 203
Silverdale, WA 98315-1101
Phone: (360) 396-0927

Re: Draft Environmental Impact Statement/ Overseas Environmental Impact Statement for the Northwest Training Range Complex

Dear Ms. Kler:

Thank you for the opportunity to provide input the U.S. Navy's Draft EIS for the Northwest Training Range Complex. I respectfully submit the following for consideration:

- 1. Request that the Navy provide support and funds research to evaluate how fish and marine mammals respond to these training exercises.**

There are concerns about the Environmental Impact Statement and the effects of various training types. Of particular concern are behavioral and sub-lethal impacts of mid-range sonar and the proposed underwater training minefield to the fisheries, its impacts to the Pacific Northwest fishing industry, and marine mammals.

Types of training include aircraft over-flights, vessel movements and deployment of underwater explosives, SONAR, and sonobuoys. The EIS reviews the available literature on how fish react to sound and pressure waves, since these are impacts likely from underwater explosives, SONAR, and sonobuoys. Some important items for additional consideration include:

- * Data on how fish respond to sound is limited to relatively few species (100 species of 29,000 species).
- * Most marine fishes are less sensitive to sound than freshwater fishes. However, bay anchovy are relatively sensitive to sound. *I request that impact considerations inclusion of the northern bay anchovy since they are in the same family.*

- * Sensitivity to sound appears to increase with fish size.
- * There is much variation in how fish respond to sound, even within a single species.
- * Little is known about the chronic impact of sound on fish and nothing is known about the behavioral response of fish to these impacts. *A chronic impact is one that does not kill the fish, but results in injury or impaired activity.*
- * The impact of pressure waves from explosives has potential to injure or kill fish. The EIS presents some data estimating that adult Chinook salmon within 320 meters (*about 3 football fields*) may be injured or killed by detonating a 20 lb bomb.

These observations suggest that U. S. Naval training exercises have potential to harm fish. Alternative 2, the preferred alternative, training regime identified in the EIS would result in the deployment of 144 bombs, 57 missiles and 9,651 sonobuoys (including 149 explosive sonobuoys) each year. Additionally, Alternative 2 would also deploy sonar devices. If *deployed evenly over the large training area*, it is unlikely to cause large impacts to fisheries. If, however, training exercises are *concentrated in limited areas*, the potential for harm would certainly increase.

The EIS suggests that the training exercises may not kill large numbers of fish, however training exercises have potential to impact the behavior of fish, and particularly migratory species such as salmon.

Example: Migrating Chinook salmon off Trinidad, California, rise to within 1 meter of the surface every day at noon. Researchers in Norway have found that Atlantic salmon in the North Sea exhibit the same behavior. No one yet knows why salmon surface every day at mid-day, but it is likely associated with navigation during migration.

Activities that interfere with this kind of behavior could affect Chinook salmon, and perhaps other migrating fish. The EIS emphasizes the lack of information on fish response to sound/pressure waves and calls for research on this topic.

2. NOAA National Marine Sanctuary program is conducting initial surveillance and data gathering activities in the Klamath region for the evaluation and potential establishment of a Marine Sanctuary.

Due to time constraints, and the fact that the EIS consists of two documents totaling about 1,000 pages it was difficult to determine the location of training activities described in the EIS, and as a consequence provide meaningful comment to the EIS. Although the Pacific Northwest "Operating Area" extends from the Humboldt/Mendocino County boundary to the U.S./Canada boundary, no mention of where specific training might occur within that large area is provided.

Combined with the NOAA NMS preliminary planning, surveillance and data gathering activities in the Klamath region, I am unable to provide more specific impact/mitigation comments to the Navy other than to bring this effort to your attention.

In closing, thank you for the previous extension for to allow for additional public comment.

Sincerely,



Jill K. Duffy, 5th District Supervisor
County of Humboldt

JD:kh

cc: Congressman Mike Thompson
Senator Dianne Feinstein
Senator Barbara Boxer
Mendocino County Board of Supervisors
Del Norte County Board of Supervisors
State Senator Pat Wiggins
State Assembly Member Wes Chesbro
Yurok Tribal Chairwoman Tripp
NOAA Southwest Regional - Rod McInnis

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board



PAULINE RANTALA
Deputy
Clerk of the Board

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October 8, 2010

Naval Facilities Engineering Command Northwest
ATTN: Mrs. Kimberly Kler - NWTRC EIS
1101 Tautog Circle, Suite 203
Silverdale, WA 98315-1101

RE: Letter of Opposition to the Final Environmental Impact Statement (EIS) and Overseas Environmental Impact Statement (OEIS) with particular reference to the Northwest Training Range Complex (NWTRC)

Dear Mrs. Kler:

The Mendocino County Board of Supervisors is on record, as stated in our letter of April 7, 2009, as being fully supportive of "the need for the Navy to properly train to maintain a high state of proficiency and readiness to safeguard our nation and our naval personnel. However, we are confident that the training mission of the Navy can be accomplished in a way that is compliant with environmental principles and relevant environmental laws. We urge the Navy to adopt mitigations that will be protective of the marine environment and that will limit the potential adverse environmental impacts to marine mammals and fish species from the Navy's proposed alternative No. 2 for the NWTRC."

We write now to express our strong disappointment and opposition to the Final Environmental Impact Statement (FEIS) and Overseas Environmental Impact Statement (OEIS) which fail to adequately respond to the reasonable requests for mitigation submitted by this Board and others. We particularly note, and incorporate by reference in their entirety the above referenced April 7, 2009 letter of opposition to the Preferred Alternative No. 2 for the Northwest Training Range Complex (NWTRC) and the letter of March 10, 2009 RE: Draft EIS/OEIS for the NWTRC as submitted by the Natural Resources Defense Council.

We are strongly disappointed that with one exception, the consistency determination from the California Coastal Commission, the FEIS/OEIS is non-responsive to the significant body of fact and science based evidence that supports the clear need for greatly enhanced mitigations to protect marine mammals, fisheries and the numerous other public trust values needlessly placed at risk by Preferred Alternative No. 2. We note for the record that many of the concerns pertinent to the preferred alternative apply equally to Alternative No. 1. For that reason, we urge that the FEIS/OEIS be withdrawn. We urge the Navy to re-think and revise the FEIS/OEIS to incorporate appropriate mitigations that are legally compliant and environmentally protective, at which time the revised FEIS/OEIS can be re-circulated for comment.

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Fifth District

October 8, 2010

We note with particular disappointment the lack of meaningful mitigations for fish and fisheries. As stated in our letter of April 7: "Fisheries resources in California have declined precipitously in recent years due to a variety of causes. The presence of a viable fishing industry helps define the rural character of Mendocino County and contributes directly and indirectly to our local economy, including providing a significant cultural and epicurean backdrop for the local tourist industry. Anything that negatively impacts the fishing industry also negatively impacts our local tourist industry, economy and character. We are concerned that there seems to have been no meaningful effort to identify essential fisheries habitat for commercial fish species or to quantify in any meaningful way the potential impacts. The EIS acknowledges that there will be mortality and injury associated with training activities but without providing any meaningful analysis peremptorily concludes that there will be no significant impacts." This cavalier approach to one of our premier public trust values is simply unacceptable.

We are not mollified by statements that California waters will only be used for transit of ships and submarines with very limited training while en route. What is the nature of that "limited training"? Will it involve sonar, aerial bombardment or undersea detonations? We wish to make it clear that none of these activities are appropriate as we try to recover our fisheries resource that has been decimated by past short sighted practices. We are concerned also that these activities may place at risk our commercial and recreational fishermen and women.

We are equally concerned with the lack of meaningful mitigations for marine mammals. It is our understanding that under ideal conditions of calm seas and daylight hours only 5% of marine mammals can be detected, which renders the visual detection protocols of the FEIS/OEIS ineffective. The surest way to avoid impacts to marine mammals is to avoid feeding grounds, calving grounds and migration routes at times when marine mammals are known to be present.

Further, the California Fish and Game Commission, pursuant to the State of California Marine Life Protection Act, is expected to adopt Marine Protected Areas in an effort to protect marine life, habitat, and ecosystems and assist in the recovery of our fisheries. We are concerned that these efforts may be negatively impacted by the NWTRC.

We particularly urge the adoption of all mitigation measures cited by the above referenced NRDC letter of March 10, 2009 and additionally call for the siting of all training exercises in California a minimum of fifty (50) miles from shoreline or beyond the continental shelf, whichever is greater and a minimum of fifty (50) miles from the boundaries of any Marine Protected Areas.

We are given to understand that the Navy has agreed to keep all training in California at least 12 miles from shore, and "most" training fifty miles from shore, but are not aware of written documentation that would support this protocol or quantify "most." Without such documentation and quantification, this pledge is rendered meaningless.

In closing, we reiterate that the FEIS/OEIS fails to provide meaningful mitigations for numerous public trust values, including protection of fish, fisheries, and marine mammals. Accordingly, we strongly urge that the FEIS/OEIS be withdrawn, revised to adopt appropriate mitigations and re-circulated for comment.

Sincerely,



Carre Brown, Chair
Mendocino County Board of Supervisors

cc: Congressman Mike Thompson
United States Senator Barbara Boxer
United States Senator Dianne Feinstein

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board

PAULINE RANTALA
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October 8, 2010

The Honorable Mike Thompson, Congressman
United States Congress
231 Cannon Office Building
Washington, DC 20515

RE: Request for Extension of Time and Congressional Hearings on the Final Environmental Impact Statement (EIS) and Overseas Environmental Impact Statement (OEIS) Regarding the Northwest Training Range Complex (NWTRC)

Dear Congressman Thompson: *Mike*

Thank you for your previous efforts to secure an extension of time on the Draft EIS/OEIS and your successful facilitation of an appearance by Naval representatives to present information and receive public comment at a meeting here in Mendocino County.

We regret that the Final EIS/OEIS is generally non-responsive to numerous requests to adopt meaningful mitigations to protect fish, fisheries, marine mammals and other public trust values. Accordingly, this Board has sent the attached letter to the Navy requesting that the Final EIS/OEIS be withdrawn, revised and then re-circulated for public comment.

Given that it has been 18 months since the close of comment on the Draft EIS/OEIS, this issue has largely faded from the public eye. Therefore, we respectfully urge you to encourage the Navy to extend the public comment period in order to encourage wider public awareness and participation.

Given the non-responsiveness of the Final EIS/OEIS to numerous science based mitigations, we believe it is appropriate that our elected representatives formally review this issue. Therefore, we respectfully request that you seek to initiate Congressional hearings on this matter. Further, for the convenience of those persons and communities most directly impacted, we request that these hearings be held on the west coast.

Thank you for your consideration of our requests.

Sincerely,

Handwritten signature of Carre Brown in black ink.

Carre Brown, Chair
Mendocino County Board of Supervisors

Attachment

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October 8, 2010

The Honorable Barbara Boxer, Senator
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: Request for Extension of Time and Congressional Hearings on the Final Environmental Impact Statement (EIS) and Overseas Environmental Impact Statement (OEIS) Regarding the Northwest Training Range Complex (NWTRC)

Dear Senator Boxer:

Thank you for your past efforts on behalf of protecting the California coastline in general and that of the Northcoast in particular.

We regret that the above referenced Final EIS/OEIS is generally non-responsive to numerous requests to adopt meaningful mitigations to protect fish, fisheries, marine mammals and other public trust values. Accordingly, this Board has sent the attached letter to the Navy requesting that the Final EIS/OEIS be withdrawn, revised and then re-circulated for public comment.

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Thank you for your consideration of our requests.

Sincerely,

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Carre Brown, Chair
Mendocino County Board of Supervisors

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October 8, 2010

The Honorable Dianne Feinstein, Senator
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510Etc.

RE: Request for Extension of Time and Congressional Hearings on the Final Environmental Impact Statement (EIS) and Overseas Environmental Impact Statement (OEIS) Regarding the Northwest Training Range Complex (NWTRC)

Dear Senator Feinstein:

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Sincerely,

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Carre Brown, Chair
Mendocino County Board of Supervisors

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