Navy pushes back deadline again—Public can comment on impact statement until April 13

By Terry Dillman Of the News-Times

Still navigating against a negative tide of public opinion, Navy officials have once more moved the deadline target for public comment pertaining to its Northwest Training Range Complex (NWTRC) draft environmental impact statement/overseas environmental impact statement (DEIS/OEIS).

Sheila Murray, the Navy Northwest Region's environmental public affairs officer, and Dale Davis, the regional media officer, announced the extension Wednesday afternoon - the day the comment period for the second of two previous extensions was due to expire.

Navy officials want to significantly boost training activities within the NWRTC - a naval training area stretching along the coasts of Washington, Oregon, and northern California to 250 nautical miles offshore - and create “enhancements” in those areas. The DEIS predicts minimal, if any, significant detrimental effects overall, and “no socioeconomic effects” for commercial shipping and fishing interests, sport fishing and diving interests, and tourism activities. But local officials and others remain concerned about the potential impacts to communities, fisheries, and marine life, and want a significant say in shaping the final EIS.

“Public comments are a fundamental part of EIS/OEIS development, and key to helping the Navy make informed decisions,” the March 11 press release from the Navy Region Northwest headquarters in Silverdale, Wash., noted.

Public skepticism

Folks who attended public hearings held Jan. 30 in Newport and Feb. 26 in Tillamook still aren’t sure how fundamental their comments are to Navy officials.

They cite what they consider the Navy’s failure to adequately notify the public for both of those sessions as the foundation for their skepticism. It was the lack of notification for the January session at Oregon State University's Hatfield Marine Science Center that launched a wave of public antipathy about the Navy’s DEIS process, and lured Oregon’s federal legislative delegation to intercede.

In two separate letters sent to Secretary of the Navy Donald C. Winter and Deputy Assistant Secretary of the Navy Don Schregardus in February, U.S. Senators Ron Wyden and Jeff Merkley, and U.S. Representatives Kurt Schrader, Earl Blumenauer, Peter DeFazio, and David Wu asked the Navy to extend the public comment period to April 11 and "hold at least two additional public hearings in Oregon," including one in Tillamook County. They cited the heft of the DEIS, both in terms of bulk at 1,068 pages, and its “dense technical language.”

The delegation said the complex issues involved, and unanswered questions about potential impacts of the Navy’s plans warranted the additional sessions and time extension.

During a Feb. 10 briefing of the delegation by several Navy representatives,

Schregardus told them that pushing the public comment period to April 11 would violate a legal settlement with the National Resources Defense Council (NRDC) in California. The $5-million settlement reached in December 2008 requires the Navy to comply with environmental laws, including environmental impact statements, for its training ranges, and adopt effective mitigation measures. The agreement sets a schedule of environmental compliance for the Navy’s various training ranges, including the NWTRC. In it, the Navy “confirms its intent to adhere to its range-wide compliance schedule” and agrees to notify the NRDC and other environmental groups involved if the Navy can’t meet the schedule.

Looking into the matter, the Oregon delegation discovered there are no penalties if the Navy falls behind schedule, and the NRDC itself had asked the Navy for "a significant extension of the comment period."

Start over?

What has emerged is a compromise of sorts, as the Navy first extended the original comment deadline by a week (Feb. 11 to Feb. 18), then to March 11, along with the additional hearing in Tillamook. The new deadline is Monday, April 13, but for now, no additional public hearings are on the horizon.

That doesn’t sit well with many folks.
Charlotte Mills of Tidewater is leading the efforts of a citizens group opposed to “weaponizing” the Oregon coast.

They say both Oregon public hearings were “illegal and invalid” due to the Navy’s “failure to comply” with NEPA public notification requirements. They want the Navy to schedule three more public hearings in Oregon (to match the number held in Washington) with proper early notification to all coastal newspapers, and provide copies of the DEIS far enough in advance to the communities where the hearings are scheduled to give citizens a chance to peruse them. They also want an estimated budget for the proposed NWTRC installations and activities, along with a tally of the costs to send 19 presenters and panelists to six public hearings, and for the posters, graphics, brochures, and “small, poorly-designed ads” used to present the DEIS proposal to the public.

“Oregonians have a right to know,” Mills said. “The Navy has a federal mandate to inform.”

Carol Van Strum, also of Tidewater, wants a total re-launch.

She said the Navy’s DEIS fails to identify past, current, and future activities in the waters of Oregon and northern California, fails to support findings of “no significant impact” in those waters, makes repeated assumptions based on “absence of data,” and fails “to examine obvious and feasible alternatives.”

“From the outset, the monumental failure of the Navy to notify the public of its proposed actions totally precluded meaningful public participation, review, and comment,” Van Strum noted in a letter to project leader Kimberly Kier. “The EIS and the proposals the Navy has devised should therefore be withdrawn, and the entire process started over from scoping notice on.”

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