NAVY ATLANTIC FLEET TRAINING

NAVY CHERRY POINT RANGE COMPLEX

EIS/OEIS PUBLIC HEARING

OCTOBER 14, 2008

NORTH CAROLINA MARITIME MUSEUM

BEAUFORT, NORTH CAROLINA

REPORTED BY: PATRICIA D. THIEL, CVR
PROCEEDINGS

LT. COL. WARD: Good evening, ladies and gentlemen. Welcome to the public hearings on the Navy's Draft Environmental Impact Statement/Overseas Environmental Impact Statement on the Navy's proposed action of evaluating the potential environmental impacts over a 10-year planning horizon associated with Navy Atlantic Fleet Training; research, development, testing, and evaluation (RDT&E) activities; and associated range capabilities enhancements within the existing Navy Cherry Point Range Complex. The purpose for the proposed action is to:

(1) Achieve and maintain Fleet readiness using Navy Cherry Point Range Complex to support and conduct current, emerging, and future training operations and RDT&E operations;

(2) Expand warfare missions supported by the Navy Cherry Point Range Complex; and,

(3) To upgrade and modernize existing range capabilities to enhance and sustain Navy training and RDT&E.

Let me begin by thanking each of you for your attendance tonight. My name is Lieutenant Colonel Quincy Ward, and my role is serve as the hearing officer for this public hearing. In order to ensure everyone present can hear me and understand what is going on, and out of respect to your fellow citizens who will be speaking tonight, I ask
that everyone please take a moment now to ensure that your cell phones are in silent mode or turned off. Just so I don't set a bad example, I'll make sure mine is off too.

I'm a member of the United States Marine Corps, and I am a military judge at Camp Lejeune in the Eastern Judicial Circuit of the Navy and Marine Corps Trial Judiciary. I've been assigned to preside over this public hearing by the Chief Judge of the Navy and Marine Corps Trial Judiciary.

I am not and have never been affiliated in any way with the Department of the Navy's evaluation of the potential environmental effects associated with the proposed action I previously described.

As a sitting military judge, I'm required to remain neutral and to act impartially in all matters under my cognizance, which includes this hearing. My job tonight is simple. It is to ensure that we have a fair, orderly, and impartial hearing. Consistent with the tenets of the National Environmental Policy Act, or NEPA, all who wish to provide comments will have the opportunity to do so.

I expect that there will be a wide range of comments expressed during the evening, and I ask that we treat each other with courtesy and respect.

Throughout this hearing, I ask that you keep in mind that this is not an arena for debate. It is not a
popularity vote on the DEIS/OEIS, hereinafter referred to as "the document," and the alternatives described therein, nor is it a hearing in a question-and-answer format.

This public hearing provides an opportunity to express your views on the adequacy or inadequacy of the document and have those comments made part of the official record. This hearing is part of the official record.

In order to orient those attending who might not entirely familiar with this document, this public hearing will begin with a brief introduction by two Navy representatives, Mr. David Noble, U.S. Fleet Forces Command, Norfolk, Virginia, and Commander Steven C. Finco, Executive Officer of Fleet Area Control and Surveillance Facility Virginia Capes. These gentlemen will present information concerning the purpose and need for the Proposed Action and the three alternatives analyzed in the document.

The briefing takes about 15 minutes and is required by statute as part of the National Environmental Policy Act process.

Following the introductory presentation, we will begin hearing your comments on the document. This hearing is being held in accordance with the provisions of the National Environmental Policy Act, NEPA, and the regulations that are published by the Council on Environmental Quality.
The purpose of this hearing is to provide a public forum to summarize the results of the document and, more importantly, to receive your comments on the document. These comments are part of the official record and will be considered in preparation of the Final EIS/OEIS.

Your comments and involvement in this hearing are very important to the decision-making process. Your input provides the decision-makers with the benefit of your knowledge of any environmental impacts that you think might result from the proposed action.

This hearing is the venue that the Navy uses to gather your concerns, whether they are through oral or written comments, about the adequacy of the environmental analysis and the environmental impacts identified under the proposed action and the alternatives.

We ask that you focus your comments on environmental issues. Non-environmental issues will take time away from those who came to comment on the analysis of environmental concerns, and comments on non-environmental issues will not add to the adequacy of the analysis used in the Final EIS-OEIS.

As I said earlier, it's my job to ensure that each of you has an equal opportunity to speak. The Navy representatives will not be allowed to respond to your comments, and that is important to know. This is not a
debate. This is a hearing, and it is your opportunity to speak.

I will enforce the individual time limits previously established of three minutes so that all who wish to may have an opportunity to speak. Please do not interrupt any speaker, whether you agree or disagree. Interfering with the speakers will simply reduce the amount of time available for all those who desire to be heard. Similarly, applause or other outbursts will take valuable time away from the speakers and will hamper me in trying to afford everyone a chance to speak.

This hearing is scheduled to adjourn at 9:00 p.m. If necessary, I will not consider the time taken by the Navy representatives for the presentation to count against this full two-hour hearing time. I will add that additional time to the period available for folks to speak. In other words, you will have the full two-hour hearing time that is noted in the Federal Register.

If, after everyone who desires to speak has had an opportunity to do so, and there is any time left, I will permit speakers to use the additional time to continue to expand upon their earlier comments, again observing the three-minute time limit.

If you decide to speak, the stenographer will record your comments. You are also encouraged to continue
your comments, or elaborate on them, through a written
submission.

If you do not wish to speak at this public hearing but you have comments that you would like to be made part of the public record, I encourage you to submit those comments. There are a number of ways available for you to do so as indicated on the projection screen behind me over here on the right. First, you may submit your written comments tonight at the comment table, or you may submit your comments on-line via the website at the address you see listed there above. As an additional alternative, you may fax your comments to the number you see listed there on the slide to my right.

Finally, if you prefer, you may mail additional comments to the Naval Facilities Engineering Command Atlantic, Attention: Code EV22SA -- and you also see that listed there on the slide.

Now, written comments will be accepted throughout the comment period, which concludes on October 27, 2008. Comments made at all the public hearings, or provided in writing any time during the public comment period, or postmarked by October 27, 2008, will be give equal consideration. All comments are part of the official record.

Information is available at the comment table
on all of the methods of submitting comments that I
previously mentioned.

When you came in tonight, you should have
signed in and received fact sheets. Also, you should have
been asked to indicate if you wished to speak. Those who
said they wished to speak signed speaker cards at the
registration table, like this one I have here. Is there
anyone that wishes to speak tonight but did not receive one
of these yellow cards?

(No response)

LT. COL. WARD: The speaker cards will become
part of the official record. If anyone wishes to speak who
has not yet signed a speaker card, please raise your hand
and a member of the Navy staff will sign you up.

Additionally, if at a later point during this
hearing you decide you would like to speak, please let one
of the representatives know, and they'll provide you with a
card.

Elected officials who choose to comment will
be given an opportunity to speak first, followed by
officials representing government organizations. Members of
the public will then be called up in the order in which they
signed up to speak.

At the conclusion of your comments, please
return to your seat in the speaker staging area. After the
first speakers have completed their comments, I will ask them to return to their seats. And if there are any additional speakers, then I will call them up to speak as well. It is important that you speak clearly and slowly so that our stenographer can do her job. Please face the stenographer you see seated to my right, which is important so that she can take down what you say.

We are also going to ask that you state your full name and spell it so that we can record it correctly. In addition, please provide your state of residence but do not provide any personal information in your comments, such as your home address, since you don't want that information to be published in the Final EIS.

If you're representing someone or some group other than yourself, please state that as well and provide the address of the group or organization.

Each person will be allotted three minutes to speak. This applies to everyone, be it public official, spokesperson, or individual. You do not have to speak for the full three minutes. However, if you do choose to speak for the three minutes, a green card will be raised when there is one minute remaining; a yellow card will then be raised when there is thirty seconds left, and that will provide you a cue that you only have thirty seconds to conclude your comments. When your three minutes has ended,
a red card will be raised. At that point, please conclude your comments.

Out of respect for others who would like to make comments, I ask that you please honor the time limit and any request I might have for you to stop speaking should you exceed the time limit.

If you think you will have more comments than you have time, I invite you to make the most of the time allotted by citing your most important comments first. Once again, as I stated earlier, you can follow up your oral comments with written comments, and I encourage you to do that.

If you do not have the opportunity to voice all your comments, you can and should submit them in writing. I can't overemphasize that fact.

At this time, I'm going to turn the floor over to the Navy representative, Mr. Bryan Murphy from the United States Fleet Forces Command in Norfolk, Virginia.

Thank you.


On my right here is Commander Finco, and he
will be talking about our operational issues later on in the
talk. And he's our live training officer for the Navy's
Airspace and Operating Area Coordination facility at Naval
Air Station Oceana out of Virginia Beach.

Here is an overview of tonight's presentation
on the Draft Environmental Impact Statement/Overseas
Environmental Impact Statement. And from here on, it will
just be known as "the document."

As part of the larger program where the Navy
will manage its training on broad geographic areas, this
document looks at all the training activities occurring in
the Navy Cherry Point Range Complex. The document does not
propose major changes to operations and training. Rather,
the document covers small scale but critical enhancements.

One element of this larger program is
environmental planned documentation, which is the document
we are discussing tonight. This document has been prepared
in accordance with several environmental laws and
regulations, some of which are listed on this slide.

Commander Finco will now talk about the
operational issues of this proposal.

COMMANDER FINCO: The Navy Cherry Point Range
Complex geographically encompasses offshore and near-shore
surface and subsurface operating areas, and especially this
airspace that overlies all these areas. Range Complex
extends from three miles offshore to 120 miles off the coast of North Carolina. This EIS study also includes a three-mile strip of water from the coastline seaward up to the three-mile limit of the Range area.

The purpose of this study is to train U.S. Navy sailors, airmen, and United States Marines. The nature of modern warfare and security operations have become increasingly complex. Threats are global, and the tactics, weapons, and forces facing the United States military range from very simple to extremely sophisticated.

To effectively counter the wide range of threats, Naval forces bring together thousands of sailors and Marines, their equipment, vehicles, ships, and aircraft, and also other U.S. services and Coalition partners, all of which need to work together as a cohesive team to achieve success.

Therefore, the purpose of the proposed action is to train the United States Navy and Marine Corps personnel according to the training requirements and allow them to make maintain their proficiencies.

The need for the United States Navy is set forth in Title 10 of the U.S. Code. And this requires the Navy to be organized, trained, equipped primarily for prompt and sustained combat incidents to operations at sea.

Thank you, David.
MR. NOBLE: The proposed action as we have discussed is to support and conduct current, emerging, and future training operations. Some examples of this type of training that are conducted at Cherry Point Complex are gunneries, bombing, missile exercises, and mine warfare, as well as air combat maneuvers and vessel movement.

Three alternatives have been analyzed in the document, each of which meets the Navy's purpose and need.

The No Action Alternative was -- we examined three alternatives in the document. The No Action Alternative, or the continuing action, provides the current levels of operations.

The Navy proposes to increase training for current base levels by ten percent for most operations to accommodate National Security contingencies and provide flexibility needed for major fleet exercises.

Under Alternative 2, we would -- in addition to the components of Alternative 1, the Navy proposes these additional actions, and this would be the Preferred Alternative. Specifically, one of the highlights here would elimination of live bombs at sea, in addition to some increased mine warfare training and some designated areas for the mine warfare training.

In our effects analysis, we looked at -- 20 resources and issues were described and analyzed in the
document. Among others, these include air quality, water quality, marine mammals, sea turtles, fish, birds, and socioeconomics, including recreational and commercial fishing. The Navy used a screening process to identify and evaluate aspects of the proposed action that could act as stressors to these resource areas, and these stressors are listed on this slide.

In the acoustics effect analysis, we focused on potential effects to marine mammals, sea turtles, and fish from explosives. In addition, the impacts to fish were determined to be minimal. Fish may exhibit a behavioral response but the response is likely to be short-term and biologically insignificant.

Furthermore, any effects from the use of explosives would not result in a significant impact to the population as a whole.

Based on a review of the literature and our findings of potential effects from Range species, the analysis focused on marine mammals, including whales, dolphins, and seals, as well as sea turtles.

The non-acoustic analysis mainly focused on potential effects as a result of the expended training materials and disruptions to commercial and civilian activities from vessel movement.

The Navy concluded that there would be no
significant impact in territorial waters under the National
Environmental Policy Act, or significant harm in non-
territorial waters under Executive Order 12114 from these
stressors. The Navy concluded that there would be no
adverse impact on territorial waters to essential fish
habitat.

In addition to a significant reduction of
live bombing exercises, the Navy will also implement a
mitigation plan to further reduce the potential for
harassment of marine resources. For example, the Navy will
continue to use lookouts during, before, and after exercises
using explosives. Navy lookouts are highly trained in
spotting objects in the water and also receive Marine
Species Awareness Training.

This training addresses the lookout's role in
environmental protection and includes general observation
information, including more detailed instruction for
spotting marine mammals. It has been reviewed by the
National Marine Fisheries Service and is considered suitable
training.

If marine mammals and sea turtles are seen,
the exercise will be suspended or relocated. For the North
Atlantic Right Whale, Navy vessels would also practice
increased vigilance to avoid vessel-whale interactions
during winter and spring months when they are likely to be
present. Vessels will not approach whales head-on and will not approach within 500 yards. The Navy will also report sightings and reduce speed in the Southeast Critical Habitat.

The Navy is developing an Integrated Comprehensive Monitoring Program for marine species in order to assess the effects of training activities on marine species and investigate population trends and marine species distribution and abundance in various Range Complexes and geographic locations where Navy training occurs.

The monitoring program will serve as the basis for establishing implementation plans for training activities. These exercise-specific implementation plans will describe the most effective logistically and financially feasible means to monitor training events. The primary tools available for monitoring are listed here.

The Navy funds marine mammal research. For the past several years, the Navy has provide 10 to 14 million to universities, research institutions, federal laboratories, private companies, and independent researchers around the world to study marine mammals. In addition, the Navy sponsors approximately 70 percent of all U.S. research concerning the effects of human-generated sound on marine mammals and approximately 50 percent of such research conducted worldwide. Major topics of Navy-supported
research are listed on this slide.

This slide concludes our presentation on the
information and analysis contained in the document.

Now I would like to discuss the future steps
in the process related to the project.

This slide outlines the schedule beyond
release of the Draft document. A key characteristic of the
entire process is the public's opportunity to comment. Two
public hearings, including this one, are being held
throughout this week. Your comment on the Draft document
will be addressed in the Final EIS/OEIS. The final step is
the decision phase. A decision will not be made until at
least 30 days after distribution of the Final EIS/OEIS.
This decision will be summarized and published as a record

Back to you, sir.

LT. COL. WARD: Thank you. At this time, would
Ms. Susan Davis please come to the podium?

Good evening.

MS. DAVIS: My name is Susan Davis. S-u-s-a-n,
D-a-v-i-s. And I'm a resident of North Carolina.

I respectfully request that the Navy extend the
comment period on the Cherry Point Range Draft Environmental
Impact Statement to January 15, 2009. This DEIS is 700
pages long and very complex. Because of the sheer number of
pages to review, it is only fair to give citizens and
citizen-based groups and the scientific community reasonable
time to study the document and develop meaningful comments.
This is within the spirit of the National Environmental
Policy Act.

Thank you.

LT. COL. WARD: Thank you, ma'am.

At this time, is there anyone else here that
wishes to speak? We have about two more hours.

(No response)

LT. COL. WARD: Okay. At this time, I think
what we'll do is go ahead and take a recess. If anyone
here, during that recess, changes their mind and decides
they would like to speak, please either let me know or let
one of the Navy representatives know, and we'll give the
opportunity to do that.

We'll go ahead and take a recess now. Thank
you.

(The hearing was recessed at
7:29 p.m.)

(The hearing was reconvened at
8:55 p.m.)

LT. COL. WARD: We're now back on the record.
I have time as 8:55, and there's still time remaining. Are
there any additional speakers?
1 (No response)
2 LT. COL. WARD: There being no additional
3 speakers, this public hearing is closed at 8:56 on October
4 14, 2008. Thank you very much.
5 (The hearing was concluded at
6 8:56 p.m.)
PUBLIC MEETING
CHERRY POINT RANGE COMPLEX DRAFT EIS/OEIS
7:00 p.m. to 9:00 p.m.
October 15, 2008
THE HEARING OFFICER: Good evening, ladies and gentlemen. May I have your attention, please. Welcome to the public hearing on the Navy's Draft Environmental Impact Statement/the Overseas Environmental Impact Statement on the Navy's proposed action of evaluating the potential environmental impacts over a 10-year planning horizon associated with Navy Atlantic Fleet training; research, development, testing, and evaluation, also known as RDT&E activities; and associated range capabilities enhancements within the existing Navy Cherry Point Range Complex. The purpose for the proposed action is as follows: To achieve and maintain Fleet readiness using the Navy Cherry Point Range Complex to support and conduct current, emerging, and future training operations and RDT&E operations; second, to expand warfare missions supported by the Navy Cherry Point Range Complex; and upgrade and modernize existing range capabilities to enhance and sustain Navy training and RDT&E.

Let me begin tonight by thanking each of you for your attendance here. I am Colonel Daniel J. Daugherty, United States Marine Corps. My role is to serve as the hearing officer for this public hearing. In order to ensure that everyone present can hear me and understand what's going on, and out of respect for your fellow citizens who may be speaking tonight, I would ask everyone to please take a moment to ensure that your cell phones are in the silent mode or
I am a Judge Advocate of the United States Marine Corps, also the Circuit Military Judge for the Eastern Judicial Circuit for the Navy and Marine Corps Trial Judiciary. I have been assigned to preside over this public hearing by the Chief Judge, Navy Marine Corps Trial Judiciary in Washington, DC.

I am not and have never been affiliated in any way with The Department of the Navy's evaluation of the potential environmental effects associated with the proposed action that I previously described to you.

As a sitting military judge, I am required to remain neutral and to act impartially in all matters under my cognizance, which includes this hearing.

My job here tonight is very simple. I'm a glorified timekeeper. It is to ensure also that we have a fair, orderly, and impartial hearing, and consistent with the tenants of the National Environmental Policy Act, or NEPA, and all who wish to provide comments will have the opportunity to do so.

I expect there will be a wide range of comments expressed this evening, but I ask that we treat each other with dignity and respect.

Throughout this hearing I ask that you keep an open mind, and keep in mind that this is not an arena for debate.
It's not a popularity vote on the DEIS or the Overseas Environmental Impact Statement, hereinafter referred to as the document, and the alternatives described in that document, nor is this a hearing in a question and answer format.

This public hearing provides an opportunity for you to express your views on the adequacy or the inadequacy of the document, and to have all of your comments made a part of the official record. This hearing is part of the official record.

In order to orient those attending who might not be familiar with the document, this public hearing will begin with a brief introduction by two Navy representatives, Mr. David Noble, United States Fleet Forces Command, Norfolk, Virginia, and Commander Steven C. Finco, Executive Officer of Fleet Area Control and Surveillance Facilities Virginia Capes. These gentlemen will present information concerning the purpose and the need for the proposed action, and the three alternatives analyzed in the document.

The briefing takes about 15 minutes and is required by statute as part of the NEPA process.

Following the introduction presentation we will begin with your comments on the document. This hearing is held in accordance with the provisions of the National Environmental Policy Act, or NEPA, and the regulations that are published by the Council on Environmental Quality.

The purpose of this hearing is to provide a public
1 forum to summarize the results of the document, and more
2 importantly, to receive your comments on the document. These
3 comments will be part of the official record, and will be
4 considered in preparation of the Final EIS and OEIS.
5
6 Your comments and involvement in this hearing are very
7 important to the decision-making process. Your input provides
8 the decision makers with the benefit of your knowledge and any
9 environmental impacts that you think might result from the
10 proposed action.
11
12 This hearing is the venue that the Navy uses to gather
13 your concerns, whether they are through oral or written
14 comments about the adequacy of the environmental analysis, and
15 the environmental impacts identified under the proposed action
16 and the alternatives.
17
18 I ask that you focus your comments upon the
19 environmental issues. Non-environmental issues may take away
20 time from those who came to comment on the analysis of
21 environmental concerns, and comments on non-environmental
22 issues will not add to the adequacy of the analysis used in
23 the Final EIS or OEIS.
24
25 As I said earlier, it's my job to ensure that each of
26 you has an equal opportunity to speak. The Navy
27 representatives will not be allowed to answer or respond to
28 your comments. This is not a debate. This is a hearing, and
29 it is your opportunity to speak on the official record.
I will enforce the individual time limits previously established to five minutes each, so that all those who wish to have an opportunity to speak may do so. Please do not interrupt any speaker whether you agree or disagree with them. Interfering with the speakers will simply reduce the amount of time available for all those who desire to be heard. Similarly, applause or other outbursts will take valuable time away from the speakers, and will hamper me in trying to afford everyone an equal opportunity to speak.

This hearing is scheduled to adjourn at 9:00 p.m. if necessary, I will not consider the time taken by the Navy representatives for the presentation to count against the full two hour hearing time. I will add that additional time to the period available for folks to speak. In other words, you will have the full two hour hearing time that is noted in the Federal Registry. If after everyone who desires to speak has had an opportunity to do so, and if there is any time left, I will permit speakers to use the additional time to continue to expand upon their earlier comments, again observing the five minute time limit.

If you decide to speak, the stenographer or the court reporter over here will record your comments. You are also encouraged to continue your comments, or elaborate on them through a written submission.

If you do not wish to speak at this hearing, but you
have comments that you would like to be made part of the official record, the official public record, I encourage you to submit those comments. There are a number of ways available to you to do as indicated on the projection screen over to my right. First, you may submit your written comments here tonight at the comment table, or you may submit your comments online at the website listed there. You can also, as an alternative, fax your comments to the number listed on the screen.

Finally, if you prefer, you can mail those additional comments to Naval Facilities Engineering at the address shown there. Written comments will be accepted throughout the comment period, which concludes on October 27, 2008. Comments made at all public hearings or provided in written form any time during the public comment period or post-marked by October 27, 2008, will be given equal consideration. All comments are part of the official record.

Information is available at the comment table on all the methods of submitting comments as I have discussed.

When you came in tonight, you should have signed in and received a fact sheet. Also, you should have been asked to indicate if you wish to speak. Those who said they wish to speak signed speaker cards at the registration table, like this one here. The speaker cards will be part of the official record. If anyone wishes to speak who has not signed a
speaker card, please raise your hand and a member of the Navy staff will sign you up. Is there anyone else that wishes to speak? Feel free, folks. This is your opportunity to put your voice on the record.

I will call the speakers up one at a time. I don't believe we have any elected officials tonight. When I ask for the speakers, when I ask for them, just please come up to the podium. Please state your full name and spell out your last name, so the court reporter can get it down.

At the conclusion of your comments, please return to your seat. We will then call up the next speaker. Please make sure you face the stenographer, and speak clearly and slowly so that she can get down every word that you say. It's very important that we get all of your comments accurately taken down.

We're also going to ask you to state your name and spell it so that she can record it. And again, in addition, please provide your state of residence, but please do not provide any other personal information in your comments, such as your home address, if you don't want that information to be in the final environmental impact study.

If you are representing someone or some group other than yourself, please state that as well, and provide the address of the group or the organization.

Again, each person will be allotted five minutes to
speak. This applies to everyone. If you do not speak for the entire full five minutes -- however, you don't have to speak for the full five minutes. If you choose to speak for the five minutes, a green card will be raised when there's one minute remaining, and a yellow card will be raised when there's 30 seconds remaining to give you the clue that you only have 30 seconds to wrap up your comments. When your time is ended, a red card will be raised. At that point, please end your comments. Out of respect for others who would like to make comments, I ask that you honor the times limits, and any request that I might have for you to stop speaking should you exceed the time limit.

If you think you will have more comments than you have time, I invite you to make most of the time allotted by citing your most important comments first. Again, as I stated earlier, you are more than free to follow up on your oral comments with written comments, and I encourage everyone to do that.

If you don't have the opportunity to voice all of your comments, you can submit them in writing, and again I can't overemphasize that if you want your voice to be heard.

At this point I will turn the floor over to the Navy representative, Mr. David Noble from the United States Fleet Forces Command in Norfolk, Virginia. Thank you.

MR. NOBLE: Good evening, and welcome to tonight's
public hearing on the Naval Cherry Point Range Complex Draft Environmental Impact Statement/Overseas Environmental Impact Statement. I'm David Noble. I want to thank you on behalf of the United States Navy for attending the hearing tonight. I'd also like to re-introduce Commander Steven Finco, who is the Range and Live Training Officer at the Navy's Airspace and Operating Coordination Facility at Naval Air Station Oceana in Virginia Beach.

Here is an overview -- excuse me. Here is an overview on tonight's presentation on the draft Environmental Impact Statement/Overseas Environmental Impact Statement. From here on I'll just say the document.

As a larger program where the Navy will manage its training on broad geographic areas, this document looks at all the training activities occurring at the Navy Cherry Point Range Complex. The document does not propose major changes to operations and training. Rather the document covers small scale or critical enhancements. One element of this larger program is environmental planning documentation, the document we are discussing tonight. This document has been prepared in accordance with several environmental laws and regulations, some of which are listed on this slide.

Commander Finco will now talk about some of the operational issues of this proposal.

COMMANDER FINCO: The Navy Cherry Point Range Complex
geographically encompasses off-shore and near-shore surface and subsurface operating areas and the overlying specialties airspace. The range complex extends from three miles to 120 miles off the coast of North Carolina. This EIS study also includes the three miles strip of water from the coast line seaboard to the western boundary of the outer area.

The nature of modern warfare security operations have become increasingly complex. Gun fare global and the tactics, weapons and forces facing the United States military range from simple to the extremely sophisticated. To effectively counter the wide range of threats, Naval forces breaking down the stalking of sailors and marines, their equipment, vehicles, ships and aircraft, and often other U.S. services or coalition partners, all of which need to work together as a cohesive team to achieve success. Therefore, the purpose for the proposed action is to train the United States Navy and Marine Corps personnel according to training requirements, and allow them to maintain proficiency.

The Navy's mandate for training is found in Title 10 of the United States Code, Section 5062. This law requires the Navy to be, quote, "organized and trained and equipped primarily for prompt and sustained combat incident to operations at Sea."

For the proposed action, I'll turn it back over to Mr. Noble.
MR. NOBLE: The proposed action is to support and conduct current, emerging, and future training operations. Some examples of type of training that are conducted in the Cherry Point Range Complex are gunnery, bombing, missile air exercises, and mine warfare, as well as air combat maneuvers, and vessel movement.

Three alternatives have been analyzed in the document, each of which meets the Navy's purpose and need. The Navy examined three alternatives in the document, the No Action Alternative, or the continuing action provides for the current levels of operations.

Under Alternative 1, the Navy proposes to increase training from current base levels by 10 percent in most operations to accommodate national security contingencies, and provide flexibility needed for major fleet exercises.

Alternative 2 is the Navy's preferred alternative, and includes everything within Alternative 1, plus an additional activity, such as mine warfare training, and increase in mine warfare events, as well as the elimination of live bombs. We will continue to use inert bombs and have other types of explosives, but live bombs dropped from aircraft will be completely eliminated in the Cherry Point Complex.

Twenty resources and issues were described and analyzed in this document. Among others, these include air quality, water quality, marine mammals, sea turtles, fish, birds and
socio-economics, including recreational and commercial fishing.

The Navy used a screening process to identify and evaluate aspects of the proposed action that could act as stressors to these resource areas. These stressors to these resources are listed on this slide.

The acoustic analysis focused on potential effects to marine mammals, sea turtles, and fish from explosives. The impacts on fish were determined to be minimal. Fish may exhibit a behavioral response, but the response is likely to be short term, and not felt to be significant. Furthermore, the effects from the use of explosives would not result in a significant impact to the population as a whole. Based on the review of the literature and our findings of potential effects to marine species, the analysis focused on marine mammals, including whales, dolphins, and seals, as well as sea turtles.

The non-acoustic analysis mainly focused on potential effects as a result of the extended training materials and disruptions to commercial and civilian activities, as well as vessel movement. The Navy concluded that there would be no significant impact in territorial waters under the National Environmental Policy Act, or significant harm in non-territory waters under Executive Order 12114 from these stressors.

The Navy further concluded that there would be no adverse impact in territorial waters to essential fish
In addition to a significant reduction of live bombing exercises, the Navy will also implement a mitigation plan to further reduce the potential for harassment of marine resources. For example, the Navy will continue to use lookouts during, before, and after exercises during -- with the use of explosives. Navy lookouts are highly trained to spot objects in the water, and also receive marine species awareness training. This training addresses the lookout's role in environmental protection, and includes general observation information, including more detailed instruction for spotting marine mammals. It has been reviewed by the National Marine Fishery Service, and is considered suitable training. If marine mammals or sea turtles were seen, the exercise will be suspended or relocated.

For the North Atlantic White Whale, the Navy vessels would also practice increased vigilance to avoid vessel/whale interactions during winter and spring months when they are likely to be present. Vessels will not approach whales head on, and will not approach within 500 yards. The Navy will also report sightings, and reduce speed in the southeast critical habitat.

The Navy has developed an integrated, comprehensive monitoring program for marine species in order to assess the effects of training activities on marine species, and
investigate population trends in marine species distribution
and abundance in various range complexes and geographic
locations where Navy training occurs.

The monitoring program will serve as the basis for
establishing implementation plans for specific training
activities. These exercise specific implementation plans will
describe the most effective, logistically, and finding the
most feasible means to monitor training events. The primary
tools of our monitoring program are listed here.

In 2008 the Navy funded 26 million dollars towards
marine mammal research. For the past several years, the Navy
has provided 10 to 14 million dollars to universities,
research institutions, federal laboratories, private
companies, and independent researchers around the world to
study marine mammals. In addition, the Navy sponsors
approximately 70 percent of all US research concerning the
effects of human generated sound on marine mammals, and
approximately 50 percent of such research conducted world
wide.

The major topics of Navy supported research are
included on this slide. This slide concludes our presentation
on the information analysis contained in the document. Now, I
would like to discuss the future steps in the process related
to the project. This slide outlines the schedule beyond the
release of the draft document. A key characteristic of the
entire process is the public's opportunity to comment. Two public hearings, including this one, are being held throughout this week. There are two opportunities for public comments, the letter of authorization, which is issued by National Fishery Service for their proposed rule, there's a public comment process for that, as well as comments on this document.

Your comments on the draft document will be addressed in the final EIS/OEIS. The final step is the decision phase. A decision will not be made until at least 30 days after distribution of the final EIS/OEIS. This decision will be summarized and published as a record of decision in the Federal Register in June, 2009. With that, sir, I'll turn it back over to you.

THE HEARING OFFICER: Thank you, Mr. Noble. At this time I'd like to invite our first speaker, Mrs. Sheffield, please come forward.

MRS. SHEFFIELD: Thank you. My name is Allie Sheffield, and Allie is A-L-L-I-E. Sheffield is S-H-E-F-F-I-E-L-D. I represent Pender Watch, which is a citizen organization in Pender County, North Carolina, which has about 400 members, and we are concerned with the environmental issues, and call ourselves responsible advocates, not nut cases so the -- about the environment.

Pender County includes Topsail Island, which adjoins
the area that is currently part of the range. The New River Inlet separates Topsail Island from the Camp Lejeune Base, and most of the island is in Pender County, which is why I am here. Many of our members who live on Topsail Island have a large concern about these issues.

The primary thing I'm requesting here tonight is the extension of time to file responses. We have had the documents that have been -- the documents, I guess, you'd call them, they were issued or released on the 12th of September, and 45 days is just an inadequate amount of time to expect serious people to respond.

The Navy, I think, had spent about three years doing the work, and it looks -- it looks very thorough and very detailed, but more time is needed for us to give it the kind of attention it needs. Once we finish talking with experts and reviewing the various things in there, we may not object, but we need time to do what needs to be done so that we can decide. And again, six weeks, 45 days is a grossly inadequate amount of time. We're requesting an extension of time till January 15th, and we will be prepared to submit appropriate -- an appropriate response by that time.

In addition, just -- I can tell you what our -- what we would be particularly looking at, what are the issues we would be particularly looking at in there, and they're all things that you discussed in your presentation. And the first, of
course, is sea turtles.

The sea turtle hospital at Topsail Island is something
that we're incredibly proud of. All of southeastern North
Carolina is. It's a national treasure. They take -- they're
the only sea turtle hospital between New York and Florida, and
sea turtles from all up and down the East Coast are taken
there for rehabilitation and release, but most of their
turtles come from near our island. And your range is part of
the territory that they get a lot of their turtles from, or
that a lot of injured turtles come from.

And all of us -- all of us want to study more than we
can in another two weeks the effect this is going to have.
And I know that Ms. Beasley, and the other turtle hospital
people were talking to the representatives here, and I'm very
interested in talking to them after this about their
impressions, and, you know, we're hopeful that the Navy has
taken the issues we have in consideration, and that we won't
have any serious complaints, but we just have not had time to
be able to make that decision now. We're also, as you are,
very concerned about marine mammals.

I was very pleased to see the attention you've given
that, and again that appears to be something you seriously
considered, and have taken pains to provide for. That's
excellent.

The other thing is fin fish, of course. I don't know
if you know it, but you probably do, since you did the 
environmental impact statement. One of the very few hard 
bottom sea floors is right off that New River Inlet. It's a 
state treasure. It's the closest one to the shore in the 
state, and it's some of the best fishing in the state right 
off that inlet. We don't want to lose that.

The other thing, of course, we're concerned about is 
our commercial fisherman and our tourism business. Those are 
our primary issues, and again, we appreciate this opportunity 
to speak, and look forward to an extension of time so that we 
can file a longer response. Thank you.

THE HEARING OFFICER: Thank you, Mrs. Sheffield. I'd 
also note for the record that we do have your letter dated 
October 15th of 2008, signed by yourself, the president of 
Pender Watch, as well as the vice president, and that will be 
attached to the record.

MS. SHEFFIELD: Thank you.

THE HEARING OFFICER: We thank you for your comments. 
Ladies and gentlemen, do we have anyone else who wishes to 
speak tonight? I only received one speaker card. Is there 
anyone else that wishes to speak? Being that we don't have 
anybody else at this point in time, we're going to put the 
hearing into recess. We will remain until 9:00, which is the 
scheduled closing time, so if there are any other speakers 
that show up, we'll come back in, and put them on the record
also. Otherwise, we'll stay in recess until 9:00, and then we'll come back in and formally close at the time period as noted in the Federal Register.

Again, on behalf of the United States Government and the people in North Carolina, I'd like to thank you for your attendance here tonight, and have a safe drive home. Thank you, folks. We're in recess.

(A recess was taken at 7:27 p.m.)

THE HEARING OFFICER: Ladies and gentlemen, it is now 9:00 p.m. Eastern Standard Time, and our time is now officially expired. This public hearing is officially closed. I'd like to remind you that any written comments may be submitted, and will continue to be accepted and made part of the public record until the 27th of October, 2008. I thank you all very much and have a good evening.
STATE OF NORTH CAROLINA )
COUNTY OF NEW HANOVER )

CERTIFICATE

I, Tracy F. Schell, a Notary Public and Court Reporter in and for the State of North Carolina, duly commissioned and authorized, do thereby certify that the preceding Public Meeting was reported by me and then reduced to typewritten form as set forth in the preceding pages; that the foregoing is a true and correct transcript of said Public Meeting to the best of my ability to hear and understand; that I am not related to any of the parties; that I am not interested in the outcome of this case; that I am not of counsel or in the employ of any of the parties to this action.

____________________________
TRACY F. SCHELL, RPR
Notary Public #19942240029