



## **New Turbulence May Interrupt Navy's Flight Plans**

### **Update of 11-28-15**

In our last update we stated that the Navy's Final Environmental Impact Statement (FEIS) for its Northwest Training and Testing activities was legally insufficient for several reasons. Among these reasons was the Navy's failure to base the analysis of the noise impacts of the proposed Pacific Northwest Electronic Warfare Range (EWR) on real aircraft sound measurements and actual flight paths.

Recent pronouncements from other governmental agencies support this view. The Navy is now possibly beginning to see that its house of cards is tumbling down. In this respect a brief history is appropriate.

Remember the Navy first attempted to sneak approval of the EWR through on the basis of an Environmental Assessment (EA) that was not advertised, as Forest Service regulations required, in the Peninsula Daily News. Also remember that the maps included in that EA failed to show Olympic National Park, Lake Quinault, and any of the rivers on the Olympic Peninsula. Out of sight, out of mind, was obviously the principle the Navy was hoping for here.

The EA only addressed the impacts of the proposed emitter vehicles on the Forest Service roads. There was no study of the impacts on Olympic National Park or Lake Quinault. There was no mention that the Park was a World Heritage Site. The EA misrepresented the appearance of the emitter vehicles as being similar to camper vehicles, and it misrepresented the emitters themselves as being similar to ships' radars. There was no consideration of the impacts of the noise or electromagnetic radiation that would be emitted from the electronic attack jets training in the EWR.

Despite this totally inadequate and extremely limited analysis of the impacts, the proposed order allowing the EWR was written to allow enhanced levels of electronic warfare training (which includes both surveillance and attack), and to provide growth in future training requirements, and to maximize the ability of local units to train. In other words, on the basis of an extremely limited study of emitter vehicles portrayed as everyday camper vehicles, the proposed order attempted to open the floodgates to any and all types and numbers of electronic warfare jets and weapons that came down the pike.

Beginning to see the errors of its ways, the Navy added two appendices to the FEIS that purportedly analyzed the noise impacts from the jets using the EWR, and the impacts of the EWR on the World Heritage Site. Neither of these analyses, however, was based on real aircraft sound measurements and actual flight paths. The Navy is now being told by other governmental agencies that this is not acceptable.

In a November 6, 2015, article in the Peninsula Daily News, a representative of the Federal Interagency Committee on Aviation Noise (FICAN) was quoted as saying "it is difficult to determine if the predicted noise exposure and noise measurements made in Olympic National Park are consistent with one another" and went on to call for additional noise monitoring "to have confidence in noise exposure estimates due to Navy flight operations."

And in a November 11, 2015, article in the Peninsula Daily News, the State Historic Preservation Officer criticized the Navy for cutting off its consultation regarding the impacts of the Navy's activities on historic properties. The issue there, as indicated in a November 19, 2015, letter from the Federal Advisory Council on Historic Preservation (ACHP) to the Navy, was a request by the State Historic Preservation Officer for "additional information . . . on flight patterns of aircraft takeoffs and landings, specifically asking about noise effects to historic properties below those flight patterns." The ACHP's letter went on to say that "the Navy has not yet fully addressed the SHPO's request for additional information."

Finally, a news release issued by the Navy on Sunday, November 15, 2015, said the Navy "was completing consultation with the U.S. Fish and Wildlife Service (FWS)." The FWS is responsible for issuing biological opinions clearing the Navy's activities under the Endangered Species Act."

It is perhaps a good sign that consultation with the FWS has not yet been completed. With FICAN saying that real noise measurements must be taken to have any confidence in the Navy's analysis, and with the Historic Preservation agencies saying they must have actual flight path information before they can determine the impact of the Navy's operations on historic properties, we can still hope that the FWS will see the light in this regard before completing consultation. Any biological opinion written without that information would not be worth the paper it is written on.

It is only a matter of time, and the expense of bringing a lawsuit, before a court will tell the Navy the same thing, unless the Navy will do the appropriate studies using the appropriate data.