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# 1 Purpose and Need



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# 1 PURPOSE AND NEED

## 1.1 INTRODUCTION

Major conflicts, terrorism, lawlessness, and natural disasters all have the potential to threaten the national security of the United States. The security, prosperity, and vital interests of the United States are increasingly tied to other nations because of the close relationships between the United States and other national economies. The Department of Defense (DoD), through its military departments (United States [U.S.] Army, U.S. Department of the Navy [Navy] [including U.S. Marine Corps], U.S. Coast Guard,<sup>1</sup> and the U.S. Air Force) carries out training and testing activities to be able to protect the United States against its enemies, as well as to protect and defend the rights of the United States and its allies to move freely on the oceans. The Navy operates on the world's oceans, seas, and coastal areas—the international maritime domain—on which 90 percent of the world's trade and two-thirds of its oil are transported. The majority of the world's population also lives within a few hundred miles of an ocean.

The U.S. Congress, after World War II, established the National Command Authorities to identify defense needs—based on the existing and emergent situations in the United States and overseas that must be dealt with now or may be dealt with in the future. The National Command Authorities, which are comprised of the President, the Secretary of Defense, and their deputized alternates or successors, divide defense responsibilities among services. The heads (secretaries) of each service ensure that military personnel are trained, prepared, and equipped to meet those operational requirements.

Training and testing activities that prepare the Navy and the other services<sup>2</sup> to fulfill their mission to protect and defend the United States and its allies have the potential to impact the environment. These activities may trigger legal requirements identified in a number of U.S. federal environmental laws, regulations, and executive orders.

**Training.** Navy personnel first undergo entry-level (or schoolhouse) training, which varies according to their assigned warfare community (aviation, surface warfare, submarine warfare, and special warfare) and the community's unique requirements. Personnel then train within their warfare community at sea in preparation for deployment; each warfare community has primary mission areas (areas of specialized expertise that involve multiple warfare communities) that overlap with one another, described in detail in Chapter 2 (Description of Proposed Action and Alternatives). The Marine Corps and other services similarly train to support their core capabilities.

**Testing.** The Navy researches, develops, tests, and evaluates new platforms, systems, and technologies.<sup>3</sup> Many tests are conducted in realistic conditions at sea, and can range in scale from testing new software to operating manned-portable devices. Testing activities may occur independently of or in conjunction with training activities. The other services similarly research, develop, test, and evaluate new systems and technologies.

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<sup>1</sup> The U.S. Coast Guard, a component of the Department of Homeland Security, is an Armed Force of the United States. It is a multi-mission maritime service with regulatory and law enforcement authority, maritime home defense and maritime homeland security responsibility, and environmental response and recovery requirements. The U.S. Coast Guard's overarching mission is to protect the public, environment, and U.S. economic interests in the nation's ports and waterways on the high seas. Mission activities pertain to maritime safety, maritime security, and maritime stewardship including law enforcement, national defense, and natural resources protection.

<sup>2</sup> Training and testing activities may include foreign allies and partners. Foreign allies and partners may train along U.S. military forces to ensure seamless interoperability.

<sup>3</sup> Throughout this EIS/OEIS, ships and aircraft may be referred to as "platforms," and weapons, combat systems, sensors, and related equipment may be referred to as "systems."

The Navy prepared this Environmental Impact Statement (EIS)/Overseas EIS (OEIS) to assess the potential environmental impacts associated with two categories of military readiness activities: training and testing. The Navy also prepared this EIS/OEIS to comply with the National Environmental Policy Act (NEPA) and Executive Order (EO) 12114.

The Study Area in this EIS/OEIS is referred to as the Mariana Islands Training and Testing (MITT) Study Area (Figure 1.1-1). The MITT Study Area (984,601 square nautical miles [nm<sup>2</sup>]) includes the existing Mariana Islands Range Complex (MIRC) (497,469 nm<sup>2</sup>), additional areas on the high seas (487,132 nm<sup>2</sup>), and a transit corridor between MIRC and the Hawaii Range Complex (HRC). The Mariana Islands are composed of two U.S. jurisdictions: the Commonwealth of the Northern Mariana Islands (CNMI) and the territory of Guam.

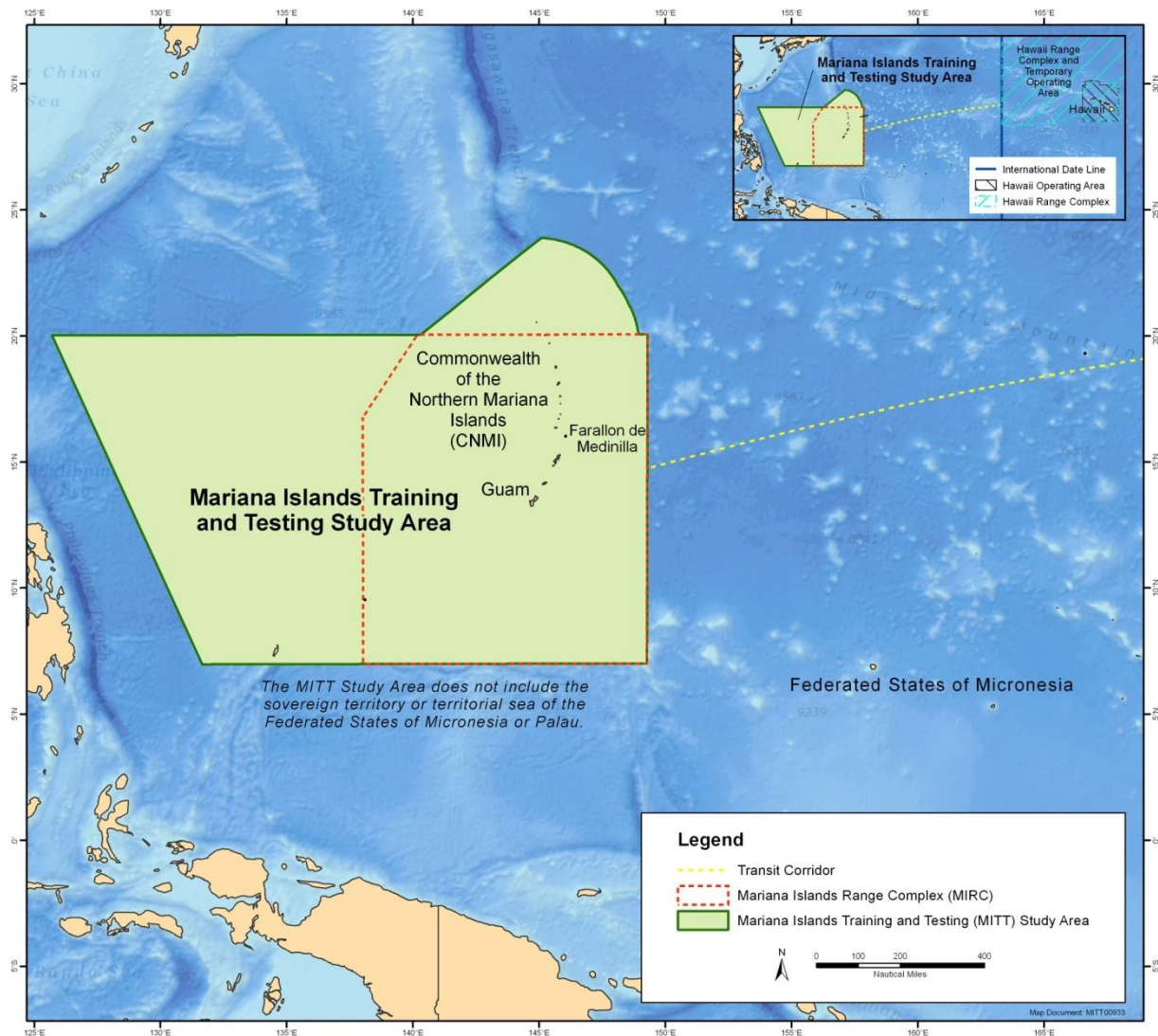


Figure 1.1-1: Mariana Islands Training and Testing Study Area

## 1.2 THE NAVY'S ENVIRONMENTAL COMPLIANCE AND AT-SEA POLICY

In 2000, the Navy completed a thorough review of its environmental compliance requirements for training at sea and instituted a policy designed to comprehensively address them. The policy, known as the "At-Sea Policy," directed, in part, that the Navy develop a programmatic approach to environmental compliance for ranges and operating areas within its areas of responsibility (U.S. Department of the Navy 2000). Ranges affected by the "At-Sea Policy" are designated water areas that are scheduled to conduct training or testing activities. Operating areas affected by the policy are those ocean areas, defined by specific geographic coordinates, used by the Navy to undertake training and testing activities. To meet the requirements of the policy, the Navy developed an updated Concept of Operations for Phase II Environmental Planning and Compliance for Navy Military Readiness and Scientific Research Activities At Sea in September 2010 (U.S. Department of the Navy 2010d). The concept of operations laid out a plan to achieve comprehensive environmental planning and compliance for Navy training and testing activities at sea.

**Phase I of the planning program.** The first phase of the programmatic approach was accomplished by the preparation and completion of individual or separate environmental documents for each range complex and at-sea training and testing area. Many of these range complexes and at-sea training and testing areas pre-date World War II and have remained in continuous use by naval forces and other services.

The Navy prepared NEPA/EO 12114 documents for the MIRC. The MIRC EIS/OEIS documented training and testing activities in the MIRC, analyzed potential environmental impacts, and supported permit and other requirements under applicable environmental laws, regulations, and EOs. For example, Marine Mammal Protection Act (MMPA) incidental take authorizations (also known as "Letters of Authorization"), issued by the National Marine Fisheries Service (NMFS), were supported by preparation of the MIRC EIS/OEIS. In addition, the MIRC Airspace Environmental Assessment (EA)/Overseas EA was prepared to analyze air space changes to support the training and testing in the MIRC (see Section 1.10, Ongoing Environmental Documents in the Study Area).

**Phase II of the planning program.** The second phase of the planning program will cover activities previously analyzed in Phase I NEPA/EO 12114 documents, and also analyze additional geographic areas including, but not limited to, pierside locations and transit corridors. This EIS/OEIS is part of the second phase of environmental planning documents needed to support the Navy's request to obtain an incidental take authorization from NMFS. The Navy re-evaluated impacts from historically conducted activities and updated the training and testing activities based on changing operational requirements, including those associated with new platforms and systems. The Navy will use this new analysis to comply with and consider all federal and state regulations (e.g., MMPA, Endangered Species Act [ESA], Magnuson Stevens Fisheries Conservation and Management Act, and the Coastal Zone Management Act, as applicable, in all appropriate states and territories).

The MITT EIS/OEIS (Figure 1.1-1) combines the geographic scope of the MIRC EIS/OEIS (both land and at sea) and analyzes ongoing, routine at-sea activities that occur during transit between the MIRC and other operating areas. The MIRC is the only Navy range complex in the MITT Study Area. The Navy expanded the geographic scope of the Study Area to analyze the potential environmental impacts of training and testing activities in areas (not covered in previous NEPA documents) where training and testing activities historically occur. The scope of the MITT EIS/OEIS also includes new platforms and weapon systems that were not addressed in previous NEPA/EO 12114 documents.

### 1.3 PROPOSED ACTION

The Navy's Proposed Action, described in detail in Chapter 2 (Description of Proposed Action and Alternatives), is to conduct training and testing activities, including the use of active sonar and explosives<sup>4</sup> in the MIRC, throughout the in-water areas around the MIRC, and the transit corridor between the MIRC and the HRC. The Proposed Action includes activities such as sonar maintenance and gunnery exercises that are conducted concurrently with ship transits and may occur outside the geographic boundaries of Navy range complexes. The Proposed Action also includes pierside sonar activity that is conducted as part of overhaul, modernization, maintenance, and repair activities, as well as land-based training activities on Guam and the CNMI.

### 1.4 PURPOSE OF AND NEED FOR PROPOSED MILITARY READINESS TRAINING AND TESTING ACTIVITIES

The purpose of the Proposed Action is to conduct training and testing activities to ensure that the Navy and other Services meet their mission, which is to maintain, train, and equip combat-ready military forces capable of winning wars, deterring aggression, and maintaining freedom of the seas. This mission is achieved in part by conducting training and testing within the Study Area.

The following sections are an overview of the need for military readiness training and testing activities.

#### 1.4.1 WHY THE NAVY TRAINS

Naval forces must be ready for a variety of military operations—from large-scale conflict to maritime security and humanitarian assistance/disaster relief—to deal with the dynamic social, political, economic, and environmental issues that occur in today's world. The Navy supports these military operations through its continuous presence on the world's oceans: the Navy can respond to a wide range of issues because, on any given day, over one-third of its ships, submarines, and aircraft are deployed overseas. Naval forces must be prepared for a broad range of capabilities—from full-scale armed conflict in a variety of different geographic areas<sup>5</sup> to disaster relief efforts<sup>6</sup>—prior to deployment on the world's oceans. To learn these capabilities, personnel must train with the equipment and systems that will achieve military objectives. The training process provides personnel with an in-depth understanding of their individual limits and capabilities; the training process also helps the testing community improve new weapon systems.

Title 10 of the U.S. Code provides for each of the Services to be organized, trained, and equipped to be capable, in conjunction with the other armed forces, of (1) preserving the peace and security, and providing for the defense of the United States, the Commonwealths and possessions, and any areas occupied by the United States; (2) supporting the national policies; (3) implementing the national objectives; and (4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.

Modern weapons bring both unprecedented opportunity and innumerable challenges to the Navy. For example, modern (or smart) weapons are very accurate and help the Navy accomplish its mission with greater precision and far less collateral damage than in past conflicts; however, modern weapons are very complex to use. Military personnel must train regularly with these weapons to understand the capabilities, limitations, and operations of the platform or system. Modern military actions require

<sup>4</sup> The terms "explosive" and "high explosive" will be used interchangeably throughout the document.

<sup>5</sup> Operation Iraqi Freedom in Iraq and Operation Enduring Freedom in Afghanistan; maritime security operations, including anti-piracy efforts like those in Southeast Asia and the Horn of Africa.

<sup>6</sup> Evacuation of noncombatants from American embassies under hostile conditions, as well as humanitarian assistance/disaster relief like the tsunami responses in 2005 and 2011, and Haiti's earthquake in 2009.



teamwork—teamwork that includes the use of various equipment, vehicles, ships, and aircraft—between hundreds or thousands of people to achieve success.

Military readiness training and preparation for deployment include everything from teaching basic and specialized individual military skills to intermediate skills or small unit training. As personnel increase in skill level and complete the basic training, they advance to intermediate and larger exercise training activities, which culminate in advanced, integrated training activities composed of large groups of personnel and, in some instances, joint service exercises.<sup>7</sup>

Military readiness training must be as realistic as possible to provide the experiences so important to success and survival. While simulators and synthetic training are critical elements of training—to provide early skill repetition and enhance teamwork—there is no substitute for live training in a realistic environment. The range complexes and at-sea training and testing areas have these realistic environments, with sufficient land, sea and airspace vital for safety and mission success. Just as a pilot would not be ready to fly solo after simulator training, a Navy commander cannot allow military personnel to engage in real combat activities based merely on simulator training.

## 1.4.2 FLEET READINESS TRAINING PLAN

The Navy developed the Fleet Response Plan to ensure the constant readiness of naval forces. This plan maintains, staffs, and trains naval forces to deploy for missions. The Fleet Response Plan increases the number of personnel and vessels that can be deployed on short notice. For example, the Navy was able to complete an unscheduled deployment of an additional aircraft carrier to the Middle East in January 2007 because of adherence to the Fleet Response Plan. Observance of the Fleet Response Plan allows the Navy to respond to global events more robustly, while maintaining a structured process that ensures continuous availability of trained, ready Navy forces.

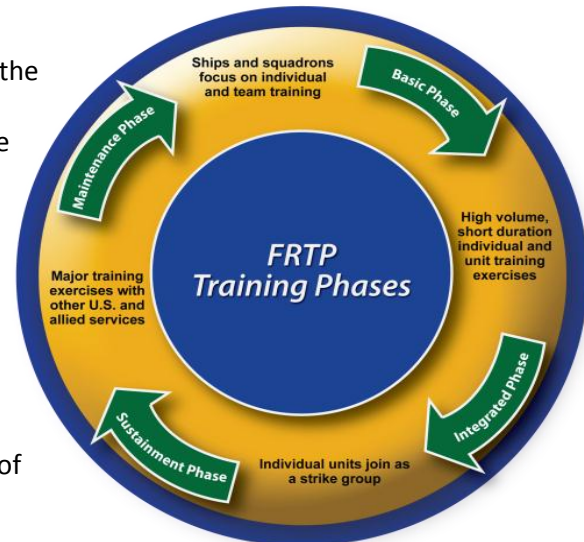


Figure 1.4-1: Fleet Readiness Training Plan

The Fleet Readiness Training Plan implements the requirements in the Fleet Response Plan. The Fleet Readiness Training Plan outlines the training activities required for military readiness that prepares Navy personnel for any conflict or operation. The Navy's building-block approach to training is cyclical and qualifies its personnel to perform their assigned missions. Training activities proceed in four phases: basic, integrated, sustainment, and maintenance, as depicted in Figure 1.4-1.

### 1.4.2.1 Basic Phase

The basic phase consists of training exercises performed by individual ships and aircraft; it is characterized mostly as unit level training. Fundamental combat skills are learned and practiced during this phase. Operating area and range support requirements for unit level training are relatively modest in size compared to large-scale, major exercises. Training exercises with two or more units (ships, aircraft, or both), known as coordinated unit level training exercises, are also included in the basic

<sup>7</sup> Large group exercises may include carrier strike groups and expeditionary strike groups. Joint exercises may be with other U.S. services and other nations.

phase. These training exercises further refine the basic, fundamental skills while increasing difficulty through coordination with other units.

Access to local range complexes and at-sea training and testing areas in proximity to the locations where Sailors and Marines are stationed reduces the amount of travel time and training costs.

#### **1.4.2.2 Integrated Phase**

The integrated phase combines the units involved in the basic, coordinated unit level training into strike groups. Strike groups are composed of multiple ships and aircraft. Strike group skills and proficiencies are developed and evaluated through major exercises. The integrated phase concludes when the strike group is certified for deployment, meaning that the strike group demonstrated the skills and proficiencies across the entire spectrum of warfare that may be needed during deployment.

Major exercises in this phase require access to large, relatively unrestricted ocean at-sea training and testing areas, multiple targets, and unique range attributes (oceanographic features, proximity to naval bases, and land-based targets).

#### **1.4.2.3 Sustainment Phase**

The strike group needs continued training activities to maintain its skills after certification for deployment in the integrated phase; these continued training activities fall within the sustainment phase. Sustainment phase activities provide strike groups additional training, as well as the ability to evaluate new and developing technologies and new tactics.

Similar to the integrated phase, sustainment exercises require access to large, relatively unrestricted ocean training and testing areas, and unique range attributes to support the scenarios.

#### **1.4.2.4 Maintenance Phase**

Naval forces enter the maintenance phase after forces return from deployment. Maintenance may involve relatively minor repair or major overhaul depending on the system and its age. The maintenance phase also includes testing of a ship's systems; these tests may take place pierside or at sea. Naval forces re-enter the basic phase upon completion of the maintenance phase.

### **1.4.3 WHY THE NAVY TESTS**

The Navy's research and acquisition community conducts military readiness activities that involve testing. The Navy tests ships, aircraft, weapons, combat systems, sensors and related equipment, and conducts scientific research activities to achieve and maintain military readiness. The fleet identifies military readiness requirements to support its mission; the Navy's research and acquisition community, including the Navy's systems commands and associated scientific research organizations, provide Navy personnel with ships, aircraft, weapons, combat systems, sensors, and related equipment. The Navy's research and acquisition community is responsible for researching, developing, testing, evaluating, acquiring, and delivering modern platforms and systems to the fleet—and supporting the systems throughout their life. The Navy's research and acquisition community is responsible for furnishing high-quality platforms, systems, and support matched to the requirements and priorities of the fleet, while providing the necessary high return on investment by the American taxpayer.

The Navy's research and acquisition community includes the following:

- The Naval Air Systems Command, which develops, acquires, delivers, and sustains aircraft and systems with proven capability and reliability to ensure Sailors achieve mission success
- The Naval Sea Systems Command, which develops, acquires, delivers, and maintains surface ships, submarines, and weapon system platforms that provide the right capability to the Sailor
- The Space and Naval Warfare Systems Command, which provides the Sailor with knowledge superiority by developing, delivering, and maintaining effective, capable, and integrated command, control, communications, computer, intelligence, and surveillance systems
- The Office of Naval Research, which plans, fosters, and encourages scientific research that promotes future naval seapower and enhances national security
- The Naval Research Laboratory, which conducts a broad program of scientific research, technology, and advanced development to meet the complex technological challenges of today's world

The Navy's research and acquisition community, in cooperation with private companies, designs, tests and builds components, systems, and platforms to address requirements identified by the fleet. Private companies are contracted to assist the Navy in acquiring the platform, system, or upgrade. The Navy's research and acquisition community must test and evaluate the platform, system, or upgrade to validate whether it performs as expected and to determine whether it is operationally effective, suitable, survivable, and safe for its intended use by the fleet.

Testing performed by the Navy's research and acquisition community can be categorized as scientific research testing, private contractor testing, developmental testing and operational testing (including lot acceptance testing), fleet training support, follow-on test and evaluation, and maintenance and repair testing. Fleet training activities often offer the most suitable environment for testing a system because training activities are designed to accurately replicate operational conditions. System tests, therefore, are often embedded in training activities such that it would be difficult for an observer to differentiate the two activities.

- **Scientific research testing.** Navy testing organizations conduct scientific research to evaluate emerging threats or technology enhancement before development of a new system. As an example, testing might occur on a current weapon system to determine if a newly developed technology would improve system accuracy or enhance safety to personnel.
- **Private contractor testing.** Contractors are often required to conduct performance and specification tests prior to delivering a system or platform to the Navy. These tests may be conducted on a Navy range, in a Navy at-sea training and testing area, or seaward of ranges and at-sea training and testing areas; these tests are sometimes done in conjunction with fleet training activities.
- **Developmental testing.** A series of tests are conducted by specialized Navy units to evaluate a platform or system's performance characteristics and to ensure that it meets all required specifications.
- **Operational testing.** Operations are conducted with the platform or system as it would be used by the fleet and other services.
- **Fleet training support.** Systems still under development may be integrated on ships or aircraft for testing. If training has not been developed for use of a particular system, the Navy's systems commands may support the fleet by providing training on the operation, maintenance, and repair of the system during developmental testing activities.

- **Follow-on test and evaluation.** A follow-on test and evaluation phase occurs when a platform receives a new system, after a significant upgrade to an existing system, or when the system failed to meet contractual performance specifications during previous testing. Tests similar to those conducted during the developmental testing or operational testing phase are conducted again, as needed, to ensure that the modified or new system meets performance requirements and does not conflict with existing platform systems and subsystems.
- **Maintenance and repair testing.** Following periodic maintenance, overhaul, modernization, or repair of systems, testing of the systems may be required to assess performance. These testing activities may be conducted at shipyards or Navy piers.

Preparatory checks of a platform or system-to-be-tested are often made prior to actual testing to ensure the platform or system is operating properly. This preparatory check is similar to checking the wipers and brakes on a car before taking a trip. These checks are done to ensure everything is operating properly before expending the often-considerable resources involved in conducting a full-scale test. For example, the MH-60 helicopter program often conducts a functional check of its dipping sonar system in a nearshore bay before conducting a more rigorous test of the sonar system farther offshore. Pierside platform and system checks are conducted during Navy repair and construction activities and are essential to ensure safe operation of the platform or system at sea.

The Navy uses a number of different testing methods, including computer simulation and analysis, throughout the development of platforms and systems. Although simulation is a key component in the development of platforms and systems, it cannot provide information on how a platform or system will perform or whether it will be able to meet performance and other specification requirements in the environment in which it is intended to operate without comparison to actual performance data. For this reason, platforms and systems must undergo at-sea testing at some point in the development process. Thus, like the fleet, the research and acquisition community requires access to large, relatively unrestricted ocean training and testing areas, multiple strike targets, and unique range attributes to support its testing requirements. Navy platforms and systems must be tested and evaluated within the broadest range of operating conditions available (e.g., bathymetry, topography, geography) because Navy personnel must be capable of performing missions within the wide-range of conditions that exist worldwide. Furthermore, Navy personnel must be assured that platforms and systems will meet performance specifications in the real-world environment in which they will be operated.

## 1.5 OVERVIEW AND STRATEGIC IMPORTANCE OF EXISTING RANGE COMPLEX

The Navy historically uses the MITT Study Area (which includes the MIRC) for training and testing. This area has been designated by the Navy as a “range complex.” A range complex is a set of adjacent areas of sea space, undersea space, land ranges, and overlying airspace delineated for military training and testing activities. Range complexes provide controlled and safe environments where military ship, submarine, and aircraft crews can train in realistic conditions. The combination of undersea ranges and operating areas with land training ranges, safety landing fields, and nearshore amphibious landing sites is critical to realistic training, and allows electronics on the range to capture data on the effectiveness of tactics and equipment—data that provide a feedback mechanism for training evaluation.

Systems commands also require access to a realistic environment to conduct testing. The systems commands frequently conduct tests on fleet range complexes and use fleet assets to support the testing, while fleet assets alternately support testing activities on test ranges; however, there are no dedicated test ranges within the MITT Study Area. Thus, the MITT Study Area must provide the flexibility to meet diverse testing requirements, given the wide range of various advanced platforms and systems

and proficiencies that the fleets and systems commands must demonstrate before certification for deployment.

The MITT Study Area is characterized by a unique combination of attributes that make it a strategically important range complex for the services. These attributes include the following:

- Location within and adjacent to U.S. territory
- Ranges and operating areas on the islands of Guam, Rota, Saipan, Tinian, and Farallon de Medinilla (FDM)
- Expansive airspace, surface sea space, and underwater sea space
- Authorized use of multiple types of explosive and non-explosive ordnance on FDM
- Support for all Navy warfare areas and numerous other service roles, missions, and tactical tasks
- Support to homeported service units based at military installations on Guam and the CNMI
- Training support for deployed forces
- Ability to conduct joint and combined force exercises<sup>8</sup>
- Rehearsal area for Western Pacific contingencies

Due to the strategic location of Guam and the CNMI, and DoD's ongoing reassessment of the Western Pacific military alignment, there has been a dramatic increase in the importance of the MIRC as a training and testing venue and its capabilities to support required military training.

## **1.6 THE ENVIRONMENTAL PLANNING PROCESS**

The Navy undertakes environmental planning for major Navy actions in accordance with applicable laws, regulations, and EOs. The two frameworks for environmental planning are the NEPA of 1969 and EO 12114. Congress enacted NEPA to ensure Federal agency planning and decision-making include consideration of environmental issues. Regulations for Federal agency implementation of the act were established by the President's Council on Environmental Quality. NEPA requires that federal agencies prepare an EIS if an agency's proposed action might significantly affect the quality of the human environment. As discussed in greater detail below, the Navy analyzes environmental effects and actions within 12 nautical miles (nm) under NEPA and those effects occurring beyond 12 nm under the provisions of EO 12114.

### **1.6.1 NATIONAL ENVIRONMENTAL POLICY ACT REQUIREMENTS**

The first step in the NEPA process (Figure 1.6-1) for an EIS is to prepare a Notice of Intent to develop an EIS. The Notice of Intent is published in the *Federal Register* and provides an overview of the proposed action and the scope of the EIS. The Notice of Intent is also the first step in engaging the public.

Scoping is an early and open process for developing the "scope" of issues to be addressed in an EIS and for identifying significant issues related to a proposed action. The scoping process for an EIS is initiated by publication of the Notice of Intent in the *Federal Register* and local newspapers. During scoping, the public helps define and prioritize issues through public meetings and written comments.

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<sup>8</sup> Joint and combined force exercises may include non-U.S. Forces.

Subsequent to the scoping process, a Draft EIS is prepared to assess the potential impacts of the proposed action and alternatives on the environment. When completed, a Notice of Availability is published in the *Federal Register* and notices are placed in local or regional newspapers announcing the availability of the Draft EIS. The Draft EIS is circulated for review and comment; public meetings are also held.

The Final EIS addresses all public comments received on the Draft EIS. Responses to public comments may include correction of data, clarifications of and modifications to analytical approaches, and inclusion of additional data or analyses. In addition, the Final EIS/OEIS considers and incorporates any new relevant science that has become available since the Draft EIS/OEIS.

Finally, the decision-maker will issue a Record of Decision (ROD), no earlier than 30 days after a Final EIS is made available to the public.

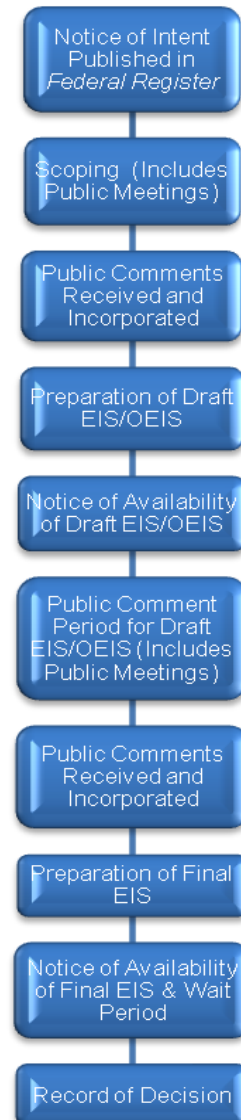
### 1.6.2 EXECUTIVE ORDER 12114

Executive Order 12114, *Environmental Effects Abroad of Major Federal Actions*, in parallel with NEPA through a Draft OEIS and a Final OEIS, directs federal agencies to provide for informed environmental decision-making for major federal actions outside the United States and its territories. Presidential Proclamation 5928, issued 27 December 1988, extended the exercise of U.S. sovereignty and jurisdiction under international law to 12 nm; however, the proclamation expressly provides that it does not extend or otherwise alter existing federal law or any associated jurisdiction, rights, legal interests, or obligations. Thus, as a matter of policy, the Navy analyzes environmental effects and actions within 12 nm under NEPA (an EIS) and those effects occurring beyond 12 nm under the provisions of EO 12114 (an OEIS). DoD Directive 6050.7, *Environmental Effects Abroad of Major Department of Defense Actions* and 32 Code of Federal Regulations (C.F.R.), Part 187, *Environmental Effects Abroad of Major Department of Defense Actions*, provides policy and procedures to enable DoD officials to be informed and take account of environmental considerations when authorizing or approving certain major federal actions that do significant harm to the environment of places outside the United States.

### 1.6.3 OTHER ENVIRONMENTAL REQUIREMENTS CONSIDERED

The Navy must comply with all applicable federal environmental laws, regulations, and EOs, including, but not limited to, those listed below. Further information can be found in Chapter 3 (Affected Environment and Environmental Consequences) and Chapter 6 (Additional Regulatory Considerations).

- Antiquities Act
- Clean Air Act
- Clean Water Act
- Coastal Zone Management Act
- Endangered Species Act
- Magnuson-Stevens Fishery Conservation and Management Act



**Figure 1.6-1:  
National  
Environmental  
Policy Act Process**

- Marine Mammal Protection Act
- Migratory Bird Treaty Act
- National Historic Preservation Act
- National Marine Sanctuaries Act
- Rivers and Harbors Act
- EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*
- EO 12962, *Recreational Fisheries*
- EO 13045, *Protection of Children from Environmental Health Risks and Safety Risks*
- EO 13089, *Coral Reef Protection*
- EO 13112, *Invasive Species*
- EO 13158, *Marine Protected Areas*
- EO 13547, *Stewardship of the Ocean, Our Coasts, and the Great Lakes*

## 1.7 SCOPE AND CONTENT

In this EIS/OEIS, the Navy assessed military readiness training and testing activities (activities conducted by all U.S. services: Navy, Marine Corps, Air Force, Army, and the Coast Guard<sup>9</sup>) that could potentially impact human and natural resources, especially marine mammals, sea turtles, and other marine resources, terrestrial resources, and cultural resources. The range of alternatives includes the No Action and other reasonable courses of action. In this EIS/OEIS, the Navy analyzed direct, indirect, cumulative, short-term, long-term, irreversible, and irretrievable impacts. The Navy is the lead agency for the Proposed Action and is responsible for the scope and content of this EIS/OEIS. Cooperating agencies include NMFS, the U.S. Air Force, and the U.S. Coast Guard. The NMFS is a cooperating agency because of its expertise and regulatory authority over marine resources. The U.S. Air Force is a cooperating agency as a stakeholder in the Study Area. The U.S. Coast Guard is a cooperating agency because of its expertise, its federal regulator authority, and its maritime law enforcement mission in the Study Area. The Navy will use this new analysis to comply with and consider all federal regulations (e.g., MMPA, ESA, Migratory Bird Treaty Act, Magnuson Stevens Fisheries Conservation and Management Act, and the Coastal Zone Management Act, as applicable, in all appropriate territories).

In accordance with Council on Environmental Quality Regulations, 40 C.F.R. §1505.2, the Navy will issue a ROD that provides the rationale for choosing one of the alternatives. The decision will be based on factors analyzed in this EIS/OEIS, including military training and testing objectives, best available science and modeling data, potential environmental impacts, and public interest.

## 1.8 ORGANIZATION OF THIS ENVIRONMENTAL IMPACT STATEMENT/OVERSEAS ENVIRONMENTAL IMPACT STATEMENT

To meet the need for decision-making, this EIS/OEIS is organized as follows:

- Chapter 1 describes the purpose of and need for the Proposed Action.
- Chapter 2 describes the Proposed Action, alternatives considered but eliminated in the EIS/OEIS, and alternatives to be carried forward for analysis in the EIS/OEIS.
- Chapter 3 describes the existing conditions of the affected environment and analyzes the potential impacts of the training and testing activities in each alternative.

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<sup>9</sup> Joint training and testing activities may include foreign allies and partners.

- Chapter 4 describes the analysis of cumulative impacts, which are the impacts of the Proposed Action when added to past, present, and reasonably foreseeable future actions.
- Chapter 5 describes the measures the Navy evaluated that could mitigate impacts to the environment.
- Chapter 6 describes how the Navy complies with other federal, state, and local plans, policies, and regulations.
- Chapter 7 includes a list of the EIS/OEIS preparers.
- Appendices provide technical information that supports the EIS/OEIS analyses and its conclusions.

## 1.9 RELATED ENVIRONMENTAL DOCUMENTS

The progression of NEPA/EO 12114 documentation for service activities has developed from planning individual range complex exercises and testing activities to theater assessment planning that spans multiple years and covers multiple range complexes. The following are publicly available documents related to Navy training and testing activities and may be referenced in this EIS/OEIS, as appropriate:

- *Environmental Assessment, Beddown of Training and Support Initiatives at Northwest Field Andersen Air Force Base, Guam*, June 2006 (Department of the Air Force 2006a)
- *Final Environmental Impact Statement, Establishment and Operation of an Intelligence, Surveillance, Reconnaissance, and Strike Capability Andersen Air Force Base, Guam*, November 2006 (Department of the Air Force 2006b)
- *Final Environmental Impact Statement, Guam and CNMI Military Relocation Relocating Marines from Okinawa, Visiting Aircraft Carrier Berthing, and Army Air and Missile Defense Task Force*, July 2010 (U.S. Department of the Navy 2010b)
- *Addendum to the Guam and CNMI Military Relocation Final Environmental Impact Statement*, July 2010 (U.S. Department of the Navy 2010a)
- *Final Overseas Environmental Assessment, Notification for Air/Surface International Warning Areas*, June 2002 (Department of Defense 2002)
- *Mariana Islands Range Complex Environmental Impact Statement/Overseas Environmental Impact Statement*, May 2010 (U.S. Department of the Navy 2010c)
- *Final Environmental Impact Statement, Military Training in the Marianas*, June 1999 (Department of Defense 1999a)
- *Record of Decision for Military Training in the Marianas*, July 1999 (Department of Defense 1999b)
- *Acoustic Impact Analysis for the North Pacific Acoustic Laboratory (NPAL) Philippine Sea 2010 Through 2011 Experiment*, February 2011 (U.S. Department of the Navy 2011)
- *Final Environmental Impact Statement for Designation of an Ocean Dredged Material Disposal Site Offshore of Guam*, March 2010 (U.S. Department of the Navy 2010e)
- *Mariana Islands Range Complex Airspace Final Environmental Assessment (EA)/Overseas Environmental Assessment (OEA) and Finding of No Significant Impact/Finding of No Significant Harm*, June 2013 (U.S. Department of the Navy 2013)
- *Final Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement for Surveillance Towed Array Sensor System Low Frequency Active Sonar (SURTASS LFA)*, June 2012 (U.S. Department of the Navy 2012)



## 1.10 ONGOING ENVIRONMENTAL DOCUMENTS IN THE STUDY AREA

The following environmental documents relate to projects within the Study Area and are currently in the pre-planning or development of analyses stages. The MITT EIS/OEIS only analyzes the sustainment of current operations in the MITT Study Area on Guam and the CNMI; new programs or actions, as they relate to other uses of land space in the MITT Study Area, will be analyzed in these various documents. A summary of these projects are provided below and analyzed as appropriate in Chapter 4 (Cumulative Impacts).

- *Divert Activities and Exercises, Guam and Commonwealth of Northern Mariana Islands Environmental Impact Statement.* This EIS is being prepared by the U.S. Air Force to assess improvements to existing airports and associated infrastructure in the Mariana Islands in support of expanding mission requirements and to achieve divert capabilities in the western Pacific. The Notice of Intent was published in the Federal Register in September 2011, and the draft EIS was published in June 2012.
- *Guam and CNMI Military Relocation (2012 Roadmap Adjustments) Supplemental Environmental Impact Statement.* The Joint Guam Program Office is preparing a Supplemental EIS to the Guam and CNMI Military Relocation EIS. The proposed action is to construct and operate a Live-Fire Training Range Complex that allows for simultaneous use of all firing ranges to support training and operations on Guam for the relocated Marines (a force of approximately 5,000 Marines and approximately 1,300 dependents) on Guam and a main cantonment area of sufficient size and layout to provide military support functions, including family housing. In addition, the Proposed Action also includes the construction of utilities and infrastructure to support the range complex, main cantonment, and housing. The Notice of Intent to complete an EIS/OEIS was published in the *Federal Register* in February 2012. Three public scoping meetings were held on Guam on 17, 19, and 20 March 2012. The Draft Supplemental EIS was made available to the public on 18 April 2014.
- *CNMI Joint Military Training Environmental Impact Statement.* The U.S. Pacific Command (PACOM) is preparing an EIS to analyze the need to establish ranges and training areas in the Western Pacific to meet the consolidated unfilled training requirements of the Service Components. The additional training capabilities and capacity are needed to ensure that U.S. Forces in the PACOM area of responsibility are capable of meeting their U.S. Code Title 10 responsibilities to maintain, equip, and train combat-ready forces to meet U.S. mission for military readiness in the region. The Notice of Intent to complete an EIS was published in the *Federal Register* on 14 March 2013.

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