

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board



CONTACT INFORMATION
501 Low Gap Road • Room 1010
Ukiah, California 95482
TELEPHONE: (707) 463-4441
FAX: (707) 463-7237
Email: bos@co.mendocino.ca.us
Web: www.co.mendocino.ca.us/bos

COUNTY OF MENDOCINO
BOARD OF SUPERVISORS

April 24, 2012

Ms. Kimberly Kler, NWTT Project Manager
Naval Facilities Engineering Command, Northwest
1101 Tautog Circle
Silverdale, WA 98315-1100

Michael Payne, Chief
Permits, Conservation and Education Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910-3225

Re: NEPA scoping comments for Northwest Training and Testing

Dear Mrs. Kler and Mr. Payne:

The Mendocino County Board of Supervisors has been on record for three years as opposing expanded training and testing activities off the coast of the Pacific Northwest unless adequate mitigations are adopted to prevent unnecessary harm to marine mammals and fisheries resources. This letter is for the purpose of submitting comments regarding the U.S. Navy ("Navy") and National Marine Fisheries Service's ("NMFS") preparation of an Environmental Impact Statement ("EIS") for continued training and testing activities in the Pacific Northwest.

In order to continue its activities, the Navy is required to develop a new Environmental Impact Statement (EIS) before the current Statements expire in 2015. As part of this process, the Navy recently hosted a series of "open house" information sessions in coastal towns throughout California, Oregon, Washington and Alaska. At the meetings, the public had the opportunity to learn about the Navy's pre-determined alternatives of current training, additional planned training, and even more future training, none of which identify means for achieving the Navy's purposes and needs in ways that will result in different environmental impacts. Only about 25 people attended the first four of these meetings, and attendance was poor at the remaining five meetings.

We support the National Resources Defense Council (NRDC) in its call for an extension of the public comment period for the scoping of the proposed preparation of an EIS. It is our judgment that an extension is necessary, not only because attendance at the "open houses" was so poor, but also to allow the public to submit comments informed by the National Oceanic and Atmospheric Administration's ("NOAA") Integrative Symposium taking place on May 23 and 24, 2012.

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We are concerned about the lack of sufficient efforts to minimize negative impacts to marine mammals and fish species, including "takes" under the ESA. The assessment methodology that the Navy relies on underestimates impacts to these species. For example, it is our understanding that under ideal conditions of calm seas and daylight hours, the visual protocols in use by the Navy detect only 5% of marine mammals in a given area of the sea. A much more realistic methodology to avoid impacts to marine mammals, without compromising the Navy's training mission, is to avoid feeding grounds, calving grounds and migration routes at times when marine mammals are known to be present. The Navy should be required to adopt effective detection and avoidance measures to mitigate negative impacts to marine mammals and other species.

Local governments and tribes, environmental organizations and concerned citizens have repeatedly called for greater protections for the Sinkyone Lost Coast, the Olympic Coast National Marine Sanctuary and other biologically important areas, a lessening of harms to species threatened by the Navy's activities (such as the endangered Southern Resident killer whale and the harbor porpoise), and seasonally-based measures to protect migrating and foraging whales.

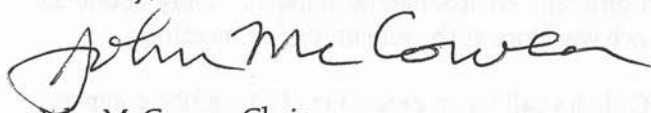
The quantification of negative impacts has largely focused on takes of marine mammals resulting from the Navy's use of high-intensity active sonar, but impacts from training and testing activities also impact fish and other species and include the use of explosives and the release of hazardous and expended materials into the environment. The long-term, cumulative impacts of all of these activities on marine wildlife require a comprehensive assessment and analysis that has yet to be performed. We also believe it is critical to address concerns that testing and training activities negatively impact catch rates of commercial fish species.

We encourage the Navy to do more to address concerns raised by the Intertribal Sinkyone Wilderness Council (based in Mendocino County), the NRDC and others who have charged that the Navy's proposed mitigation measures fail to utilize the best available science, thus failing to comply with the Endangered Species Act and the Administrative Procedure Act. We are also concerned that the impacts of the multi-year training and testing actions have not been adequately evaluated in order to avoid adverse modification to critical habitat as required by the National Environmental Policy Act

Further, we encourage both the Navy and NMFS, as required by law, to consult with the federally recognized tribes of California that may suffer cultural harm from the expanded activities unless adequate measures are developed to avoid such harm.

In closing, we reiterate that the new EIS must demonstrate a determination by the Navy and NMFS to do more to protect marine mammals, fish and other species from harm. A good place to start would be by extending the comment period and creating a more meaningful opportunity for public participation.

Sincerely,



John McCowen, Chair
Mendocino County Board of Supervisors

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