UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

April 13, 2015

Naval Facilities Engineering Command Northwest
Attention: Mr. Thomas Dildine, LWI/SPE EIS Project Manager
1101 Tautog Circle, Suite 203
Silverdale, WA 98315-1101

Dear Mr. Dildine:

We have reviewed the Navy's February 2015 Draft Environmental Impact Statement for the Land-Water Interface and Service Pier Extension at Naval Base Kitsap Bangor (EPA Region 10 Project Number: 13-008-DOD).

Our review was conducted in accordance with the EPA's responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Our review of the DEIS prepared for the proposed action considers expected environmental impacts and the adequacy of the EIS in meeting procedural and public disclosure requirements of the NEPA.

We are rating the DEIS Environmental Concerns – Adequate (EC-1). A copy of our rating system is enclosed.

Project summary
The Navy is proposing and analyzing two separate projects: 1) the construction and operation of Land-Water Interface structures, and 2) the construction and operation of a Service Pier Extension on Naval Base Kitsap Bangor.

The two action alternatives for the Land-Water Interface are the Pile-Supported Pier (Alternative 2) and Port Security Barrier Modifications (Alternative 3). Alternative 3, unlike Alternative 2, does not include in-water pile driving or mesh extending to the seafloor. Alternative 3 is the Navy's Preferred Alternative.

The two action alternatives for the Service Pier Extension are the Short Pier (Alternative 2) and the Long Pier (Alternative 3). Alternative 2 would require 335 piles and extend the existing pier by 44,000 square feet. Alternative 3 would require 660 piles and extend the existing pier by 70,000 square feet. Additional project elements including parking, utilities and road improvements are the same for both action alternatives and would occupy a total of approximately 7 acres. Alternative 2 is the Navy's Preferred Alternative.

Responsiveness to EPA scoping comments
Our March 2013 scoping comments stated that our primary environmental concerns were consistent with the Navy's "Potential Issues of Public Concern." Consistent with your anticipated issues, we recommended the EIS comprehensively analyze:

- potential impacts of underwater sound from pile-driving activities on protected marine species;
- potential impacts of Land-Water Interface and Port Security Barrier placement on movement of marine fish and other species, and longshore sediment transport;
- potential loss and shading of marine habitat, such as eelgrass and other essential fish habitat, and submerged aquatic vegetation; and
- potential impacts on tribal resources.

The DEIS does indeed take a hard look into all of these issues. Based on your analysis, we agree that the projects would contribute to cumulative impacts on marine resources, such as shallow-water habitat, including loss of eelgrass, macroalgae, and habitat for juvenile salmon and other fish and invertebrate species. The projects would also result in unavoidable adverse impacts to fish, wildlife and humans from pile driving noise and a loss of upland vegetation and habitats from roads and buildings.

Our March, 2013 scoping comments also included an attachment of information to consider for aquatic resources, air quality, environmental justice, children's health, invasive species, and climate change. The DEIS is responsive to our additional scoping information. For example, we appreciate the DEIS's description of the Navy's broad programs to reduce energy consumption and shift energy demand to renewable and alternative fuels. The Navy is taking a leadership role in contributing to a national effort to mitigate global climate change by, for example, requiring LEED certification for buildings and major renovations, giving awards for energy conservation, researching and implementing new propulsion systems, investigating new hull-cleaning technologies, and testing biofuels to power aircraft.

Environmentally Preferable Alternative
The Council on Environmental Quality encourages the public and other agencies reviewing the DEIS to assist the lead agency in identifying the Environmentally Preferable Alternative.

For the Land-Water Interface Project we agree with the DEIS's identification of Alternative 3 – the Port Security Barrier Modifications alternative – as the Environmentally Preferable Alternative. The Port Security Barrier is environmentally preferable because it requires no in-water pile driving – thereby avoiding thousands of behavioral incidental takes on marine mammals. The Port Security Barrier also has a lower potential to affect migration of juvenile salmon and about half of the total impact on aquatic habitat and waters of the U.S. relative to Alternative 2.

For the Service Pier Extension Project we agree with the DEIS's identification of Alternative 2 – the Short Pier alternative – as the Environmentally Preferable Alternative. The short pier is environmentally preferable because it is substantially shorter and the same width as the long pier. The shorter pier meaningfully reduces the behavioral incidental takes on marine mammals due to pile driving noise. It also meaningfully reduces the amount of shading of the benthic community.

In addition to agreeing with the DEIS's identified Environmentally Preferable Alternatives, we applaud the Navy for identifying these alternatives in the DEIS. This goes above and beyond what the implementing regulations for NEPA require. We also applaud the Navy for identifying the

Environmentally Preferable Alternatives as the agency preferred alternatives; therefore, we support this decision.

Environmental Concerns

Our Environmental Concerns rating relates to the projects' unavoidable adverse impacts to fish, wildlife and humans from pile driving noise; loss of marine habitat including eelgrass; and loss of upland vegetation for roads and buildings. To address our concerns, we support the Navy's ongoing efforts to complete and implement the Mitigation Action Plan.

Temporal Loss

In the FEIS's version of the Mitigation Action Plan (DEIS, Appendix C), we recommend additional information on how compensatory mitigation ratios required by the Hood Canal Coordinating Council's In-lieu Fee program account for risk and uncertainty associated with temporal loss. We believe that additional information on accounting for temporal loss will assist all agencies and entities who are involved in the early implementation of mitigation credit sales for impacts in Hood Canal.

We understand that it has been difficult to locate available compensatory mitigation sites to offset the aquatic resource impacts associated with the ongoing Explosives Handling Warf-2 project. Based on this experience, we have concerns that similar over-water structures and aquatic resource impacts will also be difficult to mitigate.

Consultation terms and conditions

The FEIS should also include, to the extent possible, permitting and consultation terms and conditions (DEIS, Appendix C, Section 7.0). We believe that including terms and conditions in the FEIS will help enable the public and other agencies reviewing the EIS understand how mitigation is adequate to make the project's contribution to cumulative impacts less than significant.

Thank you for this opportunity to comment and if you have any questions please contact me at (206) 553-1601or by electronic mail at reichgott.christine@epa.gov , or you may contact Erik Peterson of my staff at (206) 553-6382 or by electronic mail at peterson.erik@epa.gov.

Sincerely,

Christine B. Reichgott

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure:

1. EPA Rating System for Draft Environmental Impact Statements

U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action*

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.