

ENVIRONMENTAL IMPACT STATEMENT



NAVAL BASE
KITSAP-BANGOR

SWIMMER INTERDICTION SECURITY SYSTEM

PUBLIC SCOPING SUMMARY REPORT

SWIMMER INTERDICTION SECURITY SYSTEM
ENVIRONMENTAL IMPACT STATEMENT

NAVAL BASE KITSAP-BANGOR
SILVERDALE, KITSAP COUNTY, WA

January 25, 2008

DEPARTMENT OF THE NAVY

PRIVACY ADVISORY

This Public Scoping Summary Report summarizes public input provided to the Navy during the scoping process regarding the Swimmer Interdiction Security System (SISS) environmental impact statement (EIS). Appendix C contains sign-in sheets from the public scoping meetings held in March 2007 and Appendix D contains scoping comments submitted by the public, non-government organizations, and government agencies to the Navy for the SISS EIS. Only the names of the individuals making comments and specific comments are disclosed. Private addresses and email addresses were removed from these materials to protect privacy. Addresses and email addresses of non-governmental organizations and government agencies were disclosed due to their public nature. Any personal information provided in these materials will be used to develop a mailing list for future SISS EIS related notifications.

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LIST OF ACRONYMS AND ABBREVIATIONS

CDR	Commander
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CNRNW	Commander at Navy Region Northwest
CPF	Commander, Pacific Fleet
DoD	Department of Defense
EA	environmental assessment
EIS	environmental impact statement
EO	Executive Order
FOIA	Freedom of Information Act
FR	Federal Register
HSB	harbor security boat
JHOC	Joint Harbor Operations Center
KRCC	Kitsap Regional Community Council
NBK–Bangor	Naval Base Kitsap at Bangor
NEPA	National Environmental Policy Act
NOAA	National Oceanic and Atmospheric Administration
NOI	notice of intent
OPNAVINST	Chief of Naval Operations Instruction
PA	Public Affairs
PSA	public service announcement
PSSR	public scoping summary report
ROV	remotely operated vehicle
SAIC	Science Applications International Corporation
SECNAVINST	Secretary of the Navy Instruction
SISS	Swimmer Interdiction Security System
SSC San Diego	Space and Naval Warfare Systems Center, San Diego, CA
SSP	Strategic Systems Programs
SWFPAC	Strategic Weapons Facility Pacific
U.S.	United States
USC	United States Code
USS	Underwater Surveillance System

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1.0 INTRODUCTION

This Public Scoping Summary Report (PSSR) has been developed for the United States (U.S.) Navy. The PSSR presents a summary and overview of the scoping process conducted for the Swimmer Interdiction Security System (SISS) Environmental Impact Statement (EIS) at Naval Base Kitsap at Bangor (NBK–Bangor), Washington, pursuant to the requirements of the National Environmental Policy Act (NEPA) of 1969, 42 United States Code [USC] 4321 et seq.; Executive Orders (EOs) 11514 and 11991; Council on Environmental Quality (CEQ) Regulations (40 Code of Federal Regulations [CFR] 1500–1508); and the Environmental Quality Improvement Act of 1970, as amended (42 USC 4371 et seq.).

CEQ guidance defines scoping as the “process by which lead agencies solicit input from the public and interested agencies on the nature and extent of issues and impacts to be addressed and the methods by which they will be evaluated.” NEPA requires scoping as part of the EIS public involvement process, involving the public early and soliciting public and agency input on the nature and extent of issues and impacts to be addressed in the EIS. The intent of the scoping process is to provide ample opportunity for the public and agencies to learn about and comment on the proposed actions and alternatives.

This Public Scoping Summary Report contains the materials prepared for the scoping process as well as public input obtained during the scoping process. While this report identifies the scoping comments obtained during the scoping period, the document does not make decisions regarding the proposed action, nor does it set forth policies.



March 28, 2007, Seattle SISS Scoping Meeting

Scoping for the SISS EIS took place from February 12, 2007, to April 16, 2007. The initiation of the scoping process began with the publication of the Notice of Intent (NOI) in the Federal Register (FR) on Monday, February 12, 2007. Shortly thereafter, the Navy notified the public and government entities of the EIS, scoping period, and associated March 27 and 28 scoping meetings held in Keyport and Seattle, Washington, respectively.

Section 2.0 of this report describes the notification methods utilized by the Navy to inform the public of opportunities for involvement during the scoping period. Appendix A provides these notification materials, including the NOI, scoping letters, the project website, newspaper display advertisement, and press release. Section 3.0 of this report describes the communication and media training conducted in preparation for the scoping meetings. Appendix B provides copies of slides from the “dry run” training session.

Section 4.0 of this report summarizes how the scoping meetings were conducted, the number of attendees, the media in attendance, and the number of comments delivered by the public. Appendix C provides copies of the scoping meeting sign-in sheets, along with copies of the meeting materials, displays, and brochures.

Section 5.0 provides a summary of comments received from the public and government agencies during the scoping meetings and scoping period. These comments are categorized by topic for ease of reference. Representative public comments and letters are contained in Appendix D. Section 6.0 summarizes the overall outcome of the scoping process.

1.1 BACKGROUND

In response to the terrorist attacks of September 11, 2001, the U.S. government has increased security requirements at its military installations. Secretary of the Navy Instructions (SECNAVINST), policies, and manuals establish requirements for security at naval bases, including at NBK–Bangor (near Silverdale, Washington). SECNAVINST and Chief of Naval Operations Instruction (OPNAVINST) 5530.14C require waterside security measures be implemented to protect Navy assets. The proposed SISS is needed to provide additional waterside security at NBK–Bangor to counter threats from surface and submerged swimmers. Space and Naval Warfare Systems Center, San Diego (SSC San Diego) is the Action Proponent.



In accordance with the NEPA, CEQ Regulations for implementing the Procedural Provisions of NEPA (40 CFR §§ 1500-1508), the Navy is preparing an EIS to assess the environmental consequences of the preferred SISS and other alternatives.

Preferred Alternative. The Navy conducted a literature review and held discussions with subject matter experts to identify alternatives for implementing the SISS. Three action alternatives and a No-Action Alternative were identified. The highest rated and preferred alternative would be composed of human/marine mammal teams that would support Navy operations and respond rapidly to security alerts. The system would involve stationing California sea lions and Atlantic bottlenose dolphins at the site. In-water enclosures housing SISS mammals would be attached to an existing pier or wharf at NBK–Bangor. The enclosures for the sea lions would be of the open-mesh type, while the dolphins would be housed in environmentally controlled enclosures. Additional support facilities, including on-shore pools for veterinary purposes and trailers for staff, laboratory, food preparation, and storage, would be installed at an upland location at NBK–Bangor. The marine mammals would be deployed along the shoreline in conjunction with humans aboard small power boats; the mammals would respond to security alerts by finding, identifying, and marking the location of underwater objects or initiating interdiction of intruders.

The marine mammals used in this system would come from the Navy’s marine mammal program in San Diego, and would undergo extensive health screening before and after transport to NBK–Bangor. The SISS facilities would operate in conformance with standards for animal care established by the Navy, which meet or exceed standards set by the U.S. Department of Agriculture.

Other Alternatives. Other than the preferred alternative, the next most effective alternatives involve the use of combat swimmers or remotely operated vehicles (ROVs). Under the Combat Swimmers Alternative, specially trained personnel would be used to interdict underwater intruders. The combat swimmers would deploy from harbor security boats (HSBs) into the water

to respond to security alerts by finding, identifying, and marking the location of underwater objects or initiating interdiction of intruders. Under the ROV Alternative, ROVs would be deployed from HSBs to respond to security alerts by finding, identifying, and marking the location of underwater objects or initiating interdiction of intruders. A No-Action Alternative will also be evaluated. Under this alternative, no SISS would be implemented.

1.2 SCOPING MEETING SUPPORT

The EIS Working Group (Figure 1–1) supported the SISS scoping process. The EIS Working Group set up and staffed displays and table stations during the scoping meetings and relayed information regarding the SISS proposal to the public. They also supported the collection of issues and concerns expressed by the public during the scoping meetings. In addition to the persons highlighted below, Lieutenant Commander Delmas Whitaker supported the sign-in table and Commander (CDR) Jon Wood, U.S. Navy (Commanding Officer, Naval Special Clearance Team One) supported the SISS alternatives table station.

- Proponent:** SSC San Diego
- Project Location:** Commander Navy Region Northwest (CNRNW), NBK–Bangor
- Contractor Support:** Science Applications International Corporation (SAIC)
- Public Affairs:** Strategic Systems Programs (SSP), Strategic Weapons Facility Pacific (SWFPAC), CNRNW, Naval Base Kitsap, and SSC San Diego

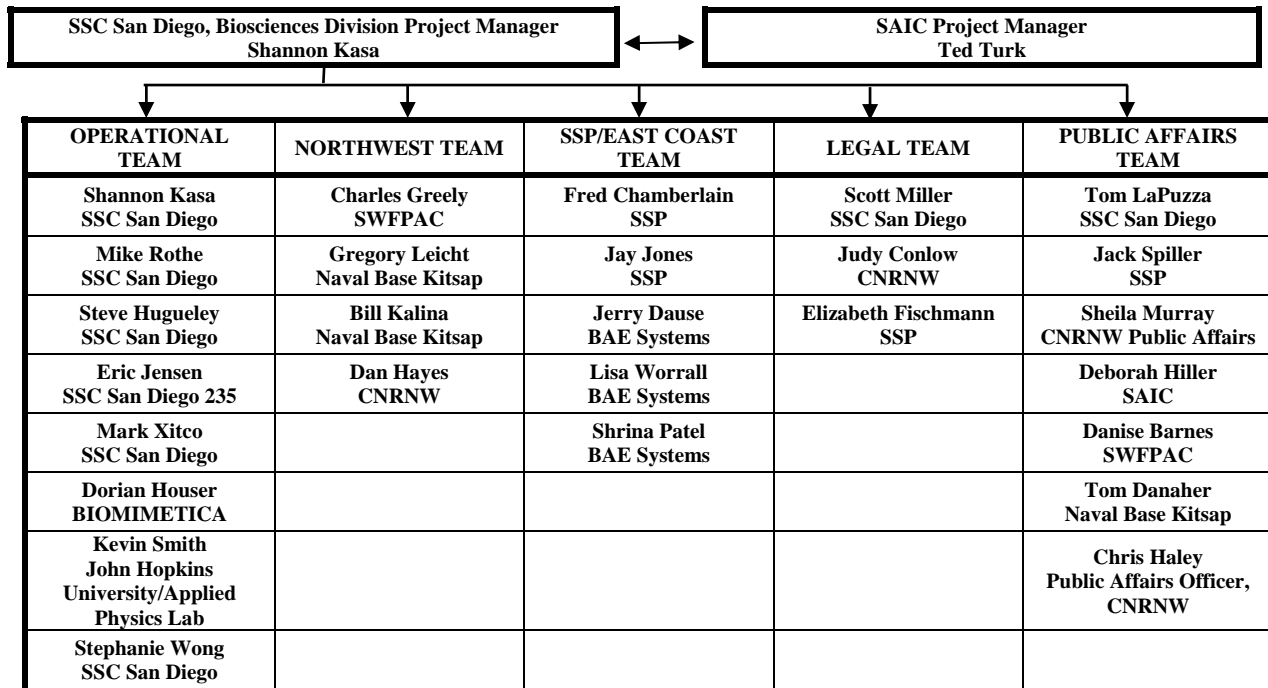


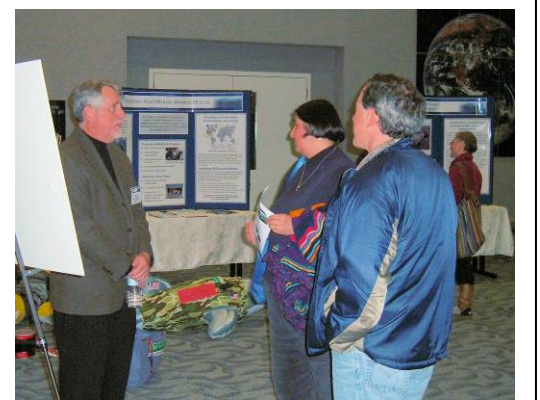
Figure 1–1. EIS Working Group

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2.0 SCOPING NOTIFICATION

The Navy utilized several methods to notify the public of opportunities for involvement and methods to comment during scoping. These methods included:

- An NOI announcement in the FR;
- A mailing of scoping letters to government agencies and concerned citizens;
- A mailing of enhanced scoping letters to agencies directly impacted and government representatives with primary concern;
- A public website; and
- Press releases and newspaper display advertisements to local media.



**March 27, 2007, Keyport SISS
Scoping Meeting**

Details of these notification methods are outlined in this section and copies of these materials are provided in Appendix A.

2.1 FEDERAL REGISTER NOTICE OF INTENT

As required by NEPA, an NOI to prepare an EIS was published in the FR on Monday, February 12, 2007, and is contained in Appendix A. This notice set forth the Navy's intent to prepare an EIS on the potential environmental impacts from its proposal to implement the SISS. The NOI announced the proposed action and alternatives, and the purpose and need for the proposed action. The NOI also provided the public scoping meeting times and locations, the hotline number for comments, the EIS website location, contact information for questions about the proposal, and the closing day of the public comment period. In addition, with the publication of the NOI, the scoping period officially began, during which time the Navy accepted public comments on the scope of the EIS.

2.2 SCOPING AND ENHANCED SCOPING LETTERS

The Navy initiated direct contact with potentially interested and affected government agencies, government representatives, and citizens through scoping letters distributed February 12 to 14, 2007. The Navy sent these letters to government agencies and representatives soliciting agency input and requested submittal of any relevant studies or data that might be useful in developing the EIS. Similar to the NOI, the scoping letters provided an overview of the proposal and the Navy's intent to prepare an EIS. The letters announced the public scoping meetings and included NEPA-specific details and information regarding the upcoming scoping meetings. Appendix A contains a copy of the scoping letter.

Elected officials, agency representatives, and organizations with an active interest in Navy activities were sent an enhanced scoping letter, which offered an opportunity to be individually

briefed on the SISS proposal and associated EIS. A copy of the enhanced scoping letter and distribution lists for scoping and enhanced scoping letters are contained in Appendix A. Five enhanced scoping briefings were requested and provided by the Navy. Table 2-1 shows the briefing dates and agencies.

Table 2–1. Enhanced Scoping Briefs

ENTITY BRIEFED, DATE AND LOCATION	ATTENDEES
National Oceanic and Atmospheric Administration (NOAA) Northwest Region March 13, 2007 NOAA Northwest Headquarters (Seattle)	Briefers: Mark Xitco and Hayden Street Also present: Dr. Bob Lohn, Regional Administrator; Donna Darm, Deputy Regional Administrator; Brent Norberg; Lynne Barre
Clark Mather, District Director for Representative Norm Dicks March 8, 2007	Briefers: Mark Xitco and Judy Conlow Also present: Clark Mather, Tom Danaher, Chris Haley, and Captain T.J. Dargan
Senator Maria Cantwell March 5, 2007 Washington, D.C.	Briefers: Rear Admiral Symonds, N45; and Mike Rothe Also present: Simon Geerlofs, Legislative Assistant; CDR Luster and Dr. Stone, N45; CDR Ann Fischer, Office of Legislative Affairs
Kitsap Regional Community Council (KRCC) May 1, 2007 Norm Dick's Government Center, Bremerton, WA	Briefers: Mark Xitco and Dan Hayes Also present: Judy Conlow, Tom Danaher, Chris Haley, and Capt. Reid Tanaka
Navy-Tribal Council June 12, 2007 U.S. Coast Guard Joint Harbor Operations Center (JHOC) in Seattle.	Briefer: Mike Rothe Also present: Judy Conlow, Chris Haley, Dan Hayes, and Sheila Murray

2.3 WEBSITE

The EIS website (<http://www.nbkeis.gcsaic.com>) set forth the scoping meeting dates and locations and gave visitors the opportunity to submit a scoping comment or register for the project mailing list. The website also provided links to the marine mammal video and the following scoping meeting fact sheets:

- Proposed Action and Alternatives Fact Sheet;
- Naval Base Kitsap at Bangor Mission Fact Sheet; and
- Public Involvement and Environmental Resource Areas Fact Sheet.

Copies of the scoping meeting fact sheets are provided in Appendix C. A copy of the main website page is provided in Appendix A.

2.4 SCOPING NEWSPAPER DISPLAY ADVERTISEMENTS

The Navy published newspaper advertisements in regional papers. The newspaper publications and exact dates when the advertisements ran are identified in Table 2–2. The newspaper advertisements announced the Navy’s intent to prepare an EIS on the SISS and included the scoping meeting dates, times, and locations. Appendix C provides a copy of the newspaper advertisement.

Table 2–2. Newspaper Display Advertisement Schedule

NEWSPAPER CONTACT	CIRCULATION	NEWSPAPER ADVERTISEMENT PUBLICATION DATES
Kitsap Sun	Daily (circulation 35,476)	11 March 2007
Seattle Post-Intelligencer	Daily (circulation 150,000+)	9 March 2007
Seattle Times	Daily (circulation 231,000+)	9 March 2007
The Port Townsend Leader	Weekly (circulation 10,000+)	7 March 2007
Peninsula Daily	Daily local paper (circulation 15,000+)	11 March 2007

2.5 PRESS RELEASES

The Navy Region Northwest Public Affairs Office distributed press releases to the media outlets throughout the Keyport and Seattle region on February 12, 2007, and again on March 19, 2007, the Friday just prior to the scoping meetings. Table 2–3 provides the list of media outlets receiving the press releases. Appendix C provides a copy of the press release.

Table 2–3. Press Release Venues and Schedule

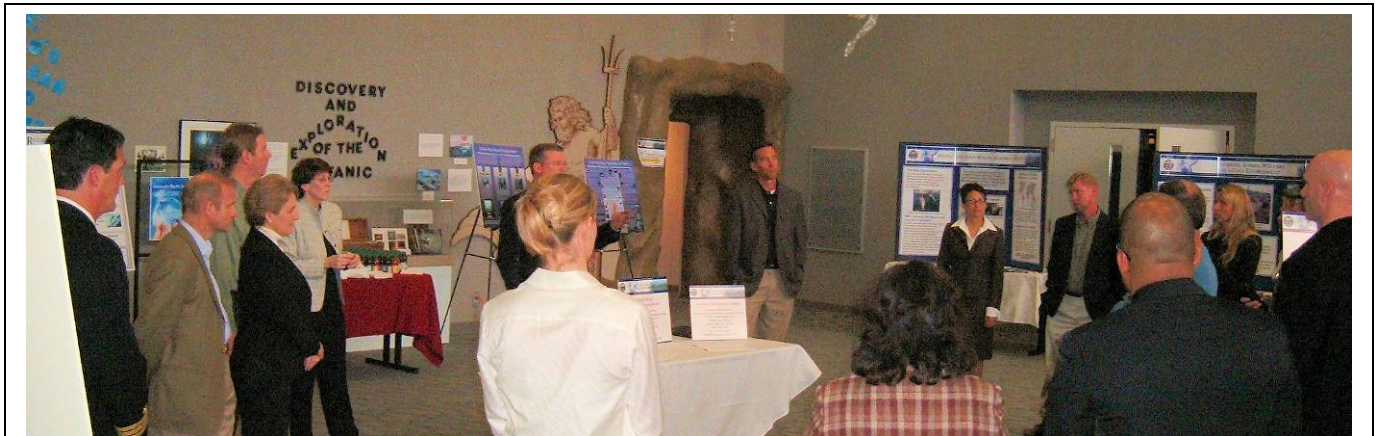
NEWSPAPERS	RADIO/TELEVISION STATIONS
Kitsap Sun	KING 5 TV, NBC, Seattle
Seattle Post-Intelligencer	KIRO 7 TV, CBS, Seattle
Seattle Times	KOMO 4 TV, ABC, Seattle
The Port Townsend Leader	KCPQ 13 TV, FOX, Seattle
Peninsula Daily	Northwest Cable News, Seattle
Tacoma News Tribune	
AP Seattle	
Kitsap Newspaper Group	
Everett Herald	

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3.0 COMMUNICATION AND MEDIA TRAINING

Navy representatives from Navy Region Northwest, Naval Base Kitsap, and SSC San Diego attended three communication and media training sessions to prepare for the scoping meetings. Two of these three training sessions had participants practice a dry run of the scoping meeting. The first training session was held the week of August 7, 2006, in San Diego; the second on December 7, 2006, at the Keyport Museum (see Appendix B), and the third on March 6, 2007, at the NBK–Bangor Reserve Center.

The risk communication trainings reiterated the purpose and goal of the scoping meetings and provided communication tools for meeting those goals. The training also touched upon techniques for interacting with the media. The dry run enabled the training participants to practice those communication tools and interact with the meeting displays as if members of the public were actually present. In addition, participants practiced the questions and answers during the dry run, preparing to answer the questions properly with SISS key messages.



March 27, 2007, Keyport SISS Scoping Meeting Preparations

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4.0 SCOPING MEETINGS

Two scoping meetings were held on March 27 and 28, 2007. Approximately 82 citizens attended the meetings along with several members of the press. The following section discusses media involvement and attendance at the scoping meetings, and summarizes the meetings.

4.1 MEDIA ATTENDANCE

At 5:00 p.m., just prior to each scoping meeting, Navy representatives were present to interact with the media. Several interviews took place during this time. From the EIS Working Group, Mark Xitco (SSC San Diego), CDR Jon Wood, U.S. Navy (Commanding Officer, Naval Special Clearance Team One), Dorian Houser (BIOMIMETICA), and Bill Kalina (Naval Base Kitsap Environmental) addressed the media. Table 4–1 provides the media in attendance at each scoping meeting.

Table 4–1. Media Attendance

TUESDAY, MARCH 27, 2007	WEDNESDAY, MARCH 28, 2007
KOMO-TV	ABC World News
Kitsap Sun Newspaper	King 5 TV
	KIRO 7 TV
	KCBQ 13 TV
	Associated Press
	Seattle Post Intelligencer
	Seattle Times
	Seattle Metropolitan Magazine

4.2 SCOPING MEETING ATTENDANCE

Table 4–2 provides the scoping meeting times, locations, attendee levels, and comment totals. Both meetings were open to the general public, the media, and government officials and agencies. Meeting locations complied with the Americans with Disabilities Act and were large enough to hold 200 people.

Table 4–2. Scoping Meeting Attendance

SCOPING MEETING LOCATION	DATE	TIME	APPROXIMATE ATTENDANCE NUMBERS	SIGN-IN ATTENDANCE NUMBERS
Naval Undersea Museum 610 Dowell Street Keyport, WA 98345	Tuesday, March 27, 2007	5:30 – 8:30 PM	28	28
Holiday Inn 211 Dexter Ave North Seattle, WA 98108	Wednesday, March 28, 2007	5:30 – 8:30 PM	54	42

4.3 SCOPING MEETING PROCESS

The meetings were conducted in an open house format where Navy representatives were present to provide information and answer questions. The setup for each meeting is shown in the figures contained in Appendix C (Pages C-3 and C-4). Attendees were encouraged to sign in at the sign-in table and were given a copy of the room layout. Sign-in sheets of meeting attendees are contained at the beginning of Appendix C. During each meeting, a marine mammal video played continuously.

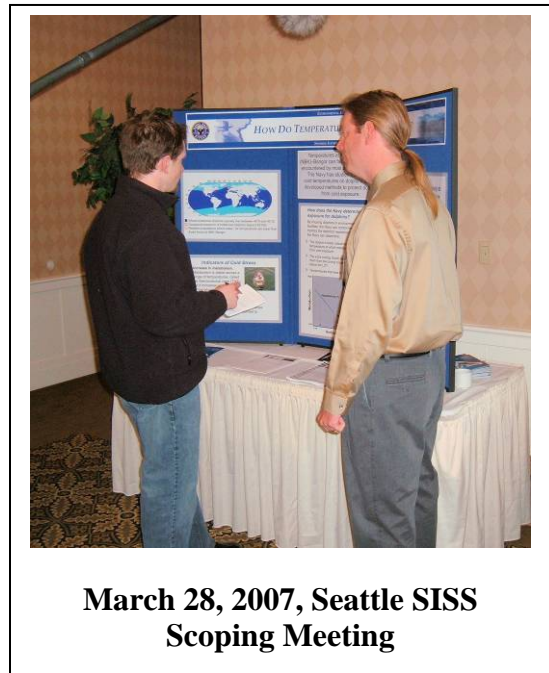
During the open houses, Navy representatives encouraged meeting attendees to comment by submitting written comment forms, or completing the forms at a later time and submitting them by April 16, 2007. The comment forms were available to all attendees at several display areas, at the central information island, and at a comment table established at both meetings.

The Navy provided several handouts and set up a series of eight display stations at the open houses. The handouts included the following:

- Welcome Sheet,
- Naval Base Kitsap at Bangor Mission Fact Sheet,
- Proposed Action and Alternatives Fact Sheet,
- Public Involvement and Environmental Resource Areas Fact Sheet,
- Cold Water Fact Sheet, and
- How to Submit Comments Handout.

Additionally, participants from the Marine Mammal Program at SSC San Diego provided a brochure, which consisted of a history of the Marine Mammal Program. Other displays consisted of the following:

- Hotel Lobby Sign,
- Scoping Purpose Poster,
- Naval Base Kitsap at Bangor Mission Poster,
- Proposed Action and Alternatives Display,
- Public Involvement Poster,
- Environmental Resource Areas Poster,



- Marine Mammal Program History and Timeline Poster,
- Marine Mammal Operations Systems Poster,
- Protecting Marine Mammal Health Display,
- How do Temperatures Affect Dolphins Display,
- Ensuring Animal Welfare in a Cold Environment Display, and
- How to Submit Comments Poster.

The fact sheets and displays, in the approximate order that they were presented to the public, are contained in Appendix C, but generally covered the following topics:

- The layout of the public meeting;
- The purpose and need for the proposed action, including the mission of Naval Base Kitsap;
- The proposed action and alternatives to be assessed in the EIS;
- An outline of the NEPA process, the EIS schedule, opportunities for public involvement, and where to direct comments on the EIS;
- Definitions of the environmental topics to be evaluated in the EIS, determined by the Navy’s preliminary research;
- An overview of the Navy Marine Mammal Program;
- An overview of the Navy’s commitment to animal welfare; and
- The science currently being conducted to ensure animal welfare, protect marine mammal health, and determine the impacts of temperature on marine mammals.



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5.0 SYNOPSIS OF PUBLIC INPUT

5.1 OPPORTUNITIES TO COMMENT

In addition to the scoping meetings, the Navy provided various methods for the public to comment on the SISS proposal by email, mail, phone, fax, and the internet. The Navy advertised these methods in the NOI, the scoping letter, project website, press releases to the local media, display advertisements in local newspapers, and on the scoping meeting comment sheets and display boards. Table 5–1 provides a comprehensive list of methods made available during the scoping process and the numbers of comments received through each process. During the comment period, the Navy received 1,036 form letters initiated from the In Defense of Animals website. The majority of these form letters were emailed through the website. Others were printed and then mailed or faxed by citizens. The majority of these letters were identical.

Table 5–1. Types of Letters and Comment Forms and Numbers Received

TYPE OF LETTER/FORM	NUMBER RECEIVED	DESCRIPTION
Toll free hotline (1-888-510-5476)	2	10 calls received, 5 of which were scoping logistical inquiries, 3 of which were media inquiries, and 2 of which were comments.
Website	1	3 comments were submitted via the website; however, 2 of those comments were submitted via other routes and therefore are not counted as they are duplicates. 5 persons registered on the website for the mailing list.
Written Comment Forms handed in during scoping meetings	13	8 submitted at the March 27 scoping meeting, 5 submitted at the March 28 scoping meeting.
Standard mail	24	1 consultation letter, 1 letter from EPA, 3 letters from animal rights groups, 19 letters from the general public.
Email	1,089	1,036 from In Defense of Animals website, 53 general public emails.
Fax	2	2 comment faxes.
Total Number Received	1,131	

5.2 INFORMAL, VERBAL INPUT OBTAINED DURING SCOPING MEETINGS

During the scoping meetings, several comments were obtained informally through one-on-one interactions during the open house. To capture the informal public concerns, Navy representatives debriefed and discussed these comments after each scoping meeting. Sections 5.2.1 through 5.2.13 summarize the comments by environmental topic; the majority of these comments pertain to biological resources and marine mammals. Some individual issues were categorized under multiple topics to ensure that comments are considered for all relevant topic areas.

5.2.1 Water Quality

- Concern about Navy marine mammal fecal waste and impact on environment.
- Concern about discharge of heated water from the enclosures on the environment.

5.2.2 Man-made Underwater Sound

- Concern about impact of sonar on Navy marine mammals.

5.2.3 Biological Communities

- Concern about the Navy marine mammals causing additional pressure on an already stressed Puget Sound ecosystem.

5.2.4 Wild Marine Mammals

- Concern that Navy marine mammals may mate with indigenous species.

5.2.5 Threatened and Endangered Species

- Concern that mammals will eat salmon that are protected under the Endangered Species Act.

5.2.6 Public Safety

- Concern that sea lions would escape and attack humans.

5.2.7 Socioeconomics

- Concern about how the project would affect Hood Canal property owners.

5.2.8 Special Considerations (Comments relevant to a court-approved joint stipulation)

This section summarizes comments relevant to the potential for the proposed action to affect the Navy marine mammals themselves. These potential effects will be addressed in the EIS to comply with a joint stipulation approved by the U.S. District Court for the Western District of Washington as part of an earlier lawsuit.

- Concern regarding the impact of cold water causing stress and injury to the Navy marine mammals and affecting their capability to heal from injuries.
- Concern that transport causes stress to marine mammals.



March 27, 2007, Keyport SISS Scoping Meeting



March 27, 2007, Keyport SISS Scoping Meeting

- Concern about the effect of Puget Sound pollution on Navy marine mammals.
- Request for use of other species that would be better suited, for example beluga whales or giant squid.
- Concern that, if Navy marine mammals are inadvertently released and not recovered, whether these animals will be able to reintegrate into the wild.

5.2.9 Cumulative Effects

- Concern about marine mammals causing additional pressure on the already stressed Puget Sound ecosystem.
- Concern that the Navy did not consider public comment on the Keyport Range Expansion EIS. Inquiry as to how the Keyport Range Expansion EIS relates to this EIS.

5.2.10 General

- Concern that the Navy's schedule is too aggressive.
- Request for environmental documentation from the Navy's proposal in the 1980s to bring animals to Bangor (The Navy provided this individual a copy of the joint stipulation).
- Request for a copy of the Swimmer Interdiction Environmental Assessment (EA) from Naval Submarine Base, Kings Bay (The Navy provided this individual a copy of the EA).
- Suggestion of a public oversight committee.
- Concern about the cost of the project.
- Concern that this is not a good use of taxpayer dollars, because no intruder swimmers have entered base waters.

5.2.11 Purpose and Need

- Concern that there is no threat and additional security is unnecessary. Statement that Bangor has never been attacked and there is no need to pursue this now. Opinion stated that swimmers do not pose a risk to the Navy.
- Suggestion that the Navy pursue the security alternative of placing fences around the waterfront.

5.2.12 Scoping

- Request that public hearings not be held on Navy property.
- Requests for summaries of scoping comments. Concerns that comments will be lost.

5.2.13 Comments Beyond the Scope of the EIS

There were some verbal comments that were beyond the scope of this EIS, were not applicable to this project, or have already been addressed in other NEPA documents previously prepared by the Navy. The comments and the reason for categorizing them outside the scope of this EIS are set forth in Table 5-2.

Table 5–2. Reasons for Verbal Comments Categorized Beyond the Scope of this EIS

COMMENT	REASON FOR BEING BEYOND THE SCOPE OF THIS EIS
Suggestion to dismantle nuclear weapons so that NBK–Bangor would not be important for national security.	The EIS objective does not address the U.S. nuclear weapons’ policy.
Complaint that the Navy’s Freedom of Information Act (FOIA) process is not user-friendly.	The Navy’s FOIA process is not being evaluated under this EIS. The Navy complies with all applicable FOIA regulations.
Concern about impact of sonar on wild marine mammals.	Existing sonar systems are not part of the proposed action. The Navy previously prepared EAs addressing sonar prior to use of its existing sonar system: one EA was prepared in 2002 (<i>Ongoing and Continuing Operations at U.S. Navy Dabob Bay and Hood Canal Military Operating Areas</i>) and the second EA was prepared in 2004 (<i>Installation and Operation of Underwater Surveillance System [USS] at Subase Bangor</i>).
Concern regarding the ethics of using and keeping captive wild animals (including dolphins and sea lions) against their will.	Animal rights ethical issues regarding captivity are outside the scope of this EIS.
Philosophical concerns about using animals (including dolphins and sea lions) for military purposes.	The philosophy of warfare is outside the scope of this EIS.
Concern about the effects of the Navy’s MMP on the mammals in the program.	This EIS addresses the proposed action, not the Navy’s MMP overall.

5.3 COMMENTS FORMALLY SUBMITTED DURING THE SCOPING PROCESS

A summary of comments formally submitted during the scoping process is provided in Sections 5.3.1 through 5.3.15 and summarized by topic in Table 5-3. Each letter, email correspondence, hotline message, website entry, fax, and comment form (collectively referred to as letters) may include one to several comments. Substantive comments received in these letters were categorized by EIS topic to allow EIS specialists the opportunity to review and consider the scoping comments within their respective topic area. The approximate number of comments for each EIS topic is noted in parentheses following the comments in Section 5.3.1 through 5.3.15. Because each writer describes his/her concerns in a unique manner and may combine two different concerns in the same sentence or a single concern in multiple paragraphs, and because the form letters received from members of the organization In Defense of Animals results in their concerns having the highest number of comments, the total number of comments for each topic

is a relative estimate provided for comparative purposes only. Copies of the letters with the comments are provided in Appendix D.

Because most letters included more than one substantive comment, the total number of comments by topic exceeds the total number of letters received. Those comments that focused on more than one environmental topic were categorized under all relevant topics, and were counted in more than one topic. Those topics that were included in the Defense of Animals form letter resulted in a large tally of more than 1,000 comments for special considerations. As shown below in Table 5-3, the vast majority of written comments pertained to special considerations. Comments that simply preferred one alternative over another alternative without providing reasoning for the position were not included in Table 5-2 or described further in this section.

Table 5-3. Number of Written Public Comments by EIS Topic

EIS TOPIC	TOTAL NUMBER OF WRITTEN COMMENTS ON TOPIC
Water Quality	9
Sediments	2
Man-made Underwater Sound	1
Marine Vegetation	4
Wild Marine Mammals	7
Other Fish and Marine Wildlife	4
Threatened and Endangered Species	7
Environmental Justice	1
Cultural Resources	3
Special Considerations (Navy Marine Mammals)	2,212
Cumulative Effects	1
Alternatives	48
Scoping	5
Other Comments	4
Comments Outside the Scope of the EIS	2,050

5.3.1 Water Quality (9)

- There were comments requesting information on how changes in water quality from the introduction of dolphins and marine mammals could affect the surrounding aquatic environment. In particular, a commenter asked how warm water enclosures would affect the surrounding water quality. One commenter requested information on how water quality changes from the introduction of marine mammals might affect bottom sediments, other commenters requested information on how dolphin waste might affect the ecology of the intertidal area, and still others requested information on how untreated dolphin waste would affect threatened and endangered species. This comment is also discussed under threatened and endangered species, marine vegetation, and sediments. (3)
- A letter was received voicing concern that the Navy marine mammals would likely result in the introduction of new pollutants into Hood Canal, which was cited as already being a sensitive area for water quality. (1)
- An agency requested that any bodies of water that are on the 303(d) list, which may be affected by project water quality, have a water quality plan to demonstrate that there would be no net degradation of listed waters. (1)
- A commenter expressed concern about the addition of pollutants of concern that may occur from the introduction of Navy marine mammals, such as bacteria, untreated dolphin waste, and septic pollution. It was also suggested that these pollutants could lead to increased algae growth and lower oxygen levels in Hood Canal. (1)
- One commenter noted that the Navy marine mammals' environment, diet, and movement would be carefully controlled to avoid water quality and environmental degradation. (1)
- One letter provided references regarding where the Navy could obtain information on water temperatures in San Diego and NBK–Bangor. The writer stated that the information should be used for this EIS. (1)
- There was a reference to a publication stating that colder water and higher salinity content of marine waters at NBK–Bangor could increase the likelihood of disease among Navy marine mammals. (1)



5.3.2 Sediments (2)

- As stated above in water quality, one commenter was concerned that changes in water quality from the introduction of Navy marine mammals might affect bottom sediments. (1)
- A commenter requested information on how untreated dolphin waste would affect sediments. (1)

5.3.3 Man-made Underwater Sound (1)

- One commenter noted that no new noise would be generated. (1)

5.3.4 Marine Vegetation (4)

- There were requests concerning information on how the Navy marine mammals might affect the marine ecosystem and what approaches would be developed to minimize these effects. (3)
- A commenter requested information on how untreated dolphin waste would affect marine vegetation. (1)

5.3.5 Wild Marine Mammals (7)

- Writers commented on the potential for bacteria disease transfer from the Navy marine mammals to the local wild marine mammal population. (3)
- There were comments on the interactions of wild marine mammals with the Navy marine mammals. One commenter was concerned that Navy marine mammals might affect killer whales adversely. (1)
- One commenter suggested that samples be taken from blow holes of the Navy dolphins as an indicator of threats to the health of other species, as well as health of the Puget Sound. (1)
- An agency requested that the EIS include a description of the habitat present, its use by wildlife, areas of seasonal use, wildlife congregation areas, and migration routes. (1)
- One commenter supported the Navy Marine Mammal Program suggesting that dolphins and sea lions provide a gene pool in the case of future extinction of wild marine mammals. (1)



5.3.6 Other Fish and Marine Wildlife (4)

- Comments were received regarding the potential for Navy marine mammals to affect other wildlife in the general area. (3)
- Similar to that stated under Wild Marine Mammals, an agency requested that the EIS include a description of the habitat present, its use by wildlife, areas of seasonal use, wildlife congregation areas, and migration routes. (1)

5.3.7 Threatened and Endangered Species (7)

- There were comments requesting information on how the presence of Navy marine mammals might affect threatened and endangered species and their habitats. (4)
- One commenter remarked that California sea lions' feeding on endangered migrating salmonids would be unlikely due to their training paradigms, housing, and operational control. (1)
- An agency requested that critical habitat be addressed in the EIS. (1)
- A commenter requested information on how untreated dolphin waste would affect threatened and endangered species. (1)

5.3.8 Environmental Justice (1)

- An agency requested that environmental justice be addressed in the EIS. (1)

5.3.9 Cultural Resources (3)

- One comment was received by the State Historic Preservation Office, requesting the opportunity for the office to review any communications with tribes that concern cultural resources affected by the project. (1)
- A commenter stated that potential impacts of the project on killer whales would also result in cultural resource impacts, because of the cultural importance of this species. (1)
- A commenter requested that consultation occur with Indian tribes. (1)



5.3.10 Special Considerations (Comments relevant to a court-approved joint stipulation) (2,212)

Most of the comments received concerned the effect of the Marine Mammal Alternative on Navy marine mammals. These potential effects will be addressed in the EIS to comply with a joint

stipulation approved by the U.S. District Court for the Western District of Washington as part of an earlier lawsuit. These comments are further categorized by concern below.

- **Cold Water and Air Effects on Navy Marine Mammals.** There were many comments on the effects of cold water on dolphins, including those included in the 1,101 form letters. Many of these comments concerned the effects of exposing the Navy marine mammals to cold water and air at NBK–Bangor, and the mammals’ ability to acclimate to these colder temperatures after transfer from San Diego. Some comments focused on the potential for this exposure to cause injury or death to the mammals, the effects of long-term exposure to cold, and the Navy’s plans to protect the mammals from the cold temperatures. Other comments stated that the Navy dolphins are smaller, and therefore more susceptible to cold, than dolphins that occur naturally in cold water. One commenter stated the opinion that Navy dolphins could tolerate or acclimate to the colder temperatures at NBK–Bangor. Another comment asked for veterinary records from earlier deployments of Navy marine mammals to cold sites; as stated in Table 5-4, such records from deployments are classified. (1,097)
- **Enclosures.** There was a concern that the size of enclosures planned for NBK–Bangor is not adequate. Information in this letter provided recommendations on the correct enclosure sizes for captive dolphins. Other numerous concerns were that the enclosures were not suitable and were considered inhumane for the animals. Two commenters supported the enclosures and stated the animals in captivity develop strong bonds with humans; however, one of these two commenters requested larger size enclosures. This topic was also addressed in the form letters received during scoping. (1,076)
- **Disease.** There were several comments on the potential for the Navy marine mammals to transmit disease to humans, transmit disease among Navy marine mammals, transmit disease to wild marine mammals, and/or be subject to disease from wild marine mammals. Other commenters stated that the proposed Navy marine mammal enclosures would result in poor animal welfare and increase the likelihood of disease. Other commenters stated that Navy dolphin and sea lion veterinarians would regularly check the animals to ensure that disease would not affect the animals. One commenter noted that dolphins have been in waters with more potentially pathogenic microorganisms than present in the Puget Sound, that there is no evidence that these animals would introduce new microorganisms, and that dolphins can serve as an indicator species warning of potential disease outbreaks. Finally, there was a request for the planned protocols that would be used to avoid disease transfer from wild animals to the Navy dolphins and sea lions. (12)
- **Navy Marine Mammal Transport.** There were several comments concerning the transport of Navy marine mammals and the stress that transport might cause on both



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dolphins and sea lions. Transport topics included requests for information on the type of transport that would be used and the process. (9)

- **Navy Marine Mammal Escape.** Several commenters requested more information on Navy marine mammals' potential for escape, and the process that the Navy would follow if an escape were to occur. A letter stated that dolphins have escaped nine times and that this issue should be addressed in the EIS. Another commenter mentioned that it would be unlikely that the Navy marine mammals would escape. (4)
- **Duration of Navy Marine Mammal Patrols and Deployment.** Commenters requested more information on the length of time the Navy marine mammals (particularly dolphins) would be subject to cold water temperatures (i.e., time allocated for patrol). This included a request for a ratio between the time dolphins spend in cold water compared to their time in warm water enclosures. There was also a request for information concerning the duration a dolphin would serve at NBK–Bangor and the plans for rotating the dolphins in and out of the waterfront over time. Information was requested regarding this rotation and when (seasonally) the dolphins would serve at NBK–Bangor compared to other locations where the marine mammals might be transported and deployed. As stated in Table 5-4, certain operational details of Navy security systems are classified. (2)
- **Sonar.** There was concern and requests for information on how the existing sonar system at NBK–Bangor and Dabob Bay might affect the Navy marine mammals. (5)
- **Poor Hood Canal Water Quality Conditions.** One letter discussed toxins and the poor health of Hood Canal and how this might affect the Navy marine mammals. This comment is also mentioned under Water Quality. (1)
- **Interactions with Wild Killer Whales.** Two commenter's were concerned that wild killer whales might attack the Navy marine mammals; one commenter felt this was unlikely, since the Navy mammals would be under constant control of, and kept close to, their human handlers. (3)
- **Background Information Request.** One commenter requested that the EIS provide background data from previous studies on marine mammals that were released in cold water. (1)
- **Use of Other Dolphins.** There was an inquiry as to why the Navy Marine Mammal program strives to acclimate their dolphins to colder waters if there is a different cold water dolphin species that could be used instead. (1)
- **Legal Issues.** There was a remark that the Navy attempted a Navy marine mammal program 20 years ago and was denied. The writer asked why the Navy considers this proposed action environmentally legal now. (1)

5.3.11 Cumulative Effects (1)

- An agency requested that specific procedures be followed when preparing the cumulative effects section, including describing effects to resources; geographic areas;

past, present and future actions; and the use of benchmark and/or baseline conditions and scientifically valid values. (1)

5.3.12 Alternatives (48)

- As stated previously above under Navy Marine Mammals, commenters requested information on the effectiveness of the Marine Mammal Alternative at other sites where Navy marine mammals are currently deployed; as stated in Table 5-4 below, performance data from MMP deployments are classified. (13)
- There was concern that the Marine Mammal Alternative is not cost effective compared to the other alternatives, and that the cost of the different alternatives should be disclosed in the EIS, including a cost benefit analysis. One commenter mentioned that the cost versus the risk of the Marine Mammal Alternative was not demonstrated. (5)
- There were comments concerning the effectiveness of Navy marine mammals to detect threats from surface and submerged swimmers. Some commenters stated that the Navy marine mammals may not be able to always respond in the correct manner to underwater intruders, particularly in cold water or areas of poor visibility, possibly when killer whales are present. Other commenters stated that the Marine Mammal Alternative would provide the best use of the natural abilities of dolphins and sea lions, that these animals were very intelligent and most reliable. Commenters also requested information on how useful this program has been in the past and its historic reliability. Two commenters thought that using marine animals to safeguard Navy assets was unique and creative. (16)
- Other letters stated that the Combat Swimmers and ROV Alternatives are safer, smarter, and more economical, and thus should be further developed instead. (3)
- Other comments requested that alternatives do not consider the use of wild animals. (2)
- There were comments suggesting the use of other options, and one comment specifically suggested the use of sea lions only, stating that they are native to the area and would be better suited for security operations. (2)
- There was a recommendation that the Navy should develop better training and surveillance, or use robots, rather than animals. (1)
- One commenter mentioned that he believed the alternatives were developed to prevent non-violent swimmers from protesting on submarines at NBK–Bangor, as has occurred at a base in Scotland. (1)
- There was a request that all alternatives be evaluated equally with similar testing as to their effectiveness. (1)
- Another commenter requested information on a monitoring program that would be in place for the alternatives. (1)

- One commenter requested the effectiveness of the Marine Mammal Alternative be compared to the existing floating barrier in keeping intruders away from the waterfront. (1)
- One commenter requested information on how long it would take the Navy to develop better technology to detect underwater swimmers without the use of dolphins. (1)
- A commenter suggested that the Navy focus on other techniques to protect NBK-Bangor such as bridges, airspace, roads, power lines, and telephone lines. (1)

5.3.13 Scoping (5)

- There were general comments on how informative the scoping meetings were and how well questions were answered by the displays and handouts. (3)
- There was one comment that additional scoping should be conducted. (1)
- There was a request for a future open meeting where the public has a forum to speak publicly and share ideas with the audience. (1)



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5.3.14 Other Comments (4)

- One comment was received from an agency stating NEPA requirements for Draft EIS content including a clear and concise purpose and need. (1)
- One commenter suggested that samples could be taken from the blow holes of the Navy dolphins as an indicator of threats to the health of other species, as well as health of the Puget Sound. (1)
- There was a request that the EIS not be published until all ongoing Navy studies on marine mammal tolerance to cold water are complete. (1)
- There was a remark that the transport of Navy dolphins into Puget Sound would provide an opportunity for scientific study by utilizing the dolphins as an indicator species. (1)

5.3.15 Comments Beyond the Scope of the EIS (2,050)

There were comments that were beyond the scope of this EIS, were not applicable to this project, or have already been addressed in NEPA documents previously prepared by the Navy (Table 5-4).

Table 5–4. Reasons for Written Comments Categorized Beyond the Scope of this EIS

COMMENT	REASON FOR BEING BEYOND THE SCOPE OF THIS EIS
There were numerous general comments that humans have a moral and ethical obligation to fight their own fights and to not infringe upon non-consenting creatures. (976)	This EIS objective does not include the philosophy of warfare.
One commenter asserted that the increased attention and interest from this proposal would generate greater acceptance of local and federal funding for other environmental studies in the Puget Sound. (1)	This EIS objective is not for obtaining funding for other environmental studies or causes in the Puget Sound region.
There were concerns regarding how the existing Navy sonar both at NBK–Bangor and Dabob Bay affects wild marine mammals, fish, and other organisms. (7)	Existing sonar systems are not part of the proposed action. [what about fixed sonar location system] The Navy previously prepared two EAs addressing these topics prior to the use of its sonar system: one EA in 2002 (<i>Ongoing and Continuing Operations at U.S. Navy Dabob Bay and Hood Canal Military Operating Areas</i>); the second EA in 2004 (<i>Installation and Operation of Underwater Surveillance System [USS] at Subase Bangor</i>). Information on how the Navy sonar affects marine mammals, fish and other organisms is provided in these EAs.
There was a request for information on existing Navy security at NBK–Bangor and its adequacy. (1)	This information is classified and cannot be released in this EIS.
There was concern regarding the extent of military budget and tax payer dollars utilized for defense and security measures. (1)	This EIS does not address the country’s military budget.
There were remarks that the Department of Defense (DoD) should be focusing on removing weapons from the planet and, under the 1996 International Court of Justice ruling on nuclear weapons, the Navy should not be protecting weapons, but destroying them. (2)	This EIS objective is not focused on DoD’s overall mission.
There were concerns about the effects of the Navy’s MMP on the mammals in the program. (1,059)	This EIS addresses the proposed action, not the Navy’s MMP overall.
There was a request for information on operational and performance details for the MMP and past deployments. (1)	Certain details of Navy security systems are classified.
One commenter stated that the Navy marine mammal program may result in dolphins from around the world being susceptible to consideration as weapons of war, thereby placing all dolphins at risk. (1)	NEPA does not require assessment of potential environmental consequences of a proposed action that are remote and highly speculative. In the 40 years that the Navy MMP has been in existence, dolphins have not become a target of hostile threats. Therefore, potential consequences mentioned in this comment are considered remote and highly speculative, and thus outside the scope of assessment.
A letter requested that the Navy no longer support the use of nuclear weapons. (1)	This EIS objective does not include a review of weapons used for national defense.

5.4 INCORPORATION OF SUBSTANTIVE PUBLIC COMMENTS, ISSUES, OR CONCERNS INTO DRAFT EIS

Scoping comments will be provided to the EIS interdisciplinary team for Draft EIS preparation. These technical staff will evaluate and consider the information, comments, and concerns in the EIS analysis.

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6.0 SUMMARY

Overall, the SISS scoping period occurred for over 60 days. A total of 82 people attended the two scoping meetings and 1,116 letters and comment forms were submitted with the majority of them being emailed and a small amount mailed and faxed. Thirteen comment forms were submitted during the scoping meetings, two were submitted through the project hotline, one comment through the website, and two letters were faxed.

The interdisciplinary EIS team will consider and address relevant scoping comments during preparation of the Draft EIS. When the Draft EIS is published, the public will have an opportunity to review the document and provide comment. The DEIS public comments will be reviewed and responded to by the EIS interdisciplinary team during preparation of the Final EIS.

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