



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

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MEMORANDUM FOR: The Record

FROM: Donna S. Wieting, Director  
Office of Protected Resources

SUBJECT: Adoption of the U.S. Navy's *Environmental Assessment for the Barge Mooring Project Conducted at Naval Base Kitsap Bangor, Silverdale, WA* -- DECISION MEMORANDUM

## I. Background

### *I.A. NMFS' Proposed Action*

NMFS is proposing to issue an IHA for the unintentional taking of marine mammals incidental to pile driving associated with the Navy's barge mooring project within the Hood Canal, Washington for the period of July 16, 2013 through September 30, 2013.

Under the MMPA, the Secretary of Commerce shall allow the incidental taking of marine mammals if the Secretary finds that the total of such taking will have a negligible impact on the species or stock, and will not have an unmitigable adverse impact on the availability of the species or stock for subsistence uses, provided that the permissible methods of taking pursuant to the specified activity and other means of effecting the least practicable adverse impact on the species or stock and its habitat are prescribed. In addition, requirements related to monitoring and reporting must be set forth.

In April 8, 2013, NMFS received a complete application from the Navy requesting authorization for the incidental taking of four species of marine mammal incidental to construction activity associated with the barge mooring project at Naval Base Kitsap Bangor (NBKB). The requested authorization is for incidental take by Level B harassment only, as a result of sound produced by the specified activities.

The IHA would allow for the incidental take of marine mammals during the described activities and specified timeframes, and would prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species and their habitat, as well as requirements pertaining to the monitoring and reporting of such taking. NMFS' preliminary determinations under the MMPA were made after analyzing the Navy's proposed action, as presented in the Navy's EA and application for incidental take authorization.

### *I.B. U.S. Navy's Proposed Action*



NBKB provides berthing and support services to Navy submarines and other fleet assets. Commander Submarine Development Squadron Five (CSDS-5) – the working repository for deep ocean technology and operational, at-sea application of that technology – currently moors and operates a research barge at the Service Pier on NBKB. However, that barge, measuring 115-ft by 35-ft with a 4-ft draft, was constructed in 1940 and cannot accommodate new research equipment with upgraded technology necessary for continuing the Navy mission. The Navy is proposing to install mooring for a new larger research barge with dimensions of 260 ft by 85 ft with a 10-ft draft.

Activities associated with the project include the removal of an existing mooring dolphin, the relocation and addition of floating pier sections, and the installation of up to twenty steel piles to support the barge, electrical transformer platform, and relocated pier sections. All steel piles would be driven with a vibratory hammer for their initial embedment depths and may be finished with an impact hammer for proofing, as necessary. The project is expected to require no more than twenty workdays for pile extraction and installation and would be completed between July 16 and September 30, 2013.

Operations of the current barge were previously considered in an existing Navy EA. Operations of the new barge would not change in tempo, types of activities performed, or personnel required to support the barge. Research, development, testing, and evaluation activities are being further evaluated in a separate NEPA analysis.

#### *I.C. Comparison of U.S. Navy's Proposed Action to NMFS' Proposed Action*

NMFS' proposed action (issuance of an IHA) would authorize take of marine mammals incidental to a subset of the activities analyzed in the Navy's EA that are anticipated to result in the take of marine mammals, i.e., pile extraction and installation activities. Thus, these components of the Navy's proposed action are the subject of NMFS' proposed MMPA regulatory action. Other components of construction not expected to result in incidental take of marine mammals are not a component of NMFS' proposed action. The Navy's EA contains a thorough analysis of the environmental consequences of their proposed action on the human environment, including specific sections addressing the effects of underwater sound on marine mammals and describing potential mitigation measures specific to marine mammals.

NMFS participated in the development of the Navy's EA. This allowed NMFS to ensure that the necessary information and analyses were included in the Navy's NEPA analyses to support NMFS' proposed action and allow for consideration of adoption of the document for NMFS' NEPA compliance.

## II. Alternatives and Impact Assessment

### *II.A. Summary of the Alternatives Considered by the Navy*

The Navy's EA considers two alternatives for the location of mooring facilities for the new research barge and also carries forward a No-Action Alternative.

No-Action Alternative: The No-Action Alternative is required by CEQ regulations as a baseline against which the impacts of the Proposed Action are compared. Under the No-Action Alternative, no piles would be installed and the research barge would not be moored at NBKB. The smaller barge would be maintained on-site and the research activities would continue to be constrained. The No-Action alternative was rejected as not meeting the purpose and need of the proposed action, which is to support new research, development, testing and evaluation activities and continuing mission operations of CSDS-5, but is carried forward as a baseline for the analysis.

Alternative 1 (Preferred Alternative) – Barge Mooring at Service Pier: Under the proposed action, existing infrastructure at the Service Pier would be relocated or removed and up to twenty steel pipe piles would be installed to accommodate mooring a new barge. The project consists of three components: the relocation and addition to the Port Operations Pier, the removal of existing infrastructure, and the installation of the new barge mooring piles.

Alternative 2 – Anchored Mooring: Under Alternative 2, an anchored mooring location would be created for the new barge south of the Service Pier and Carderock Pier, in a sheltered area along the shoreline. To install mooring clumps for the buoys, the anchor clumps would be rotated into the bottom sediment from a surface vessel using an extended shaft connected to each anchor and turning the anchors until they reach the required depth within the seafloor. Alternative 2 would not require the three major components of Alternative 1 of relocating the Port Operations Pier, the removal of existing infrastructure, and the installation of the research barge mooring piles.

The following three alternatives were considered by Navy in the EA, but not carried forward for analysis because, after careful consideration, the Navy determined that they did not meet the Navy's purpose and need for the Proposed Action:

- Service Pier Mooring Dolphins
- Service Pier Outer Harbor Location
- Alternative Piers

## *II.B. Summary of Alternatives Considered by NMFS*

For all of the Navy alternatives identified above, the EA includes an analysis of a variety of mitigation and monitoring measures. Some of these measures are specifically developed to minimize adverse impacts on marine mammals, while others may benefit marine mammals indirectly. NMFS aided in development of the EA by identifying additional mitigation measures (for marine mammals) that should be considered in the analysis. As a result of this interaction, additional mitigation measures were discussed and considered in the EA that will reduce impacts to marine mammals to the level of least practicable impact. The inclusion of the analysis of these mitigation measures strengthens the EA's support and coverage of NMFS alternatives, which are listed below.

- NMFS would not issue an IHA to the Navy for the take of marine mammals incidental to activities described in the preferred alternative (for NMFS, this constitutes the NEPA-required No Action Alternative).

- NMFS issues an IHA authorizing take of marine mammals incidental to activities described in the preferred alternative, with the mitigation, monitoring and reporting measures presented in the EA.
- NMFS issues an IHA authorizing take of marine mammals incidental to activities described in the preferred alternative, but with additional mitigation requirements for marine mammals, potentially including additional measures developed by NMFS or suggested to NMFS via public comment on the proposed IHA.

### *II.C. Environmental Consequences*

The EA analyzed the impacts to biological resources as well as impacts to water and air quality, the physical environment, socioeconomic resources, and other aspects of the human environment. Both action alternatives would have the same general types of environmental impacts, but the magnitude of these impacts would vary. The principal types of impacts during project construction would include underwater noise (and its effects on marine biota), turbidity, and air pollutant emissions. Only the preferred alternative would be expected to result in noise levels that may affect marine mammals; these effects are expected to be limited to behavioral disturbance. NMFS' proposed action concerns only the potential effects to the biological component of the marine environment.

The anticipated impacts of the proposed action are primarily from increased levels of underwater sound resulting from pile extraction and installation. The analysis in the EA indicated these impacts would be short term in nature (from July 16-September 30). Airborne and underwater sound associated with pile driving could have an effect on wildlife as well as on humans in Hood Canal. As such, the EA analyzed the impacts to wildlife as well as impacts to humans, marine vegetation, essential fish habitat and benthic invertebrates and other environmental resources. The EA concludes the impacts associated with the proposed action are minor and temporary and result in no significant impacts to marine vegetation or benthic invertebrates. The analysis found that underwater sound pressure levels are unlikely to injure threatened and endangered fish species if they are present in the study area during pile driving. Critical habitat would not be affected for any fish species. No marine mammals are anticipated to be exposed to sound levels resulting in injury or mortality during construction activities. Socioeconomics, environmental justice, the protection of children and the regional economy would not be significantly impacted as a result of the proposed action. There will be no disproportionately high and adverse environmental, human health and socioeconomic affects to minority and low income populations, including Indian tribes. Recent and proposed projects at NBKB and other projects in northern Hood Canal were examined to determine possible cumulative impacts. One of these projects, construction of the second Explosives Handling Wharf (EHW-2) is geographically co-located, will be occurring during the same timeframe, and also involves the use of pile driving. All resource areas analyzed in the EA have been evaluated for cumulative impacts including past, present and reasonably foreseeable future actions. The analysis indicates that no significant cumulative impacts are anticipated for reasons of geographical distance, the relative scale of projects, and the nature and magnitude of specific impacts. The Navy's analysis indicates that the barge mooring project would not result in significant impacts to the human environment; however, mitigation measures have been designed by the Navy and NMFS to further reduce project impacts to marine mammals and fish.

## *II.D. Public Involvement*

NEPA requires that environmental information supporting a decision be made available to the public, agencies, and other stakeholders. The Navy's public involvement process for the Proposed Action was designed to inform stakeholders of the Navy's proposed action early in the NEPA process, to provide stakeholders with the opportunity to comment on the Navy's proposed action and assessment of the proposed action and to keep stakeholders informed throughout the NEPA process. The Navy's public involvement plan for the proposed action included the following:

- Public Review of the Draft EA. The draft EA was made available to the public for review and comment. A notice of availability (NOA) was published in the local newspaper and the draft EA was posted on the internet for review and comment.
- Release of the Final EA and Decision Document. The final EA and decision document will be made available to the public.

In addition, NMFS made the draft EA available on the internet for public review concurrently with the publication of the proposed IHA.

## III. NMFS Review

The NMFS Office of Protected Resources has reviewed the EA and concludes that the impacts evaluated are substantially the same as the impacts of NOAA's proposed action to issue an IHA to the Navy. In particular, the EA contains an adequate evaluation of the direct, indirect and cumulative impacts on marine mammals. In addition, the Office of Protected Resources has evaluated the EA and found that it includes all required components for adoption by NOAA:

- sufficient evidence and analysis for determining whether to prepare an environmental impact statement or finding of no significant impact (FONSI);
- brief discussion of the purpose and need for the proposed action;
- listing of the alternatives to the proposed action;
- description of the affected environment;
- description of the environmental impacts of the proposed action and alternatives, including cumulative impacts; and
- list of agencies and persons consulted.

As a result of this review, the Office of Protected Resources has determined that the Navy's EA is complete and adequate to support NMFS' proposal to issue an IHA. It is therefore not necessary to prepare a separate EA or environmental impact statement to issue an IHA to the Navy and that adoption of the EA is appropriate.

## IV. Conclusion and Findings

NOAA's proposed action is to issue an IHA to the Navy for the incidental take of marine mammals, by Level B harassment only, related to the barge mooring project. NMFS' issuance of

the IHA is conditioned upon the implementation of mitigation and monitoring measures as described in the Navy's EA and application.

These measures include timing restrictions, the establishment of shutdown and buffer zones around each driven pile, monitoring of the action area for marine mammals, and the use of sound attenuation devices.

Based on this review and analysis, NMFS' Office of Protected Resources has adopted the EA under the Council on Environmental Quality's Regulations for Implementing the National Environmental Policy Act (40 CFR 1506.3) and issued a separate FONSI.