



Washington State Chapter

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July 30, 2015

Department of the Army
Directorate of Public Works
2012 Liggett Ave, Box 339500 MS 17
Joint Base Lewis-McChord, WA 98433-9500

Attn: Environmental Division (NEPA)

Re: Northwest Aviation Operations Off-Base Helicopter Training Areas

Army Public Works Directorate:

We understand and appreciate the need to defend the Constitution and for our military to provide the necessary training when the time comes to put our men and women in harms way. In that spirit we offer these comments.

Thank you for the opportunity to provide comments on the Army's scoping process for the proposed off-base helicopter training areas in Washington State (WA). Our comments are on behalf of twenty thousand Sierra Club members in the state of WA.

According to Section 1 of the Army scoping document: "The proposed training areas would support training operations stationed out of JBLM, but would be located off-base within Washington State. Training operations would be conducted using aircraft to include the MH/UH-60 Black Hawk, AH-64 Apache, and MH/CH-47 Chinook. The training areas would be available for use day and night, 24 hours a day, 365 days a year, with the exception of Federal holidays."

Scope Requires an EIS

After careful review of the information in the June 2015 Scoping Document, we believe that the Army's environmental analyses of its plans to establish off-base helicopter training areas including landing zones must be re-scoped to prepare a full environmental impact statement (EIS). Just reading the above sentences taken directly from the scoping document makes this a significant and highly contentious project that does not qualify for a "finding of no significant impact (FONSI) and, therefore, must be analyzed in a full EIS (in accordance with NEPA requirements and protocols).

Additional rationale to support the need for the Army to re-scope from an Environmental Assessment (EA) to a full EIS is summarized as follows: Section 4.2 states that "the HTAs and the MTA would be located in Washington, mostly within state and federal lands". We believe this to mean that at least some of the designated training and landing areas fall under the jurisdiction of WA Department of Natural Resources (DNR). Our experience with the DNR involving the potential request by the US Navy for access to DNR controlled public forests in the west Olympics strongly indicated DNR's need for a full EIS from the applicant. Assuming the Army will seek DNR approval to use WA state lands for their training mission, the Army will have to prepare a full EIS for DNR review. Therefore

and similarly, the Army must re-scope to prepare a similar EIS for review and approval by the USDA Forest Service (FS) prior to use of federal lands for helicopter training.

As described in this letter, the potential impacts to humans, human health and wildlife from flight and landing noise, the disruption from 24/7 operations including much of the Army's activity at night, make this a highly contentious project with significant concerns that need to be discussed, analyzed, and mitigated in a full EIS.

Impacts to Endangered Species

Helicopter training area (HTA) 2, HTA 3 and HTA 4 in southwest WA have multiple areas encompassed within these irregularly-shaped polygons that are considered by the State of WA to be critical breeding habitat to the threatened marbled murrelet, with the HTA-1 landing zone apparently adjacent to said critical habitat (per Endangered Species Act). For example, natural resource areas including, but not limited to, Elk River natural resource conservation areas (NRCA) in the northwestern corner of HTA 2, Ellsworth Creek NRCA, Skamakowa Creek NRCA, and South Nemah NRCA in HTA 3, and Merrill Lake NRCA in the eastern border of HTA 4, all contain breeding habitat critical to the survival of the marbled murrelet in WA. At a minimum, the Army must either relocate (or re-configure) the proposed HTAs and HTA-1 landing area or adopt a seasonal mitigation of "no activity during murrelet breeding season" which can run from April to September each year.

The proposed mountain training area (MTA) also encompasses critical habitat, as recognized by the State of WA, for the endangered northern spotted owl, especially the southern half of the irregularly-shaped polygon. Since the Army's own statement in Section 4.2 of the Scoping document indicates "that the majority of the training would occur at night", the certain harm to the nocturnal feed-habits of these endangered owls must either be eliminated (by relocating or reconfiguring the MTA) or mitigated.

Other species, such as the wolverine are rare, and just recovering in the high country of the North Cascades. Helicopter activities in the locations and intensities described would be likely to have significant negative impact on the recovery of this species in WA.

In addressing the "potential to harm" or "actually harm" endangered and threatened species in the Army's proposed training areas, the Army should engage, as soon as practical, with US Fish and Wildlife Service (FWS) in a Section 7 consultation and seek a new or updated biological opinion. This will be key for the Army to complete their EIS and for the concerned public to understand the full nature and extent of the impacts on resident and transitory wildlife from the Army's proposed use of public lands.

Cumulative Impacts

The Army's EIS must include a comprehensive cumulative impacts analysis that includes, but is not limited to, the following:

- Cumulative noise disturbance to wildlife from Army activities combined with noise disturbance from other approved and on-going forestry activities (such as logging)
- Cumulative impacts to global climate change from Army emissions from the scoped helicopter activities
- Cumulative impacts from use by others as stated in Section 4.2.4, and, as noted below, this must include present and reasonably foreseeable future actions (by the Army and "others")

The Army must be mindful that a cumulative impact on the environment is that which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions (such as use by other federal agencies) regardless of what agency or person undertakes such other actions.

Need for Additional Mitigation

The Army states it will use Best Management Practices (BMPs), which should include not violating federal or state law. However, several of the proposed landing areas do not comply with those laws, including the Wilderness Act and the Endangered Species Act.

Mitigation should begin by avoiding areas that have statutory protection from motorized use and other activities, including wilderness and national parks, areas that have administrative protection from motorized use and related activities, as well as avoiding other lands that have habitat, recreation and solitude attributes that would be impaired by this activity.

Reducing frequency and avoiding times of high public use or important survival times for wildlife should also be included. If the Army can restrict activity on federal holidays, why not on additional days? For example, the weekend surrounding a federal holiday.

Because some of the area encompassed in the HTAs and MTA are designated wilderness, or either free of roads or part of forest management plans that has scoped removal of roads, the Army should discuss their potential need for road access to the landing sites for improvements/maintenance, the impact this will have on the wilderness and forests, and how they will comply with the requirements of the federal Wilderness Act.

The Army needs to disclose if there be a need for fuel trucks to accompany the helicopters, where would they be parked for refueling, and how would that be mitigated.

Inadequate Consideration of Alternatives

The Army's EIS must propose and analyze more than the 2 alternatives discussed in the scoping document. In addition to the "no action" alternative, there must be several action alternatives that include helicopter operations to a lesser degree than proposed in scoping alternative 2. For example, action alternatives could include operations only on Mondays, Wednesdays and Fridays (i.e., no operations during the weekend), or operations only from noon to 9:00 PM (rather than anytime during 24 hours per day) which includes night operations only during the winter months when 5:00 to 9:00 PM would already be dark. Additionally, there should be at least one multi-faceted alternative analyzed that includes operations as scoped in the State of WA for 4-6 months each year (outside murrelet or spotted owl breeding season) and operations for the remainder of the year at locations currently being used out-of-state. Another alternative to be analyzed would be one that proposes use of only 1 HTA and 1 MTA area in the State.

No Activity in Wilderness

The Army must not be conducting landing or low flight activities in designated Wilderness. The maps in the scoping document appear to avoid wilderness north of Hwy 2, but apparently has an out of date map of the Alpine Lakes Wilderness. This needs to be address in the scoping document:

- Any military training exercise-by air, on land or with instrumentation-within designated wilderness is prohibited and must be removed from consideration,
- Site MTA 1-4 (the proposed landing site within the Alpine Lakes Wilderness) must be removed from further consideration, since it lies within a designated Wilderness. The Wilderness Act prohibits the landing of aircraft in Wilderness.
- The Army should follow Federal Aviation Administration (FAA) guidelines to protect Wilderness by keeping overflights at least 2,000-feet above ground level.

Avoiding Impacts to Roadless Areas

Besides opposition to helicopter landing and other high intensity activities in designated Wilderness, we object to those activities in inventoried roadless areas, especially those that have high wilderness

qualities which are currently under consideration for designation by the Forest Service. These include the Mad River (M1-3) (part of Glacier Peak Adjacent RA), Tiffany Mtn, (M1-5) Golden Horn (M1-6) and Sawtooth Ridge (M1-7). The Army should also avoid roadless areas that are currently designated as non-motorized.

The Army should consider other locations that have similar characteristics but lower impact on wilderness, wildlife and other values. The Army's dismissal of all other potential landing sites and operations area from the scoping document with no substantive analysis or explanation is inadequate under NEPA.

Compatibility with National Forest Plans and Consultation with the Forest Service

Finally, the 1988 MOU between the Department of Defense (DoD) and Department of Agriculture states that "in all cases where a special use authorization to use national forest systems lands is proposed, DoD will forward its analysis and determination as to the unsuitability or unavailability of DoD controlled lands to the affected forest supervisor. Further it requires that the USFS independently verify these findings. We expect that this requirement would be conducted as expeditiously as practical with full transparency to the public as to the DoD findings and USFS reviews. This review should indicate where the proposed activities would conflict with the existing forest management plan for the Okanogan-Wenatchee National Forest (1982, including provisions of the NW Forest Plan - 1994) and the proposed action for the plan revision (2011).

Request for Additional Information, Contacts and Time to Comment

We would request that the Army identify the name, rank, position and location of the person who will make this decision. Also, we would appreciate if the NEPA documents would identify a real person to contact with further comments and questions. Due to the short time frame for commenting on such a massive proposal over a vast area of public land, we request that the public comment period on the scoping notice be extended. We also request a meeting to discuss this proposal with the Army.

Thank you for the opportunity to comment. Please add our comments to your administrative record.

Sincerely,

Donald Parks
Sierra Club
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