

Environmental Impact Statement/ Overseas Environmental Impact Statement

Point Mugu Sea Range

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1 Purpose and Need for the Proposed Action

1.1 Introduction

The United States (U.S.) Department of the Navy (hereinafter referred to as the Navy) has prepared this Environmental Impact Statement (EIS)/Overseas EIS (OEIS) to assess potential environmental consequences associated with continuing activities addressed in the March 2002 Naval Air Warfare Center Weapons Division (NAWCWD) Point Mugu Sea Range (PMSR) Final EIS/OEIS (hereinafter referred to as the 2002 PMSR EIS/OEIS) (U.S. Department of the Navy, 2002b), and Environmental Assessments (EAs) completed at PMSR since 2002. In addition to consolidating previously analyzed actions into one comprehensive document, it also addresses a proposed increase in frequency of military Research, Development, Acquisition, Testing, and Evaluation (RDAT&E) (hereafter referred to as “testing”) and scheduled training activities at the PMSR. These military readiness activities are generally consistent with those that were analyzed in the PMSR EIS/OEIS in 2002, and are representative of testing and training that the Navy has been conducting in the PMSR for decades. The Navy prepared this EIS/OEIS to comply with the National Environmental Policy Act (NEPA), Executive Order (EO) 12114 and other environmental statutes by assessing the potential environmental impacts associated with testing and training activities at the PMSR. This EIS/OEIS will address current and future testing and training requirements at the PMSR. The Navy is the lead agency for the Proposed Action and is responsible for the scope and content of this EIS/OEIS and the National Marine Fisheries Service (NMFS) is a cooperating agency.

1.2 Point Mugu Sea Range Study Area Overview

The NAWCWD PMSR is located adjacent to Los Angeles, Ventura, Santa Barbara, and San Luis Obispo Counties along the Pacific Coast of Southern California and includes a 36,000-square-mile Sea Range (Figure 1-1).

The primary Study Area is the PMSR; it also includes portions of Naval Base Ventura County (NBVC) Point Mugu and San Nicolas Island (SNI) (Figure 1-1). Although NBVC Port Hueneme is not shown as part of the Study Area, it also provides support functions for vessels and surface targets associated with the Proposed Action. No testing or training activities occur from or within NBVC Port Hueneme. For more details, see Section 1.2.3 (Naval Base Ventura County Range Areas and Facilities).

The PMSR is a national asset that exists primarily to provide test and evaluation information for U.S. Department of Defense (DoD) decision makers and to support the needs of weapon system development programs and DoD research needs. PMSR is the DoD’s largest and most extensively instrumented over-water test range and offers realistic, open-ocean, and littoral operating environments. PMSR is also one of 23 component activities that make up the Department of Defense (DoD) Major Range Test Facility Base (MRTFB). DoD Directive 3200.11 defines the MRTFB as the designated core set of DoD Test and Evaluation infrastructure and associated workforce to provide Test and Evaluation capabilities to support the DoD acquisition systems. A MRTFB activity is defined as an organizational command element of a DoD component responsible for managing MRTFB capabilities and resources. As a MRTFB, PMSR supports test and evaluation of a wide variety of weapons, ships, aircraft, and specialized systems. PMSR serves a broad spectrum of Department of Defense, Homeland Defense, National Aeronautics and Space Administration (NASA), foreign ally, and commercial/private sector programs, from small-scale static tests to complex multi-participant, multi-target operations.

All Navy systems and equipment must be tested to ensure proper functioning before delivery to the Fleet. Introduction of new technologies by the DoD occurs continually to ensure that the U.S. military can execute its national responsibilities. The PMSR is uniquely equipped with a highly instrumented coastline and off-shore islands, two full-service military airfields, target and missile launch facilities, data collection and surveillance aircraft, and a skilled staff of technical personnel. The PMSR consists of 36,000 square miles of controlled sea and associated airspace (Figure 1-1).

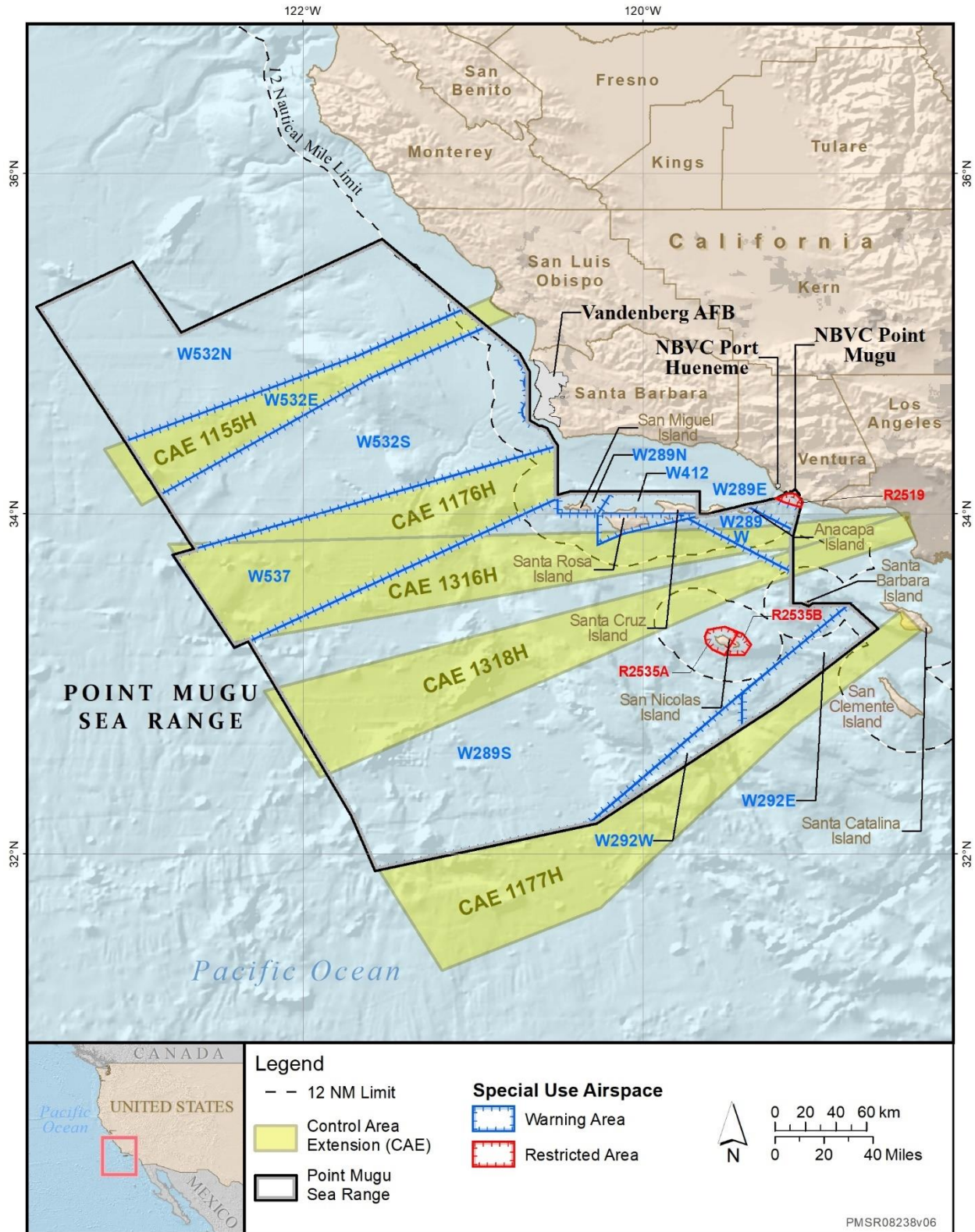


Figure 1-1: Point Mugu Sea Range Study Area

1.2.1 Point Mugu Sea Range Controlled Sea Space

The PMSR-controlled sea space parallels the California coast for approximately 225 nautical miles (NM) and extends approximately 180 NM seaward, aligning with the PMSR Warning Area airspace. The PMSR provides telemetry (TM), communications, and optics that can be extended over the horizon from land-based assets and instrumented aircraft. In addition to the military uses of the PMSR, civilian recreational and commercial boats and vessels transit the 36,000 square miles of the PMSR daily. When required for test events, and when the temporary range expansion is in place, the Sea Range Test Conductor coordinates a Notice to Mariners issued by the United States Coast Guard to provide timely maritime safety within the PMSR-controlled sea space.

1.2.2 Point Mugu Sea Range Controlled Airspace

The 36,000 square miles of PMSR-controlled airspace consists of 3 Restricted Areas and 11 Warning Areas. The Warning Areas can be further subdivided into specific operating areas to safely accommodate simultaneous operations, or to minimize impacts on commercial and civil air traffic. PMSR-scheduled aircraft flying in the PMSR airspace take off and land at a variety of installations in the western United States. Aircraft may also launch and land on aircraft carriers and other ship platforms as components of test events. PMSR airspace is located within the greater airspace controlled by the Los Angeles Air Route Traffic Control Center. The Los Angeles Air Route Traffic Control Center is the controlling agency, which releases control of aircraft into and out of the PMSR to PMSR control for the primary purpose of testing and selected training; therefore, when functioning as the using agency for the PMSR-controlled airspace, PMSR control is responsible for all civilian and military aircraft traffic services within the released airspace.

To execute the NAWCWD mission to provide full-spectrum weapons and warfare systems RDAT&E activities (e.g., using long-range missiles like the Trident and Tomahawk, and other long-range weapons delivery systems), the airspace can be temporarily expanded by the authority of the Federal Aviation Administration (FAA). The following provides additional details on the PMSR-controlled sea space, airspace, and range facilities as it relates to the Study Area.

1.2.2.1 Class Delta Airspace

The controlled airspace under the jurisdiction of an airfield's control tower and immediately adjacent to the runways is defined by the FAA as Class Delta (D) airspace, which is airspace areas established around airports that have an Air Traffic Control tower but do not provide radar services. Class D airspace supports both Instrument Flight Rules and Visual Flight Rules operations. NBVC Point Mugu Class D airspace extends from the surface to 3,000 feet within 4.3 NM of the center of the airfield, with exceptions where there is overlap with both the Oxnard and Camarillo airport's Class D airspace. The typical flight pattern altitude at NBVC is 1,200 feet above mean sea level; however, flights operating within Class D airspace may be routed at higher or lower altitudes, anywhere within the 4.3 NM radius when necessary for takeoff or landing. PMSR Special Use Airspace (SUA) is not activated for aircraft within NBVC's Class D airspace. Airspace surrounding the SNI airfield is classified as Class D airspace when active.

1.2.2.2 Special Use Airspace

SUA is airspace designated wherein activities must be confined because of their nature, or wherein limitations are imposed upon aircraft operations that are not a part of those activities, or both. SUA consists of both controlled and uncontrolled airspace and has defined dimensions. Flight and other

activities for non-participating aircraft are restricted or prohibited for safety or security reasons. SUA is established under procedures outlined in 14 Code of Federal Regulations (CFR) Part 73.1. The majority of SUA is established for military flight activities and, with the exception of prohibited areas (e.g., over the White House), may be used for commercial or general aviation when not reserved for military activities. There are multiple types of SUA, including prohibited, restricted, warning, alert, and military operations areas (Federal Aviation Administration, 2009). Two are components of the PMSR SUA: Warning Areas and Restricted Areas.

Warning Area. One type of SUA, of particular relevance to the Study Area, is a Warning Area (W), which is defined in 14 CFR Part 1 as follows:

“A Warning Area is airspace of defined dimensions, extending from 3 NM outward from the coast of the United States that contains activity that may be hazardous to non-participating aircraft. The purpose of such warning areas is to warn non-participating pilots of the potential danger. A Warning Area may be located over domestic or international waters or both.”

Warning areas are established to contain a variety of hazardous aircraft and non-aircraft activities, such as aerial gunnery, air and surface missile firings, bombing, aircraft carrier operations, surface and subsurface operations, and naval gunfire. When these activities are conducted in international airspace, the FAA regulations may warn against, but do not have the authority to prohibit, flight by non-participating aircraft. Figure 1-1 depicts the 11 Warning Areas that comprise the PMSR: W-532N, W-532E, W-532S; W-537; W-289N, W-289S, W-289W, W-289E; W-292W, W-292E; and W-412. The Warning Areas are further subdivided by PMSR Schedules into operating areas to safely accommodate simultaneous operations, however Notices to Airmen and Notices to Mariners do not reflect those subdivisions.

While some SUA is available for scheduled daily use by the military for a designated time period (e.g., from 6:00 am to 6:00 pm), other airspace is only activated by the FAA issuing Notices to Airmen several hours in advance of the military activity.

Restricted Area. Restricted Areas (R) are a type of SUA within which the flight of aircraft, while not wholly prohibited, is subject to restriction. They are designated where operations are hazardous to nonparticipating aircraft and contain airspace that, when active, the operation of aircraft is prohibited unless the operator has the advance permission of the using agency or the controlling agency. The Commanding Officer, NAWCWD is designated as the using and scheduling agency for PMSR Restricted Areas. R-2519 overlays a portion of NBVC Point Mugu and extends 3 NM offshore. R-2535A/B overlay NBVC SNI and the ocean out to approximately 3 NM. The R-2535A/B airspace is excluded from W-289S when it is active (Figure 1-1).

1.2.2.3 Control Area Extensions

Control Area Extensions are permanently established, FAA-controlled Instrument Flight Rules corridors that allow commercial and civil air traffic to co-exist with PMSR activities (Figure 1-1). Control 1155 and Control 1176 overlay W-532E and W-537, respectively. Control 1316 and Control 1318 overlay W-289S and W-289W, and Control 1177 and Control 1156 transit just south of PMSR airspace. These corridors allow commercial and civil aircraft ingress and egress routes to Hawaii and other transpacific locations from major airports along the Southern California coast.

As noted above, the PMSR airspace can be temporarily expanded as required beyond the SUA with advanced planning and notification. Coordination with the FAA is required in order to expand the

temporary airspace. This provides PMSR users with needed, tailored, expansive airspace for testing activities and selected training events. Whenever the PMSR SUA requires temporary expansion or the commercial corridors must be closed, alternative Altitude Reservations (ALTRVs) must be coordinated and approved with the FAA. An ALTRV supports the utilization of airspace under prescribed conditions normally employed for the mass movement of aircraft, aerial refueling, rocket and missile activities, or other special user requirements that cannot otherwise be accomplished. ALTRVs receive special handling from participating FAA facilities and may be stationary (to support missions within a fixed airspace volume) or moving (to encompass en route activities as the aircraft/flight advances).

1.2.3 Naval Base Ventura County Range Areas and Facilities

NBVC is a regionalized naval installation composed of three operating facilities—Port Hueneme, Point Mugu, and SNI. All three installations provide support to the PMSR and, for purposes of this EIS/OEIS, the Study Area only includes portions of NBVC Point Mugu and all of NBVC SNI.

1.2.3.1 Naval Base Ventura County Port Hueneme

NBVC Port Hueneme is located 60 miles northwest of Los Angeles and 4 miles south of the city of Oxnard (Figure 1-2). NBVC Port Hueneme provides port and docking facilities for PMSR support ships, target surface craft, the Navy's Self Defense Test Ship, and Fleet units using PMSR for testing and combat system qualification trials. The Study Area for this EIS/OEIS includes the port where support vessels and targets are located and transit to and from the PMSR. No changes from current activities or testing activity support are being proposed at NBVC Port Hueneme.

1.2.3.2 Naval Base Ventura County Point Mugu

NBVC Point Mugu encompasses 4,486 acres of coastal land in Ventura County, California, approximately 50 miles north of Los Angeles (Figure 1-2). It includes the Laguna Peak complex located 1.5 miles east of Point Mugu.

NAWCWD manages extensive testing and scheduled training activities on the PMSR from NBVC Point Mugu. NBVC Point Mugu has two Class B runways that support testing and training activities on PMSR. General use of the airfield is not covered in this EIS/OEIS. However, aircraft sorties and range support aircraft that originate from the Point Mugu airfield for testing and training activities are analyzed within this EIS/OEIS. Surveillance and metric radar systems are located at NBVC Point Mugu, and the PMSR Communications Center is located on the station. Restricted airspace (R-2519) and its corresponding surface danger zone preclude public and nonparticipating aircraft and vessels entry into the area when active (Figure 1-2). Permanently restricted waters extending approximately 100–300 yards offshore of NBVC Point Mugu are closed to the public. NAWCWD also operates control rooms, and target and test launch pads that directly contribute to activities in the PMSR. Laguna Peak provides an elevated line of sight for extended instrumentation coverage of the PMSR, including line-of-sight surface surveillance radar, TM, radio communication, data transmission, and optical tracking. The site also provides over-the-horizon transmitter capability for the flight control of unmanned aircraft systems.

The Study Area for this EIS/OEIS includes the portions of NBVC Point Mugu that underlie R-2519, which includes the proposed Directed Energy (DE) Systems Integration Laboratory (DESIL), the Launch Complex Building 55, and the Alpha, Bravo, Charlie, and Nike Zeus launch pads.

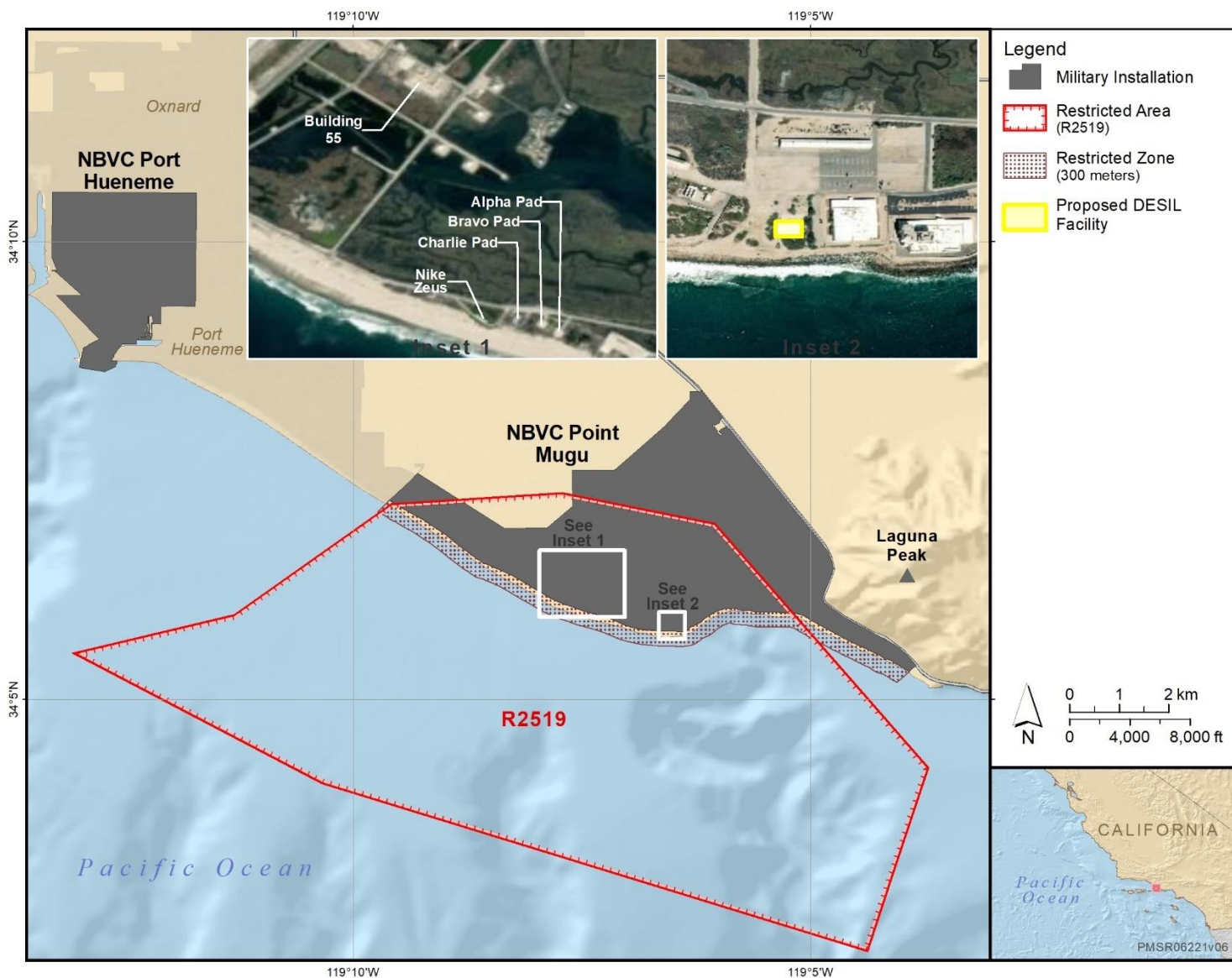


Figure 1-2: Naval Base Ventura County Point Mugu and Port Hueneme

1.2.3.3 San Nicolas Island

SNI is located approximately 62 miles southwest of Point Mugu, California and is owned by the Navy (Figure 1-3). The island covers a total of 13,370 acres and is approximately 9 miles long and 3.6 miles wide. Restricted airspace (R-2535A/B) and corresponding surface danger zones extend out to 3 NM offshore of SNI (Alpha, Bravo, and Charlie) and preclude public and commercial aircraft and vessel entry into this area when active (Figure 1-3).

Due to its remote location, SNI can be used to simulate shipboard launches of missiles and serve as a target for a spectrum of inert weapons. The island is extensively instrumented with metric tracking radar, electro-optical devices, TM, and communications equipment necessary to support long-range and over-the-horizon weapons and combat systems testing. SNI provides test facilities that include buildings, launch areas, and the Land Impact Site, which is the only target area on the island.

The Study Area for SNI activities analyzed as part of this EIS/OEIS includes DE testing areas associated with the proposed construction of a DE Test Facility, Land Impact Site, and aerial target launches at the existing Alpha Launch Complex and the Building 807 Launch Complex. The Alpha Launch Complex is typically used for launching the GQM-163A supersonic target. The Building 807 Launch Complex is used to launch both targets and missiles.

The island also includes an airfield that supports day-to-day activities, as well as a pier structure for logistics barge landings. Activities occurring at the airfield and the pier (barge landings) are not part of the Proposed Action; while they do provide logistics support to testing and training associated with the Proposed Action, airfield and pier operations are not analyzed in this EIS/OEIS.

1.2.3.4 Range Instrumentation and Communication Systems

The PMSR provides a full suite of instrumentation, including radar, TM, time-space-position information, atmospheric, photo-optics and video, video communications, data processing, and display capabilities. These instrumentation and communication systems provide range customers with unique capabilities to test and validate their systems in a safe operating environment on the PMSR. Instrumentation and data collection facilities are located at Point Mugu, SNI, Santa Cruz Island, and Laguna Peak. These existing systems provide instrumentation that support activities on the PMSR but are not analyzed under the Proposed Action for this EIS/OEIS because no changes to these systems are being proposed.

1.2.4 Training Overlap Area

A small portion along the southerly border of the PMSR (approximately 1,000 square nautical miles) overlaps with an area used by the Navy for anti-submarine warfare training, specifically for major training exercises. Those activities were analyzed in the 2018 Hawaii-Southern California Training and Testing Final EIS/OEIS.

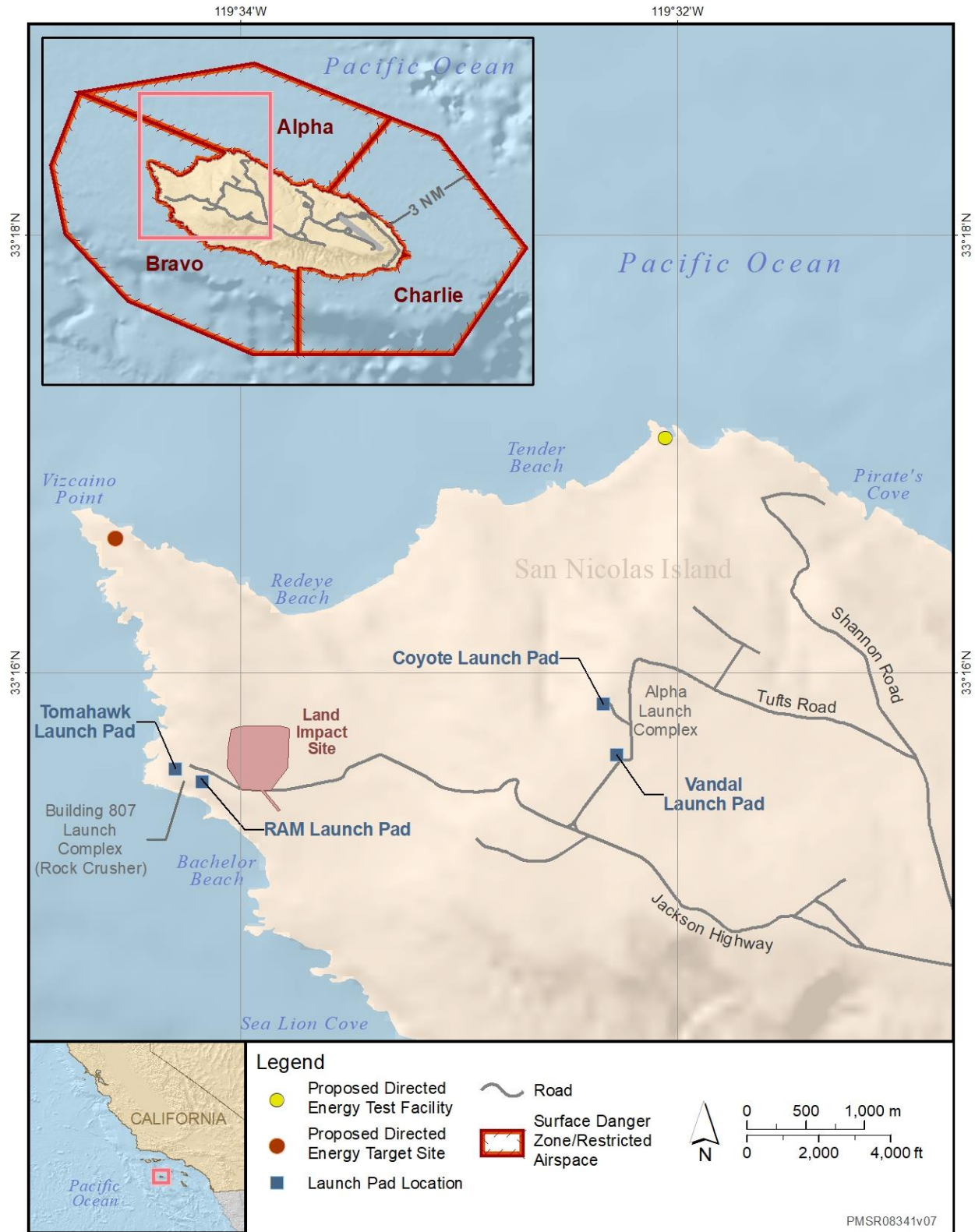


Figure 1-3: San Nicolas Island

1.3 Naval Air Warfare Center Weapons Division Objectives

NAWCWD, part of Naval Air Systems Command, in addition to the PMSR, hosts a land range and associated facilities at China Lake, California. The PMSR continues to be the Navy's premier test and experimentation center for developmental and operational test and evaluation of missiles, free-fall weapons, weapons system integration, and electronic warfare systems in a maritime environment. The role of NAWCWD Point Mugu is to provide a safe, operationally realistic, and thoroughly instrumented Sea Range testing and evaluation environment.

The PMSR has been operated by the Navy for more than 70 years. NAWCWD Point Mugu controls the world's largest instrumented over-water range, encompassing up to 36,000 square miles of SUA over the Pacific Ocean associated with the Sea Range. The airspace can be temporarily expanded, as required for specific RDAT&E and scheduled training events, through coordination with the FAA. The airspace is critical to meeting a wide variety of testing and training requirements. The PMSR provides a safe, highly instrumented volume of air and sea space in which to conduct controlled tests and evaluation of new platforms, weapons, and weapons systems. The combination of location, widespread mobile and fixed instrumentation sites, unique test capabilities, and a highly skilled technical workforce provides the most advanced and efficient method of conducting the critical test and evaluation, and experimentation necessary to sustain and improve technical standards in the Navy. The PMSR is used by U.S. and allied military services to test and evaluate sea, land, and air weapons systems in complex, realistic, multi-participant, multi-target operations in dense electronic-combat environments. This test and evaluation, and experimentation, process is critical to the successful assessment, safe operation, and improvement of the capabilities of current and future platforms, weapons, and weapons systems.

1.4 Strategic Importance of Point Mugu Sea Range

Strategically, the PMSR is a unique and irreplaceable resource and national asset critical to the complete RDAT&E cycle for DoD platforms and weapons systems. NAWCWD Point Mugu meets the established mission to conduct state-of-the-art weapons systems testing and evaluation, and maintains military operational readiness, by providing a safe, operationally realistic, and thoroughly instrumented sea range testing and training environment. The advancement of international threat capabilities and emergent technologies has resulted in weapons that have significantly larger operational footprints. The PMSR is the only instrumented sea range in the United States that can safely accommodate RDAT&E and training on these expanded weapons system performance envelopes.

1.5 Proposed Action

The Navy's Proposed Action, described in detail in Chapter 2 (Description of Proposed Action and Alternatives), is to conduct military readiness activities within the PMSR. The Proposed Action includes testing and training activities analyzed in the 2002 PMSR EIS/OEIS and other actions analyzed since 2002. The proposed tempo reflects a variation of tempo changes across warfare areas depending on current and future requirements. However, generally it represents an overall increase in some activities above what was covered in the 2002 EIS/OEIS and subsequent EAs since 2002. Proposed testing and training activities are similar to those that have occurred in the Study Area for decades.

The Proposed Action is based on current documented Sea Range event data and projected data collected by PMSR operators from Naval Air Systems Command range customers, including other service and allied forces. The PMSR Test Resource Management System scheduling database and other NEPA documents contribute requisite detail in developing a comprehensive Proposed Action.

1.6 Purpose of and Need for the Proposed Action

The Navy (as the lead agency) and the NMFS (as a cooperating agency) have coordinated from the outset and developed this document to meet each agency's distinct NEPA obligations and support the decision making of both agencies (Appendix G, Agency Correspondence).

The Navy's purpose for the Proposed Action is to provide modern instrumented airspace, sea space, testing and training areas, testing and training facilities, and range infrastructure to fully support current, emerging, and foreseeable future research, development, test, and evaluation and testing and training requirements; and to ensure the long-term viability of the PMSR while protecting human health and the environment.

The need for the Proposed Action is to allow for continued testing and training in support of military readiness and DoD mission requirements as required by Title 10 and to provide combat ready forces.

The Navy has requested authorization to take marine mammals incidental to conducting their testing and training activities in the Study Area by Level A and B harassment. Take under the Marine Mammal Protection Act (MMPA) is defined as "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal."

For military readiness activities, harassment is defined as follows:

- Any act that injures or has the significant potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment].
- Any act that disturbs or is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to, migration, surfacing, nursing, breeding, feeding, or sheltering, to a point where such behavioral patterns are abandoned or significantly altered [Level B harassment].

NMFS's purpose is to evaluate the Navy's Proposed Action pursuant to NMFS's authority under the MMPA, and make a determination whether to issue incidental take regulations and a Letter of Authorization (LOA), including any conditions needed to meet the statutory mandates of the MMPA. To authorize the incidental take of marine mammals, NMFS evaluates the best available scientific information to determine whether the take would have a negligible impact on the affected marine mammal species or stocks and an unmitigable impact on their availability for taking for subsistence uses (not relevant here for the Navy's Proposed Action). NMFS must also prescribe permissible methods of taking, other "means of effecting the least practicable adverse impact" on the affected species or stocks and their habitat, and monitoring and reporting requirements. NMFS cannot issue an incidental take authorization unless it can make the required findings. The need for NMFS's action is to consider the impacts of the Navy's activities on marine mammals and meet NMFS's obligations under the MMPA.

This EIS/OEIS includes analysis of the environmental impacts associated with issuance of the requested authorization of take of marine mammals incidental to testing and training activities within the Study Area, to include a variety of mitigation measures that were considered during the MMPA authorization

Title 10 United States Code (U.S.C.) section 5062: "The Navy shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It is responsible for the preparation of naval forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war."

process. The analysis of mitigation measures considers benefits to species or stocks and their habitat, and analyzes the practicability and efficacy of each measures. The analysis of mitigation measures also supports requirements pertaining to mitigation, monitoring, and reporting to be specified in final MMPA regulations and subsequent LOAs as well as Endangered Species Act (ESA) and subsequent incidental take statements (ITS).

1.7 The Environmental Planning Process

This EIS/OEIS complies with the requirements of both NEPA and EO 12114, *Environmental Effects Abroad of Major Federal Actions*, and support additional legal compliance requirements, as further described below. EO 12114 was issued by President Carter in 1979, furthering the purpose of NEPA by creating similar procedures for federal agency activities affecting the environment of the global commons outside U.S. jurisdiction. Thus, the Navy undertakes environmental planning for major federal actions under NEPA within 12 NM and under EO 12114 beyond 12 NM, in accordance with applicable laws, regulations, and EOs (see Figure 1-1).

1.7.1 National Environmental Policy Act

When developing an EIS, the first required step in the NEPA process (Figure 1-4) is to prepare a Notice of Intent (NOI) to develop an EIS. The NOI is published in the Federal Register and in local newspapers and provides an overview of the intended scope of the EIS as well as the Proposed Action. The NOI is the initial step for the government in informing the public of the upcoming environmental analysis, describing how the public can become involved in the EIS preparation, and initiating the scoping process.

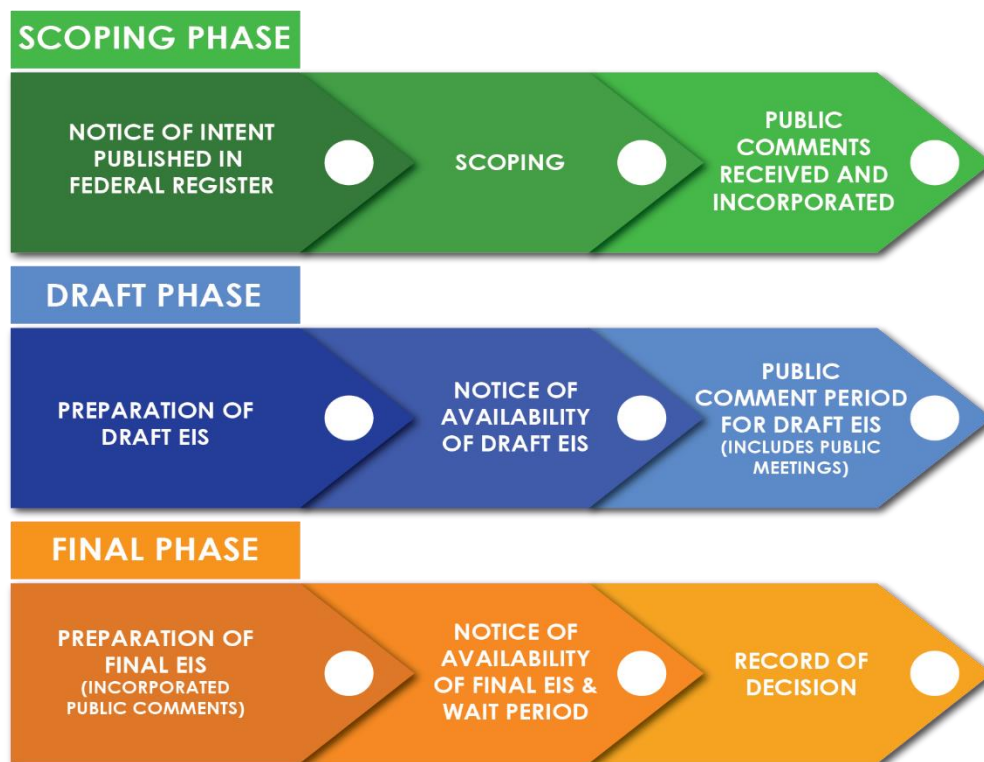


Figure 1-4: National Environmental Policy Act Process

Scoping is an early and open collaborative process for developing the “scope” of issues to be addressed in an EIS and for identifying significant issues related to a proposed action. During the scoping process, public participation helps define and prioritize issues through optional public meetings and submitted verbal and written comments. Public scoping meetings for this EIS/OEIS were conducted to ensure that a representative cross section of the associated communities had the opportunity to participate (refer to Section 7.2, Scoping Period).

After the scoping process, a Draft EIS is prepared to assess potential impacts of the proposed action and alternatives on the environment. When completed, a Notice of Availability is published in the Federal Register and notifications are placed in local or regional newspapers announcing the availability of the Draft EIS. The Draft EIS is circulated for public review and comment, and public meetings may be held to provide an opportunity for communities to participate, receive information, and provide comment.

The Final EIS incorporates responses to public comments received on the Draft EIS, which may include correction of data, clarifications of and modifications to analytical approaches, inclusion of new or additional data and scientific information or analyses, or explained why the comments do not warrant further agency response.

Finally, the decision-maker (in this case, the Navy) will sign a Record of Decision (ROD) no earlier than 30 days after the Final EIS is made available to the public. The ROD explains the Navy’s decision, discusses considered alternatives, and outlines plans for any mitigation and monitoring of the decided action.

For a description of how the Navy complies with each of these requirements during the development of this EIS/OEIS, please see Chapter 7 (Public Involvement and Distribution).

1.7.2 Executive Orders

EOs issued at the federal and state level can address a variety of policy matters, and they remain active until rescinded. The following are some active EOs applicable to environmental matters that influence the analysis of impacts in this EIS/OEIS.

1.7.2.1 Executive Order 12114, *Environmental Effects Abroad of Major Federal Actions*

EO 12114 of 1979, *Environmental Effects Abroad of Major Federal Actions*, furthers the purpose of NEPA by directing federal agencies to provide for informed environmental decision-making for major federal actions outside the United States and its territories. Presidential Proclamation 5928, *Territorial Sea of the United States of America*, issued December 27, 1988, extended the exercise of U.S. sovereignty and jurisdiction under international law to 12 NM; however, the proclamation expressly provides that it does not extend or otherwise alter existing federal law or any associated jurisdiction, rights, legal interests, or obligations. Thus, as a matter of policy, the Navy analyzes environmental effects and actions within 12 NM under NEPA (an EIS) and those effects occurring beyond 12 NM under the provisions of EO 12114 (an OEIS).

1.7.2.2 Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*

EO 13175 of 2000, *Consultation and Coordination with Indian Tribal Governments*, reaffirms the federal government's commitment to tribal sovereignty, self-determination, and self-government. Its purpose is to ensure that all Executive departments and agencies consult with Indian tribes and respect tribal sovereignty as they develop policy on issues that impact Indian communities. This EO builds on prior actions and strengthens our government-to-government relationship with Indian tribes. It also ensures

that all Executive departments and agencies consult with Indian tribes and respect tribal sovereignty as they develop policy on issues that impact Indian communities.

1.7.2.3 Executive Order 13834, *Efficient Federal Operations*

EO 13834, *Efficient Federal Operations* (83 *Federal Register* 23771) was issued on May 17, 2018 and revoked EO 13693, *Planning for Federal Sustainability in the Next Decade*. The goal of EO 13834 is to prioritize actions that reduce waste, cut costs, enhance the resilience of federal infrastructure and operations, and enable more effective accomplishment of an agency's mission.

1.7.2.4 Executive Order 13158, *Marine Protected Areas*

EO 13158, *Marine Protected Areas* (65 *Federal Register* 34909) was authorized in May 2000 to protect special natural and cultural resources by strengthening and expanding the nation's system of marine protected areas. The purpose of the order is to (1) strengthen the management, protection, and conservation of existing marine protected areas and establish new or expanded marine protected areas; (2) develop a scientifically based, comprehensive national system of marine protected areas representing diverse U.S. marine ecosystems, and the nation's natural and cultural resources; and (3) avoid causing harm to marine protected areas through federally conducted, approved, or funded activities.

1.7.2.5 Executive Order 13840, *Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States*

EO 13840, *Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States* (83 *Federal Register* 29431) was issued on June 19, 2018. The goal of EO 13840 is to advance the economic, security, and environmental interests of the United States through improved public access to marine data and information, efficient federal agency coordination on ocean-related matters, and engagement with marine industries, the science and technology community, and other ocean stakeholders, including Regional Ocean Partnerships. This EO revokes and replaces EO 13547, *Stewardship of the Ocean, Our Coasts, and the Great Lakes*.

1.7.3 Other Environmental Requirements Considered

The Navy must comply with all applicable federal environmental laws, regulations, and EOs, including, but not limited to, those listed below. Further information can be found in Chapter 6 (Regulatory Considerations).

1.7.3.1 Federal Statutes

The following are federal statutes that are most relevant to the analysis of impacts in this EIS/OEIS.

1.7.3.1.1 Clean Air Act

The purpose of the Clean Air Act (42 U.S.C. sections 7401–7671q) is to protect public health and welfare by the control of criteria air pollution at its source and set forth primary and secondary National Ambient Air Quality Standards to establish criteria for states to attain, or maintain, these minimum standards. Non-criteria air pollutants that can affect human health are categorized as hazardous air pollutants under section 112 of the Clean Air Act. The U.S. Environmental Protection Agency identified 189 hazardous air pollutants such as benzene, perchloroethylene, and methylene chloride. Section 176(c)(1) of the Clean Air Act, commonly known as the General Conformity Rule, requires federal agencies to ensure that their actions conform to applicable state implementation plans for

achieving and maintaining the National Ambient Air Quality Standards for criteria pollutants in non-attainment and maintenance areas for criteria pollutants and their precursors.

1.7.3.1.2 Clean Water Act

The Clean Water Act (33 U.S.C. sections 1251–1376) regulates discharges of pollutants in surface waters of the United States. The Uniform National Discharge Standards (40 CFR part 1700) govern discharges incidental to the normal operation of Navy ships at sea. No permits will be required as part of the Proposed Action.

1.7.3.1.3 Coastal Zone Management Act

The Coastal Zone Management Act of 1972 (16 U.S.C. section 1451, et seq.) encourages coastal states to be proactive in managing coastal zone uses and resources. The Act established a voluntary coastal planning program and required participating states to submit a Coastal Management Plan to the National Oceanic and Atmospheric Administration for approval. Under the Act, federal actions that have reasonably foreseeable effects on a coastal use or resource are required to be consistent, to the maximum extent practicable, with the enforceable policies of federally approved Coastal Management Plans. The Coastal Zone Management Act defines the coastal zone as extending offshore “to the outer limit of State title and ownership under the Submerged Lands Act.”

A consistency determination, a negative determination, or a *de minimis* exemption may be submitted to the California Coastal Commission for review of federal agency activities. A federal agency submits a consistency determination when it determines that its activity may have either a direct or an indirect effect on a state coastal use or resource. In accordance with 15 CFR section 930.39, the consistency determination will include a brief statement indicating whether the proposed activity will be undertaken in a manner consistent, to the maximum extent practicable, with the enforceable policies of the management program.

1.7.3.1.4 Endangered Species Act

The ESA of 1973 (16 U.S.C. sections 1531–1544) provides for the conservation of endangered and threatened species and the ecosystems on which they depend. The Act defines an endangered species as a species in danger of extinction throughout all or a significant portion of its range. A threatened species is one that is likely to become endangered within the near future throughout all or in a significant portion of its range. The U.S. Fish and Wildlife Service (USFWS) and NMFS jointly administer the ESA and are responsible for listing species as threatened or endangered and for designating critical habitat for listed species. The ESA allows the designation of geographic areas as critical habitat for threatened or endangered species. Section 7(a)(2) requires each federal agency to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat of such species. When a federal agency’s action “may affect” a listed species, that agency is required to consult with the service (NMFS or USFWS) that has jurisdiction over the species (50 CFR section 402.14(a)). Consultation will conclude with preparation of a biological opinion that determines whether the federal agency action will jeopardize listed species or adversely modify or destroy critical habitat for formal consultation, or when the Services concur, in writing, that a proposed action “is not likely to adversely affect” listed species or designated critical habitat for informal consultation. An ITS is included in every biological opinion where take is anticipated. This ITS allows the proposed action to occur without being subject to penalties under the ESA.

1.7.3.1.5 Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. sections 1801–1882), enacted in 1976 and amended by the Sustainable Fisheries Act in 1996 and the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, mandates identification and conservation of essential fish habitat. Essential fish habitat is defined as those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity (i.e., full life cycle). These waters include aquatic areas and their associated physical, chemical, and biological properties used by fish, and may include areas historically used by fish. Substrate types include sediment, hard bottom, structures underlying the waters, and associated biological communities. Federal agencies are required to consult with NMFS and to prepare an essential fish habitat assessment if potential adverse effects on essential fish habitat are anticipated from their activities. Any federal agency action that is authorized, funded, undertaken, or proposed to be undertaken that may affect fisheries is subject to the Magnuson-Stevens Fishery Conservation and Management Act.

1.7.3.1.6 Marine Mammal Protection Act

The MMPA of 1972 established, with limited exceptions, a moratorium on the “taking” of marine mammals in waters or on lands under U.S. jurisdiction. The Act further regulates “takes” of marine mammals on the high seas by vessels or persons subject to U.S. jurisdiction. The term “take,” as defined in section 3 (16 U.S.C. section 1362 (13)) of the MMPA, means “to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.” “Harassment” was further defined in the 1994 amendments to the MMPA, which provided two levels of harassment: Level A (potential injury) and Level B (potential behavioral disturbance).

The MMPA directs the Secretary of Commerce and the Secretary of the Interior to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens or agencies who engage in a specified activity (other than commercial fishing) within a specified geographical region if NMFS or USFWS finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). In issuing regulations authorizing the incidental taking, NMFS or USFWS must set forth the permissible methods of taking, other means of effecting the least practicable adverse impact on the species or stock and its habitat and on the availability of the species or stock for subsistence uses (where relevant), and requirements pertaining to monitoring and reporting of such taking.

The National Defense Authorization Act of Fiscal Year 2004 (Public Law 108-136) amended the definition of harassment, removed the “specified geographic area” requirement, and removed the small numbers provision as applied to military readiness activities or scientific research activities conducted by or on behalf of the federal government consistent with section 104(c)(3) (16 U.S.C. section 1374(c)(3)). The Fiscal Year 2004 National Defense Authorization Act adopted the definition of “military readiness activity” as codified at 16 U.S.C. 703 Note. A “military readiness activity” is defined as “all training and operations of the Armed Forces that relate to combat” and the “adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.” For military readiness activities, the relevant definition of harassment is any act that

- injures or has the significant potential to injure a marine mammal or marine mammal stock in the wild (“Level A harassment”); or

- disturbs or is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to, migration, surfacing, nursing, breeding, feeding, or sheltering to a point where such behavioral patterns are abandoned or significantly altered (“Level B harassment”) (16 U.S.C. section 1362(18)(B)(i) and (ii))

1.7.3.1.7 Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (16 U.S.C. sections 703–712) and the Migratory Bird Conservation Act (16 U.S.C. sections 715–715d, 715e, 715f–715r) of February 18, 1929, are the primary laws in the United States established to conserve migratory birds. The Migratory Bird Treaty Act prohibits the taking, killing, or possessing of migratory birds or the parts, nests, or eggs of such birds, unless permitted by regulation.

The 2003 National Defense Authorization Act provided interim authority to members of the Armed Forces to incidentally take migratory birds during approved military readiness activities without violating the Migratory Bird Treaty Act. The Authorization Act provided this interim authority to give the Secretary of the Interior (Secretary) time to exercise his/her authority under section 704(a) of the Migratory Bird Treaty Act to prescribe regulations authorizing such incidental take. The Secretary delegated this task to the USFWS. On February 28, 2007, the USFWS issued a final military readiness rule authorizing members of the Armed Forces to incidentally take migratory birds during military readiness activities (U.S. Fish and Wildlife Service, 2007).

1.7.3.1.8 National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 (54 U.S.C. section 300101 et seq.) establishes preservation as a national policy and directs the federal government to provide leadership in preserving, restoring, and maintaining the historic and cultural environment. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment, and to consult with state, tribal, or Native Hawaiian Preservation Officers. The NHPA created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation Offices to help protect each state’s historical and archaeological resources. Section 110 of the NHPA requires federal agencies to assume responsibility for the preservation of historic properties owned or controlled by them and to locate, inventory, and nominate all properties that qualify for the National Register. Agencies shall exercise caution to assure that significant properties are not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate. The NHPA applies to cultural resources evaluated in this EIS/OEIS.

1.7.3.1.9 National Marine Sanctuaries Act

Under the Marine Protection, Research, and Sanctuaries Act of 1972 (also known as the National Marine Sanctuaries Act), the Secretary of Commerce may establish a national marine sanctuary for marine areas with special conservation, recreational, ecological, historical, cultural, archaeological, scientific, educational, or aesthetic qualities. Day-to-day management of national marine sanctuaries has been delegated by the Secretary of Commerce to the National Oceanic and Atmospheric Administration’s Office of National Marine Sanctuaries. Once a sanctuary is designated, the Secretary of Commerce may authorize activities in the sanctuary only if they can be certified to be consistent with the National Marine Sanctuaries Act and can be carried out within the regulations for the sanctuary. Regulations exist for each sanctuary, and military activities may be authorized within those regulations. Additionally, the

National Marine Sanctuaries Act requires federal agencies whose actions are “likely to destroy, cause the loss of, or injure a sanctuary resource” to consult with the Office of National Marine Sanctuaries before taking the action. In these cases, the Office of National Marine Sanctuaries is required to recommend reasonable and prudent alternatives to protect sanctuary resources if the action is likely to destroy, cause the loss of, or injure a sanctuary resource. If the federal agency decides not to follow the recommendations, it must respond in writing to the Office of National Marine Sanctuaries.

1.7.4 Related Environmental Documents

The following related environmental documents are sources of information that were used in this EIS/OEIS. These are related documents because of similar actions, analyses, or impacts described therein that may apply to this Proposed Action. This EIS/OEIS consolidates these actions into one document and provides an updated impact analysis by resource area as applicable. Documents are incorporated by reference in part or in whole and include the following reports:

Environmental Impact Statements/Environmental Assessments

- *Nonwarhead Standoff Land Attack Missile (SLAM) and Future Model Slam Firings Environmental Assessment*, 1998 (U.S. Department of the Navy, 1998). This EA analyzed the potential environmental consequences of conducting firings of nonwarhead SLAM and future model SLAM missile, and potential access road and target building pad expansion, at SNI. Missile impact sites are located at the SLAM target site on the western end of SNI, Ventura County, California; at the Missile Impact Range in the center of San Clemente Island, Los Angeles County, California; at several sites within the Naval Air Weapons Station China Lake's North Range in Inyo and Kern Counties, California; and at two sites within White Sands Missile Range in Socorro County, New Mexico.
- *Final Environmental Impact Statement/Overseas Environmental Impact Statement Point Mugu Sea Range*, 2002 (U.S. Department of the Navy, 2002b). This EIS/OEIS analyzed impacts that may result from actions proposed by the Naval Air Warfare Center Weapons Division Point Mugu, such as conducting their current test and training operations at the PMSR, accommodating Theater Missile Defense testing and training, increasing current levels of training exercises, and modernizing facilities to enhance the existing testing and training capabilities at Point Mugu. Potential environmental consequences of the Proposed Action were analyzed for the following resources: geology and soils; air quality; noise; water quality; marine biology; fish and sea turtles; marine mammals; terrestrial biology; cultural resources; land use; traffic; socioeconomics; hazardous materials, hazardous wastes, and non-hazardous wastes; and public safety. No significant, unmitigable environmental impacts were identified for the Preferred Alternative.
- *Final Environmental Assessment for the Integrated Natural Resources Management Plan (INRMP) Naval Base Ventura County (NBVC) Point Mugu, California*, 2002 (U.S. Department of the Navy, 2002a). This EA analyzed the implementation of the proposed Naval Base Ventura County Point Mugu INRMP.
- *Arrow System Improvement Program Environmental Assessment*, 2003 (U.S. Department of the Army, 2003). This EA analyzed the potential environmental consequences of conducting missile intercept flight tests as part of the Arrow System Improvement Program, and necessary facilities modifications and construction required by the proposed testing. The Arrow System

Improvement Program proposed to conduct intercept flight tests of the Arrow Weapons System at the Naval Air Systems Command Weapons Division – PMSR and launching the Arrow Weapons System interceptor from SNI.

- *Environmental Assessment for the Development and Implementation of an Integrated Natural Resources Management Plan at San Nicolas Island, California, 2005* (U.S. Department of the Navy, 2005). The EA was prepared for implementation of the INRMP at SNI, California. The analysis determined that, over time, adoption of the proposed action would enable SNI to achieve its goal of maintaining ecosystem viability and ensuring sustainability of desired military mission conditions while remaining in compliance with the Sikes Act.
- *Environmental Assessment for SSM-1 KAI Missile Testing at San Nicolas Island, 2007* (U.S. Department of the Navy, 2007). This EA covered the testing of the sea-shore interface capabilities of the SSM-1 KAI missile. The missile testing included five missile tests, including launches from SNI and missile flights over varied terrain at the island, the sea-shore interface, and the open water. The EA also provides additional analysis for those components of the SSM-1 KAI missile testing that would occur less than 1 NM offshore from the island, including missile and aircraft overflights of the island.
- *Environmental Assessment for the Transition of E-2C Hawkeye to E-2D Advanced Hawkeye at Naval Station Norfolk, Virginia; Naval Base Ventura County Point Mugu, California; and Naval Air Station Fallon, Nevada, 2008* (U.S. Department of the Navy, 2008). This EA evaluated the reasonably foreseeable impacts associated with providing facilities and functions to support the replacement of 46 E-2C Hawkeye aircraft with 59 E-2D Advanced Hawkeye aircraft at established Airborne Early Warning homebases, including NBVC Point Mugu, California. The potential impacts on air quality, noise, socioeconomics, and natural resources were evaluated.
- *Environmental Assessment/Overseas Environmental Assessment for Laser Testing & Training Naval Air Warfare Center Weapons Division Sea Range Point Mugu, California, 2010* (U.S. Department of the Navy, 2010a). This EA/Overseas EA (OEA) addressed the potential environmental impacts of laser testing and training on the PMSR. Components of the testing and training included areas within and outside of the 12 NM limit of the U.S. Territorial Seas. The PMSR is a particularly valuable site for laser system operations in a realistic and operationally relevant environment because of its coastal location; maritime environment; and extensive test, evaluation, and training capabilities.
- *Environmental Assessment Point Mugu Sea Range Countermeasures Testing and Training, 2014* (U.S. Department of the Navy, 2014). Proposed countermeasures testing and training in this EA consisted of five components: lethal and non-lethal DE (e.g., high-energy lasers and high-power microwave systems), small arms, missiles, flares, and electronic support systems. Shooter locations addressed in this EA included land, ocean surface, and airborne platforms at NBVC Point Mugu (including R-2519) and at SNI (including R-2535).
- *Environmental Assessment/Overseas Environmental Assessment Point Mugu Sea Range Expansion of Unmanned Systems Operations, 2015* (U.S. Department of the Navy, 2015b). The purpose of the testing and training program proposed by NAWCWD PMSR was to support U.S. DoD Unmanned Systems Integrated Roadmap, Fiscal Years 2011–2036, directives on the development of unmanned system applications vital to the National Defense through RDAT&E and training applications on the Sea Range. This EA/OEA addressed the potential environmental

impacts of the proposed RDAT&E and training activities on the Sea Range, including components within as well as outside of the 12 NM limit of the U.S. Territorial Seas.

- *Environmental Assessment Directed Energy Test Facilities at San Nicolas Island, 2015* (U.S. Department of the Navy, 2015a). This EA covered the impacts of constructing and operating Directed Energy Test Facilities at SNI. Resources analyzed in this EA included geology and soils; air quality; marine sediments and water quality; airspace, land, and water use; biological resources; cultural resources; public safety; and hazardous materials.
- *Environmental Assessment/Overseas Environmental Assessment for Fiber Optic Communications Undersea System (FOCUS) Replacement Naval Air Systems Command Sea Range, Point Mugu, California, 2018* (U.S. Department of the Navy, 2018). This EA/OEA covered the Navy's proposal to replace the existing Fiber Optic Communications Undersea System-I between NBVC Point Mugu and NBVC SNI.
- *Environmental Assessment for Directed Energy Systems Integration Laboratory at Naval Base Ventura County, Point Mugu, California, 2019* (U.S. Department of the Navy, 2019a). This EA evaluated the potential impacts from the construction of a DESIL at NBVC, Point Mugu, California. The DESIL will provide a land-based facility adjacent to the PMSR to support necessary research, development, test, and evaluation of DE lasers in support of the Surface Navy Laser Weapon System Program and future Navy DE Programs. The DESIL facility will be in close proximity to a marine environment to mimic ship operations of the DE lasers. DE lasers and high-powered microwave systems operations conducted from the DESIL are covered in this EIS/OEIS.
- *Environmental Assessment for Directed Energy Systems Integration Laboratory Land-Based Laser Target Sites at Naval Base Ventura County, Point Mugu, California, 2021* (U.S. Department of the Navy, 2019a). The Navy proposes to establish a dedicated land-based laser target for conducting land-to-land DE systems testing from the DESIL at NBVC Point Mugu, California. The testing would also involve two existing operational sites (Nike Zeus Pad and Alpha Pad) as mobile laser targets. The testing operations would direct laser energy at the three land-based targets from fixed laser sources located at the DESIL. DE lasers and high-powered microwave systems operations conducted from the DESIL are covered in this EIS/OEIS, with the exception of the use of the proposed land-based targets covered in the EA.

Integrated Cultural Resource Management Plans

- *Integrated Cultural Resources Management Plan for San Nicolas Island, Naval Base Ventura County, California, 2019* (U.S. Department of the Navy, 2019b). This Integrated Cultural Resources Management Plan was written to provide readily accessible support for efficient management of cultural resources and proactive conformance with requirements and compliance mandates, while supporting the Navy mission. Recommendations are provided in this document to assist in future planning and ensure compliance with all applicable laws and regulations at SNI.
- *Integrated Cultural Resources Management Plan for Point Mugu and Port Hueneme, Naval Base Ventura, California, 2010* (U.S. Department of the Navy, 2010b). This Integrated Cultural Resources Management Plan was limited to identified components of NBVC: Point Mugu; Port Hueneme; and satellite facilities at the Laguna Peak Tracking Station, Camarillo Airport, and

the off-site Catalina Heights Housing Area. The document provided readily accessible support for efficient management of cultural resources and proactive conformance with requirements and compliance mandates, while supporting the Navy mission.

Integrated Natural Resource Management Plans

- *Integrated Natural Resources Management Plan for Naval Base Ventura County, Port Hueneme, California, 2012* (U.S. Department of the Navy, 2012). This document provided NBVC Port Hueneme with a framework and criteria for the sustainable management of natural resources that integrates with and supports the U.S. DoD mission.
- *Final Integrated Natural Resources Management Plan for Naval Base Ventura County Point Mugu and Special Areas, 2019* (U.S. Department of the Navy, 2013). The NBVC Point Mugu and Special Areas INRMP includes all lands owned, leased, withdrawn, or otherwise used for the Navy mission by NBVC, except for NBVC SNI and NBVC Port Hueneme.
- *Integrated Natural Resources Management Plan for Naval Base Ventura County San Nicolas Island, California, 2015* (U.S. Department of the Navy, 2015c). This document is the first formal update to the 2014 NBVC SNI INRMP, which established planning and management strategies; identified natural resources constraints and opportunities; supported the resolution of land use conflicts; provided baseline descriptions of natural resources necessary for development of conservation strategies and environmental assessment; served as the principal information source for the preparation of future environmental documents; and provided guidance for annual natural resources management reviews, internal compliance audits, and annual budget submittals.

Other Documents

Naval Base Ventura County Point Mugu Air Installations Compatible Use Zones Study, 2015 (U.S. Department of the Navy, 2015d). This study was prepared for NBVC, Point Mugu, California to address past and expected changes in mission and aircraft and projected operational levels for 2015 through 2020, and is a formal update to the 1992 Air Installation Compatible Use Zone Study Update. It provided aircraft operations, noise contours, and accident potential zones, identified areas of incompatible land use, and recommended actions to encourage compatible land use. A list of references used in preparing this EIS/OEIS can be found at the end of each chapter or resource section in Chapter 3 (Affected Environment and Environmental Consequences). Documents incorporated herein by reference are available for inspection, in accordance with 40 CFR 1502.21, on the PMSR EIS/OEIS website at <https://pmsr-eis.com/>.

1.8 Scope and Content

The Navy is the lead agency for the Proposed Action and is responsible for the scope and content of this EIS/OEIS. This EIS/OEIS analyzes direct, indirect, and cumulative impacts of the proposed action and alternatives. In addition to analyzing two viable action alternatives that meet the purpose of and need for the Proposed Action, the Navy is analyzing impacts resulting from the No Action Alternative, where the Navy would cease conducting testing and training in the PMSR Study Area. In other words, the Navy could potentially disestablish the PMSR, and its future status would be unknown. NMFS is a cooperating agency because of its expertise and regulatory authority over certain marine resources. This EIS/OEIS may be adopted by NMFS to address NEPA requirements associated with the MMPA rule-making process and to support the issuance of the LOAs to the Navy. In accordance with the Council on

Environmental Quality Regulations, 40 CFR part 1505.2, the Navy will sign a ROD that provides the rationale for selecting one of the alternatives. The NMFS will issue a separate ROD prior to issuance of any regulations or LOAs under section 101(a)(5)(A) of the MMPA.

For this EIS/OEIS, the following resources areas were analyzed: physical resources (air quality, sediments and water quality), human resources (cultural resources, socioeconomic resources, sea and airspace, and public health and safety), and biological resources (marine habitats, marine vegetation, marine invertebrates, marine birds, marine mammals, and sea turtles). See Section 3.0.5 (Overall Approach to Analysis) for a full description of the approach to analysis.

The Navy is consulting with all appropriate federal and State regulatory agencies as appropriate and as discussed above in Section 1.7.3 (Other Environmental Requirements Considered). Although there are sensitive and protected terrestrial species (plants and animals) at both NBVC Point Mugu and SNI, it was determined (in consultation with USFWS) that current biological opinions are still protective and valid to support the Proposed Action, and no additional analysis was needed.

1.9 Organization of this Environmental Impact Statement/Overseas Environmental Impact Statement

This EIS/OEIS is organized as follows:

- Chapter 1 (Purpose and Need for the Proposed Action) describes the purpose of and need for the Proposed Action.
- Chapter 2 (Description of Proposed Action and Alternatives) describes the Proposed Action, alternatives considered but eliminated in the EIS/OEIS, and alternatives to be carried forward for analysis in the EIS/OEIS.
- Chapter 3 (Affected Environment and Environmental Consequences) describes the existing conditions of the affected environment, overall approach to analysis, and the analysis of potential impacts of the proposed testing and training activities for each alternative.
- Chapter 4 (Cumulative Impacts) describes the analysis of cumulative impacts, which are the impacts of the Proposed Action when added to past, present, and reasonably foreseeable future actions.
- Chapter 5 (Standard Operating Procedures and Mitigation) describes the protective measures the Navy evaluated that could mitigate impacts on the environment.
- Chapter 6 (Other Regulatory Considerations) describes considerations required by NEPA and describes how the Navy complies with other federal, state, and local plans, policies, and regulations.
- Chapter 7 (Public Involvement and Distribution) includes a description of the Navy's public involvement process, including a list of agencies, government officials, tribes, groups, and individuals on the distribution list for receipt of the Draft EIS/OEIS.
- Chapter 8 (List of Preparers) includes a list of preparers of this EIS/OEIS. Appendices and supporting documents provide technical information that supports the EIS/OEIS analyses and its conclusions.
- References are provided at the end of each section/chapter.
- Appendices provide technical information that support the EIS/OEIS analyses and its conclusions..

REFERENCES

- Federal Aviation Administration. (2009). *Appendix A: National Airspace System Overview*. Retrieved from http://www.faa.gov/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphl_redesign/documentation/feis.
- U.S. Department of the Army. (2003). *Environmental Assessment for the Arrow System Improvement Program*. Huntsville, AL: U.S. Army Space and Missile Defense Command.
- U.S. Department of the Navy. (1998). *Environmental Assessment for Nonwarhead Standoff Land Attack Missile (SLAM) and Future Model Slam Firings*. Point Mugu, CA: Naval Air Warfare Center, Weapons Division.
- U.S. Department of the Navy. (2002a). *Final Environmental Assessment for the Integrated Natural Resources Management Plan (INRMP) Naval Base Ventura County (NBVC) Point Mugu, California*. Point Mugu, CA: Naval Base Ventura County, Environmental Division.
- U.S. Department of the Navy. (2002b). *Final Environmental Impact Statement/Overseas Environmental Impact Statement Point Mugu Sea Range*. Point Mugu, CA: Naval Air Systems Command, Naval Air Warfare Center Weapons Division.
- U.S. Department of the Navy. (2005). *Environmental Assessment for the Development and Implementation of an Integrated Natural Resources Management Plan at San Nicolas Island, California*. Washington, DC: U.S. Department of the Navy.
- U.S. Department of the Navy. (2007). *Environmental Assessment for SSM-1 KAI Missile Testing at San Nicolas Island*. Point Mugu, CA: Naval Air Warfare Center Weapons Center, Weapons Division.
- U.S. Department of the Navy. (2008). *Environmental Assessment for the Transition of E-2C Hawkeye to E-2D Advanced Hawkeye at Naval Station Norfolk, Virginia; Naval Base Ventura County Point Mugu, California; and Naval Air Station Fallon, Nevada*. Washington, DC: U.S. Department of the Navy.
- U.S. Department of the Navy. (2010a). *Final Environmental Assessment/Overseas Environmental Assessment for Laser Testing & Training Naval Air Warfare Center Weapons Division Sea Range Point Mugu, CA*. Point Mugu, CA: Naval Air Warfare Center Weapons Division.
- U.S. Department of the Navy. (2010b). *Integrated Cultural Resources Management Plan for Point Mugu and Port Hueneme, Naval Base Ventura, California*. San Diego, CA: Naval Facilities Engineering Command Southwest.
- U.S. Department of the Navy. (2012). *Integrated Natural Resources Management Plan for Naval Base Ventura County, Port Hueneme, California*. San Diego, CA: Naval Facilities Engineering Command Southwest.
- U.S. Department of the Navy. (2013). *Final Integrated Natural Resources Management Plan for Naval Base Ventura County Point Mugu and Special Areas*. San Diego, CA: Naval Facilities Engineering Command Southwest.
- U.S. Department of the Navy. (2014). *Environmental Assessment Point Mugu Sea Range Countermeasures Testing and Training*. Point Mugu, CA: Naval Air Warfare Center.
- U.S. Department of the Navy. (2015a). *Final Environmental Assessment - Directed Energy Test Facilities at San Nicolas Island*. Point Mugu, CA: Naval Air Warfare Center, Weapons Division.

- U.S. Department of the Navy. (2015b). *Final Environmental Assessment / Overseas Environmental Assessment Point Mugu Sea Range Expansion of Unmanned Systems Operations*. Point Mugu, CA: Naval Air Warfare Center Weapons Division.
- U.S. Department of the Navy. (2015c). *Integrated Natural Resources Management Plan for Naval Base Ventura County San Nicolas Island, California*. San Diego, CA: Naval Facilities Engineering Command Southwest.
- U.S. Department of the Navy. (2015d). *Naval Base Ventura County Point Mugu Air Installations Compatible Use Zones Study*. San Diego, CA: Naval Facilities Engineering Command Southwest.
- U.S. Department of the Navy. (2018). *Final Environmental Assessment/Overseas Environmental Assessment for Fiber Optic Communications Undersea System (FOCUS) Replacement NAVAIR Sea Range, Point Mugu, California*. Point Mugu, CA: Naval Air Warfare Center Weapons Division.
- U.S. Department of the Navy. (2019a). *Final Environmental Assessment for Directed Energy Systems Integration Laboratory at Naval Base Ventura County, Point Mugu, California*. Port Hueneme, CA: Naval Surface Warfare Center, Port Hueneme Division.
- U.S. Department of the Navy. (2019b). *Final Integrated Cultural Resources Management Plan for Naval Base Ventura County, San Nicolas Island*. San Diego, CA: Naval Facilities Engineering Command, Southwest.
- U.S. Fish and Wildlife Service. (2007). *Migratory Bird Permits; Take of Migratory Birds by the Armed Forces*. Washington, DC: U.S. Fish and Wildlife Service.