

**DEPARTMENT OF DEFENSE
DEPARTMENT OF THE NAVY**

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)/FINDING OF NO
SIGNIFICANT HARM (FONSH) FOR CONTRACT AWARD TO DISMANTLE
THE AIRCRAFT CARRIER EX-RANGER (CV 61)**

Pursuant to the National Environmental Policy Act (NEPA) of 1969 (42 USC §§ 4321-4347), Council on Environmental Quality regulations (40 Code of Federal Regulations §§ 1500-1508) implementing procedural provisions of the National Environmental Policy Act (NEPA), Chief of Naval Operations (CNO) N45, Environmental Readiness Program Manual OPNAV M-5090.1, and E.O. 12114 Environmental Effects Abroad of Major Federal Actions, the Department of the Navy (DON) gives notice that an Environmental Assessment/Overseas Environmental Assessment (EA/OEA) and Finding of No Significant Impact/Finding of No Significant Harm (FONSI/FONSH) has been prepared for the award of a contract to a technically acceptable domestic ship dismantling company which will tow ex-RANGER to its facility in order to dismantle and recycle her in accordance with applicable Federal, state and local laws and regulations. Ex-RANGER is currently moored at the NAVSEA Inactive Ships On-Site Maintenance Office (INACTSHIPMAINTO), Bremerton, WA. Because the DON has reached a FONSI/FONSH, an Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) is not being prepared.

Proposed Action:

Ex-RANGER is a decommissioned post-World War II FORRESTAL-class aircraft carrier that has been inactive for over 21 years and designated for disposal. There are no Navy requirements for the ship, as ex-RANGER is not needed for the defense of the country.

The Proposed Action is the associated actions that will occur with the award of a delivery order for the dismantlement of ex-RANGER to one of three dismantling contractors located in Brownsville Navigation District, TX (hereinafter referred to as "Brownsville, TX" or "Brownsville") which are capable of dismantling a vessel the size of ex-RANGER. The Navy's dismantlement contract requires that the contractor tow ex-RANGER from its current location in Bremerton, WA, to the awardee's facility in Brownsville, and that the contractor dismantle and recycle her in accordance with all applicable Federal, state and local laws and regulations. Per the terms of the delivery order, the selected ship dismantling facility must have the capability to dismantle an aircraft carrier of this

size without construction of any new facilities, and any new or maintenance dredging would be conducted under existing Army Corps of Engineers permits.

The purpose for the proposed dismantlement of this vessel is to execute CNO policy for inactive ships stricken from the Naval Vessel Register and designated for disposal. The Proposed Action is needed to reduce the Navy's inactive ship inventory and eliminate costs associated with continuing to maintain the deteriorating ship in a safe stowage condition.

The vessel is non-operational, (no propeller rotation or water intakes/discharges); therefore, due to the size of the ship, the use of several assist tug boats will be required to tow the vessel. The towing operator will be required to meet the Navy requirements for safety, navigation, environmental, and other safeguards. Included in these requirements are the procedures in the National Marine Fisheries Service (NMFS) "Vessel Strike Avoidance Measures and Reporting for Mariners."

The aircraft carrier, ex-RANGER is currently moored on the west side of Pier/Mooring E of INACTSHIPMAINTO Bremerton, which is located in southern Bremerton, WA, on the north side of the Sinclair Inlet in southern Puget Sound and is a tenant on the western end of Naval Base Kitsap - Bremerton. INACTSHIPMAINTO Bremerton has been in continual use for inactive ships for over sixty years. It is located in a developed area and has restricted access.

Alternatives Analyzed: The EA/OEA analyzes the Proposed Action Alternative and the No-Action Alternative. The Proposed Action evaluates the potential environmental impacts of removing ex-RANGER from its berth, and towing of the ship to a dismantling location in or near Brownsville, TX. There are three facilities in or near Brownsville, TX, capable of dismantling a vessel the size of ex-RANGER.

Under the No-Action Alternative, ex-RANGER would remain in its berth at INACTSHIPMAINTO Bremerton and would be maintained in safe stowage condition.

The following sections address other action alternatives for ex-RANGER that were evaluated but rejected.

The extensive presence of regulated PCB-containing solid materials onboard ex-RANGER exceeds U.S. Environmental Protection Agency limits for ocean disposal by artificial

reefing, and removal of these materials is not practicable. Current Navy policy does not allow use of aircraft carriers for at-sea, live fire training exercises (SINKEX). A Foreign Military Sale transfer is not feasible as the U.S. Department of Defense (DoD) does not allow aircraft carriers to be available for Foreign Military Sale transfer, thus this is not an option for ex-RANGER. Title transfer to the Department of Transportation, Maritime Administration, is only applicable to merchant-type ships pursuant to the Merchant Marine Act of 1936.

Attempts to donate ex-RANGER as a museum or memorial were unsuccessful. Ex-RANGER was decommissioned on July 10, 1993, after 36 years of service. Upon decommissioning, ex-RANGER was laid up for long-term preservation as a mobilization asset for possible future reactivation. She was subsequently stricken from the Naval Vessel Register (NVR) on March 8, 2004, and advertised for donation to a state or non-profit organization for use as a museum or memorial. The Navy retained ex-RANGER in a donation hold status over eight years, but no organization was able to meet the Navy's requirements for converting ex-RANGER to a museum or memorial. Ex-RANGER was removed from donation hold on September 26, 2012, and designated for dismantling.

Environmental Effects: The EA/OEA presents a review and analysis of the potential environmental impacts associated with the Proposed Action Alternative and No Action Alternative. Impacts to relevant resources that were evaluated include cultural resources; water resources, including coastal zone resources; biological resources; and air quality/climate change.

The Navy notified and/or consulted with, the following regulatory agencies: the State of Washington for a Coastal Zone Management Act (CZMA) negative determination; the State of Texas for a CZMA negative determination; and the Department of Commerce, National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service under the Endangered Species Act. The Navy also notified the National Conference of State Historic Preservation Officers about the Navy's determination that ex-RANGER was eligible for listing on the National Register of Historic Places.

Cultural Resources. Ex-RANGER is eligible for listing in the National Register of Historic Places (NRHP). Thus, her dismantling would result in an adverse effect on a cultural resource. Artifacts were removed from ex-RANGER upon decommissioning by the Navy Curator in accordance with OPNAVINST 4770.5H; this is a standard procedure for every decommissioned

ship. Prior to dismantling the vessel, the Navy will follow the Advisory Council on Historic Preservation's (ACHP) Program Comment procedures to mitigate the adverse effect resulting from the Federal undertaking.

The removal of the vessel will not impact any historic districts at or near INACTSHIPMAINTO Bremerton, as the removal of this vessel will not affect the context or integrity features of any properties and is not a contributing element of the historic districts. Furthermore, there will be no effect on Indian fishing rights that are farther out in Sinclair Inlet. At Bremerton the Proposed Action Alternative does not require dredging, so there will be no impact on any submerged maritime archaeological sites. The Navy is not aware of any historic or cultural resources located at the Brownsville, TX, disposal facilities.

Pursuant to the NHPA, the Navy has determined that the Proposed Action will have an adverse effect on the ship, a historic property; however, the Navy has implemented the measures described in the ACHP Program Comment to mitigate this adverse effect. The Proposed Action will not affect other cultural or historic property. In accordance with NEPA, the Proposed Action will not have a significant impact on cultural resources.

Water Resources. The Proposed Action does not require a discharge permit; thus, the impact on water resources will be minimal and temporary. Some new or maintenance dredging may be needed to be done by the contractor that receives the delivery order to expand the length and width of an existing dismantling slip. Should any new or maintenance dredging be necessary, it would be conducted by the dismantling contractor in accordance with existing permits. This permitted dredging would be in compliance with Federal laws. Potential impacts include localized and temporary increases in suspended solids or turbidity in shallow water resulting from towing operations. No permanent impacts are expected to water and sediment quality. Ex-RANGER will be towed in deep water in accordance with the Navy Tow Manual to reduce sediment disturbance. Thus, the Proposed Action will not have a significant impact on water resources under NEPA.

Coastal Resources. The removal of the aircraft carrier ex-CONSTELLATION from INACTSHIPMAINTO Bremerton was discussed with the Washington Department of Ecology and concurrence was reached (via email on July 14, 2011) that the Proposed Action will not have an impact on any coastal use or natural resource of the

coastal zone. As the removal and tow of ex-RANGER is duplicative to the removal and tow of ex-CONSTELLATION, the Navy concluded there would be no impact to towing ex-RANGER to any coastal use or natural resource of the coastal zone in the State of Washington. The transit of ex-RANGER will enter into the coastal zone of Texas. None of the enforceable policies of the Texas Coastal Management Plan are applicable to the Proposed Action. Following a discussion with the State of Texas, the Navy received written concurrence for a negative determination in April 2014. The two negative determinations are appended to the EA/OEA. Therefore, in accordance with the CZMA, the Proposed Action will have no effect on any coastal use or resource, and no significant impacts to coastal zone resources under NEPA.

Biological Resources. The removal of ex-RANGER from INACTSHIPMAINTO Bremerton and her dismantling may result in potential impacts to benthic communities from tow vessel propeller wash and exposure to contaminants from dismantling. In Bremerton, the benthic communities' exposure to contaminants resulting from the removal of ex-RANGER from her berth is expected to be short-term, with a return to previous ambient conditions. No significant impacts would occur. In Brownsville, any potential impacts from propeller wash are expected to be less than significant due to the high level of existing boat traffic near the dismantling facilities, the very slow speed of tug-assisted transport of the ex-RANGER near shore, and the unlikely presence of sensitive species in vicinity of the industrial dismantling facilities. Dismantling activities are considered routine operations at these facilities and compliance with Federal and state permits and regulations will prevent discharge of contaminants into the environment. The Proposed Action will have no significant impact to benthic communities under NEPA.

Towing can cause sediments and contaminants to be suspended in nearby waters which could potentially impact fish. Minor to no impact is anticipated for mobile fish species that can readily avoid the temporary disturbance and potentially increased turbidity in the water column that may occur because of towing activities. The ex-RANGER is not expected to come into contact with Essential Fish Habitat (EFH) during the tow in the open ocean or enroute to the dismantling facility in Brownsville. While EFH for salmon does exist in Bremerton, the Navy has determined the Proposed Action will have no effect on EFH as defined by the Magnuson-Stevens Act (MSA) at this location. Therefore, in accordance with the MSA, the Proposed Action will have no effect on EFH, and there would be no significant impact

to EFH under NEPA, and no significant harm to EFH under E.O. 12114.

On July 8, 2014, the Navy's Inactive Ships Office initiated informal consultation with the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, pursuant to Section 7(a)(2) of the Endangered Species Act to evaluate the level of risk to biota that would be associated with towing ex-RANGER through the waters of the United States and overseas. This initial consultation had been preceded by research conducted by the Navy's subject matter experts on towing and the potential injuries to whales and other biota that could occur during the towing of ex-RANGER. See the "Biological Analysis for Species Listed Under the Endangered Species Act for the Towing of Inactive Ships," June 2014, and "Addendum to the Biological Evaluation," September 2014, prepared by Naval Undersea Warfare Center Division, Environmental Division, Mission Environmental Planning Program, Newport, RI, included in the Appendix to the EA/OEA.

The threatened or endangered species for which the Navy initiated consultation included marine mammals (Blue whale, *Balaenoptera musculus*, Fin whale *Balaenoptera physalus*; Humpback whale, *Megaptera novaeangliae*; Sei whale, *Balaenoptera borealis*; Sperm whale, *Physeter macrocephalus*); and sea turtles (Green turtle, *Chelonia mydas*; Hawksbill turtle, *Eretmochelys imbricate*; Kemp's ridley turtle, *Lepidochelys kempii*; Leatherback turtle, *Demochelys coriacea*; Loggerhead turtle, *Caretta caretta*; Olive ridley turtle, *Lepidochelys olivacea*). The NMFS consultation also included Endangered Species Act (ESA)-listed corals present along the tow route: Staghorn coral, *Acropora cervicornis*; Elkhorn coral, *Acropora palmate*; *Dendrogyra cylindrus*, *Mycetophyllia ferox*, *Orbicella annularis*, *Orbicella faveolata*, and *Orbicella franksi*.

On 17 November 2014, NMFS concurred with the Navy's finding that the Proposed Action of this EA/OEA may affect, but is not likely to adversely affect the threatened or endangered species for which the Navy initiated consultation. The NMFS concluded that the likelihood that a vessel strike or encounter with a tow cable will occur is so low as to be discountable, due to the slow speed of the tug and towed vessel in concert with the relatively short period that the ex-RANGER would be transiting habitats where the most susceptible species are most likely to be encountered. Further, the NMFS concluded that the likelihood of the tug and/or tow sinking and resulting in pollution of the marine environment, and that pollution affecting listed species

or critical habitats, to be so low as to be discountable. The NMFS also concluded that the likelihood of invasive biofouling species establishing new populations in the Port of Brownsville, those species spreading from the Port of Brownsville by natural or anthropogenic means, and of those species resulting in direct or indirect effects to listed species is so low as to be discountable.

Tow vessels will follow the NMFS "Vessel Strike Avoidance Measures and Reporting for Mariners" document to reduce the potential of vessel strikes to marine species. Pursuant to the informal consultation held between the Navy and NMFS under Section 7 of the ESA, to further reduce the potential for a vessel strike to protected species, the Navy will employ the following mitigation measures that were specified in the consultation:

- Whenever marine mammals or sea turtles are sighted, the tug's crew will increase vigilance and take reasonable and prudent actions to avoid collisions and other activities that might result in close interactions between the vessels and animals. Actions may include changing speed and/or direction as dictated by environmental and other conditions (e.g., safety, weather). The Navy will ensure crew are adequately trained to spot and identify marine mammals and sea turtles.
- The tug and tow will avoid Dynamic Management Areas (DMA) for right whales to the maximum extent practicable. If towing is to occur within a DMA, the tug and tow will reduce speeds to 10 knots or less while transiting through these areas in accordance with 50 CFR 224.105, 9 December 2008. Tugboat operators would be required to follow the NOAA/NMFS Vessel Strike Avoidance Measures and Reporting for Mariners to reduce the potential of vessel strikes to marine species. Navigational lookouts would be alert for marine mammals entering the line of travel for the vessel.
- Any interaction between contracted tug vessels and listed species will be logged by contracted tug operators. Data from these logs will be reported annually to the NMFS Office of Protected Resources.

Thus, the Navy has concluded in this EA/OEA that the Proposed Action may affect, but is not likely to adversely affect, threatened or endangered species during towing, specifically those

species of marine mammals, and sea turtles for which the Navy consulted with NMFS, as listed above. The Proposed Action will have no effect on other threatened or endangered species which were not consulted upon or included in the NMFS consultation response to the Navy: (In the vicinity of INACTSHIPMASINTO Bremerton) Puget Sound Chinook, *Onchorhynchus tsawtscha*; Puget Sound Steelhead, *Onchorhynchus mykiss*; Georgia Basin/Puget Sound Bocaccio DPS, *Sebastes paucispinis*; Georgia Basin/Puget Sound Yelloweye Rockfish DPS, *Sebastes ruberrimus*; Georgia Basin/Puget Sound Canary Rockfish DPS, *Sebastes pinniger*; Coastal/Puget Sound Bull Trout, *Salvelinus confluentus* (In the vicinity of Brownsville, TX)– West Indian manatee, *Trichechus manatus*. Under the Magnuson-Stevens Act, the Proposed Action will have no effect on Essential Fish Habitat. Under the Marine Mammals Protection Act, no reasonably foreseeable takes of marine mammals are expected. There would be no significant impact/harm to biological resources under NEPA or E.O. 12114.

Air Quality/Climate Change. Both the existing berthing location for ex-RANGER, in Bremerton, WA, and the dismantling location, Brownsville, TX, are in Air Quality Control Districts designated in attainment for all criteria pollutants and not subject to the Clean Air Act General Conformity Rule. There will be no increase in the air quality impacts, including greenhouse gas (GHG) emissions, at INACTSHIPMAINTO Bremerton from the Proposed Action as the vessel will be removed from the site. As ex-RANGER is non-operational, no emissions will be generated by the vessel during towing. Tugboats used during towing operation will cause minor but temporary increases of marine vessel air emissions. These increases are expected to quickly dissipate. In general, ship recycling activities could result in temporary minor, localized impacts to air quality. However, ship dismantling activities that comply with applicable rules and regulations will not significantly impact air quality; the Brownsville dismantling facilities will have all required permits. Therefore, the Proposed Action will have no significant impact on air quality including GHG emissions under NEPA.

Cumulative Impacts. Cumulative effects of the Proposed Action in combination with other past, present, or reasonably foreseeable future actions were analyzed and determined not to be significant.

Finding: Based on the analysis in this EA/OEA, the Department of the Navy finds that the Proposed Action will not significantly impact the quality of the human environment

pursuant to the National Environmental Policy Act, and will not result in significant harm to the environment in international waters pursuant to Executive Order 12114. The EA/OEA addressing this action may be obtained by interested parties by contacting Mr. James Poles, Environmental Project Manager, Navy Inactive Ships Office, at (202) 781-0149.

12/17/2014
Date



J. F. Brice
By Direction