



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVE SE
WASHINGTON NAVY YARD DC 20376-0001

IN REPLY TO

5090

Ser 04R/052

JUL 28 2011

From: Commander, Naval Sea Systems Command
To: Deputy Commander for Surface Warfare

**Subj: FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR DISMANTLING
OF SUPERCARRIER EX-FORRESTAL (AVT-59)**

Ref: (a) OPNAVINST 5090.1C
(b) Environmental Assessment for Dismantling of
Supercarrier ex-FORRESTAL (AVT-59) July 2011
(c) Memorandum of Legal Review re: Dismantling of
Supercarrier ex-FORRESTAL (AVT-59)

Encl: (1) Finding of No Significant Impact (FONSI) for
Dismantling of Supercarrier ex-FORRESTAL (AVT-59)

1. In accordance with reference (a), reference (b) was forwarded to NAVSEA for review and decision. NAVSEA conducted a technical review of reference (b) and found that the dismantling of ex-FORRESTAL (AVT-59) will not significantly impact the environment. An Environmental Impact Statement (EIS) will not be needed for the proposed action.

2. Reference (b) was also reviewed by NAVSEA counsel and found to be legally sufficient in a memorandum dated 1 July 2011 (reference (c)).

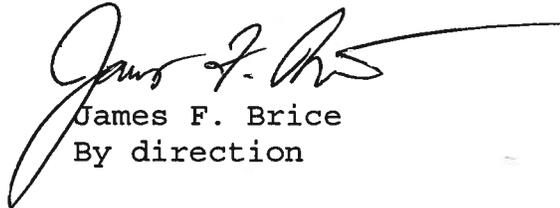
3. Enclosure (1) is the signed Finding of No Significant Impact documenting the NAVSEA decision for the proposed action.

4. Council on Environmental Quality regulations require public notification of the availability of the EA, FONSI, and the decision not to prepare an EIS. Enclosure (1) should be provided to local newspapers for publication and mailed to interested parties. Please provide NAVSEA 04RE verification of local newspaper publication.

5. Subject to the implementation of actions identified above, compliance with the National Environmental Policy Act has been completed and the project may be initiated.

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6. Questions regarding this FONSI may be directed to Ms. Susan
Levitt, NAVSEA 04RE, at (202) 781-4828, or send email to
susan.levitt@navy.mil.



James F. Brice
By direction

Copy to:
CNO (Code N456)
PMS 333

**DEPARTMENT OF DEFENSE
DEPARTMENT OF THE NAVY**

**FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR DISMANTLING OF
SUPERCARRIER EX-FORRESTAL (AVT-59)**

Pursuant to the Council on Environmental Quality regulations (40 Code of Federal Regulations §§ 1500-1508) implementing procedural provisions of the National Environmental Policy Act (NEPA), the Department of the Navy (DON) gives notice that an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) have been prepared for the dismantling of supercarrier ex-FORRESTAL (AVT-59), which is currently moored at the NAVSEA Inactive Ships On-Site Maintenance Office (INACTSHIPMAINTO), Philadelphia, PA. An Environmental Impact Statement (EIS) is not being prepared.

Proposed Action:

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

The Proposed Action would be to award a dismantling contract to a technically acceptable domestic ship dismantling company, which would then tow the vessel to its facility and dismantle her in accordance with applicable Federal, state and local laws and regulations. The Proposed Action is needed to execute Chief of Naval Operations (CNO) policy for ships designated for disposal, reduce the Navy's inactive ship inventory, and eliminate the costs associated with continuing to maintain the ship in a safe stowage condition.

If the Navy decides to implement the Proposed Action, neither construction of new facilities, dredging, nor modifications to existing facilities would be required. The vessel is non-operational (no propeller rotation or water intakes/discharges); therefore, due to the size of the ship, the use of one or more assist tug boats would be required. Ship dismantling contracts include a clause that requires the contractor to comply with all applicable Federal, state and local environmental and occupational safety and health laws and regulations.

Existing Conditions:

INACTSHIPMAINTO is located in the Philadelphia Naval Business Center (PNBC) on League Island on the north side of the Delaware River and East of the Schuylkill River, at their meeting point

in Philadelphia County, Pennsylvania. INACTSHIPMAINTO has been in continual use for inactive ships for over sixty years.

Alternatives Analyzed: The Proposed Action may be implemented at private sector facilities located in one of two alternative locations (1) Sparrows Point, MD; or (2) Brownsville, TX. The EA analyzes two Proposed Action Alternatives and the No-Action Alternative.

The Proposed Action is to contractually transfer the ex-FORRESTAL to a commercial ship recycling facility that has the capability of dismantling a carrier of this size and would not require construction of any new facilities or dredging. The towing, done by the contractor, would meet the requirements for safety, navigation, environmental, and other safeguards. All recycling/dismantling activities would be conducted in compliance with applicable Federal and state environmental laws.

If the Government is unable to award a dismantling contract, the No-Action alternative would result by default. The No-Action alternative includes continuous berthing of ex-FORRESTAL at INACTSHIPMAINTO Philadelphia, PA.

If the vessel is not removed from the inactive ship inventory, there would continue to be costs associated with maintaining the ship in a safe stowage condition.

The No-Action alternative does not meet the Navy's operational need to remove the vessel from the Navy's inactive ship inventory and results in continued expense to maintain the ship in a safe stowage condition.

Alternatives Considered but Eliminated: Five other possible methods of ship disposal were considered. Fleet training exercises result in the destruction of the ship; however, there is currently a CNO moratorium on sinking exercises (SINKEX). A Foreign Military Sale Transfer alternative is not feasible as the Department of Defense prohibits the sale of aircraft carriers to foreign militaries. Title transfer to the Maritime Administration is only applicable to merchant-type ships. Artificial reefing is not feasible due to extensive presence of polychlorinated biphenyl (PCB) containing solid materials onboard. Donation transfer was attempted when the vessel was available for donation as a museum or memorial for six years; unfortunately, the Navy never received a satisfactory ship donation application.

Environmental Effects: The EA presents a review and analysis of the potential environmental impacts associated with the two Proposed Action Alternative locations, which are: Sparrows Point, MD; and Brownsville, TX, including the towing of the ship to these locations; as well as the No-Action Alternative. Impacts to relevant resources that were evaluated include cultural resources, water resources, biological resources, and air quality. This EA demonstrated that implementation of either of the Proposed Action Alternatives would result in no significant impacts to the human environment.

The Navy notified, or informally consulted with, the following regulatory agencies: the National Council for State Historic Preservation Officers (NCSHPO), the Historic Naval Ships Association, and the USS Forrestal Association, Inc., for the environmental impacts of dismantling ex-FORRESTAL. There is an existing Coastal Consistency Negative Determination (CCND) from the Pennsylvania Department of Environmental Planning (PADEP) for vessel movements at INACTSHIPMAINTO Philadelphia. Therefore, removal of the vessel from INACTSHIPMAINTO would not adversely affect resources or uses within the Coastal Zone.

Cultural Resources. Ex-FORRESTAL is eligible for listing on the National Register of Historic Places (NRHP). As the Proposed Action is disposal of the vessel, there would be an adverse effect on a cultural resource; however, through following the Program Comment for the Department of the Navy for the Disposition of Historic Vessels, effects would be mitigated. Program Comment mitigation actions for the ex-FORRESTAL are expected to include: (1) Recordation in the Naval Vessel Register; (2) Assembly of historically significant records (e.g., ships' deck logs, war diaries, command history) to be made available to the public at the Naval History and Heritage Command (NHHC); (3) Priority to be given to updating USS FORRESTAL history in the Dictionary of American Naval Fighting Ships; and ((4) The Booklet of General Plans and last Board of Inspection and Survey report will be declassified and deposited with the National Archives and Records Administration. Two Program Comment mitigation actions have already been completed for the ex-FORRESTAL: (1) considering the vessel for donation, and; (2) making the vessel available for stripping by existing museums.

INACTSHIPMAINTO is within the Philadelphia Naval Shipyard Historic District, which is listed on the NRHP; however, the Proposed Action does not require construction or modification to existing facilities. No historic or cultural resources are

located at the two alternative locations. Therefore, other than the vessel itself, the Proposed Action would not affect areas that contain or are likely to contain significant archeological resources, historic architectural resources, or traditional cultural resources.

Water Resources. The Proposed Action does not require dredging or a discharge permit; thus, the potential impact on water resources would be minimal and temporary. Potential impacts include localized and temporary increases in suspended solids or turbidity in shallow water. No significant or permanent impacts are expected to water and sediment quality. Ex-FORRESTAL will be towed in deep water in accordance with the Navy Tow Manual to reduce sediment disturbance.

Biological Resources. Potential impacts on biological resources include propeller wash from tow vessels and exposure to contaminants from the vessel. Given the boat traffic near the facilities, tug-assisted transport of the vessel at very slow speeds near shore, and the unlikely presence of species in vicinity of the industrial dismantling facilities, any potential impacts were determined to be less than significant. Moreover, dismantling of the vessel could occur using the in water/slip methods. Dismantling activities are considered routine operations at these facilities and compliance with Federal and state permits and regulations would prevent discharge of contaminants into the environment. The Proposed Action is not expected to have significant impacts on biological resources.

Tow vessels would follow the National Marine Fisheries Service (NMFS) "Vessel Strike Avoidance Measures and Reporting for Mariners" document to reduce the already minimal potential of vessel strikes to marine species. The Proposed Action would have no effect on threatened and endangered species. In addition, there would be no reasonably foreseeable takes of marine mammals and migratory birds. Further, there would be no effect on Essential Fish Habitat. No significant impacts to wetlands are expected.

Air Quality. The Proposed Action would partially occur in the Southeast Pennsylvania Air Basin and the Metropolitan Baltimore Intrastate Air Quality Control Region, which have both been classified as being in Federal moderate nonattainment for the 8-hour ozone standard, and nonattainment for fine particulate matter equal to or less than 2.5 microns in size (PM_{2.5}). The Brownsville, TX, alternative location is designated in attainment for all criteria pollutants and is not subject to the Clean Air Act General Conformity Rule. Based on the air quality

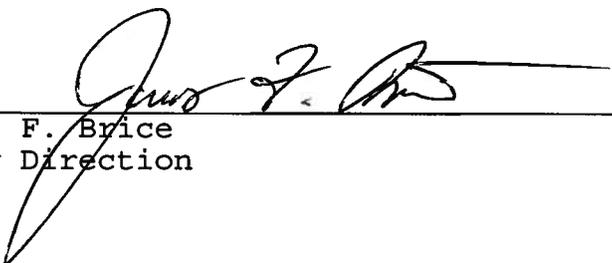
analysis for the Proposed Action in Pennsylvania, the towing of the vessel qualifies as a "routine movement" in accordance with 40 C.F.R. § 93.153 (c) and is exempt from formal conformity determination. In addition, the towing activities of the tug vessels are *de minimis* actions. In general, ship recycling activities could result in temporary minor, localized impacts to air quality. However, ship dismantling activities that comply with applicable rules and regulations would not significantly affect air quality; dismantling facilities have all required permits. Therefore, a Record of Non-Applicability (RONA) for Clean Air Act Conformity was approved and signed on 25 July 2011. The RONA is prepared to satisfy the General Conformity Rule under Section 176(c) of the Clean Air Act, for the Proposed Action in a nonattainment or maintenance area.

The project sites, in Philadelphia and at the two alternative locations, are located in developed areas along the waterfront and have restricted access. The Proposed Action would not adversely affect cultural resources (other than the ship itself) and would not significantly impact water resources, biological resources, or air quality. The Navy has an existing Pennsylvania CCND under the Coastal Zone Management Act for vessel movements at INACTSHIPMAINTO Philadelphia. The coastal regulator, PADEP, has agreed that the Proposed Action is consistent to the maximum extent practicable with the state Coastal Resources Management Plan and would not impact resources or uses within the Coastal Zone.

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 information gathered during preparation of the EA, the Department of the Navy finds that implementing the Proposed Action will not significantly impact the quality of the human environment. The EA addressing this action may be obtained by interested parties by contacting Mr. Glen Clark at (202) 781-0498.

7/28/2011
Date



J. F. Brice
By Direction