

## **FINDING OF NO SIGNIFICANT IMPACT / FINDING OF NO SIGNIFICANT HARM FOR NAVY CONVENTIONAL PROMPT STRIKE WEAPON SYSTEM FLIGHT TESTS**

**AGENCY:** Department of the Navy

**BACKGROUND:** The Department of the Navy (Navy) has prepared an Environmental Assessment (EA) / Overseas Environmental Assessment (OEA) to analyze potential environmental impacts from conducting proposed Conventional Prompt Strike (CPS) weapon system (missile) flight tests in both Atlantic and Pacific Ocean regions. Testing would consist of up to eight flight test launches per year at various sea-based launch locations conducted over a 10-year period. All flight tests would be at-sea missile tests launched from existing naval vessels using ocean-based or land-based locations for targets. Several existing United States (U.S.) military ranges and broad ocean areas (BOAs) in the western Atlantic Ocean, and in the eastern, central, and western Pacific Ocean, have been considered for the tests.

The Navy, supported by the U.S. Army Space and Missile Defense Command, prepared an EA/OEA in accordance with the following regulations, statutes, standards, policies, and procedures:

- National Environmental Policy Act (NEPA) of 1969, as amended (42 United States Code Part (§) 4321 et seq.)
- Executive Order 12114 (Environmental Effects Abroad of Major Federal Actions)
- President's Council on Environmental Quality regulations for implementing NEPA (40 Code of Federal Regulations [CFR] Parts (§§) 1500-1508)
- Department of Defense (DoD) regulations for implementing Executive Order 12114 (32 CFR § 187, Environmental Effects Abroad of Major Department of Defense Actions)
- Navy environmental policy (Chief of Naval Operations [OPNAV] Instruction [OPNAVINST] 5090.1E [Environmental Readiness Program] and the accompanying OPNAV Manual 5090.1 [OPNAV M-5090.1])
- Navy policies for implementing NEPA (32 CFR § 775 et seq.)
- Environmental Standards and Procedures for U.S. Army Kwajalein Atoll (USAKA) Activities in the Republic of the Marshall Islands, 17<sup>th</sup> Edition; hereafter referred to as the USAKA Environmental Standards or UES

**DESCRIPTION OF THE PROPOSED ACTION:** The Proposed Action is to perform Navy CPS weapon system flight tests in a sea-based environment. The Proposed Action would consist of up to eight flight test launches at up to eight different sea-based launch locations per year, conducted over a 10-year period beginning in fiscal year 2025. The CPS all-up-round (AUR) missile is composed of a two-stage vehicle missile body and a Common Hypersonic Glide Body payload. Each flight test would involve pre-test preparations and operations, at-sea vehicle launch, vehicle flight over a BOA, booster splashdown in the BOA, payload impact at either an ocean or land target site, and post-test operations. The proposed flight tests would be conducted within broad Atlantic and Pacific Ocean areas.

**PURPOSE OF AND NEED FOR THE PROPOSED ACTION:** The purpose of the Proposed Action is to perform tests in a sea-based environment to prove the Navy CPS weapon system meets all key performance requirements for operational use. Key performance requirements

include demonstrating weapon system effects on targets, demonstrating applicable design features and operating procedures, and demonstrating operational effectiveness in a realistic environment. Testing the CPS weapon system at sea is needed to establish and verify CPS capabilities required to enhance U.S. options to respond to time-sensitive threats, thereby maintaining technical superiority against adversaries. The successful development and eventual fielding of the CPS weapon system has been identified as a national security priority by the DoD with the full support of the President's Administration and the U.S. Congress. The proposed series of CPS at-sea missile flight tests will allow the Navy to collect data needed to further demonstrate that weapon system development efforts have been successful. This includes the safe, timely, and effective integration of the weapon system into surface ship and submarine-based platforms, enabling its operational deployment for use in sea-based environments.

**ALTERNATIVES CONSIDERED:** To meet CPS program objectives for the Proposed Action, alternatives must satisfy the following criteria:

- Support sea-based launch areas and missile flight corridors which allow flight testing over the entire performance envelope required to fully demonstrate CPS weapon system performance.
- Support flight testing in both the Atlantic and Pacific regions to meet requirements for system certification for fleet use in both regions.
- Include viable sea-based payload target sites or architecture that meets CPS performance and safety requirements.
- Include viable land-based payload target site(s) that meet CPS program performance and safety requirements.
- Include target sites, land- or sea-based with existing sensors capable of collecting the data required to demonstrate CPS payload system performance or sites suitable for deployment of required sensors.
- Locations which support initial CPS weapon system flight testing by the fourth quarter of fiscal year 2025.

Only one alternative has been identified which meets the Navy's screening criteria for the Proposed Action. One alternative (the Preferred Alternative or Proposed Action) and a No Action Alternative were analyzed in the EA/OEA.

**Preferred Alternative:** The Preferred Alternative is to implement the CPS flight test launches in both the Atlantic and Pacific Ocean regions. The Preferred Alternative would integrate a series of existing ranges, operational areas (OPAREAs), and BOAs in order to test the effectiveness of the CPS weapon system. All CPS vehicle launches would occur at sea from existing naval vessels while using ocean-based or land-based locations for targets. Under the Preferred Alternative, locations for CPS payload target sites would include ocean-based sites in Atlantic and Pacific BOAs and at the Kwajalein Missile Impact Scoring System (KMISS) in Kwajalein Atoll in the Republic of the Marshall Islands, and one land-based target site at Illeginni Islet in the Republic of the Marshall Islands. Floating target rafts would be utilized for a subset of flight test events involving payload impact in the Pacific and Atlantic BOAs. The flight tests would be supported by several existing U.S. military installations, ranges, and range complexes located in the Atlantic and Pacific Ocean regions.

**No Action Alternative:** Under the No Action Alternative, the Navy would not conduct sea-based CPS weapon system flight testing. While CPS weapon system testing would not occur,

DoD testing and training activities within existing naval OPAREAs, sea ranges, range complexes, and other DoD training and testing areas in the CPS study area would continue. By not implementing the Proposed Action, the Navy would not be able to achieve the goal of proving that the new hypersonic weapon system meets all key performance requirements for deployment to sea-based platforms or operational use in a sea-based environment.

**Alternatives Not Carried Forward:** Several alternatives were identified which would not satisfy the alternative selection criteria listed above and therefore were not carried forward for analysis in the EA/OEA. Alternatives not carried forward included:

- **Simulation and Laboratory Testing.** Although computer simulations, modeling, and other laboratory tests are being applied to the design and early evaluation of the CPS weapon system, such methods cannot provide all of the information needed to satisfy mission requirements (e.g., verify system operation and performance). In order to fully test the operational aspects and effectiveness of a new weapon system, the Navy's systems commands require access to realistic environments for testing. Alternatives that relied solely on such methods would not satisfy the purpose and need of the Proposed Action, and thus were eliminated from further consideration.
- **Land-Based Target Sites.** As part of the alternative selection process for the Proposed Action, the Navy assessed available DoD land-based ranges in the Pacific and Atlantic study areas. The Navy identified two Navy ranges in the Pacific study area which include land-based testing sites: the Mariana Islands Range Complex which includes the island of Farallon de Medinilla, and the Point Mugu Sea Range which includes a land target site on San Nicolas Island. After conducting an evaluation of the suitability of the Farallon de Medinilla and San Nicolas Island land impact sites for Navy CPS flight testing, the Navy determined that the sites do not meet the alternative selection criteria and were not carried forward for analysis in the EA/OEA.
- **Ocean-Based Floating Target Platforms.** In addition to floating target rafts, the Navy considered a range of floating targets or platforms for use in CPS testing including existing surface ships that have been decommissioned by the Navy, and welded steel, oceangoing deck barges. If damage to the target ship or barge was too extensive, such that towing it to port would present a hazard to navigational safety for the tug or other vessels, then the damaged vessel may have needed to be sunk in place. This sinking would have occurred in a manner similar to the Navy's Sinking Exercise program, also known as SINKEX (OPNAV M-5090.1). After conducting an evaluation of the suitability of using decommissioned Navy ships or deck barges for Navy CPS flight tests, the Navy has determined that inclusion of decommissioned Navy ships and barges as target platforms, and the potential sinking of these target platforms as alternatives, was not required to prove CPS weapon system performance. Additionally, the current SINKEX program would not support flight test requirements over the entire CPS flight testing performance envelope due to current operational range limitations. Therefore, the use of decommissioned vessels and barges as floating targets and SINKEX operations were not carried forward for analysis in the EA/OEA.

**SUMMARY OF ENVIRONMENTAL CONSEQUENCES OF THE PROPOSED ACTION:** The EA/OEA evaluated the potential impacts to the human and natural environment from implementing the CPS weapon system flight test program under the Preferred Alternative. The No Action Alternative was also evaluated as a requirement of NEPA to serve as a baseline from which to analyze the effects of not implementing the test program. Impact analyses in the EA/OEA focus on issues or topics of importance or concern. Sixteen resource areas, or topics,

were identified for consideration when evaluating the potential environmental consequences of the Proposed Action. Resource topics were retained for detailed analyses in the EA/OEA if the resource topic was of particular interest or concern, if potential impacts were of critical importance, if there were potentially significant impacts, or if a detailed analysis was necessary to make an informed selection among alternative actions. The Proposed Action would have negligible and insignificant impacts on several resource topics and these topics did not meet the importance or interest criteria. These resource topics were not carried forward for detailed analysis in the EA/OEA, including airspace management, noise, land use, infrastructure and utilities, socioeconomics, transportation, visual resources, and coastal zone management.

The environmental consequences of the Proposed Action for air quality, cultural resources, biological resources, geology and soils, water resources, hazardous materials and waste management, environmental justice, and health and safety were evaluated in detail in the EA/OEA. As described in the EA/OEA, there would be no significant direct, indirect, or cumulative environmental impacts to these resource topics from implementation of the Proposed Action under the Preferred Alternative. Potential impacts on these resource topics, as analyzed in the EA/OEA, are summarized here.

**Air Quality:** Potential impacts of the Proposed Action on air quality were based on estimated direct and indirect emissions associated with the Proposed Action. No significant impacts to air quality would occur in the Atlantic and Pacific BOAs, KMISS, and Illeginni Islet with implementation of the Proposed Action. The estimated annual emissions that would be generated by the CPS AUR vehicle would not exceed the Prevention of Significant Deterioration significant indicator levels for pollutants of concern. Implementation of the Proposed Action in the BOAs would contribute directly to emissions of greenhouse gases from the combustion of the rocket propellant. Carbon dioxide and carbon dioxide equivalent emissions data for the CPS AUR are not available. However, based on estimates derived through comparison with similar flight test vehicles, CPS AUR emissions would have a negligible impact on global emissions of greenhouse gases.

At Illeginni Islet, payload impact would result in fugitive dust and impact may volatilize minor quantities of some contaminants. However, it is anticipated that any emissions associated with impact would be within the UES air quality standards.

The potential greenhouse gas emissions from CPS flight tests would not result in noticeable effects to climate change. Emissions released over the BOA during flight tests to Illeginni Islet and KMISS would add to the overall global loading of chlorine and other gases that contribute to long-term ozone depletion. However, impacts would not be significant because the amount of emissions released from rocket motors is negligible.

**Cultural Resources:** There are no identified cultural resources with the potential to be affected along the possible flight paths over the ocean or in the Atlantic and Pacific BOAs. Therefore, there would be no adverse effects to cultural resources within the Atlantic and Pacific BOAs from the CPS flight tests.

No significant impacts are anticipated to occur to archaeological or historic resources at Illeginni Islet. Under the Proposed Action, the existing range target site on the west end of Illeginni Islet would be used as a target for CPS flight tests. Previous archaeological investigations of Illeginni Islet have not found indigenous cultural materials nor evidence of subsurface archaeological deposits. The seven buildings, located in the center and east end of the islet (away from the target site), are eligible for listing in the Republic of the Marshall Islands National Register of

Historic Places (three of which are historically significant) but would not be impacted by proposed activities. No interactive or additive effects have been identified which would contribute to cumulative effects on cultural resources. Therefore, the Proposed Action in conjunction with other actions would not result in cumulative effects on cultural resources.

**Biological Resources:** The Proposed Action has the potential to impact biological resources through exposure to elevated sound levels, direct contact from test components, exposure to hazardous materials, and increased human activity and equipment operation. Overall, there would be no significant impacts to biological resources, including special status resources, with implementation of the Proposed Action.

Sources of elevated sound levels include launch, vehicle flight, component splashdown, and payload impact. Potential effects of elevated sound pressures on wildlife can include permanent or temporary physical injury or behavioral modification. Given the limited number of tests per year (maximum eight per year over 10 years) and the best available information on population densities and distributions, elevated sound pressures would not change the relative population size or distribution of any wildlife species in the study areas. For special-status species (including marine mammals and sea turtles), which generally have low densities in the study areas, the chances of animals being exposed to sound pressures high enough to cause physical injury are extremely low. Elevated sound levels might cause wildlife to quickly react, briefly altering their normal behavior, but wildlife are expected to return to normal behaviors within minutes of the short duration sounds. No long-term behavioral effects or meaningful health effects are expected for any special-status species. The impacts of elevated noise levels on wildlife, including special-status species, would be negligible to moderate.

Biological resources may be impacted by direct contact from test components entering marine habitats in the BOAs and KMISS and from payload impact at Illeginni Islet. In the BOAs and KMISS, falling components would enter marine habitats and have the potential to injure marine organisms. Direct contact from flight test components is not expected to have a discernable or measurable impact on benthic or planktonic invertebrates or vegetation populations because of their abundance and wide distribution. The potential exists, however, for impacts to larger vertebrates in the open ocean area, particularly those that must come to the surface to breathe (e.g., marine mammals and sea turtles) or that feed at the surface (e.g., seabirds). The number of expected marine mammal and sea turtle exposures to direct contact from vehicle components was calculated based on the dimensions of CPS vehicle components and the best available information on species densities in the BOAs and KMISS. It is very unlikely that special status wildlife would be exposed to direct contact. Overall, direct contact would have minor to no impact on marine wildlife in the BOAs.

At Illeginni Islet, the payload as well as impact debris and ejecta have the potential to impact marine and terrestrial biological resources. Because the land impact site is regularly used for DoD testing and vegetation around the helipad areas is managed, vegetation at the impact site is highly disturbed and unlikely to be negatively impacted by proposed activities. With implementation of conservation and mitigation measures detailed in the EA/OEA, birds in and near the payload impact site are unlikely to be affected by direct contact and the impacts would be minor to moderate. Because sea turtles are unlikely to occur in terrestrial habitats on Illeginni Islet and because protective mitigation measures would be in place, there would be no impact of direct contact on sea turtles on land or sea turtle nests. A shoreline payload impact is not planned or expected and is considered unlikely. However, there is a chance that marine wildlife in nearshore reef habitats may be impacted by direct contact from natural debris ejected during crater formation or from shock waves. Several reef-associated fish, coral, and mollusk species

protected under the UES are known to occur in the nearshore waters of Illeginni Islet and have the potential to be injured by ejecta entering reef habitats. Because UES consultation species might be affected by the Proposed Action, the Navy has consulted with UES Appropriate Agencies under requirements of the UES. While direct contact and shock waves have the potential to affect animals, the Proposed Action is not likely to change the relative distribution of the species or jeopardize their populations or recovery because the number of affected animals would represent only a small fraction of the total number found at Illeginni Islet and across Kwajalein Atoll. Direct contact would have negligible to moderate impacts on marine wildlife in nearshore waters at Illeginni Islet.

Biological resources may be affected by exposure to hazardous materials entering habitats or by ingestion of debris from proposed activities. Any hazardous materials introduced into marine habitats are not expected to have a discernable or measurable impact on benthic or planktonic wildlife or vegetation populations because of their abundance, their distribution, and the protective influence of the mass of the ocean around them. Due to the low density and patchy distribution of special-status species in the BOAs, the likelihood of an animal coming into contact with hazardous materials or chemicals in concentrations high enough to cause harm would be extremely low. At Illeginni Islet, all visible test debris, equipment, and project-associated waste would be cleaned-up and removed, as practicable. Only trace amounts of hazardous materials are expected to remain in terrestrial areas. Operation of support equipment would not involve any intentional discharge of hazardous materials and spill prevention and response measures would be in place for operations. Overall, there would be negligible impact to biological resources from hazardous materials.

Increased human activity and equipment operation would occur within the BOAs and at Kwajalein Atoll for several weeks surrounding a flight test event. Implementation of the Proposed Action would involve vessel activity before and after a flight test for sensor placement as well as equipment and personnel transport but would not meaningfully increase vessel traffic at proposed locations. With implementation of standard operating procedures and established Navy mitigation measures, special-status marine wildlife are unlikely to be struck by vessels operating for the Proposed Action, and the vessel traffic would have minor to no impacts on marine biological resources. Birds in and near the payload impact site on Illeginni Islet may be disturbed by human activity and equipment operation. However, mitigation measures would be in place to reduce the potential for impacts to nesting birds. Some birds may leave the area during the period of human activity and equipment operation, but no physical injury or nest abandonment is expected. Hauled-out or nesting sea turtles are unlikely to occur on Illeginni Islet and no proposed activities would occur in beach habitats. The impacts of human activity and equipment operation on terrestrial wildlife would be negligible to minor.

Cumulative effects on biological resources in the BOAs and at Kwajalein Atoll have likely occurred due to past military actions, commercial and subsistence fisheries, and the impacts of climate change. When considered alone, the Proposed Action would have negligible to moderate impacts on biological resources. No effects of the Proposed Action have been identified that would have substantial additive contributions to cumulative effects on biological resources. Based on the relatively small scale of proposed activities and the best available information regarding cumulative impacts in the study area, the Proposed Action would have negligible to minor contributions to cumulative effects on biological resources.

**Geology and Soils:** In the Atlantic and Pacific BOAs, CPS flight tests would not require ground disturbing activities and deposition of flight test materials would occur offshore in deep ocean waters. Vehicle materials buried partially or completely beneath ocean floor sediments may

remain intact for decades where geochemical conditions such as low dissolved oxygen would inhibit corrosion of the metal casing. Based on previous studies of similar flight tests, there would be no expected adverse effects from the Proposed Action to geological and soil resources in the Atlantic or Pacific BOAs.

Payload impact at Illeginni Islet would result in formation of a crater and fugitive dust similar to previous DoD flight test program payload impacts at this location. Based on the composition of the structure of the CPS flight body and the similarity to the payloads previously tested at the target site, the expected concentration of toxic heavy metals would be minimal at the impact location. Historical post-test soil sampling results for Illeginni Islet indicate beryllium, tungsten, and uranium at the target site have been below the UES compliance requirements, and comprehensive soil analyses indicate that the concentrations of beryllium and uranium on Illeginni Islet are at the natural background concentrations found in soils on other coral atolls in the northern Marshall Islands. The craters formed from CPS payload impact would not cause redistribution of any pre-existing contaminants on the islets, and the craters would be backfilled after the flight test. Minor, short-term adverse impacts would be expected as a result of payload impact at Illeginni Islet.

Continued military testing at the land impact site on Illeginni Islet has the potential to result in cumulative effects on soils on the islet and in adjacent marine sediments through accumulations of heavy metals and other materials in the soil there. Post-test and/or periodic soil sampling for uranium, beryllium, and tungsten is a UES requirement for all test programs (including the Navy CPS weapons system flight tests program) and will likely be required as part of consultation requirements with UES Appropriate Agencies to ensure that soils do not exceed UES compliance standards. Negligible cumulative effects on geology and soils are expected.

**Water Resources:** Groundwater or surface water resources within the BOAs or KMISS would not be significantly impacted by the proposed CPS weapon system flight tests. Disturbance to ocean waters would be limited to the individual test components and payloads sinking thousands of feet to the ocean floor, with the possibility that turbidity may be temporarily increased. Some payload debris, including heavy metals and other materials of which the payload is constructed, may be released into the ocean area. However, payload materials are insoluble, and adverse water quality impacts would be negligible in the BOAs and KMISS.

Illeginni Islet has no surface water; groundwater is very limited in quantity and is brackish and non-potable. Freshwater used to minimize fugitive dust following impact would not be allowed to flow to the lagoon or ocean and would evaporate in place. Historical pre-and post-flight test groundwater sampling at Illeginni Islet has showed little variation in the concentrations of heavy metals with beryllium remaining undetected, tungsten exceeding residential tap water screening levels, and uranium well below the U.S. Environmental Protection Agency maximum contaminant level for drinking water. With the reasonably foreseeable land use at Illeginni Islet remaining as an active range and with the groundwater being not potable, the impacts on water resources from the Proposed Action would reasonably be expected to be adverse short-term minor impacts. Monitoring of groundwater tungsten levels at Illeginni is a UES requirement for all test programs (including the Navy CPS weapons system flight tests program) and will likely be required as part of consultation requirements with UES Appropriate Agencies. No interactive effects with those of past, present, or future actions have been identified and the proposed up to one land impact per year would be expected to have negligible to minor additive effects on cumulative effects on water resources at Illeginni Islet.

**Hazardous Materials and Waste Management:** Within the Atlantic and Pacific BOAs, implementation of the Proposed Action would result in introduction of potentially hazardous materials and wastes as spent boosters and payloads enter the ocean. All the materials of which the boosters and fairings are composed, or which are carried on the vehicle components would be introduced in deep ocean waters of the BOAs. The principal source of potential impacts on water and sediment quality would be unburned rocket propellant residue and batteries. The rocket motor boosters would exhaust onboard propellant before dropping into the ocean and it is expected that only trace amounts of propellant would remain in boosters when they splash down into the ocean. *De minimus* residual quantities of some hazardous materials, such as metals like zinc and copper may remain on the boosters and fairings (including batteries); these would be carried to the ocean floor by the sinking components. Hazardous materials are not expected to be found in concentrations high enough to adversely affect human environmental quality or habitat quality for marine life in the BOAs. No hazardous material or waste would be released during deployment or use of floating target rafts in the BOAs. Overall, hazardous materials and wastes are expected to have negligible to minor impacts on environmental quality in the Atlantic and Pacific BOAs.

Under the Proposed Action with CPS flight tests conducted at USAKA, no significant impacts on hazardous materials and waste management are expected at either KMISS or Illeginni Islet. There would be limited use of hazardous materials at USAKA in support of the CPS flight tests and any accidental spills from support equipment operations would be contained and cleaned up in accordance with the Kwajalein Environmental Emergency Plan. Vessel operations would not involve intentional discharges of fuel or other wastes that could harm marine life. At KMISS, CPS payload materials are expected to sink to the ocean floor with little potential for impact on marine life. At Illeginni Islet, approximately one CPS payload impact per year may occur throughout the CPS flight test program's 10-year period. The CPS payload impact would be expected to form a crater and ejected material and payload debris could be scattered around the point of impact. The soil in the Illeginni Islet target area that would be ejected may contain residual concentrations of beryllium, tungsten, and depleted uranium from prior DoD missile flight tests. Any visible test debris found would be collected as much as practicable, including hazardous materials. Loose soil material excavated at the crater would be screened, and the collected payload debris washed before packaging for shipment back to Kwajalein Island and the United States for study and appropriate disposal.

Taken together, past, present, and future actions at USAKA have likely resulted in cumulative hazardous materials and waste management effects. Protective measures are in place due to requirements of the UES, and all test programs (including the Navy CPS weapons system flight tests program) are required to conduct soil and groundwater sampling after land impacts at Illeginni Islet. After decades of DoD testing at Illeginni Islet, no significant accumulation of hazardous materials has been detected. Continued soil and groundwater testing at Illeginni Islet and established response procedures for exceedance of levels specified in the UES substantially reduce the risk of cumulative hazardous materials effects. Taken alone, the Proposed Action is not expected to result in exceedance of any screening levels for any materials contained in the CPS payload and there would be no significant impacts. Given the protective measures in place to prevent cumulative effects for hazardous materials and wastes at Kwajalein Atoll, no cumulative effects are anticipated.

**Environmental Justice:** Under the Proposed Action, no significant impacts on environmental justice are expected in the BOAs or at Kwajalein Atoll. The Navy has identified no human health, environmental, or other effects of the Proposed Action that would result in disproportionately high or adverse effects on minority or low income-populations. Proposed



activities would be conducted in a manner that would not exclude persons from participating, deny persons potential benefits, or subject persons to discrimination because of their race, color, national origin, or socioeconomic status. There are no permanent residents at Illeginni Islet. There would be no impacts to environmental justice on minority populations and low-income populations from the Proposed Action. It is not expected that proposed testing would result in hazardous material concentrations in the marine environment that would significantly impact marine wildlife, subsistence fisheries, or human health. Proposed activities would have negligible impacts on the environmental justice concern of subsistence fishing or related human health. While the potential exists for negligible additive contributions to cumulative effects on subsistence fisheries, no interactive effects have been identified and the Proposed Action would have negligible impacts on cumulative effects to topics of environmental justice concern.

**Health and Safety:** The Proposed Action in both the Atlantic and Pacific BOAs would be conducted using existing naval vessels and would operate in accordance with established Navy safety procedures to protect personnel and the public. All BOA target sites would be located outside of exclusive economic zones in international waters. Proposed activities would not have significant impacts to health and safety and no substantial additive or interactive cumulative effects on health and safety have been identified.

All DoD testing activities at KMISS and Illeginni Islet take place within an active U.S. Army testing range and are therefore conducted in accordance with applicable U.S. Army and other federal and state safety standards and requirements. CPS flight tests at USAKA would not introduce new types of activities or increase levels of risk to personnel or the public. The Proposed Action would not result in significant impacts to health and safety and would not result in any additive or interactive impacts on health and safety that would contribute to cumulative effects.

**OTHER CONSIDERATIONS:** In accordance with 40 CFR § 1502.16(c), analysis of environmental consequences shall include discussion of possible conflicts between the Proposed Action and the objectives of federal, regional, state, and local land use plans, policies, and controls. The principal federal and state laws and regulations that are applicable to the Proposed Action as well as the Navy's compliance for the Proposed Action are detailed in Table 5.1-1 of the EA/EOA.

The Navy notified, coordinated, and consulted with relevant agencies on the Proposed Action to identify and resolve potential environmental issues and regulatory requirements associated with implementation of the Proposed Action. The Navy is conducting coordination and consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) under requirements of Section 7 of the Endangered Species Act, with NMFS for Essential Fish Habitat defined under the Magnuson-Stevens Fishery Conservation and Management Act, and with UES Appropriate Agencies (i.e., Republic of the Marshall Islands Environmental Protection Authority, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, NMFS, and USFWS) under requirements of the UES.

**MITIGATION MEASURES AND STANDARD OPERATING PROCEDURES:** The Navy would implement mitigation measures and standard operating procedures as specified in Appendix C of the EA/OEA in order to avoid or reduce potential impacts on the identified environmental resources areas.

Avoidance and mitigation measures for hazardous materials and wastes, geology and soils, and water resources include inspection and cleaning of equipment to prevent leaks or spills, post-test cleanup of visible test debris, and soil and groundwater testing at Illeginni Islet.

Conservation and mitigation measures for biological resources in the BOAs include a number of standard measures developed by the Navy for at-sea training and testing including pre-test use of the Navy's Protective Measures Assessment Protocol and vessel personnel monitoring for marine mammals and sea turtles to avoid potential vessel strikes during operations. Through consultation with NMFS and the USFWS under requirements of the UES, a number of conservation and mitigations measures to protect the environment would be implemented for activities at Kwajalein Atoll including pre- and post-test surveys and contingency reef protection measures in the event of a shoreline payload impact.

Measures to protect human health and safety include adherence to Navy and range health and safety plans as well as a Notice to Air Missions and a Notice to Mariners being transmitted to appropriate authorities to clear commercial, private, and non-mission military vessel and aircraft traffic from caution areas ahead of any CPS flight test.

**PUBLIC OUTREACH:** As part of the NEPA process, the Navy made the Draft EA/OEA for the CPS Weapon System Flight Tests available for a 30-day public comment period via <https://www.nepa.navy.mil/CPSSea-Based> from June 3 to July 3, 2024. A Notice of Availability for the Draft EA/OEA and public comment period was published in newspapers on or around May 31, 2024. Public and agency comments received on the Draft EA/OEA and responses to those comments are provided in Appendix A of the Final EA/OEA. The Navy prepared the Final EA/OEA with consideration of comments received during public review of the Draft EA/OEA.

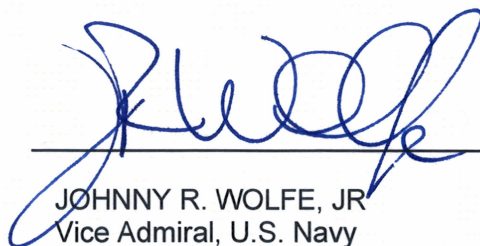
**POINT OF CONTACT:** The EA/OEA addressing this action may be obtained from: Environmental Program Manager/SP2521, Strategic Systems Programs, 1250 10th Street SE, Bldg. 200, Suite 3600, Washington Navy Yard, DC 20374-5127, or at the project website: <https://www.nepa.navy.mil/CPSSea-Based>.

**FINDING:** Based on the analysis presented in the Navy CPS Weapon System Flight Tests EA/OEA, the Navy has concluded that implementation of the Proposed Action will not significantly impact the quality of the human and natural environment and will not significantly harm the environment of the global commons (high seas). Accordingly, there is no requirement to prepare an Environmental Impact Statement or Overseas Environmental Impact Statement.

**APPROVED:**

24 FEB 2025

Date



JOHNNY R. WOLFE, JR  
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