

**U.S. Department of the Navy  
United States Fleet Forces Command**

**FINDING OF NO SIGNIFICANT IMPACT/FINDING OF NO SIGNIFICANT HARM for Ice Exercise 2020**

**Introduction**

Pursuant to National Environmental Policy Act (NEPA) and Executive Order (EO) 12114, *Environmental Effects Abroad of Major Federal Actions*, Department of Defense regulations found at 32 Code of Federal Regulations Part 187, and the Chief of Naval Operations Instruction 5090.1E and its accompanying manual (M-5090.1), the Navy gives notice that a Supplemental Environmental Assessment/Overseas Environmental Assessment (EA/OEA) and Finding of No Significant Impact/Finding of No Significant Harm (FONSI/FONSH) were prepared for the conduct of Ice Exercise 2020 (ICEX20) north of Alaska, from February to April 2020. A Programmatic ICEX EA/OEA written in 2018, provides the full analysis of an ICEX, which involves the construction of a camp on an ice floe to support submarine training and testing plus Arctic related research; a FONSI/FONSH was signed on January 19, 2018.

**Purpose and Need**

The primary purpose of the Proposed Action is to evaluate submarine tactics and operability in an Arctic environment. Secondly, the Proposed Action would also evaluate emerging technologies and assess capabilities in the Arctic environment and gather data on Arctic environmental conditions.

The need for the Proposed Action is to prepare forces capable of extended operations and warfighting in the Arctic in accordance with Title 10 U.S.C. § 8062 and the Chief of Naval Operations Strategic Outlook for the Arctic (January 2019).

**Description of the Proposed Action**

The Proposed Action is to conduct submarine training and testing activities and to conduct research in an Arctic environment. To support this action, an underwater tracking range and temporary ice camp would be established. The Proposed Action would occur over a six-week period from late February through early April 2020 (considered winter through early spring). The entire Proposed Action, including construction and demobilization of the ice camp, would occur over this six-week period, whereas the submarine training and testing and the research activities would occur over approximately four weeks during the six-week period.

**Alternatives**

The Proposed Action is the same from the 2018 ICEX EA/OEA. To develop and screen alternatives, the Navy used the following criteria:

- ICEX must be conducted during a time of year when there are sufficient hours of daylight to support several hours of training and testing each day.
- The location must be on a large area of stable ice that does not have (and is not likely to develop) leads or "gaps" and can sustain a runway and a camp for several weeks.
- The location must have sufficient water depth to accommodate safe submarine activities.
- The location must be in sufficient proximity to shore logistics centers to allow for transfers of personnel and equipment to and from the ice camp.

Based on these screening criteria, a No Action Alternative and the Proposed Action were analyzed.

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Under the **No Action Alternative**, Navy would not establish an ice camp and would not conduct submarine training and testing activities or research in the Arctic in winter/spring 2020. This alternative required no analysis of potential consequences to environmental resources as no action would occur.

Under **the Proposed Action**, Navy would establish an ice camp and conduct submarine training and testing activities at and near the camp.

Other **action alternatives considered but not carried forward for detailed analysis** include geographic, seasonal, and operational variations. As discussed in the screening criteria, holding ICEX in a different location, or at a different time of year would not satisfy the purpose and need. For example, holding ICEX closer to shore would not afford sufficiently thick ice to support an ice camp as well as the submarine tracking range to conduct the required submarine training and testing. Positioning the camp further from shore would put the camp beyond the reach of logistics support required to sustain the activity. Seasonal alternatives are likewise not feasible because the ice conditions required to support the ice camp are only available in the timeframe identified for the Proposed Action

**Environmental Impacts of the Proposed Action**

The Supplemental EA/OEA evaluated the Proposed Action in terms of stressors and their potential to impact natural and physical resources. The stressor associated with this Proposed Action is acoustic transmissions, which was analyzed for potential impacts to marine mammals. Resources that were not considered for analysis because the Proposed Action has no potential to affect them include air quality, airspace, terrestrial wildlife (except Arctic fox), deep sea corals and coral reefs, and sea turtles. All other resources and stressors were previously considered and analyzed in the 2018 ICEX EA/OEA. Table 1 provides the determination summary for all resources analyzed in the 2018 ICEX EA/OEA.

Table 1 Effects Determination Summary for the 2018 ICEX EA/OEA

Resource	Alternative 2
Air Quality	No significant impact/harm
Bottom Substrate	No significant impact/harm
Water Quality	No significant impact/harm
Marine Vegetation	No significant impact/harm
Invertebrates	No significant impact/harm
Marine Birds	No significant impact/harm
Fish	No significant impact/harm
Essential Fish Habitat	No significant impact/harm No reduction in quality or quantity of essential fish habitat
Mammals	No significant impact/harm May affect, but not likely to adversely affect, polar bears and bearded seals IHA for ringed seals
Conclusion	No significant impact/harm to the environment

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As described in the Supplemental EA/OEA, implementation of the Proposed Action would result in no significant harm to the natural and physical environments. The stressor associated with this Proposed Action is acoustic transmissions, which was analyzed for potential impacts to marine mammals.

No significant impact/harm to marine mammals is expected.

- Acoustics transmissions may cause temporary threshold shift and behavioral effects to ringed seals and bearded seals; the Navy applied for and received an Incidental Harassment Authorization (IHA) from National Marine Fisheries Service (NMFS) for Level B take of ringed seals and bearded seals in accordance with the Marine Mammal Protection Act (MMPA). The effect is expected to be, at most, minor to moderate avoidance responses from a few animals over short and intermittent periods of time. The Proposed Action is not expected to cause significant disruptions such as mass haul outs, or abandonment of breeding, that would result in significantly altered or abandoned behavior patterns.
- An intentional take permit was obtained from the U.S. Fish and Wildlife Service to allow trained ICEX participants to use specifically authorized deterrent measures to deter polar bears from entering the camp, or to reduce the potential for a lethal human-bear interaction. Allowable methods include vehicle noise, flares, and warning shots.

### **Mitigation and Standard Operating Procedures**

The following standard operating procedures would be implemented:

- Ice camp activities and personnel movement within the camp would only occur during daylight hours to the maximum extent possible.
- Pilots would make every attempt to avoid large flocks of birds (which are unlikely) in order to reduce the safety risk involved with a potential bird strike.
- The location for any air-dropped equipment and material would be visually surveyed prior to release of the equipment/material to ensure the landing zone is clear. Equipment and materials would not be released if any animal is observed within the landing zone.
- Air drop bundles would be packed within a plywood structure with honeycomb insulation to protect the material from damage.
- Spill response kits/material would be on-site prior to the air-drop of any hazardous material (e.g. fuel).

In addition to the standard operating procedures above, the following mitigation measures would be implemented to reduce or avoid potential harm to marine resources.

- Safety permitting, as aircraft approach the camp, aircraft crew will ensure that the landing zone is clear of any animals and will report the presence and behavior of any seals observed on the ice.
- Submarines will utilize passive acoustic sensors to listen for vocalizing marine mammals 15 minutes prior to the start of submarine acoustic activities. If a marine mammal is detected, the submarine would delay or cease active transmissions, and not restart until after 15 minutes have passed with no marine mammal detections.
- The ice camp and runway must be established on multi-year ice without pressure ridges.

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- Passengers on all on-ice vehicles would observe for marine and terrestrial animals; any marine or terrestrial animal observed on the ice would be avoided by 100 m.
- On-ice vehicles would not be used to follow any animal [with the exception of actively deterring polar bears if the situation requires].
- Personnel operating on-ice vehicles would avoid areas of snow drifts >0.5 m in depth (often near pressure ridges), which are preferred areas for ringed seal subnivean lairs, and will use established snow mobile routes when available.
- Camp deployment must be gradual, with activity increasing over the first five days and must be completed by March 15, 2020.
- All material (e.g., construction material, unused food, excess fuel) and wastes (e.g., solid waste, hazardous waste) would be removed from the ice floe upon completion of an ICEX; only scientific buoys and radiofrequency identification tags would be left behind.
- Safety permitting, fixed wing aircraft will maintain an altitude of at least 305 m (1,000 ft), except when visual inspection of potential ice floes during pioneering flights requires a lower altitude.
- Unmanned Aircraft Systems (UASs) will maintain a minimum altitude of at least 10 m.
- Helicopter flights will use prescribed transit corridors when traveling to/from Prudhoe Bay and the ice camp. Helicopters will not hover or circle above or within 457 m (1,500 ft) of groups of marine mammals.
- Aircraft will maintain a minimum separation distance of 1 mi from groups of five or more seals.
- Aircraft will not land on ice within 0.5 mi of hauled out pinnipeds.
- Each expeditionary team will have at least one dedicated observer (not the vehicle operator). Observers for ice trail activities need not be trained protected species observers, but they must be capable of observing and recording seal presence and behaviors, and accurately and completely record data. When traveling, observers will have no other primary duty than to watch for marine mammals (polar bears and seals) and report observations related to seals and human/seal interactions.
- Observer will have sufficient equipment (binoculars/monocular, GPS, ability to record information) to aid in observing marine mammals, determining the location of observed marine mammals, and recording observations.
- Observer will record the date, time, species, number, and geographic coordinate of all seals observed within 150 m (500 ft) of the main camp, expeditionary camps, or snow machine trails.
- Observer will provide an account of interactions, or lack of apparent interaction, between humans (including human operated equipment) and seals or seal lairs that are within feet 150 m (500 ft) of camps or snow machine trails.
- Observers or other designated personnel will submit to NMFS within 90 days of the cessation of ICEX 20 a monitoring report in digital format that can be queried. The report will provide details about marine mammal observations and interactions that occurred during the exercise.

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- Observers will provide a record of all monitoring efforts, including date, time, duration of observation efforts, duration of time during which seals or seal lairs were known to be present within 150 m (500 ft) of human activities, and the behaviors exhibited by the seals during those observation periods.
- Observers will record the minimum distance between human activities and seals or seal lairs.
- If seal lairs are located within 150 m (500 ft) of camps or ice trails, observers will provide an account of the status of lairs through time.
- If a seal lair or hauled-out seal is disrupted, the situation will be recorded and details reported to NMFS within 48 hrs, including information described in measures.

### **Agency Consultation and Coordination**

Marine Mammal Protection Act: The Navy applied for an incidental harassment authorization (IHA) for the taking of bearded seals and ringed seals on July 2, 2019. A revised IHA application was forwarded to NMFS on November 14, 2019. NMFS issued an IHA on January 30, 2020, which authorizes incidental harassment of ringed seals and bearded seals during ICEX 2020. Additionally, a request for the intentional take (deterrence) of polar bears was requested on October 15, 2019. A letter of authorization (LOA 19-INT-16) was received by USFWS on December 12, 2019, which authorizes the intentional taking of polar bears for the safety of personnel and polar bears through active deterrence measures during ICEX 2020. Both of these authorizations are pursuant to 101(a)(4)(A), 109(h), and 1112(c) of the Marine Mammal Protection Act.

Endangered Species Act: The Navy informally consulted with USFWS, Fairbanks Fish and Wildlife Field Office, on polar bears. USFWS concurred with Navy's determination of may affect, but not likely to adversely affect, on January 6, 2020. The Navy also formally consulted with the National Marine Fisheries Service (NMFS), Alaska Region, on bearded seals and ringed seals. NMFS issued a Biological Opinion on January 27, 2020.

Magnuson-Stevens Fishery Conservation and Management Act: NMFS concluded that the Proposed Action would not likely reduce the quantity or quality of Essential Fish Habitat for previous ICEX events on November 9, 2015, therefore further consultation was not necessary. Navy sent a letter to NMFS on December 4, 2019 notifying them that ICEX 20 activities were not substantially different from ICEX 16.

Clean Water Act: In accordance with the Clean Water Act, as amended by the Water Quality Act of 1987, P.L. 100-4, the Environmental Protection Agency issued a National Pollutant Discharge Elimination System permit modification for ICEX 20 on November 21, 2019. The permit was modified due to expansion of the study area and no public comments were received during the public review period. The original NPDES permit was issued on December 14, 2015 and expires in December 31, 2020.

### **Outreach**

As part of the NEPA process, the Navy made the Draft Supplemental EA/OEA for this ICEX available via <https://www.nepa.navy.mil/icex/> and had a 15-day open comment period. Additionally the availability of the Supplemental EA/OEA was published in the Arctic Sounder as well as on the Arctic Sounder website. The Navy also contacted the Village of Nuiqsit and the Inupiat Community of the Arctic Slope to inform them of the availability of the ICEX Supplemental EA/OEA. No comments were received.

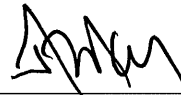
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**Finding**

After a review of the ICEX Supplemental EA/OEA, which has been prepared in accordance with the requirements of NEPA and EO 12114 and Navy guidance for implementing NEPA and EO 12114 (M-5090.1), the Navy finds that conduct of ICEX20 as implemented through the Proposed Action will not significantly impact or harm the quality of the natural and physical environments. Therefore, a Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement will not be prepared. Copies of the Supplemental EA/OEA, including this FONSI/FONSH, can be obtained from Ms. Laura Busch, U.S. Fleet Forces, 1562 Mitcher Ave Bldg NH3N, Norfolk, VA, 23551.

12 February 2020

Date



Ms. Tracy Riker

Director, Fleet Installations and Environment and Deputy  
Chief of Staff

Acting