

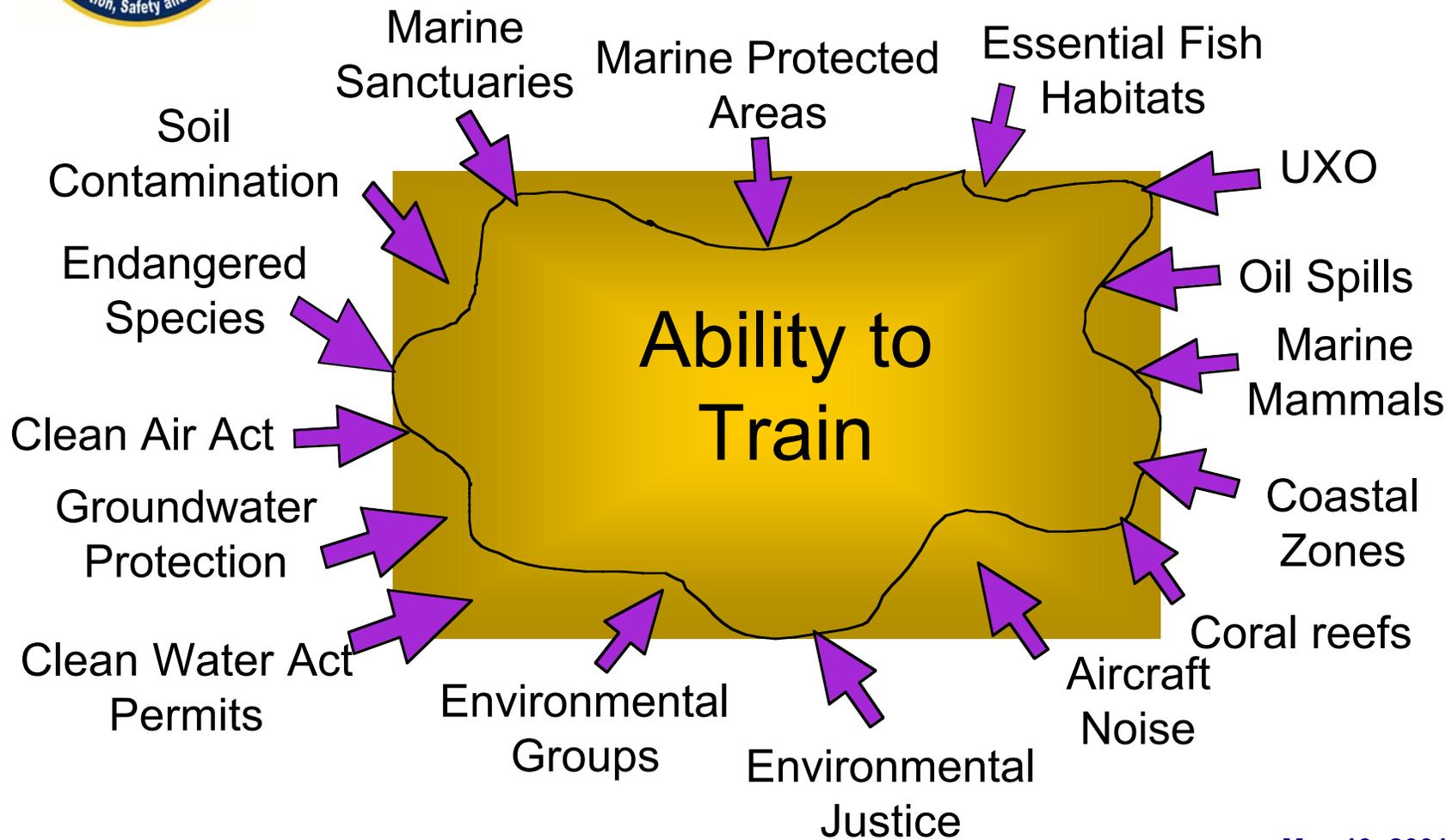
# High Impact Environmental Challenges

**Rear Admiral Larry C. Baucom**  
**United States Navy**





# Reduced Flexibility





# Compliance Impact on Readiness

- Realistic training/testing compromised for sake of stewardship
  - Live-fire training limited
  - Employment of active sonar jeopardized
  - Ship shock test judicially enjoined



# Regulatory Interpretation and Application

- EPA, Fish & Wildlife Service, National Marine Fisheries Service influenced by litigative risk
  - FWS facing over 100 suits for critical habitat designation
- Critical Habitat Designation
- Precautionary Principle (not required by law)
  - Absent evidence to the contrary, adverse environmental impact assumed
  - Navy forced to prove “no effect” on environment



# Clean Water Act

- Prohibits discharge of pollutants from a point source into navigable waters without a permit
  - “Pollutants” include munitions
  - “Point source” includes aircraft, guns
  - Permit process
    - Lengthy - at least 6 to 18 months
    - Prohibitive discharge limits without scientific basis
    - Excessive sampling requirements
  - Locations
    - Existing permit Vieques
    - Potential permit North Carolina and elsewhere



# Clean Air Act

- General Conformity
  - Federal actions must conform to the air quality State Implementation Plan (SIP)
  - If the action results in increased emissions then the project is prohibited from going forward until offsets are obtained
  - Previous difficulties
    - 1998 F/A-18 E/F Basing at NAS Lemoore
    - 1998 F/A-18 C/D Basing at NAS Oceana
  - Future Challenges
    - F/A-18E/F East Coast Basing
    - Joint Strike Fighter



# UXO and Constituents at Active/Inactive Ranges

- Unexploded ordnance (UXO) present on Navy ranges
- Regulated by various environmental laws
- Public/regulators concerned with contamination of environment



# UXO and Constituents at Active/Inactive Ranges

- Challenges
  - Lack of knowledge regarding “fate and effects” of UXO constituents
  - Lack of effective technology for detecting UXO
  - Cleanup bill will be staggering
  - Need sustainable range management program/policy



# Executive Order 13148

- Expands objectives of EO 12868
  - Expand P2 & right-to-know efforts
  - Implement EMS & environmental audits
- Navy has strong programs in place
  - P2
  - Right to Know (EPCRA)
  - Environmental Quality Assessment (EQA)
- Environmental Management Systems
  - Developing Navy policy and EMS guidance



# Environmental Strategy

## Sound Legal Position

- Compliance

## Knowledge Superiority

- R&D, Tools

## Engage and Educate

- Lawmakers, regulators, environmental groups, public, Navy

## Policy & Procedures

- Range Policy Board
- Policy for compliance with environmental regulations during exercises and training
- Operations Environmental Oversight Committee



# Installation Restoration

- Stable Funding
- Worst First
- Stakeholder Involvement
- Innovative Technologies

A photograph showing the wake of a ship on the ocean. The water is dark blue, and the wake is a bright, white, turbulent path of water. The sky is a clear, bright blue with some light, wispy clouds. The text "U.S. NAVY" is overlaid in the center of the image.

**U.S. NAVY**

***Leaving a Clean Wake***