District Judge Richard A. Jones

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON

AT SEATTLE

STATE OF WASHINGTON, *et al*, Plaintiffs, v. The UNITED STATES DEPARTMENT OF THE NAVY, *et al.*, Defendants,	No. 2:19-cv-01059-RAJ DECLARATION OF ERIC HANKS, CAPTAIN U.S. NAVY

I, Captain Eric Hanks, U.S. Navy, do hereby declare as follows:

1. I make this declaration in support of the Department of the Navy's (Navy) response to Plaintiffs' request for remand with vacatur in the above-referenced litigation. I am familiar with this Court's August 2, 2022 decision and Plaintiffs' briefs regarding remedy. (*See* Docket Nos. 119, 128, 129.) I am also familiar with the declarations of Captain David F. Harris and Vice Admiral Kenneth R. Whitesell, which are being filed concurrently with my declaration.

2. I am a Naval Officer with 25 years of commissioned service and experience. In 1997, I graduated from the United States Naval Academy with a Bachelor of Science in

Computer Science. As a Navy pilot, my primary operational aircraft was the P-3C Orion, which is a maritime patrol and anti-submarine warfare aircraft. I served tours in Patrol Squadron Sixteen (VP-16) and Patrol Squadron Nine (VP-9) eventually becoming the Commanding Officer of Patrol Squadron Four (VP-4). While commanding VP-4 forward deployed, I was the Commander, Task Group Sixty-Seven-One (CTG 67.1) which, as part of Task Force 67, provides combat ready maritime patrol aircraft to U.S. and North Atlantic Treaty Organization (NATO) forces. During my career as a Naval pilot, I have flown missions around the world in every Combatant Commander's area of responsibility.[1] I also served as a Catapult and Arresting Gear Officer aboard the aircraft carrier USS THEODORE ROOSEVELT (CVN 71), where I was responsible for all flight deck operations, including the launch and recovery of all aircraft on to the carrier. In July of 2021, I assumed the duties of the Commanding Officer of Naval Air Station Whidbey Island (NASWI), which includes Ault Field and Outlying Landing Field (OLF) Coupeville. As a Navy pilot and, now, a base commander, I am intimately familiar with the facilities, equipment, manpower, and training necessary to support the operational readiness of Naval Aviation.

3. As the Commanding Officer of NASWI, I am responsible for the management, personnel, facilities, property, safety, and security of this Department of Defense (DoD) installation. I have a duty to provide the Navy, Air Force, and multi-national commands stationed at NASWI with a safe and effective training environment that will enable these forces

[1] Combatant Commanders maintain predetermined levels of combat capability as directed by the President of the United States or the Secretary of Defense as directed by the President. (10 U.S.C. § 164(b).) These Combatant Commanders' requirements determine the pace at which the Navy's units and assets train and deploy, and the types and numbers of assets needed to meet mission requirements. (10 U.S.C. § 164(c).) There are six geographic Combatant Commands: Africa Command, Central Command, European Command, Indo-Pacific Command, Northern Command, and Southern Command.

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

to deploy in support of military operations around the world. In particular, NASWI, including Ault Field and OLF Coupeville, supports vital training for aircraft carrier aviators who operate the EA-18G Growler aircraft (Growler) that are crucial to our national security.

4. In January 1941, the Navy decided to build a seaplane base close to Seattle but in a less densely populated area. The Navy chose Oak Harbor on Whidbey Island, a rural town with less than 350 residents. As the seaplane base construction plans developed in November 1941, the Navy also decided to build an airfield, Ault Field, in Clover Valley. Both the seaplane base and the airfield were strategic to the Navy's operations during World War II. In 1943, the Navy acquired additional land and built an outlying landing field at Coupeville for the specific purpose of allowing pilots to practice takeoffs and landings away from Ault Field, the primary airfield. When constructed, OLF Coupeville was surrounded by prairie land.

5. In the years following World War II, NASWI became the primary naval air station in the Pacific Northwest, in large measure because of its remoteness and room for growth. To this day, NASWI remains the Pacific Northwest's only naval air station. Since the installation's earliest days, Ault Field and OLF Coupeville have remained critical to our nation's defense, ensuring aircrew are always ready to respond to operational requirements.

6. For the last fifty years, NASWI has been the home of all Navy Electronic Attack (VAQ) squadrons, which currently fly the Growler Airborne Electronic Attack (AEA) aircraft.[2] There are currently eight Growler carrier-based squadrons, five Growler expeditionary squadrons, one Fleet Replacement Squadron (FRS), and one Navy Reserve

[2] As discussed in the declarations of Vice Admiral Whitesell and Captain Harris, AEA capability provides critical support to United States, Coalition and NATO forces around the world. AEA requirements are met in two ways – those Growler squadrons that are deployed on board an aircraft carrier (Growler carrier-based squadrons) and those that are not carrier-based (Growler expeditionary squadrons).

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

Force squadron which are home based at NASWI. NASWI is also home to seven P-8 Poseidon maritime patrol squadrons, one EP-3 Aries fleet air reconnaissance squadron, a C-40 Clipper fleet logistics squadron, and a search and rescue detachment flying SH-60B helicopters. In total, NASWI houses 183 aircraft supported by approximately 1450 permanent pilots and crew members. In addition, Ault Field is the second busiest naval aviation logistics airport for cargo and routinely supports other transient aircraft executing U.S. Transportation Command missions. As Commanding Officer of NASWI, it is my responsibility to provide each of these commands with safe, secure, and efficient facilities that allow them to meet operational demands.

7. As detailed in the declaration of Captain David F. Harris, Growler carrier-based squadrons must complete training requirements prior to deployment. A critical component of this is Field Carrier Landing Practice (FCLP) training, which is where pilots perfect the skills needed to perform an aircraft carrier landing. Ault Field and OLF Coupeville support these training requirements by providing the facilities and services necessary to support the Growler squadrons. Ault Field and OLF Coupeville represent critical national defense infrastructure, as NASWI's Growler squadrons represent the only AEA assets in DoD's inventory.

8. Ault Field, the primary aviation support component, is pictured below from Figure 1.2-2 of the 2018 Growler Final Environmental Impact Statement (FEIS):

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

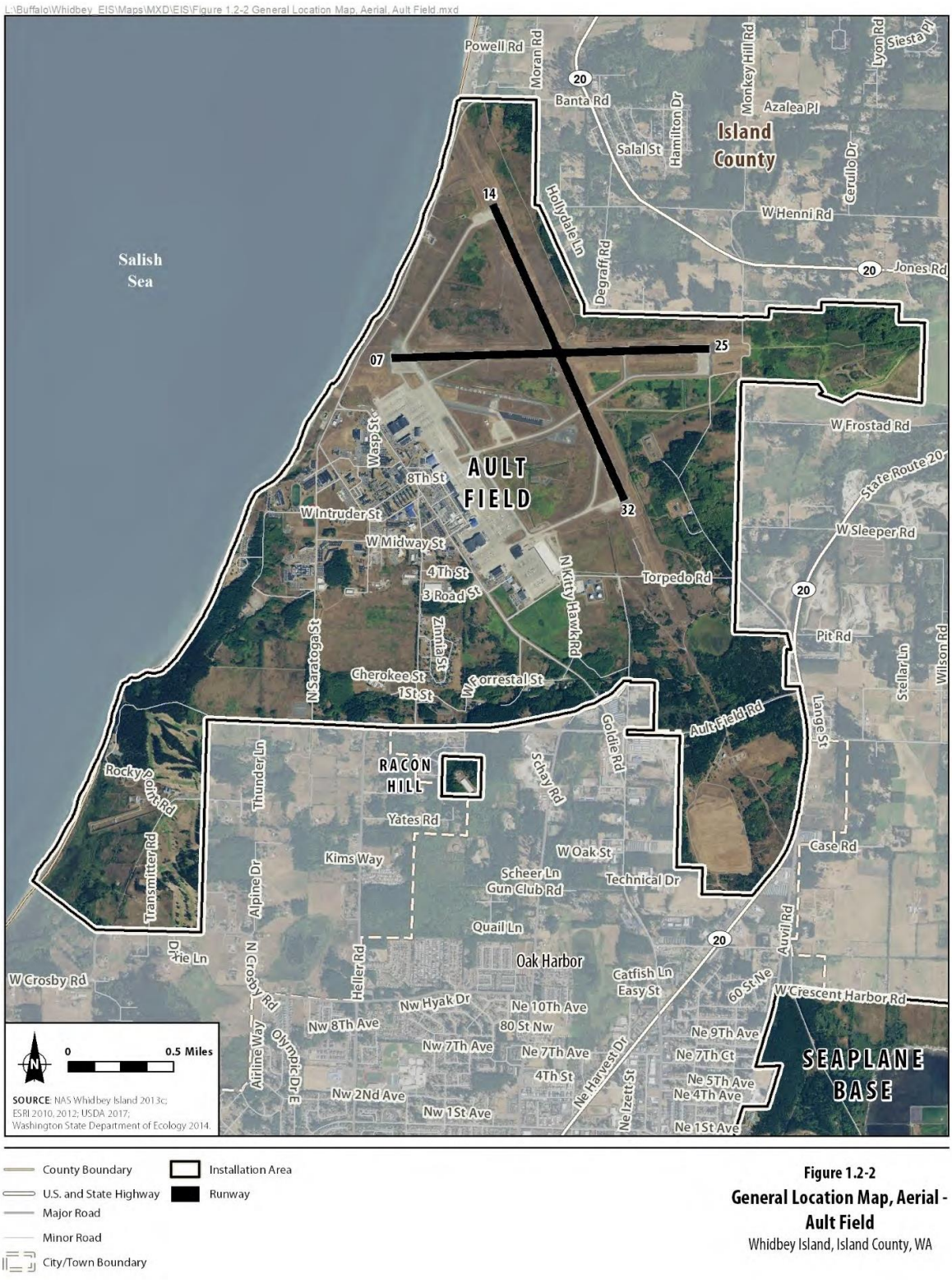

Figure 1.2-2
General Location Map, Aerial - Ault Field
Whidbey Island, Island County, WA

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

As represented in the figure above, Ault Field contains the hangars, maintenance facilities, logistics, and personnel support services for NASWI commands and personnel. Ault Field has an "X" shaped runway layout that all of the aircraft stationed at this base use to take off and land, marked as Runway 07/25 and Runway 14/32. Both runways are 8,000 feet long and 200 feet wide. Ault Field is available for use seven days per week, twenty-four hours per day. Aircraft generally take off into the wind for optimum safety and performance. The grey area to the southwest of the runways is the paved surface commonly known as the "flight line" where aircraft are parked and stored. NASWI's hangars, air traffic control tower, and other facilities are attached to this flight line[3].

9. OLF Coupeville, sits approximately eight miles to the south of Ault Field, in a rural area southeast from the town of Coupeville in central Whidbey Island. OLF Coupeville is depicted below in Figure 1.2-3 from the FEIS:

[3] Seaplane Base, a portion of which can be seen in Figure 1.2-2, NASWI's second component, is home to some of the base's secondary services, like base housing, retail, and commissary facilities.

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

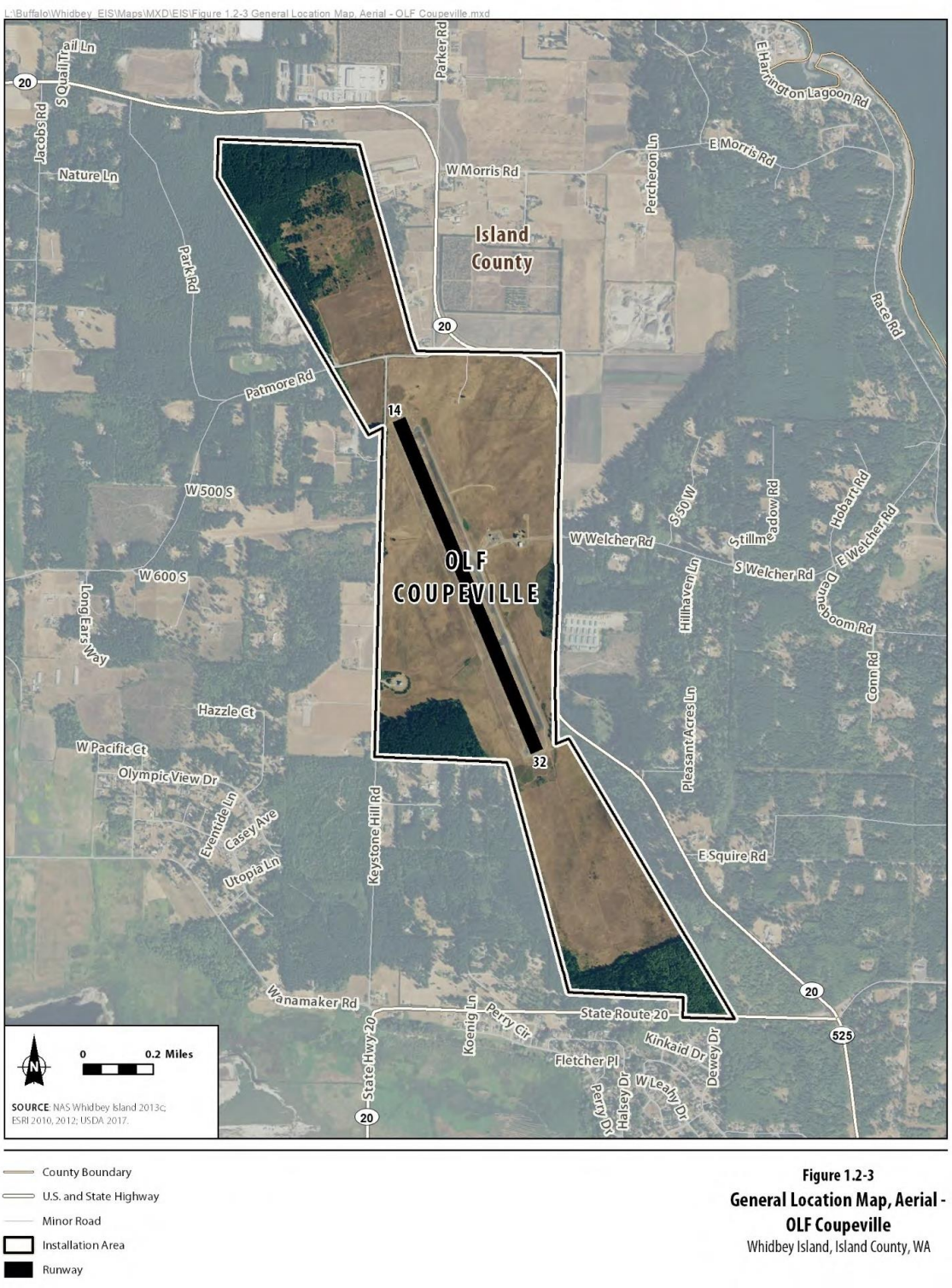

Figure 1.2-3
General Location Map, Aerial - OLF Coupeville
Whidbey Island, Island County, WA

OLF Coupeville consists of one runway, Runway 14/32. This runway is only 5,400 feet long and 200 feet wide. OLF Coupeville provides a dedicated location for Growler carrier-based

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

squadrons to perform FCLPs; it is not a multi-mission airbase like Ault Field. At OLF Coupeville, the Growlers do not conduct full stop landings but instead only touch on the runway before immediately taking off again in the FCLP process. OLF Coupeville has the equipment to simulate carrier landings including appropriate marker lighting, a small control tower, fire-fighting and emergency response equipment. Seasonal prevailing wind and weather patterns determine whether Runway 14 or 32 can support an FCLP each day or night.

10. OLF Coupeville's primary mission is to support FCLP training for the Growler carrier-based squadrons and is necessary for three primary reasons. First, the landscape surrounding OLF Coupeville supports the replication of a carrier landing pattern, thereby building and reinforcing the correct and vital habit patterns and muscle memory for aircrews that are essential for landing on aircraft carriers. Second, the darkness around the OLF trains aircrews to rely on proper techniques and not visual landmarks. Lastly, using the OLF for FCLPs allows the other vital missions of Ault Field to continue unimpeded.

11. OLF Coupeville is perched on a bluff surrounded by relatively flat terrain. The runways are at a height above sea level that is comparable to that of an aircraft carrier's flight deck. This setting allows the oval or racetrack flight pattern of an FCLP (discussed in Captain Harris' declaration) to very closely resemble the flight pattern used on an actual aircraft carrier. In contrast, Ault Field lies in a valley requiring aircrews to maneuver to avoid the surrounding hills, thus, impacting their ability to replicate the racetrack flight pattern.

12. OLF Coupeville is surrounded by a rural landscape, which is relatively dark at night, mimicking the complete darkness found at sea. As discussed in the declaration of Captain Harris, at night, Growler carrier-based squadrons must locate the aircraft carrier in complete darkness and then perform the landing with the aid of signal lights shining from the

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

aircraft carrier that guide the aircraft onto the correct flightpath. OLF Coupeville is located in a rural location with limited light pollution. This location is critical to FCLP training because light pollution or urban lighting detracts from the vital information the aircrew must learn to receive from the aircraft carrier signal lights. Additionally, excessive urban lighting encourages pilots to rely on visible lighted landmarks such as gas stations or shopping malls to locate the correct approach to the landing field. The availability of such lighting landmarks can unintentionally create a negative training effect. There is little margin for error in carrier landings and the best way to manage the risk is to train the Growler carrier-based squadrons to perform carrier landings as precisely and consistently as possible. This means relying primarily on instruments, even in ideal weather conditions, because relying on instruments permits a level of consistency and precision not otherwise achievable.

13. Third, the OLF provides a location dedicated to FCLPs and no other flight operations. Ault Field is one of the busiest naval air stations and most complex for Navy air traffic control management in the country. Managing Ault Field's runways and the surrounding airspace has increased in difficulty due to dissimilar aircraft operations, challenging weather, surrounding topography, increased civilian air traffic, and other aircraft routing mitigations. FCLP operations at Ault Field increases risk to this already complex airfield environment.

14. The performance of FCLPs at Ault Field causes significant interference with other operational missions of the base. FCLPs require the Growler carrier-based squadrons to dominate the runways during these events and create a bottleneck for other aircrews at Ault Field. Specifically, Ault Field's two crossed runways restrict other aircraft from take offs or landings on the intersecting runway while FCLPs are in progress. Any interruptions during the

U.S. Department of Justice
150 M. Street NE
Washington D.C. 20002

FCLPs creates additional challenges due to the use of non-standard tower communications during this training. This situation leads to stacks of aircraft that must either loiter airborne or sit on the flight line, instead of accomplishing their own training or maintenance requirements.

15. NASWI has implemented noise abatement and mitigation measures. These measures consist of working with Island County and other surrounding county communities to modify flight operations to minimize our impact when possible. As part of my Commanding Officer duties, my staff and I meet often with elected officials, school representatives, and community organizations and groups. When schools notify the NASWI School Liaison Officer about their testing schedules, we adjust our flights if weather conditions and deployment schedules allow. On Friday nights and weekends, we minimize FCLP flights to limit disturbances when community members are more likely to be home.

I hereby swear under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing information is true and correct to the best of my knowledge.

Dated this day, the 21 day of November, 2022.

Eric M. Hanks
Captain, United States Navy