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 **DEFENDANTS' STATUS REPORT**

Pursuant to this Court's August 16, 2024 Order (ECF No,.161), Defendants submit the following status report regarding the Department of the Navy's ("Navy") preparation of an amended analysis to the Final Environmental Impact Statement ("FEIS") for EA-18G "Growler" Airfield Operations at Naval Air Station Whidbey Island ("NASWI") Complex as necessitated by this Court's August 2, 2022 Order Adopting Report and Recommendation ("Merits Order") (ECF No. 119).

Consistent with the Merits Order, the Navy is amending its analysis in the Growler FEIS as to the following four areas: (1) calculation of greenhouse gas emissions; (2) effects on childhood learning; (3) effects on birds; and (4) consideration of the El Centro, CA alternative. The Navy began the process in the fall of 2023 when it issued a contract for the preparation of the amended analysis.

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Since that time, the Navy has reexamined its prior analysis in these four areas, revised and refined that analysis, completed an updated review of the available scientific literature, including journal articles, policies, guidance, surveys, and data, and incorporated this information into a draft amended analysis. In accordance with the Navy's standard process for complying with NEPA, the draft has undergone multiple rounds of review by the Navy's subject matter experts.

The next step is for the Navy to obtain chain of command approval on the final draft of the amended analysis. This process is currently underway. Once the draft has been finalized, the Navy will coordinate with the Environmental Protection Agency to publish a Notice of Availability in the Federal Register giving notice that the draft amended analysis is available for public comment. The comment period will be open for forty-five days to provide the public adequate opportunity to submit comments.

The Navy is also in the process of finalizing and executing a public engagement plan, which includes public and Congressional notifications of the availability of the draft amended analysis, the development of a hosting website, and visual aids to assist the public. This plan also includes open house and virtual meetings to provide the public the opportunity to discuss the draft amended analysis with the Navy's subject matter experts and to submit comments on the draft amended analysis. The Navy intends to host these meetings in late March or early April, 2025.

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After the comment period closes, the Navy will then need to respond to comments, finalize and release the final amended analysis, and, at least 30 days thereafter, issue a record of decision ("ROD") or other decision document based on the amended analysis.

Respectfully submitted this 13th day of February, 2025.

TODD KIM
Assistant Attorney General

By: /s/ *Gregory M. Cumming*
GREGORY M. CUMMING
KRYSTAL-ROSE PEREZ
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
150 M Street, NE
Washington, D.C. 20002
Phone: (202) 305-0486 (Perez)
(202) 305-0457 (Cumming)
Fax: (202) 305-0506
Krystal-Rose.Perez@usdoj.gov
Gregory.Cumming@usdoj.gov

COBY HOWELL
U.S. Department of Justice
Environment & Natural Resources Division
Wildlife & Marine Resources Section
1000 S.W. Third Avenue
Portland, OR 97204
Phone: (503) 727-1023
Fax: (503) 727-1117
Email: coby.howell@usdoj.gov

Attorneys for the Federal Defendants

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2025, I served a copy of the foregoing on counsel of record electronically through the court's CM/ECF system.

By: /s/ *Gregory M. Cumming*
GREGORY M. CUMMING
KRYSTAL-ROSE PEREZ
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
150 M Street, NE
Washington, D.C. 20002
Phone: (202) 305-0486 (Perez)
(202) 305-0457 (Cumming)
Fax: (202) 305-0506
Email: Krystal-Rose.Perez@usdoj.gov
Gregory.Cumming@usdoj.gov

COBY HOWELL
U.S. Department of Justice
Environment & Natural Resources Division
Wildlife & Marine Resources Section
1000 S.W. Third Avenue
Portland, OR 97204
Phone: (503) 727-1023
Fax: (503) 727-1117
Email: coby.howell@usdoj.gov

Attorneys for the Federal Defendant