



DEPARTMENT OF THE NAVY

NAVAL NUCLEAR PROPULSION PROGRAM
NAVAL SEA SYSTEMS COMMAND (SEA 08)
1333 ISAAC HULL AVENUE SE
WASHINGTON NAVY YARD DC 20376-8010

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Ser 08V/26-11823
17 Jul 2026

MEMORANDUM

From: Director, External Affairs, Naval Nuclear Propulsion Program
To: File

Subj: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) RECORD OF
CATEGORICAL EXCLUSION (CATEX) FOR THE DISPOSAL OF
DECOMMISSIONED, DEFUELED EX-LONG BEACH (CGN 9)

- Ref:
- (a) OPNAV M-5090.1, Environmental Readiness Program Manual
 - (b) Department of War National Environmental Policy Act Implementing Procedures of 30 Apr 26
 - (c) National Environmental Policy Act, 42 U.S.C. § 4321 et seq., Public Law 91-190 (1970)
 - (d) Office of the Chief of Naval Operations Instruction 4770.5J, General Policy for the Inactivation, Retirement, and Disposition of U.S. Naval Vessels
 - (e) Final Environmental Impact Statement/Overseas Environmental Impact Statement for Disposal of Decommissioned, Defueled ex-Enterprise (CVN 65) and its Associated Naval Reactor Plants
 - (f) Record of Decision for reference (e)
 - (g) Executive Order 11214, Environmental Effects Abroad of Major Federal Actions
 - (h) 2019 National Marine Fisheries Service Biological and Conference Opinion on the Towing of Inactive Navy Ships
 - (i) National Historic Preservation Act, 54 U.S.C. § 300101 et seq., Public Law 89-665 (1966)
 - (j) Program Comment Covering Evaluation of Vessels for Eligibility for Listing in the National Register of Historic Places and the Treatment of Eligible Vessels to Resolve Adverse Effects that May Result from Certain Methods of Final Disposition
 - (k) De Minimis & Environmentally Beneficial Activities Review Request Naval Facilities Engineering Systems Command (NAVFAC) Northwest Programmatic Aquatics #143927
 - (l) Executive Order 13175, Consultation and Coordination with Indian Tribal Governments

CEXX-007-17-USN-1778620632

(m)Department of Defense Instruction 4710.02, Interactions with Federally
Recognized Tribes

Encl: (1) CZMA Correspondence with Alabama
(2) CZMA Correspondence with Virginia
(3) CZMA Correspondence with Mississippi
(4) CZMA Correspondence with Texas

1. PURPOSE: This Record of Categorical Exclusion (CATEX) documents the applicable National Environmental Policy Act (NEPA) CATEX and the facts supporting its use for the disposal of decommissioned, defueled ex-Long Beach (CGN 9).

2. DESCRIPTION OF THE PROPOSED ACTION: The Navy proposes to commercially dispose of the decommissioned, defueled nuclear-powered cruiser ex-Long Beach. Under the Proposed Action, ex-Long Beach would be transported to a qualified commercial facility to be determined by the acquisition process. Once under contract, the ship would undergo complete disposal by the authorized contractor. Ex-Long Beach was decommissioned 1 May 1995 and is in waterborne storage at Puget Sound Naval Shipyard and Intermediate Maintenance Facility (PSNS & IMF) in Washington awaiting disposal. Ex-Long Beach was defueled in 1995 and was then partially dismantled in 2015. As a part of the decommissioning process, the nuclear fuel was removed from the reactor plants and handled in accordance with standing NEPA documents for spent naval nuclear fuel. The spent fuel resides within the Department of Energy Idaho National Laboratory property.

The Navy maintains its environmental responsibilities for nuclear-powered ships from cradle to grave and is committed to protection of the public and environment from ship design and operation through ultimate disposal. At the end of their service life, nuclear-powered ships are slated for disposal. Ship disposal meets the definition of a major federal action and therefore the Navy must complete the NEPA process (references (a), (b), and (c)). Per reference (d), nuclear-powered ships are dismantled and recycled, which is typically accomplished at a naval shipyard. PSNS & IMF has performed all disposal for nuclear-powered ships with the exception of the nuclear-powered aircraft carrier, ex-Enterprise (CVN 65), which will be commercially disposed of as analyzed in references (e) and (f). Primary reasons for the commercial disposal include preserving Navy resources for active fleet maintenance and schedule savings relative to the other disposal action alternatives.

Ex-Long Beach would be transported out of water via a towed barge or heavy lift ship to the final commercial dismantlement facility. Potential qualified commercial dismantlement facilities are known to be located in the Hampton Roads Metropolitan Area, Virginia; Brownsville, Texas; Pascagoula, Mississippi; and Mobile, Alabama. The commercial location for complete dismantlement will be determined through a competitive bidding process. If a feasible commercial location outside of those analyzed

for this CATEX is selected, appropriate environmental analysis will be completed. The route from PSNS & IMF to the selected authorized commercial dismantlement facility would be around Cape Horn, through the Strait of Magellan, or through the Panama Canal. Once in the Atlantic Ocean, the transport would proceed through the Gulf of America to a dismantlement facility or continue north through the Atlantic Ocean to the Hampton Roads Metropolitan Area, Virginia. The transport would occur at slow speeds (typically 10 knots or less) in navigable waters.

3. APPLICABLE CATEGORICAL EXCLUSION: This action falls under Categorical Exclusion DoW A141-21 of the Department of War NEPA Implementing Procedures (reference (b)):

Decommissioning, disposal, or transfer of naval vessels, aircraft, vehicles, and equipment when conducted in accordance with applicable regulations, including those regulations applying to removal of hazardous materials.

4. RATIONALE FOR CATEGORICAL EXCLUSION DoW A141-21: CATEX DoW A141-21 is appropriate because the Navy is proposing to transfer ex-Long Beach, a naval vessel, to a commercial dismantling facility for disposal to be conducted in compliance with all applicable regulations including those regulations applicable to removal and disposal of hazardous and low-level radioactive materials.

5. EXECUTIVE ORDER (EO) 12114 REQUIREMENTS: Per the Navy's requirements under reference (g) and implementing guidance under reference (a), an Overseas Environmental Impact Statement or Overseas Environmental Assessment must be prepared when a Proposed Action is considered to be a major federal action that may result in significant environmental harm, or when the significance of the harm is unknown. The transport of inactive ships is considered to be a major federal action abroad because the portions of the transport would occur outside the geographic borders of the United States (U.S.) and its territories. The Proposed Action is exempted from EO 12114 requirements because the proposed action lacks any potential to cause significant harm to the environment outside of the U.S. The proposed action does not meet the definition of "significant harm" within the meaning of reference (a) because the action would not introduce into a foreign nation's territory, territorial sea, or exclusive economic zone a product, or a physical project, that produces a principal product, emission, or effluent that is prohibited or strictly regulated by Federal law in the U.S. because its toxic effects on the environment create a serious public health risk (i.e., a "toxic product") or a physical project that is prohibited or strictly regulated in the U.S. by Federal law to protect the environment against radioactive substances (i.e., a "radioactive substance"). Any low-level radioactive material will be fully contained within or physically part of ex-Long Beach, and therefore, there is no significant risk of exposure during transit or potential to cause significant harm to the environment in international waters. This CATEX serves as the negative decision document.

6. EXTRAORDINARY CIRCUMSTANCES ARE NOT APPLICABLE: The Proposed Action would not have:

- a. Potential for substantial adverse effect on public health, safety or the environment;
- b. Potential to violate applicable Federal, State, Tribal, or local environmental laws;
- c. Greater scope or size of project than usual for the category of action proposed;
- d. Uncertain, unknown, or unique risks to public health, safety, or the environment that are unlike those posed by typical actions in the excluded category;
- e. An uncontrolled or unpermitted release of hazardous substances or require a conformity determination under standards in 40 CFR part 93, subpart B (the Clean Air Act General Conformity Rule);
- f. Potential for substantial adverse effect on the following sensitive resources, unless the potential impact has been resolved through another environmental process (e.g., Coastal Zone Management Act (CZMA), National Historic Preservation Act (NHPA), Clean Water Act):
 - (1) endangered or threatened species listed under the Endangered Species Act (ESA), or designated critical habitat for these species; and/or
 - (2) areas of particular environmental concern or sensitivity such as coral reefs, federally designated wilderness areas, wildlife refuges, marine sanctuaries and monuments, wetlands, sole source aquifers, or parklands; and/or
 - (3) Archaeological resources or historic properties listed or determined to be eligible for listing in the National Register of Historic Places (NRHP).

7. ANALYSIS INCLUDING REASONABLY FORESEEABLE IMPACTS: A comprehensive review of the Proposed Action was conducted to ensure that none of the above extraordinary circumstances apply.

The Proposed Action is not expected to result in any changes that would adversely affect public health or safety. The transport of ex-Long Beach would occur several miles offshore, on established navigable shipping routes, where members of the public are unlikely to encounter the transport. Dismantlement and disposal would occur at established, access-controlled facilities with all required operational permits. No member of the public would be exposed to hazardous materials or waste above

Federal, State, Tribal, or local regulatory limits as part of normal operations. All facilities would have procedures in place to ensure protection of public health and safety. Transport of hazardous materials and waste between dismantlement and disposal sites would comply with Federal, State, Tribal, or local regulations.

All radioactive waste from ex-Long Beach will be low-level as defined in 10 CFR 61.2. The Navy conservatively estimates that ex-Long Beach dismantlement will generate approximately a quarter of the radioactive waste shipments in reference (e), or approximately 110 shipments. This waste will be transported to approved disposal facilities in accordance with the regulations of the U.S. Department of Transportation, U.S. Department of Energy, and U.S. Nuclear Regulatory Commission or its agreement state(s). These regulations are proven to be protective of human health and the environment in both normal operations and accident scenarios.

The Proposed Action would not involve effects on the human environment that are highly uncertain, involve unique or unknown risks, or are scientifically controversial. The potential impacts associated with transportation, dismantlement, and disposal of inactive ships have been examined in numerous analyses, which can be found in the body and reference documents of reference (e).

The Proposed Action does not establish a precedent or make decisions for future actions that have the potential for significant impacts. Further, the Proposed Action does not make decisions in principle for future action that have the potential for significant impacts.

The Proposed Action would have no effect on federally protected species under the ESA or have impacts that would rise to the level of requiring an Incidental Take Authorization under the Marine Mammal Protection Act. Ex-Long Beach will have no interaction or exposure to marine mammals, sea turtles, and fish due to ex-Long Beach being transported out of the water by a contracted vessel. The transport would occur in established shipping channels and will not permanently or temporarily impact or change routine vessel traffic (volume, speed, travel route, etc.). Due to the duration of the transit being greater than 30 days, resulting in ex-Long Beach being out of the water for greater than 30 days, it is expected that any biofouling organisms would fully desiccate and therefore, in-water hull cleaning would not be required to address invasive species concerns. National Marine Fisheries Service has established that 30 days out of water is the minimum time for desiccation (reference (h)).

The Proposed Action would have no effect on coral reefs or on federally designated wilderness areas, wildlife refuges, marine sanctuaries and monuments, or parklands. The transport of ex-Long Beach would occur in established navigable shipping channels at a low transit speed and be consistent with routine vessel traffic. Therefore, the likelihood of coral reefs, federally designated wilderness areas, wildlife refuges, marine

sanctuaries and monuments, or parklands being affected by the transport of ex-Long Beach is so minimal that there is no potential to adversely impact those areas.

The Proposed Action would have no effect on the size, function, or biological value of wetlands. The transport of ex-Long Beach would occur in established navigable shipping channels at a low transit speed so there is no potential to adversely impact any wetlands.

The Proposed Action would not have an adverse effect on archaeological resources or historic properties listed or determined to be eligible for listing in the NRHP in accordance with reference (i). The Advisory Council on Historic Preservation issued reference (j) to provide the Navy with a process for evaluating active and decommissioned vessels to determine eligibility for listing in the NRHP and resolving adverse effects that result from methods of final disposition as a means of meeting NHPA Section 106 obligations. Although ex-Long Beach was decommissioned before reference (j) was issued, the Navy evaluated ex-Long Beach's eligibility for listing in the NRHP using the process in reference (j) and determined that ex-Long Beach is ineligible.

The Proposed Action would not result in an uncontrolled or unpermitted release of hazardous substances or require a conformity determination under standards in 40 CFR part 93, subpart B (the Clean Air Act General Conformity Rule). All areas in the ex-Long Beach transport route are in attainment for all criteria pollutants. The transport of ex-Long Beach would result in a minor but temporary increase of marine vessel emissions from transport vessels. No long-term increases in emissions would occur as no new stationary sources are to be constructed. Any emissions generated by dismantlement and disposal facilities would be within the facilities' operational expectations. These emissions are accounted for according to the facilities' applicable operational permits. Under standards of the Clean Air Act General Conformity Rule, a Conformity Determination is not required for the Proposed Action.

Given the above analysis, the Proposed Action would not individually, or cumulatively, with past, current, and reasonably foreseeable future actions, have a significant effect on the human environment.

8. REGULATORY NOTIFICATION REQUIREMENTS: Federal agencies shall, to the fullest extent possible, integrate the requirements of NEPA with other planning and environmental review procedures required by law or by agency practice so that all such procedures run concurrently rather than consecutively.

a. The Coastal Zone Management Act of 1972 (16 U.S.C §1451, et seq.) encourages coastal states to be proactive in managing coastal zone uses and resources. The act established a voluntary coastal planning program and requires participating states to submit a Coastal Management Plan to the National Oceanic and

Atmospheric Administration for approval. Under the act, federal actions that have an effect on coastal use or resources are required to be consistent, to the maximum extent practicable, with the enforceable policies of federally approved Coastal Management Plans. The Region of Influence includes Alabama, Virginia, Washington, Mississippi, and Texas. The following provides a brief description of the regulating agency and coastal management program in each state.

The Navy has determined that the transport of inactive Navy ships would have no effect on any coastal use or resources in the Alabama state coastal zone. Therefore, the Navy sent a General Negative Determination to the Alabama Department of Environmental Management for the transport of inactive Navy ships. In October 2022, the Alabama Department of Environmental Management concurred with the Navy's General Negative Determination; enclosure (1) provides this documentation.

The Navy has determined that the transport of inactive Navy ships would have no effect on any coastal use or resources in the Virginia state coastal zone. Therefore, the Navy sent a General Negative Determination to the Virginia Department of Environmental Quality. In November 2022, the Virginia Department of Environmental Quality concurred with the Navy's General Negative Determination; enclosure (2) provides this documentation.

The Navy has a standing agreement with the Washington Department of Ecology (reference (k)) established in 2025 for de minimis and environmentally beneficial activities that would have no effect on any coastal use or resources in the Washington coastal zone. Actions that can apply to CATEX DoW A141-21 are included in the agreement. Therefore, no further consultation is needed.

The Navy has determined that the transport of inactive Navy ships would have no effect on any coastal use or resource in the Mississippi state coastal zone. Therefore, the Navy sent a General Negative Determination to the Mississippi Department Marine Resources. In May 2026, the Mississippi Department of Marine Resources concurred with the Navy's General Negative Determination; enclosure (3) provides this documentation.

The Navy has determined that the transport of inactive Navy ships would have no effect on any coastal use or resources in the Texas state coastal zone. Therefore, the Navy sent a General Negative Determination to the Texas Coastal Resources Program. In April 2026, the Texas Coastal Resources Program concurred with the Navy's General Negative Determination; enclosure (4) provides this documentation.

b. In accordance with references (l) and (m), the Navy must consult with federally recognized Indian tribes whenever proposing an action that may have the potential to significantly affect treaty-protected tribal resources, tribal rights, or Indian lands. On April 6, 2026, a staff level government-to-government meeting with the Suquamish Tribe

(referred to as the Tribe) was held to discuss the proposed action, offering information and offering the Tribe the opportunity to initiate government-to-government consultation. The Tribal staff provided the following comments at the meeting:

(1) The annual Tribal Chinook fishery in Sinclair Inlet runs from mid-July to mid-September, with the possible extension to the end of September. If extended, the Tribe will notify the Navy of the extension.

(2) The Tribal staff requested that the Navy coordinate the transport of the ex-Long Beach outside of the Tribal Chinook fishery, to avoid impacts to Tribal fishing.

(3) The Tribe has a Chinook fishery near Elliott Bay in the Puget Sound, but this fishery typically begins in July.

(4) The Tribe requested notification of the selected alternative and schedule for removal of ex-Long Beach from Sinclair Inlet as the date gets closer.

The Navy will continue to coordinate with the Tribe regarding the Proposed Action. The Navy is considering potential impacts to traditional resources and access to those resources. Based on initial assessments, the Navy believes the proposed project will not significantly affect the Tribe's rights, resources, or lands.

9. CONCLUSION: Based on the above analysis, the proposed action to dispose of the decommissioned, defueled ex-Long Beach is within the scope of CATEX DoW A141-21. None of the extraordinary circumstances that may preclude reliance on an applicable CATEX apply to this action. Therefore, no further NEPA analysis is required for the Proposed Action. This analysis and CATEX document will be retained on file at the place of origin: Commander, Naval Sea Systems Command (N00024), 1333 Isaac Hull Ave SE, Washington Navy Yard, DC 20376 and online at <https://www.energy.gov/nepa/doe-categorical-exclusion-cx-determinations>.

This Record of Navy CATEX has been developed in accordance with applicable policy and guidance documents, including OPNAV-M 5090.1, SECNAVINST 5090.8B, SECNAVINST 5000.2G, DoDI 5000.02, DoD National Environmental Policy Act Implementing Procedures, and NEPA, 42 U.S.C. § 4321 et seq., Public Law 91-190 (1970).

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W. C. WRIGHT
Director, External Affairs
Naval Nuclear Propulsion Program

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None

CZMA Correspondence with Alabama



DEPARTMENT OF THE NAVY

PROGRAM EXECUTIVE OFFICER
AIRCRAFT CARRIERS
614 SICARD STREET SE
WASHINGTON NAVY YARD, DC 20376-7007

IN REPLY REFER TO

4560

312/163

13 Oct 2022

Mr. J. Scott Brown
Alabama Department of Environmental Management
3664 Dauphin Street, Suite B
Mobile, AL 36608

Dear Mr. Brown:

SUBJECT: COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE
DETERMINATION FOR THE TOWING OF INACTIVE NAVY SHIPS

The United States (U.S.) Department of the Navy (Navy) has developed the enclosed General Negative Determination (GND) for your review. The proposed action entails the towing of inactive Navy ships to dismantling facilities and between inactive ship facilities. The purpose of the Proposed Action is for the Navy to tow inactive ships from berthing ports to dismantling facilities, or between Navy facilities, to manage inventory while meeting Navy operational needs. For the purposes of this GND, the Proposed Action would be limited to the towing of inactive ships to and from Alabama ports.

In accordance with the Coastal Zone Management Act (CZMA) of 1972 (16 United States Code [U.S.C.] § 1456(c) and 15 Code of Federal Regulations [CFR] part 930 Subpart C), the Navy has conducted a review of the Proposed Action for consistency with the Alabama Department of Environmental Management's enforceable policies under the Alabama Coastal Area Management Program. The enclosed GND concludes that the Proposed Action would have no effect on any coastal use or resource in the Alabama coastal zone.

I am requesting that you review the enclosed information and provide us with your comments and/or concurrence with our determinations in accordance with the CZMA (16 U.S.C. §§ 1451 et seq.) Section 307(c)(1) and 15 CFR Part 930, Subpart C 16 U.S.C. 1801 et seq.). If you have any technical questions, please feel

Subj: COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE DETERMINATION
FOR THE TOWING OF INACTIVE NAVY SHIPS

free to contact Ms. Rose Johnson at (202) 781-0470 or
rose.m.johnson140.civ@us.navy.mil.

Sincerely,

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APM, Inactivation
By Direction

Enclosure. 1. Coastal Zone Management Act General Negative
Determination for Alabama, Towing of Inactive Navy Ships

From: [Brown, Scott](#)
To: [Bausher, Anna W CIV USN NAVFAC NW SVD WA \(USA\)](#); [Johnson, Rose M CIV USN COMNAVSEASYS COM DC \(USA\)](#)
Cc: [McNeill, Catherine](#)
Subject: [Non-DoD Source] ACAMP-2023-005-FAA + 4560 | 312-163 | 13 Oct 2022 | CZMA GND for Towing of Inactive Navy Ships
Date: Thursday, October 20, 2022 7:28:23 AM
Attachments: [22-163 4560 PMS 312 Coastal Zone Management Act General Negative Determination For The Towing Of Inactive Navy Ships 13Oct22 \(Encl 1\).pdf](#)

Good morning Anna and Rose:

RE: 4560
312-163
13 Oct 2022

This response is to confirm the Alabama Department of Environmental Management, the State of Alabama's implementing agency of the enforceable policies of the Alabama Coastal Area Management Program, received and reviewed the U. S. Navy's negative determination for the towing of inactive Navy ships into the coastal waters of Alabama as described in the attachment. Pursuant to Title 15CFR930 §930.35(c), Alabama concurs with the U.S. Navy's negative determination.

Call or email anytime with questions.

v/r,

J. Scott Brown, Chief
Mobile Field Office | ADEM
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From: Bausher, Anna W CIV USN NAVFAC NW SVD WA (USA) <anna.w.bausher.civ@us.navy.mil>
Sent: Wednesday, October 19, 2022 7:07 PM
To: Mobile Coastal Mail <Coastal@adem.alabama.gov>; Brown, Scott <jsb@adem.alabama.gov>
Subject: For Submittal: CZMA GND for Towing of Inactive Navy Ships

Good afternoon,

I'm following-up on the email below regarding the attached Coastal Zone Management Act General Negative Determination for the Towing of Inactive Navy Ships for review by the ADEM. A letter containing a hard copy of the attached submittal was delivered to the ADEM Coastal Program Office in Mobile today.

Please provide confirmation that ADEM has received the attached document for review.

Thank you for your time and please let me know if you have any questions.

Very respectfully,

Anna Bausher, AICP
Environmental Planner (EV23)
Naval Facilities Engineering Systems Command (NAVFAC) Northwest
1101 Tautog Circle
Silverdale, WA 98315-1101
Phone: 360-315-3005
Email: anna.w.bausher.civ@us.navy.mil

CZMA Correspondence with Virginia



DEPARTMENT OF THE NAVY

PROGRAM EXECUTIVE OFFICER
AIRCRAFT CARRIERS
614 SICARD STREET SE
WASHINGTON NAVY YARD, DC 20376-7007

IN REPLY REFER TO

4560

312/162

13 Oct 2022

Ms. Bettina Rayfield
Virginia Department of Environmental Quality
Office of Environmental Impact Review
1111 East Main St, Suite 1400
Richmond, VA 23219

Dear Ms. Rayfield:

SUBJECT: COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE
DETERMINATION FOR THE TOWING OF INACTIVE NAVY SHIPS

The United States (U.S.) Department of the Navy (Navy) has developed the enclosed General Negative Determination (GND) for your review. The proposed action entails the towing of inactive Navy ships to dismantling facilities and between inactive ship facilities. The purpose of the Proposed Action is for the Navy to tow inactive ships from berthing ports to dismantling facilities, or between Navy facilities, to manage inventory while meeting Navy operational needs. For the purposes of this GND, the Proposed Action would be limited to the towing of inactive ships to and from Virginia ports.

In accordance with the Coastal Zone Management Act (CZMA) of 1972 (16 United States Code [U.S.C.] § 1456(c) and 15 Code of Federal Regulations [CFR] part 930 Subpart C), the Navy has conducted a review of the Proposed Action for consistency with the Virginia Department of Environmental Quality's enforceable policies under the Virginia Coastal Zone Management Program. The enclosed GND concludes that the Proposed Action would have no effect on any coastal use or resource in the Virginia coastal zone.

I am requesting that you review the enclosed information and provide us with your comments and/or concurrence with our determinations in accordance with the CZMA (16 U.S.C. §§ 1451 et seq.) Section 307(c)(1) and 15 CFR Part 930, Subpart C 16 U.S.C. 1801 et seq.). If you have any technical questions, please feel

Subj: COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE DETERMINATION
FOR THE TOWING OF INACTIVE NAVY SHIPS

free to contact Ms. Rose Johnson at (202) 781-0470 or
rose.m.johnson140.civ@us.navy.mil.

Sincerely,

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H.R. DUFF
APM, Inactivation
By Direction

Enclosure. 1. Coastal Zone Management Act General
Negative Determination for Virginia, Towing of Inactive
Navy Ships



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

November 22, 2022

Ms. Anna Bausher, AICP
Environmental Planner (EV23)
Naval Facilities Engineering Systems Command (NAVFAC) Northwest
1101 Tautog Circle
Silverdale, Washington 98315-1101
Via email: anna.w.bausher.civ@us.navy.mil

RE: General Negative Determination for the Towing of Inactive Navy Ships, U.S. Navy,
Hampton Roads, DEQ 22-162F

Dear Ms. Bausher:

The Commonwealth of Virginia has completed its review of the General Negative Determination (GND) for the above-referenced project. The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of GNDs submitted under the Coastal Zone Management Act and responding to appropriate officials on behalf of the Commonwealth. This letter is in response to the GND dated October 2022 (received October 13, 2022), submitted the U.S. Navy. The following agencies participated in this review:

Department of Environmental Quality
Virginia Marine Resources Commission
Virginia Institute of Marine Science

In addition, the Department of Wildlife Resources was invited to comment on the proposal.

PROJECT DESCRIPTION

The U.S. Navy proposes the towing of inactive ships from origination ports within the Hampton Roads Metropolitan Area (e.g. Newport News, Norfolk) to destination ports within or outside of Virginia's waters. Additionally, the Navy may tow inactive ships from origination ports outside of Virginia into the Hampton Roads Metropolitan Area. During

transit, the tug and tow would typically travel at speeds less than 10 knots in the open ocean. Speed would be reduced while in port areas to below 10 knots and consistent with local conditions and restrictions. The use of one or more assist tug boats would be required depending on the size of the inactive Navy ship being towed. Towing would be performed by a qualified contractor in accordance with requirements of the *U.S. Navy Towing Manual* (Department of the Navy 2002), as well as any specific guidelines for individual ships (e.g., Naval Sea Systems Command Instruction 4740.12, *Towing and Preparation for Storage Specification for Inactivated Defueled Nuclear Powered Aircraft Carriers* for towing of nuclear vessels). The contractor would adhere to all applicable safety requirements. Commercial maritime pilots would be used for departures from and entries into ports. The towing contractor would prepare a towing plan and outline the procedures and guidelines for towing the unmanned ship. The Navy arranges for dismantlement of inactive vessels, including towing to the dismantlement location, via Navy contract. Dismantling and towing would be conducted by private contractors in accordance with all federal, state, and local laws and regulations.

PUBLIC PARTICIPATION

In accordance with Title 15, Code of Federal Regulations (CFR), §930.42, the public was invited to participate in the review of the GND. Public notice of this proposed action was published in the OEIR Program Newsletter and on the DEQ website from October 24, 2022 through November 14, 2022. No public comments were received in response to the notice.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972 (CZMA), as amended, and the federal consistency regulations implementing the CZMA (15 CFR, Part 930, Subpart C, Section 930.30 *et seq.*), federal activities located inside or outside of Virginia's designated coastal management area that can have reasonably foreseeable effects on coastal resources or coastal uses must be implemented in a manner consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management (CZM) Program. The Virginia CZM Program consists of a network of programs administered by several agencies. DEQ coordinates the review of General Negative Determinations with agencies administering the [enforceable policies and advisory policies](#) of the Virginia CZM Program.

FEDERAL CONSISTENCY CONCURRENCE

Based on our review of the General Negative Determination and the comments submitted by agencies administering the applicable enforceable policies of the Virginia CZM Program, DEQ concurs that the proposed activity is consistent to the maximum extent practicable with the Program. If, prior to implementation, the proposed activities should change significantly and any of the enforceable policies of the Virginia CZM Program would be affected, pursuant to 15 CFR, Part 930, Subpart C, §930.46(a), the Navy must submit supplemental information to DEQ for review and approval. However,

other state approvals that may apply to this project are not included in this consistency concurrence. Therefore, the applicant must ensure that this project is constructed and operated in accordance with all applicable federal, state and local laws and regulations.

FEDERAL CONSISTENCY ANALYSIS

According to information in the GND, the proposed project would have no effect on the enforceable policies of the Virginia CZM Program. The agencies responsible for the administration of the applicable enforceable policies of the Virginia CZM Program agree with the determination. The Navy must ensure that the proposed action is consistent with the aforementioned policies. In addition, DEQ encourages the Navy to consider the effects of the proposal on the advisory policies of the Virginia CZM Program in accordance with 15 CFR §930.39(c). The analysis that follows responds to the discussion of the enforceable policies of the Virginia CZM Program that apply to this project and review comments submitted by agencies that administer the enforceable policies.

1. Tidal and Nontidal Wetlands. According to the GND (page 3-2), the Proposed Action would involve passage of towed ships through navigable channels and into and out of established industrial ports. No development would occur, and the Proposed Action would not disturb or alter tidal or non-tidal wetlands.

1(a) Agency Jurisdiction. The purpose of the policy is to preserve and protect wetlands and non-tidal surface waters, to prevent their despoliation and destruction, and accommodate necessary economic development in a manner consistent with wetlands preservation. Impacts to wetlands and streams shall be avoided or minimized to the maximum extent practicable. Tidal Wetlands are administered by the Virginia Marine Resources Commission (VMRC) under the authority of the Tidal Wetlands Act of 1972 (*Virginia Code § 28.2-1301 and -1308; 4 VAC § 20-390-20*). Tidal and Nontidal Wetlands are administered by the Department of Environmental Quality (DEQ) through the Virginia Water Protection Permit program and includes Water Quality Certification pursuant to Section 401 of the Clean Water Act (*Virginia Code §§ 62.1-44.15:20 and -44.15:21; and 9 VAC §§ 25-210-10, -210-45, 210-80, 260-10, -380, -390*).

1(b) Agency Findings.

(i) Virginia Marine Resources Commission

VMRC finds that the Proposed Action has no foreseeable impact on tidal and nontidal wetlands enforceable policy under its jurisdiction. As proposed, VMRC has no objection to the consistency finding provided by the Navy.

(ii) Department of Environmental Quality

The Virginia Water Protection (VWP) Permit program at the DEQ Tidewater Regional Office (TRO) finds that the proposed activity does not propose impacts to surface waters or wetlands; therefore, VWPP authorization is not required.

1(c) Conclusion. The proposed project is consistent to the maximum extent practicable with the tidal and nontidal wetlands management enforceable policy of the Virginia CZM Program.

For additional information regarding VWP Permit program comments contact DEQ-TRO, Jeff Hannah at (757) 407-2510 or jeff.hannah@deq.virginia.gov or for VMRC comments, contact Ben Nettleton at (757) 247-8027 or ben.nettleton@mrc.virginia.gov.

2. Subaqueous Lands. According to the GND (page 3-2), the Proposed Action would be limited to the passage of towed ships, which would not impact the seafloor. Therefore, state-owned subaqueous lands would be unaffected.

2(a) Agency Jurisdiction. All decisions affecting subaqueous lands shall be guided by the Commonwealth's General Policy to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings and to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth. The General Assembly has authorized VMRC to grant or deny any use of state-owned bottomlands, including dredging, aquaculture, the taking and use of material from the bottomland, and the placement of wharves, bulkheads, and fill. (*Virginia Code §§ 28.2-1200, -1203, -1204 and -1205*).

2(b) Agency Findings. VMRC finds that the Proposed Action would not impact state-owned submerged lands. As proposed, VMRC has no objection to the consistency finding provided by the Navy.

2(c) Conclusion. The proposed project is consistent to the maximum extent practicable with the subaqueous lands enforceable policy of the Virginia CZM Program.

For additional information regarding VMRC comments, contact Ben Nettleton at (757) 247-8027 or ben.nettleton@mrc.virginia.gov.

3. Dunes and Beaches. The GND (page 3-2) states that the Proposed Action would not involve development or any activity upon coastal sand dunes or beaches.

3(a) Agency Jurisdiction. The policy promotes the preservation and protection of coastal primary sand dunes and beaches, to prevent their despoliation and destruction, and whenever practical, to accommodate necessary economic development in a manner consistent with the protection of such features. Dune and beach protection is carried out

pursuant to the Coastal Primary Sand Dune Protection Act as administered by VMRC (*Virginia Code §§ 28.2-1401 and -1408*).

3(b) Agency Findings. VMRC confirms that the Proposed Action has no foreseeable impact on the dunes and beaches enforceable policy. As proposed, VMRC has no objection to the consistency finding provided by the Navy.

3(c) Conclusion. The proposed action is consistent to the maximum extent practicable with the dunes and beaches enforceable policy of the Virginia CZM Program.

For additional information regarding VMRC comments, contact Ben Nettleton at (757) 247-8027 or ben.nettleton@mrc.virginia.gov.

4. Marine Fisheries. According to the GND (page 4), the Proposed Action would involve towing of inactive ships through identified navigation channels. There would be no impact on marine fisheries or engagement in fishing activities.

4(a) Agency Jurisdiction. The policy stresses the conservation and promotion of seafood and marine resources of the Commonwealth, including fish, shellfish and marine organisms, and the management of the fisheries to maximize food production and recreational opportunities within the Commonwealth's territorial waters. The policy is administered by VMRC (*Virginia Code §§ 28.2-101, -201, -203, -203.1, -225, -551, -600, -601, -603 -618, and -1103, -1203 and the Constitution of Virginia, Article XI, Section 3*).

4(b) Agency Findings.

(i) Virginia Marine Resources Commission

VMRC confirms that the Proposed Action has no foreseeable impact on the marine fisheries enforceable policy. As proposed, VMRC has no objection to the consistency finding provided by the Navy.

(ii) Virginia Institute of Marine Science

The Virginia Institute of Marine Science (VIMS) does not expect adverse impacts to the coastal and marine environment from the described activities provided they proceed as planned and with all precautions in place such that any vessel under tow is under control at all times and remains within dredged navigation channels.

4(c) Conclusion. The proposed action is consistent to the maximum extent practicable with the marine fisheries enforceable policy of the Virginia CZM Program.

For additional information, contact VMRC, Ben Nettleton at (757) 247-8027 or ben.nettleton@mrc.virginia.gov and/or VIMS, Emily Hein at (804) 684-7482 or eahein@vims.edu.

5. Point Source Air Pollution. According to the GND (page 3-3), the Proposed Action would involve only the towing of inactive Navy ships to and from established industrial ports within the coastal zone. Occasional towing of vessels, while contributing to overall levels of pollutants, would not appreciably alter the air pollution levels in these industrial ports or within Virginia's coastal zone. The Proposed Action would not involve asphalt paving operations, open burning, or operation of a stationary source of air pollution.

5(a) Agency Jurisdiction. The policy is administered by DEQ through the federal Clean Air Act and Virginia's legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. It is the policy of the Commonwealth to abate, control, and prohibit air pollution throughout the Commonwealth (*Virginia Code § 10.1-1308*), to include: asphalt paving operations in volatile organic compound emission control areas (*Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-20-206 and -45-780*), open burning (*Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-80-1105, -130-10, -130-30 to -50, 20-60-30, and 5-60-200*), fugitive dust emissions (*Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-50-90 and -40-90*), state operation permits (*Virginia Code §§ 10.1-1308 and -1322; 9 VAC § 5-80-800*), and new source review (*Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-80-1100, -1400, -1605, and -2000*).

5(b) Agency Findings. The DEQ Air Division finds that Hampton Roads is an ozone (O₃) attainment area and emission control area for volatile organic compounds (VOCs) and oxides of nitrogen (NO_x).

5(c) Recommendation. All precautions should be taken to restrict the emissions of VOCs and NO_x principally by controlling or limiting the burning of fossil fuels.

5(d) Conclusion. The proposed action is consistent to the maximum extent practicable with the point source air pollution enforceable policy of the Virginia CZM Program.

For additional information regarding air comments, contact the DEQ Air Division, Tom Ballou at (804) 664-3515 or thomas.ballou@deq.virginia.gov.

6. Point Source Water Pollution. According to the GND (page 3-3), the Proposed Action includes towing of inactive Navy ships. No discharge of pollutants into the waters of Virginia would occur during the towing process.

6(a) Agency Jurisdiction The policy is administered by DEQ to protect existing high quality state waters and restore all other state waters to permit all reasonable public uses and support the propagation and growth of all aquatic life. Legal authority is granted by the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the federal Clean Water Act and administered by DEQ as the Virginia Pollutant Discharge Elimination System (VPDES) permit program (*Virginia Code § 62.1-44.2; 9 VAC § 25-31-20*).

6(b) Agency Findings. The VPDES program at DEQ-TRO finds that the proposed action does not appear to result in any point source discharges of process water or wastewater that would necessitate a VPDES permit.

6(c) Conclusion. The proposed action is consistent to the maximum extent practicable with the point source water pollution enforceable policy of the Virginia CZM Program.

For additional information, contact DEQ-TRO, Janet Weyland at (757) 518-2151 or janet.veyland@deq.virginia.gov.

Thank you for the opportunity to review and respond to the General Negative Determination for the Towing of Inactive Navy Ships in Hampton Roads, Virginia. The detailed comments submitted by reviewing agencies are attached. Please contact me at (804) 659-1915 or John Fisher at (804) 659-1919 for clarification of these comments.

Sincerely,



Bettina Rayfield, Program Manager
Environmental Impact Review and Long-Range
Priorities

Enclosures

Ec: Amy Martin, DWR
Claire Gorman, VMRC
Emily Hein, VIMS

**DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE**

Environmental Impact Review
Coordination Review

To: Office of Environmental Impact Review

From: Jeff Hannah, Regional VWPP Program Manager

Date: November 4, 2022

Project: Towing of Inactive Navy Ships, DEQ #22-162F

As requested, the DEQ Tidewater Regional Office has reviewed the supplied information and offers the following comments:

Air Compliance Program :

The following air regulations may be applicable: Virginia Administrative Code 9 VAC 5-50-60 *et seq.* which addresses the abatement of visible emissions and fugitive dust emissions, and Virginia Administrative Code 9 VAC 5-130-10 *et seq.* which addresses open burning. For additional information, contact John Brandt, DEQ-TRO at (757)407-2341.

Land Program (Solid and Hazardous Waste):

All construction and demolition waste, including any excess soil, must be characterized in accordance with the Virginia Hazardous Waste Management Regulations and disposed of at an appropriate facility as applicable.

For additional information, contact Melinda Woodruff, DEQ-TRO at melinda.woodruff@deq.virginia.gov .

Stormwater:

No comment as proposed action does not include land disturbance.

Virginia Water Protection Permit Program (VWPP):

The proposed activity does not propose impacts to surface waters or wetlands; therefore, VWPP authorization is not required. However, if impacts to surface waters or wetlands are identified, the proposed activity may require VWPP authorization under §401 of the Clean Water Act, Virginia Code §62.1-44.15:20, and Virginia Administrative Code 9 VAC 25-210-10 *et seq.* Provided that any and all necessary permits are obtained and complied with, the project will be consistent with DEQ program requirements. For additional information, contact Jeff Hannah, DEQ-TRO at (757)407-2510.

Water Permit Program (VPDES):

No comments as there does not appear to be any point source discharges of process water or wastewater associated with this project that would necessitate a VPDES permit.



Fisher, John <john.fisher@deq.virginia.gov>

DEQ #22-162F Inactive Navy Ships

1 message

Emily A. Hein <eahein@vims.edu>
To: "John.Fisher@deq.virginia.gov" <John.Fisher@deq.virginia.gov>
Cc: Advisory <advisory@vims.edu>

Fri, Nov 11, 2022 at 1:41 PM

Good afternoon, John,

We have reviewed the materials for the Negative Determination for the Navy Towing of Inactive Navy Ships (DEQ #22-162F). We have no comments on the determination and expect no adverse impacts to the coastal and marine environment from the described activities provided they proceed as planned and with all precautions in place such that any vessel under tow is under control at all times and remains within dredged navigation channels.

Please let me know if you have any additional questions.

Best,

Emily

Emily Hein

Pronouns: she/her
Assistant Director for Advisory Services

VIMS Research and Advisory Services

eahein@vims.edu, 804-684-7482





COMMONWEALTH of VIRGINIA

Marine Resources Commission
380 Fenwick Road
Bldg 96
Fort Monroe, VA 23651-1064

Travis A. Voyles
Acting Secretary of Natural and
Historic Resources

Jamie L. Green
Commissioner

November 17, 2022

Department of Environmental Quality
Attn: John Fisher
1111 East Main Street
Richmond, VA 23219

Re: Towing of Inactive Navy Ships DEQ #22-162F

Dear Mr. Fisher,

This will respond to the request for comments regarding the Negative Determination for the Towing of Inactive Navy Ships project (DEQ #22-162F), prepared by the U.S. Department of the Navy. Specifically, the U.S. Department of the Navy has proposed to tow inactive Navy ships to dismantling facilities and between inactive ship facilities in the cities of Norfolk and Newport News, Virginia.

We reviewed the provided documents and found the proposed project is outside the jurisdictional areas of the Virginia Marine Resources Commission (VMRC) and will not require a permit from this agency.

Please be advised that the Virginia Marine Resources Commission (VMRC) pursuant to Chapters 12, 13, and 14 of Title 28.2 of the Code of Virginia administers permits required for submerged lands, tidal wetlands, and beaches and dunes. The VMRC administers the enforceable policies of fisheries management, subaqueous lands, tidal wetlands, and coastal primary sand dunes and beaches, which comprise some of Virginia's Coastal Zone Management Program. VMRC staff has reviewed the submittal and offers the following comments:

Fisheries and Shellfish: No proposed impacts to fisheries or shellfish harvesting grounds.

Submerged Lands: No proposed impacts to state-owned submerged lands.

Tidal Wetlands: None in close proximity to the project area.

Beaches and Coastal Primary Sand Dunes: None in close proximity to the project area.

As such, this project has no foreseeable impact on the VMRC's enforceable policies. As proposed, we have no objection to the consistency findings provided by the applicant. Should the proposed project change, a new review by this agency may be required relative to these jurisdictional areas.

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Department of Environmental Quality
November 17, 2022
Page Two

Please contact me at (757) 247-8027 or by email at ben.nettleton@mrc.virginia.gov if you have questions. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Nettleton". The signature is fluid and cursive, with the first name "Ben" written in a smaller, more compact script than the last name "Nettleton", which is more expansive and features a prominent loop at the end.

Ben Nettleton
Environmental Engineer, Habitat Management

BN/cg
HM

**DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR PROGRAM COORDINATION**

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

TO: John Fisher

We thank **OEIR** for providing DEQ-AIR an opportunity to review the following project:
Accordingly, I am providing following comments for consideration.

Document Type: Negative Determination

Project Sponsor: U.S. Department of the Navy

Project Title: Towing of Inactive Navy Ships

Project Number: DEQ #22-162F

PROJECT LOCATION: **X OZONE ATTAINMENT
AND EMISSION CONTROL AREA FOR NOX & VOC**

REGULATORY REQUIREMENTS MAY BE APPLICABLE TO: **X CONSTRUCTION
 ☐ OPERATION**

STATE AIR POLLUTION CONTROL BOARD REGULATIONS THAT MAY APPLY:

1. ☐ 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 E – STAGE I
2. ☐ 9 VAC 5-45-760 et seq. – Asphalt Paving operations
3. ☐ 9 VAC 5-130 et seq. – Open Burning
4. ☐ 9 VAC 5-50-60 et seq. Fugitive Dust Emissions
5. ☐ 9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable to _____
6. ☐ 9 VAC 5-60-300 et seq. – Standards of Performance for Toxic Pollutants
7. ☐ 9 VAC 5-50-400 Subpart _____, Standards of Performance for New Stationary Sources, designates standards of performance for the _____
8. ☐ 9 VAC 5-80-1100 et seq. of the regulations – Permits for Stationary Sources
9. ☐ 9 VAC 5-80-1605 et seq. Of the regulations – Major or Modified Sources located in PSD areas. This rule may be applicable to the _____
10. ☐ 9 VAC 5-80-2000 et seq. of the regulations – New and modified sources located in non-attainment areas
11. ☐ 9 VAC 5-80-800 et seq. Of the regulations – State Operating Permits. This rule may be applicable to _____

COMMENTS SPECIFIC TO THE PROJECT:

All precautions are necessary to restrict the emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_x).



**(Kotur S. Narasimhan)
Office of Air Data Analysis**

DATE: October 21, 2022

CZMA Correspondence with Mississippi



DEPARTMENT OF THE NAVY

PROGRAM EXECUTIVE OFFICER
AIRCRAFT CARRIERS
614 SICARD STREET SE
WASHINGTON NAVY YARD, DC 20376-7007

IN REPLY REFER TO

4770
368/011
13 Mar 26

Ms. Willa Brantley
Mississippi Coastal Program
Department of Marine Resources
1141 Bayview Avenue
Biloxi, MS 39530

Subj: COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE DETERMINATION (GND) FOR
THE MOVEMENT OF INACTIVE NAVY SHIPS

Ref: (a) Coastal Zone Management Act (CZMA) of 1972 (16 United States Code [U.S.C.] §
1456(c))

Encl: (1) COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE
DETERMINATION (GND) FOR MISSISSIPPI

Dear Ms. Brantley,

The United States (U.S.) Department of the Navy (Navy) has developed Enclosure (1) for your review. The proposed action entails the movement of inactive Navy ships to dismantling facilities and between inactive ship facilities. The purpose of the Proposed Action is for the Navy to move inactive ships from berthing ports to dismantling facilities, or between Navy facilities, to manage inventory while meeting Navy operational needs. For the purposes of this GND, the Proposed Action would be limited to the transit of inactive ships to and from the Port of Pascagoula.

In accordance with Reference (a), the Navy has conducted a review of the Proposed Action for consistency with the Mississippi Department of Marine Resources' enforceable policies under the Mississippi Coastal Zone Management Program. The enclosed GND concludes that the Proposed Action would have no effect on any coastal use or resource in the Mississippi coastal zone.

I am requesting that you review the enclosed information and provide us with your comments and/or concurrence with our determinations in accordance with the CZMA (16 U.S.C. §§ 1456 et seq.) by **15 May 2026**.

If you have any technical questions or require additional information, please contact me at paul.d.theroux.civ@us.navy.mil.

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P. D. THEROUX
CVN 68 CLASS Inactivation PAPM
PEO Carriers (PMS 368)
By direction



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

May 18, 2026

U.S. Department of the Navy
Attn: Paul Theroux
Aircraft Carriers
604 Sicard Street SE
Washington Navy Yard, DC 20376-7007

Re: FCC26-000003; Department of the Navy; Coastal Zone Management Act General Negative Determination for the Movement of Inactive Navy Ships

The Mississippi Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to ensure that the activities are in compliance with the MCP.

The Department has completed review of the above-referenced project under the Coastal Zone Management Act of 1972 and the Coastal Zone Reauthorization Amendments of 1990 and as the lead Coastal Program Agency for the State of Mississippi pursuant to 16 U.S.C. Section 1456(c) and Mississippi Code § 57-15-5, concurs with the submitted consistency determination for this project.

The above granted consistency certification was based upon the plan presented.

If you have any questions regarding this letter, please contact Thomas Butera with the Bureau of Wetlands Permitting at 228-523-4065 or thomas.butera@dmr.ms.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Brantley", written over a horizontal line.

Willa J. Brantley
Director, Bureau of Wetlands Permitting
MS Department of Marine Resources

WJB/tb

CZMA Correspondence with Texas



DEPARTMENT OF THE NAVY

PROGRAM EXECUTIVE OFFICER
AIRCRAFT CARRIERS
614 SICARD STREET SE
WASHINGTON NAVY YARD, DC 20376-7007

IN REPLY REFER TO
4770
Ser 368/012
13 Mar 26

Ms. Leslie Koza
Federal Consistency Coordinator
Texas Coastal Management Program
PO Box 12873
Austin, TX 78711

Subj: COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE DETERMINATION (GND) FOR
THE MOVEMENT OF INACTIVE NAVY SHIPS

Ref: (a) Coastal Zone Management Act (CZMA) of 1972 (16 United States Code [U.S.C.] §
1456(c))

Encl: (1) COASTAL ZONE MANAGEMENT ACT GENERAL NEGATIVE
DETERMINATION (GND) FOR TEXAS

Dear Ms. Koza,

The United States (U.S.) Department of the Navy (Navy) has developed the enclosed General Negative Determination (GND) for your review. The proposed action entails the movement of inactive Navy ships to dismantling facilities and between inactive ship facilities. The purpose of the Proposed Action is for the Navy to move inactive ships from berthing ports to dismantling facilities, or between Navy facilities, to manage inventory while meeting Navy operational needs. For the purposes of this GND, the Proposed Action would be limited to the transit of inactive ships to and from the Port of Brownsville.

In accordance with Reference (a), the Navy has conducted a review of the Proposed Action for consistency with the Texas Coastal Management Program's enforceable policies under the Texas Coastal Management Program. The enclosed GND concludes that the Proposed Action would have no effect on any coastal use or resource in the Texas coastal zone.

I am requesting that you review the enclosed information and provide us with your comments and/or concurrence with our determinations in accordance with the CZMA (16 U.S.C. §§ 1456 et seq.) by **15 May 2026**.

If you have any technical questions or require additional information, please contact me at paul.d.theroux.civ@us.navy.mil.

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P. D. THEROUX
CVN 68 CLASS Inactivation PAPM
PEO Carriers (PMS 368)
By direction



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

April 29, 2026

Department of the Navy
Program Executive Officer
Aircraft Carriers
614 Sicard Street SE
Washington Navy Yard, DC 20376-7007
POC: Paul Theroux

**Re: General Negative Determination for the movement of inactive navy ships to and from Port of Brownsville
Brownsville Ship Channel, Cameron County, Texas
CMP#: 26-1103-F2**

Dear Mr. Theroux:

The project referenced above has been reviewed for consistency with the Texas Coastal Management Program (CMP) pursuant to 31 Texas Administrative Code §30.20. It has been determined that the project, as proposed, is consistent with the CMP goals and enforceable policies.

Please note that this letter does not authorize the use of Coastal Public Land. No work may be conducted or structures placed on State-owned land until you have obtained all necessary authorizations, including any required by the General Land Office and the U.S. Army Corps of Engineers.

If you have any questions or concerns, please contact me at (512) 463-7497 or at federal.consistency@glo.texas.gov.

Sincerely,

Leslie Koza
Federal Consistency Coordinator
Texas General Land Office