United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
333 Bush Street, Suite 515
San Francisco, California, 94104

In Reply Refer To:
19/0025

April 17, 2019

Naval Facilities Engineering Command Pacific
Attention: MITT Supplemental EIS/OEIS Project Manager
258 Makalapa Drive, Suite 100
Pearl Harbor, HI 96860-3134

Dear Project Manager,

The Department of the Interior (Department) has reviewed the Draft Mariana Islands Training and Testing (MITT) Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement (SEIS/OEIS). The Department offers the following comments for use in the development of the final SEIS/OEIS for this project.

General Comments

The distinctions among the 2015 MITT EIS, the 2010 Mariana Islands Range Complex (MIRC), and other Department of Defense trainings and activities planned for the area are not clear. The Department recommends that the final SEIS/OEIS include a summary of the types of activities proposed, where they would occur specifically, what documents cover each undertaking, and where to find those documents. This summary should also note the current status of each undertaking and their associated NEPA and NHPA documents.

The final SEIS/OEIS should also provide a clear explanation of the evolution from the MIRC (used in reference to both the original study area and the EIS) to the MITT (which expanded the study area but still references the original MIRC Study Area). We note that the official MITT-EIS.com website calls the 2010 MIRC EIS/OEIS the "2010 MITT EIS/OEIS" even though the official documents are titled MIRC, not MITT. This re-naming of documents is confusing, especially because the draft MITT SEIS was released at the same time as consultation is underway to update the 2009 Programmatic Agreement (PA) associated with the 2010 MIRC EIS, and subsequently the 2015 MITT EIS, on the basis that the activities proposed in 2015 were consistent with those evaluated in 2009. The new PA is being developed based on the 2015 MITT EIS and not the information in the draft SEIS/OEIS, because the draft SEIS/OEIS is only for at-sea activities. This distinction is not intuitive given that there are submerged resources in the at-sea training areas, which we note below in our comments on Chapter 3.11.

The draft SEIS/OEIS refers to the 2015 MITT EIS, noting that terrestrial impacts, except on Farallon de Medinilla Island (FDM), are addressed in the 2015 Final EIS and would not change. Therefore, the draft SEIS/OEIS is to cover changes in at-sea activities and recent knowledge

since 2015 related to impacted resources. The information and comments provided by the Department of the Interior covers the known status of resources as well as the sources of impacts from training. We have limited our comments to select chapters most relevant to our responsibilities in the Mariana Islands. Below, the Department offers additional sources of information that should be considered and referenced in the Final SEIS/OEIS and note them in the appropriate chapter comments.

Summary of NPS Resources Relevant to the MITT DSEIS

The Agat and Asan Units of War in the Pacific National Historical Park on Guam cover more than 1,000 acres of submerged land that comprises more than half of the total area of the parks combined seven units. Coral reefs and their associated habitats and highly diverse marine species are a major feature of the park. Deeper waters traversed by coastal and pelagic species are also found in the Agat and Asan units of the Park. Common to the NPS managed waters both in Agat and in Asan are resident populations of spinner dolphins *Stenella longirostris.* Other marine mammal species of the *Odontocetes* (toothed whales and dolphins) and *Mysticetes* (baleen whales) pass through park waters. Two species listed pursuant to the Endangered Species Act, the green sea turtle (*Chelonia mydas*) and hawksbill sea turtle (*Eretmochelys imbricata*), as well as hammerhead sharks (*Sphyrna lewini*), manta rays (Manta birostris) and threatened coral species including *Acropora globiceps* also occur in the park. The giant humphead wrasse (*Cheilinus undulatus*) is frequently seen in the park and more rarely the large bumphead parrotfish (*Bulbometapon muricatum*), which are both considered "species of concern" by the National Marine Fisheries Service. These areas of the park are utilized each day by scores of recreational SCUBA divers and snorkelers and multiple dolphin watching tourist vessels.

The American Memorial Park in Garapan, Saipan, does not extend into coastal waters beyond the mean high tide mark. However, it provides access to visitors and residents to heavily used marine recreational areas and has recorded nesting of green sea turtles.

Chapter 3.4 Marine Mammals

The DSEIS provides excellent information on marine mammals in the MITT Study Area. However, much is unknown about training impacts on each species, as evidenced by the many new scientific studies on these mammals producing new information every year. The DSEIS application of knowledge about other dolphin species in other Pacific areas to evaluating impacts on the dolphins in the MITT area may not be appropriate. We recommend that you conduct research and documentation of the residency of populations of spinner dolphins (*Stenella longirostris*) on Guam and impacts of the training to them. These populations may particularly be impacted by the mine explosion training in areas at Agat and Asan. We recommend that you provide better information on the impacts of the explosions on these populations and before implementing that training at those sites. We recognize and support that an area frequented by the Agat spinner dolphins is identified as a mitigation area (mostly in NPS managed waters) because of their presence (see Chapter 5).

We question the assessment of training impacts, especially of active sonar to beaked whales. We believe the strandings of beaked whales linked to active sonar, noted on page 3.4-86, particularly in the Canary Islands, has led to termination of active sonar use in training there. Although the numbers of beaked whale strandings, included ones in our Agat Unit, have been low in the MITT area, they often appear to be associated with Navy training exercises. It seems logical that even if many beaked whales were injured or killed due to active sonar training in the large MITT Study

Area, only a very small percentage would strand on reefs in the Study Area. The following reference is informative and should be reviewed and noted in the Final SEIS:

Faerber, M.M. and R.W. Baird. 2010. Does a lack of observed beaked whale strandings in military exercise areas mean no impacts have occurred? A comparison of strandings and detection probabilities in the Canary and main Hawaiian Islands. Marine Mammal Science 26(3):602-613.

The permanent threshold shifts (PTS) which damage hearing are noted to apply to pygmy sperm whales and dwarf sperm whales (*Kogia* spp.) found in the MITT Study Area. We are concerned that this may also affect the beaked whales that are also deep divers. Page 3.4-129 notes that beaked whales are impacted by sound up to 50 kilometers away and that they avoid sound sources by 10 kilometers (page 3.4-132). For the final SEIS/OEIS, the Department recommends that the impact assessments consider whether they would be so startled by explosions or active sonar causing them to rush from great depths to the surface at dangerous speed causing injury from gas expansion in their blood and whether repeated impacts causing temporary threshold shifts (TTS) could lead to PTS.

Chapter 3.11 Cultural Resources

There is considerable literature available on submerged cultural resources in addition to the few references listed in this section. As noted earlier, submerged resources located in the MITT Study Area are at risk during at-sea activities. Because the draft SEIS clearly states that avoidance is the primary mitigation measure, the list of reference documents and maps of the sites should be comprehensive and updated to ensure that Navy decisions are based on all available information. We are also aware that a NOAA research vessel Okeanos Explorer located submerged wrecks of USAAF B-29s from World War II off Tinian North Field and provided live video of the wrecks on public internet in 2016. Documentation exists of numerous Japanese and American aircraft down in the waters offshore of the Mariana Islands, in such locations as Agat Bay of Guam, especially in June and July 1944 during World War II.

At a minimum, the following documents should be reviewed, considered, and referenced in the Final SEIS:

Carrell, Toni, ed. *Micronesia Submerged Cultural Resources Assessment*. National Park Service. Santa Fe, 1991.

Carrell, Toni, ed. *Maritime History and Archaeology of the Commonwealth of the Northern Mariana Islands*. Commonwealth of the Northern Mariana Islands. Saipan, 2009.

Lotz, Dave. *Patrol Area 14*. Xlibris. Bloomington, 2018. Appendix 2 lists the Japanese ships sunk by U.S Navy submarines in the waters of the Mariana Islands with the locations of the sinkings.

Chapter 4. Cumulative Impacts

Table 4.2-1 does not provide a comprehensive listing of past, present, and reasonably foreseeable actions. For example, known similar actions, such as increases in ocean liner tourism and evaluated as cumulative impacts. The final SEIS/OEIS should include updated and expanded information so that a thorough cumulative impact analysis can be conducted.

Also, it is not clear why "Wastewater System for Saipan" is located in Guam (page 4-16). The Department recommends that this be corrected in the final SEIS/OEIS.

Chapter 5. Mitigation

It is not clear if mitigation is proposed for damages to resources caused by the training activities. A possible mitigation action by the Navy would be to restrict fishing and development impacts in the Navy side of Sasa Bay, where the Guam Government marine protected area covers the east side of the bay and stops at Navy waters at the west half of the bay. It seems that this critical pupping ground for threatened hammerhead sharks, nursery area for many fishes, largest mangrove forest, and largest mud flat area in the Mariana Islands should be recognized and conserved by the Navy, as it is by the Government of Guam.

The mitigation area proposed in this draft SEIS/OEIS in Agat Bay, because of the resident spinner dolphins, might not be adequately large. Habitat needed by these dolphins should be assessed and the mitigation area re-designed to include this. Also a mitigation nearshore area in leeward Guam from Piti to Tanguisson may be needed as well for another population of this species. On page 5-11, please define what is meant by saying mitigation zones do not apply to "deminimus" explosions. Does this imply small explosions such as 2.5 pounds of explosives versus 20 pounds or more can be allowed in the dolphin mitigation areas?

The use of lookouts to detect marine mammals and turtles is not effective enough to protect the animals from sonar and explosives harm. The likelihood of detecting especially deep diving and difficult to see smaller cetaceans is low and decreases with wave activity and darkness, even though training is conducted in rough seas and after dark. As noted earlier, beaked whales react to sounds up to 50 kilometers away, impacts likely would be beyond surface observers' sight. Falcone et al. (2017) (Page 3.4-280 reference) showed that beaked whales react to hull-mounted and helicopter deployed mid-frequency active sonar (MFAS), even 100 kilometers away.

It is our understanding that Navy sonar operators are able to detect submerged cetaceans and even determine their species. We recommend that training operations include a protocol to use such sonar lookouts to prevent damage to marine mammals during training.

We suggest that a comparison be provided in the final SEIS/OEIS of mitigation and limits of similar specific military training activities applied in Hawaii and California to the proposal for the MITT Study Area. If activities and species "take" limits are more restrictive in those other training areas than they are in the MITT Study Area, please consider more restrictions in the MITT Study Area.

We recommend determination of a Biological Interest Area for marine mammals in the MITT Study Area, to better direct future mitigation.

Appendix A: Training and Testing Activities Descriptions

- Page A-70, for mine neutralization, E4 explosive bins are listed for use in "Mariana littorals". For the final SEIS/OEIS, please clarify whether E4 explosive bins – as well as the limpet mine explosions on page A-69 - will be used in places frequented by the spinner dolphins in Agat Bay and Asan Bay.

- Page A-80, for mine neutralization EOD, E5 and E6 explosive bins are listed for Bays/Estuaries at Agat Bay, Piti, and Apra Harbor. The final SEIS/OEIS should clarify whether this will also impact resident dolphin habitat areas.
- Page A-82, for submarine mine exercise, high frequency sonar is proposed at "nearshore littorals." The final SEIS/OEIS should clarify that this activity should not be done in Guam spinner dolphin areas.
- Page A-86, for underwater demolition qualification and certification, up to 20 pound explosive charges are listed for Agat Bay and 10 pound charges at Piti and Apra Harbor. The Agat and Piti sites may be frequented by the resident spinner dolphins and dolphin tour boats and fishermen. Larger explosions there would not be appropriate. This should be analyzed and addressed in the final SEIS/OEIS.

Appendix I: Geographic Mitigation Assessment

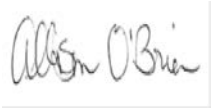
As more information is discovered on areas and seasons critical to marine mammals and other protected organisms, and on sites of submerged historical resources such as World War II wrecks, we recommend that mitigation areas and limits on damaging training actions be applied by the Navy during training exercises before another SEIS is needed.

We support and are pleased to see the innovation of the Marpi Reef Mitigation Area in recognition of the recently documented humpback whale breeding area.

For the final SEIS/OEIS, please show on maps and describe the designated Marine Protected Areas in the Commonwealth of the Northern Mariana Islands and the Guam Marine Preserves as not available for impacts of MITT activities. Likewise federally designated areas on Guam that include the two Navy Ecological Preserves and the War in the Pacific National Historical Park are not available for damaging MITT activities. Those areas should not be offered as mitigation for MITT activities, as those protections already exist, but they should be recognized as areas to exclude from training. Although training may be allowed in the Marianas Trench Marine National Monument, its location should be provided for reference. Future scientific studies of Monument resources may lead to need for specific mitigation sites there.

Thank you for the opportunity to participate in this review. The National Park Service is pleased to continue working with the Department of Navy to ensure the protection and preservation of resources in the areas proposed for training and testing. Should you have any questions regarding these comments, please contact Ms. Barbara Alberti at 671-477-7278, extension 1003, or via email (barbara_alberti@nps.gov).

Sincerely,



for Janet Whitlock
Regional Environmental Officer

cc: NPS Environmental Quality Division
NPS PWR Cultural Resources Division