

# Finding of No Significant Impact

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## Marine Turtle Assessment Program (MTAP)

### Proposed Action (Alternative B): Implementation and Expansion of the Current Program to Include the U.S. Insular Areas of the Pacific Islands Region

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NOAA Administrative Order (NAO) 216-6 (revised May 20, 1999) contains criteria for determining the significance of the impacts of a Proposed Action. In addition, the Council on Environmental Quality regulations at 40 CFR 1508.27 state that the significance of an action should be analyzed both in terms of "context" and "intensity." Each criterion listed below is relevant in making a finding of no significant impact and has been considered individually, as well as in combination with others. The significance of this action is analyzed based on the NAO 216-6 criteria and the Council on Environmental Quality's context and intensity criteria. These include:

**1. Can the Proposed Action be expected to jeopardize the sustainability of any target species that may be affected by the action?**

The Proposed Action is not expected to jeopardize the sustainability of the five sea turtle species that would be studied. The purpose of the research is to collect field data and generate population assessment reports in support of sea turtle recovery efforts in the Pacific Ocean. The methods and types of materials employed by the MTAP are the same as those developed and refined by the Marine Turtle Research Program (MTRP) at PIFSC. The MTRP has studied the Hawaiian stock of the green sea turtle in the Hawaiian Archipelago since 1972. Each year, the MTRP has counted, captured, handled, tagged, measured, and sampled several hundred green sea turtles. The population of this stock of sea turtle has been increasing under this research protocol and legal protection, despite the extensive fibropapilloma (FP) disease complex throughout many areas of the Hawaiian Islands. The Proposed Action would study fewer sea turtles per year and over a much larger area (i.e., a lower intensity) than the MTRP. The data collection activities would have only short-term temporary minor adverse impacts on the five species of sea turtles while they are counted, captured, handled, tagged, measured, or sampled. It is not expected that these survey activities would result in the mortality of any sea turtles because of the standard operating procedures and mitigation measures that are described in the EA.

**2. Can the Proposed Action reasonably be expected to jeopardize the sustainability of any non-target species?**

The Proposed Action is not expected to jeopardize the sustainability of any non-target species affected by the action. The data collection activities are highly specific and few non-target species would be

affected. The Proposed Action would occur on beaches and in near-shore shallow-water habitats of the Pacific Islands Region. These habitats support many different types of plants and animals. On the beach, research activities would include directly handling or observing sea turtles. Seabirds or shorebirds in the vicinity of these surveys may be indirectly and temporarily flushed from one section of the beach to another by the activity, but this would not jeopardize their sustainability. In the ocean, sea turtles would be observed during snorkel or SCUBA surveys, or captured for tagging or sampling. Snorkel or SCUBA surveys may indirectly and temporarily frighten off fish in the vicinity of these surveys, but this would not jeopardize their sustainability. Sea turtle capture activities would be conducted by hand, or with scoop nets or tangle nets. The tangle nets would be deployed infrequently and on a small-scale. The tangle nets would have large diameter mesh in order to minimize the potential for catching a fish that encounters the net. MTAP staff would monitor nets when they are in the water and release any non-target species caught in the nets. The proposed activities in the ocean are not expected to jeopardize the sustainability of non-target species.

**3. Can the Proposed Action reasonably be expected to cause substantial damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Act and identified in Fishery Management Plans?**

The Proposed Action would not cause substantial damage to the ocean, coastal habitats, or Essential Fish Habitat. The Proposed Action involves primarily short-term temporary minor adverse impacts along the beach and in the water from data collection activities. The Proposed Action includes visual surveys and sea turtle capture activities in near-shore shallow-water coastal habitats, which include both coral reefs and sandy substrates. The activities would be carried out using snorkel or SCUBA equipment, scoop or tangle nets, and small boats. These activities are designed to avoid contact with benthic habitats, such as coral reefs. The Proposed Action would not release any pollutants into the water column. Snorkelers or other field staff may accidentally bump into a coral reef during a survey, but these adverse impacts would be minor, small-scale, short-term, and temporary. The collection of small amounts of algae for a diet analysis represents a fraction of the total biomass of algae at any one sample site.

**4. Can the Proposed Action be reasonably expected to have a substantial adverse impact on public health or safety?**

The Proposed Action would not have a substantial adverse impact on public health or safety. The nesting research would be conducted on mostly remote beaches across the western and central Pacific Ocean. Many of the research activities would be conducted in marine protected areas, such as the Pacific Remote Island Marine National Monument (PRIMNM). The public rarely visits these locations and access is generally limited. Other MTAP research activities may take place on public beaches. Members of the public may watch activities involving stranded sea turtles or sea turtle examinations or releases, but they are not allowed to assist. Educational information and materials are provided to the public whenever requested or when the research activities take place in a public setting. The Proposed Action would not expose the public to hazardous materials. The use and disposal of chemicals is carefully tracked and dealt with according to appropriate laws and regulations.

**5. Can the Proposed Action reasonably be expected to adversely affect endangered or threatened species, marine mammals, or critical habitat of these species?**

The Proposed Action would result in “take” – as defined by the ESA – of federally threatened and endangered sea turtle species during the data collection and stranding response activities. The take would be in the form of pursuit, capture, measure, weigh, flipper tag, PIT tag, blood sample, tissue sample, release, and transportation. However, the direct and indirect adverse impacts from these data

collection and monitoring (i.e., attaching scientific instruments such as satellite tags) activities would be mostly short-term and temporary. The long-term minor beneficial effect of the data collection activities and stranding response would be an improved understanding of sea turtle biology and ecology. Prior to conducting the Proposed Action, these research activities would need to be authorized by NMFS and the USFWS through Section 10(a)(1)(A) scientific research and enhancement permits. The Proposed Action is designed to avoid serious injury or mortality of sea turtles. In very rare circumstances, sea turtles rescued during stranding response activities are too sick to survive in the wild and would be humanly euthanized by a qualified veterinarian in accordance with all applicable authorizations.

Components of the Proposed Action may occur in the Northwestern Hawaiian Islands, which is designated critical habitat for Hawaiian monk seals. The Proposed Action would not affect or modify the primary constituent elements of the critical habitat. The Proposed Action is designed to avoid take of Hawaiian monk seals during surveys and data collection activities.

**6. Can the Proposed Action be expected to have a substantial impact on biodiversity and/or ecosystem function within the affected area (e.g., benthic productivity, predator-prey relationships, etc.)?**

The Proposed Action would not have a substantial impact on biodiversity or ecosystem function within the affected area. The research activities are carried out on a small scale, with generally one individual sea turtle at a time. If a sea turtle needs to be handled (e.g., while being tagged), then it would generally be handled for less than one hour and released back into the wild near where it was captured. Sampling of the environment (e.g., collecting algae) is extremely limited, and would not result in adverse impacts to biodiversity or ecosystem function. Field surveys incorporate standard operation procedures to avoid interfering with the native wildlife (e.g., seabirds) in these remote areas.

**7. Are significant social or economic impacts interrelated with natural or physical environmental effects?**

The Proposed Action would not have significant social or economic impacts because adverse effects to the natural and physical environment are primarily minor short-term and temporary. Furthermore, the Proposed Action would take place mostly in remote and uninhabited areas. The Proposed Action would have a long-term minor beneficial effect on sea turtles in the Pacific Islands Region by contributing abundance, nesting, movement, tracking, dietary, and life history data to species recovery efforts. This would have a minor indirect beneficial effect on wildlife-related tourism to the islands.

**8. To what degree are the effects on the quality of the human environment likely to be highly controversial?**

The effects of the Proposed Action on the quality of the human environment would not be highly controversial. Over the last 40 years the PIFSC has worked with state governments, local agencies, non-governmental organizations, and individuals to facilitate the recovery of sea turtles in the Pacific Islands Regions. In order to avoid any misconceptions by the public during the Proposed Action, the MTAP would continue to engage the public through educational materials and presentations, both in the field during research activities and in classroom-type settings.

**9. Can the Proposed Action reasonably be expected to result in substantial impacts to unique areas, such as historic or cultural resources, park land, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?**

The Proposed Action would not have a substantial adverse impact on unique areas. Sea turtle surveys would take place on beaches and in near-shore shallow-water habitats located in areas that could be considered unique (e.g., the four Marine National Monuments of the Pacific Ocean). These surveys, and

the field camping in tents necessary to conduct the surveys, would be limited to a few researchers for a few nights a year at any one location. Following the surveys, all equipment and trash would be removed from the campsite and therefore all direct and indirect impacts would be temporary. Stranding response and research activities many occur in a variety of marine or coastal settings, but these minor adverse impacts are short-term and temporary. Stranding response involves a couple of researchers, on foot, aiding a turtle and, if necessary, carrying the turtle to a truck to be transported back to the rehabilitation facility.

**10. To what degree are the effects on the human environment likely to be highly uncertain or involve unique or unknown risks?**

The Proposed Action would not involve highly uncertain, unique, or unknown risks. The MTAP would employ the same methods and materials that been used by PIFSC staff over the last 40 years. These procedures, protocols, and minimization measures that are accepted worldwide in the sea turtle research scientific community and that have proven effective in the Hawaiian Islands and the Pacific Ocean sea turtle stocks.

**11. Is the Proposed Action related to other actions with individually insignificant, but cumulatively significant impacts?**

The Proposed Action is not related to other actions with individually insignificant, but cumulatively significant impacts. The Proposed Action is similar to the activities conducted by the MTRP at PIFSC, but these activities occur in different regions of the Pacific Islands Region and with different stocks of sea turtles. Because the five species of sea turtles being studied are listed as threatened or endangered, the take of these species is regulated by the NMFS Protected Species Division and U.S. Fish and Wildlife Service. The MTAP has carefully considered the potential adverse effects of each research activity. The standard operating procedures implemented by the MTAP were developed to avoid and minimize adverse effects to sea turtles. Furthermore, the educational outreach and technical assistance components of the Proposed Action have shared these standard operation procedures with researchers across the Pacific Islands Region. Other actions related to the Proposed Action include research by state and local agencies, as well as non-governmental organizations. These non-MTAP research programs account for a fraction of the research on sea turtles within the scope of analysis and are usually coordinated with the PIFSC.

**12. Is the Proposed Action likely to adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources?**

The Proposed Action would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and would not cause the loss or destruction of significant scientific, cultural, or historic resources. The Proposed Action would take place along the coastlines of islands and atolls located in the Pacific Islands Region. Many of these places have sites that are listed or eligible for listing in the National Register of Historic Places (e.g., WWII historic structures, places of cultural importance). However, the Proposed Action has been designed to avoid potentially affecting such sites. The Proposed Action would not include any construction or excavation activities. Furthermore, the research activities takes place primarily in and around dynamic natural ecosystems, such as sandy beaches and coral reefs, which generally cannot support structures or sustain other historic resources because of erosion and wave action.

**13. Can the Proposed Action reasonably be expected to result in the introduction or spread of a nonindigenous species?**

The Proposed Action would not result in the introduction or spread of nonindigenous species. The Proposed Action involves only native species, including the leeches and barnacles found growing on sea turtles, in their historical ranges. As a minimization measure, all research and sampling equipment is sanitized between uses.

**14. Is the Proposed Action likely to establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration?**

The Proposed Action is not likely to establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. The MTRP at PIFSC research program has been conducting these types of data collection and stranding response activities for the last 40 years without establishing a precedent for future actions with significant effects. The Proposed Action, which includes additional research activities, would be conducted in accordance with similar past authorizations and all new necessary re-authorizations, thereby not establishing a precedent for future actions with significant effects.

**15. Can the Proposed Action reasonably be expected to threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment?**

The Proposed Action would not have, or threaten to have, a violation of Federal, state, or local law or requirements imposed for the protection of the environment. The MTAP would operate with all necessary and required permits and approvals from Federal, state, and local agencies.

**16. Can the Proposed Action reasonably be expected to result in cumulative adverse effects that could have a substantial effect on the target species or non-target species?**

The Proposed Action would not result in cumulative adverse effects on the human environment, and therefore would not have a substantial effect on target species or non-target species. As described in Section 4.3 of the attached EA, sea turtles face a number of natural (e.g., disease) and anthropogenic (e.g., bycatch during commercial fishing) threats in the Pacific Islands Region. The Proposed Action is designed to avoid and minimize direct and indirect adverse impacts to target and non-target species. Consequently, the Proposed Action will have a long-term minor beneficial impact on both target and non-target species through an improved understanding of the region's ecology.

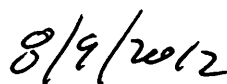
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**Determination**

In view of the information presented in this document and the analysis contained in the supporting Programmatic Environmental Assessment prepared for the MTAP, it is hereby determined that the Proposed Action (Alternative B): Implementation and Expansion of the Current Program to Include the U.S. Insular Areas of the Pacific Islands Region, will not significantly impact the quality of the human environment as described above and in the Programmatic Environmental Assessment. In addition, all beneficial and adverse impacts of the Proposed Action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an Environmental Impact Statement for this action is not necessary.



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Date