



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

October 17, 2011

Jeff Walters
Marine Mammal Branch Chief
Pacific Islands Regional Office
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
1601 Kapiolani Boulevard, Suite 1110
Honolulu, HI 96814

Subject: Draft Programmatic Environmental Impact Statement for Hawaiian Monk Seal Recovery Actions, Hawaii [CEQ# 20110207]

Dear Mr. Walters,

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The DEIS evaluates options for continuing, terminating, or expanding a broad range of research and enhancement activities intended to facilitate the conservation and recovery of the critically endangered Hawaiian monk seal in the Northwest Hawaiian Islands (NWHI), Main Hawaiian Islands (MHI) and Johnston Atoll. The National Marine Fisheries Service's preferred alternative, identified as Alternative 4, would result in an expansion of current activities in the form of additional surveys, vaccination studies, seal translocations, potential for supplementation of monk seal diet, modification of undesirable monk seal behaviors, and an option for temporary translocation of weaned pups from the NWHI to the MHI.

We have rated the DPEIS as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions"). EPA supports Alternative 4 and the NMFS' goals of conservation and recovery of this critically endangered species. This alternative provides the greatest opportunity for the NMFS to employ whichever management activities research reveals to be most effective in facilitating monk seal recovery.

While EPA has no objections to the proposed project, we have a number of brief comments and recommendations regarding human-seal interactions and the need for supplemental funding that we ask the NMFS to address. These comments are contained in the "Detailed Comments" attached to this letter.

EPA appreciates the opportunity to review this DPEIS. When the Final PEIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at 415-972-3521 or Carter Jessop, the lead reviewer for this project, at 415-972-3815 or jessop.carter@epa.gov.

Sincerely,

/s/

Kathleen Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure: Summary of EPA Rating Definition
Detailed Comments

US EPA DETAILED COMMENTS ON THE DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT FOR HAWAIIAN MONK SEAL RECOVERY ACTIONS, HAWAII

Human-Seal Interactions

Despite the small size of the monk seal population currently residing on the MHI, the rate of human-seal interactions, as discussed in Section 3.3.1.7 and Table 3.4-11, is alarmingly high. If the population of monk seals on the MHI continues to increase at the anticipated rates (possibly facilitated by additional translocation activities), the frequency of interactions resulting in deleterious effects for either the seals or the humans involved will likely increase, as well. Based upon the data presented in the above mentioned sections, the prevention and mitigation measures employed thus far for the management of human-seal interactions would seem to be insufficient in preventing harm to both humans and seals.

Recommendation: Given the high rate of human-seal interaction and the unsustainable numbers of monk seal fatalities that have resulted in recent years, EPA recommends that the EIS devote greater attention to the issue of human-seal interaction and the proposed measures for preventing or mitigating these interactions. We recommend that the extent of planned community outreach and education be highlighted in greater detail. We note that alterations in human behavior are mentioned in Section 5.4 as an effective measure for preventing the development of abnormal socialization of seals. We suggest that this discussion be provided greater attention in the FEIS.

Need for Funding

Section 2.10 of the DPEIS states that full implementation of the preferred alternative (Alternative 4) would require “more funding and additional support of new and existing partners in monk seal recovery” (pg 2-27). Given budgetary constraints and present economic conditions, what is the likelihood that NMFS will be able to secure the necessary funds for the full implementation of this alternative? If this alternative is selected, to what extent will the implementation of recovery actions be limited by a lack of sufficient funding? Which actions would be excluded from implementation should funds prove to be a limiting factor?

Recommendation: EPA recommends that the FEIS briefly discuss the need for supplemental funding to support the preferred alternative, the likelihood this funding will be secured, and the extent to which a lack of funding could limit critical research and recovery activities.