

NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF ECOSYSTEM RESERVE
RESERVE ADVISORY COUNCIL

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

December 11, 2017

RE: DRAFT ENVIRONMENTAL IMPACT STATEMENT/OVERSEAS
ENVIRONMENTAL IMPACT STATEMENT FOR HAWAII-SOUTHERN
CALIFORNIA TRAINING AND TESTING

To Whom it May Concern:

We write to you as the Northwestern Hawaiian Island Coral Reef Ecosystem Reserve Advisory Council (RAC) for the Papahānaumokuākea Marine National Monument to provide comments regarding the Draft Hawaii-Southern California Test and Training Environmental Impact Statement/Overseas Environmental Impact Statement (DEIS). The RAC is an advisory group to the Office of National Marine Sanctuaries consisting of representatives from various stakeholder groups, governmental agencies, and Native Hawaiian representatives. It includes fishing, business, conservation, science, education, and Kupuna interests.

On December 6, 2017, RAC had a joint meeting with the Hawaiian Island Humpback Whale National Marine Sanctuary Advisory Council (SAC), at which time the DEIS was discussed.

We believe that the DEIS is insufficient as it does not comply with both the letter and spirit of the law. Full compliance with the National Environmental Policy Act ("NEPA"), 42 U.S.C. 4321 et seq., is vital to ensuring that marine mammals and other marine life are protected from unnecessary harm. As Congress intended when it passed NEPA, the Navy is required to employ rigorous standards of environmental review, including a comprehensive analysis of all practical alternatives, a full explanation of potential impacts, a reasonable and objective accounting of cumulative impacts, and a thorough description of mitigation measures that will significantly lessen environmental impacts.

Unfortunately, the DEIS falls far short of these mandates and fails to satisfy the Navy's legal obligations under NEPA. Specifically the DEIS should include more transparency regarding species specificity on threshold modeling. There needs to be a more robust discussion on marine debris and related impacts such as increased entanglement, and unexploded ordinance removal. There are insufficient details on the actual training activities making it difficult for the public and decision makers to adequately assess the potential impacts. For example the DEIS should include information on the number of ships each of Navies have involved in RIMPAC activities. Moreover, there is no evidence that activities covered under the DEIS are inclusive of those of foreign navies.

Further, the DEIS is deficient in addressing the following significant issues:

- verifying the independence of its observer program. A fire wall should be implemented to insure the objectivity of independent observer reports;
- the Navy should demonstrate its efforts at consulting with other scientists to include state of the art science, based on recent Marine Mammal acoustic research. For example, the effectiveness of sounds that act as a warning for Marine Mammals to self-restrict their hearing levels;
- it fails to discuss alternatives to active sonar or other ways to detect submarines;
- the proposed take limits should be reduced as they are arbitrarily high.

The Navy's failure is in stark contrast to both the unprecedented level of harm and the varied activities taking place over such a large area. This letter covers all marine mammals found within the Northwestern Hawaiian Island Coral Reef Ecosystem Reserve and their habitat. Some of these cetaceans are studied during NOAA's Hawaiian Islands Cetacean and Ecosystem Assessment Survey (HICEAS).¹ Regardless of these known harms to marine life, the Navy is projecting a net increase in testing systems that use sonar.

Additionally, the "Study Area" is too large and should be divide into two Environmental Impact Statements. Throughout the DEIS "small spatial scale relative to the entire Study Area" is used to justify the take which is likely to occur. This is all done without a proper analysis of the cumulative impacts that marine life will experience as a result of either alternative 1 or alternative 2.

These are just a few examples of issues for consideration and reassessment, and are in no way comprehensive.

For all the above reasons, we urge the agencies to recommend the no action alternative.

Sincerely,



William Aila, Jr.
Chair, Reserve Advisory Council

1. NOAA Fisheries. Pacific Islands Fisheries Science Center. "What's HICEAS?" https://www.pifsc.noaa.gov/hiceas/whats_hiceas.php. Accessed 11 December 2017