National Marine Fisheries Service
FINDING OF NO SIGNIFICANT IMPACT
for Environmental Assessment of Financial Assistance for the
Sea Turtle Conservation Program of the
Western Pacific Regional Fishery Management Council

Introduction

Pursuant to National Environmental policy Act (NEPA) and NOAA policy as per NOAA Administrative Order 216-6, the Pacific Islands Regional Office, in conjunction with the Western Pacific Regional Fishery Management Council (Council) prepared an Environmental Assessment (EA) that contains an analysis of a range of alternatives and resulting impacts for providing financial assistance over a five-year grant period to the Council's Sea Turtle Conservation Program. One of the purposes of the EA is to provide the evidence and analysis necessary to decide whether an agency must prepare an environmental impact statement (EIS). This Finding of No Significant Impact (FONSI) is the decision maker's determination that the proposed action will not result in significant impacts to the human environment and therefore further analysis in an EIS is not needed. This EA and FONSI also integrate and cover the environmental review for E.O. 12114, Environmental Effects Abroad of Major Federal Actions.

Alternatives Considered

The alternatives considered in detail in the EA are:

Alternative 1: No Action – This alternative would not provide financial assistance to the Council to support sea turtle conservation programs at the locations described in Chapter 2 of the attached EA.

Alternative 2: Education, Outreach, and Census Patrols – This alternative consists of community education and outreach, and census patrols utilizing strict and well-defined protocols. This alternative does not include the touching of turtles or eggs (i.e., no tagging or measurements, and no nest management activities), but entails only the counting of females and nests to quantify simple baseline nesting dynamics (i.e., number of nesting turtles and number of nests laid per season). Nesting beach protection would be achieved by education and outreach initiatives provided to the local community, and by the presence of beach monitors conducting nightly census patrols.

Alternative 3: Education and Outreach, Census Patrols, Research Monitoring, and Nesting Beach Management (including Predator Mitigation) - This alternative consists of community education and outreach, census patrols, research monitoring, nesting beach management, and predator mitigation utilizing strict and well-defined protocols. Monitoring would include research efforts consistent with stringent protocols for tagging turtles and collecting biological information (e.g., measurements) at nesting and foraging sites, and quantifying hatching success rates at nesting beaches to obtain a measure of site productivity. Nest management would involve utilizing strict and well-defined protocols to identify and relocate nests laid in erosion prone areas to maximize hatchling production.

To alleviate impacts from predators at nesting sites (e.g. feral dogs/cats, pigs, raccoons, iguanas), management efforts would include the protection of hatchling and/or nest from predators by either *in-situ* management (i.e., construction of protective structures around, near or over non-relocated nests, fences, placement of grates/cages, etc.), or relocation of nests to hatcheries to maximize hatchling production (site specific methods to be identified by the implementing organization). Nesting beach protection would be achieved by education and outreach initiatives provided to the local community to reduce anthropogenic impacts, by the presence of beach monitors conducting nightly census/monitoring patrols, and by the relocation of nests destined for certain (100%) mortality due to beach erosion impacts.

Alternative 4: Education and Outreach, Census Patrols, Research Monitoring, Nesting Beach Management, and Bycatch Mitigation (Preferred Alternative) - This alternative consists of community education and outreach, census patrols, research monitoring, nesting beach management, predator mitigation, and bycatch mitigation utilizing strict and well-defined protocols. Monitoring would include research efforts consistent with stringent protocols for tagging turtles and collecting biological information (e.g., measurements) at nesting and foraging sites, and quantifying hatching success rates at nesting beaches to obtain a measure of site productivity. Nest management would involve utilizing strict and well-defined protocols to identify and relocate nests laid in erosion prone areas to maximize hatchling production. Predator mitigation would include protection of hatchlings and/or nests from predators by either *in-situ* management or relocation of nests to hatcheries to maximize hatchling production. Additional nesting beach protection would be achieved by education and outreach initiatives provided to local community to reduce anthropogenic impacts, by the presence of beach monitors conducting nightly census/monitoring patrols, and by the relocation of nests destined for certain (100%) mortality due to beach erosion impacts.

Bycatch mitigation would involve testing of alternative gear or fishing methods known to or predicted to reduce sea turtle bycatch, testing of other mitigation technology (e.g., deterrents such as illumination of gear and use of shark shapes), and education and outreach to fishers and local communities to gain support for bycatch reduction. Other projects directed at understanding sea turtle bycatch issues would involve necropsies of dead stranded sea turtles and monitoring of certain fisheries.

Content and Intensity as Required by NEPA

The Council on Environmental Quality (CEQ) Regulations state that the determination of significance using an analysis of effects requires examination of both context and intensity, and lists ten criteria for intensity (40 CFR 1508.27). In addition, the National Oceanic and Atmospheric Administration Administrative Order (NAO) 216-6 Section 6.01b. 1 - 11 provides eleven criteria, the same ten as the CEQ Regulations and one additional, for determining whether the impacts of a proposed action are significant. Each criterion is discussed below with respect to the proposed action and considered individually as well as in combination with the others.

1. Can the proposed action reasonably be expected to cause both beneficial and adverse impacts that overall may result in a significant effect, even if the effect will be beneficial?

The proposed action is designed to conserve and protect threatened and endangered sea turtles and to be beneficial to these species. Stringent handling protocols as defined in the IUCN comprehensive guide to turtle research and conservation: *Research and Management Techniques for the Conservation of Sea Turtles* (1999, as cited in the attached EA) will be followed to ensure no harm or injury to these species will occur as a result of the proposed action. These methods and protocols are accepted by sea turtle experts as not causing harm to sea turtles and to enhance hatchling productivity.

Although the sea turtle conservation projects will likely increase hatchling success and provide valuable information on sea turtles, there are numerous other nesting beaches that remain unprotected. In addition, there are many other threats to sea turtles including fishery interactions, loss of habitat, beach construction, and disease, which can adversely affect sea turtle populations. The conservation work described in Alternatives 2-4 will not single-handedly recover sea turtle populations and are just a small portion of the larger international effort needed to protect sea turtles. Therefore, while the impacts of these activities are beneficial, they are not considered to be significant on a global scale.

2. Can the proposed action reasonably be expected to significantly affect public health or safety?

Section 4.8.1 of the attached EA (pg. 62) states that implementation of the proposed action would have no effect on public health and safety. The community members conducting the conservation measures receive training by the relevant organizations to conduct their work in safe manner, and follow stringent handling protocols as defined in the IUCN (1999) comprehensive guide to turtle research and conservation: *Research and Management Techniques for the Conservation of Sea Turtles.* These handling protocols are designed to ensure the safety of both the sea turtle and the person(s) doing the tagging.

As described in Section 3.1.2.1 of the attached EA (pg. 38), sea turtle eggs are a traditional food item for people in Papua and Papua New Guinea. However, the amount of food derived from leatherback sea turtle eggs is thought to be minimal, as many areas have prohibited the harvest of sea turtles and eggs for several years. Additionally, there are other sources of protein available to communities, such as from fish, chicken, and pigs, and thus there are no expected impacts to public health as a result of implementing Alternatives 2-4 which promote the non-harvest of leatherback sea turtle eggs.

3. Can the proposed action reasonably be expected to result in significant impacts to unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?

Under Alternatives 3 and 4, which involve nest relocation from erosion-prone areas, the nests dug for relocating sea turtle eggs would not involve large quantities of sand to be displaced and subsequently re-deposited into the marine environment. Nesting beach management programs promote activities which maintain the beaches in their natural state. Therefore, Alternatives 3 and 4 are not expected to have any significant impacts on unique geographic areas, as no construction of physical structures or destruction of existing features is being proposed.

4. Are the proposed action's effects on the quality of the human environment likely to be highly controversial?

The impacts of the alternatives on the human environment are not expected to be controversial because the sea turtle conservation measures described in Alternatives 2 through 4 are well recognized as being effective in the global effort to conserve sea turtles, and have been endorsed and supported by the Council's Turtle Advisory Committee (TAC) and other program partners, including the Sea Turtle Association of Japan, Marine Research Foundation, World Wildlife Fund-Indonesia, Proyecto Caguama, Secretariat of the Pacific Regional Environment Program, Secretariat of the Pacific Communities, and Everlasting Nature of Asia. The actions described in Alternatives 3 and 4 for relocating nests and handling turtles follow stringent handling protocols as defined in the IUCN comprehensive guide to turtle research and conservation: *Research and Management Techniques for the Conservation of Sea Turtles* (1999, as cited in the attached EA). These methods and protocols are accepted by sea turtle experts as not causing harm to sea turtles and to enhance hatchling productivity. See Chapter 2, Sections 2.1.5.3 through 2.1.5.4.1 for a detailed description of the handling and nest relocation procedures that would be used under Alternatives 3 and 4 (EA, pp. 20-24).

5. Are the proposed action's effects on the human environment likely to be highly uncertain or involve unique or unknown risks?

Section 4.8.4 of the attached EA (page 62) states that none of the alternatives are expected to result in highly uncertain or unknown risks because the work replicates sea turtle conservation programs that have proven to be successful by increasing hatchling production and obtaining valuable life history information from monitoring efforts. See Section 1.4.1 of the attached EA (pp. 10-17) for a detailed description of the history of the sea turtle conservation programs undertaken by the Council to date.

6. Can the proposed action reasonably be expected to establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration?

The activities outlined in the proposed action do not set a precedent. The sea turtle conservation measures described in Alternatives 2 through 4 are well recognized as being effective in the global effort to conserve sea turtles, and have been endorsed and supported by the Council's Turtle Advisory Committee (TAC) and other program partners, including the Sea Turtle Association of Japan, Marine Research Foundation, World Wildlife Fund-Indonesia, Proyecto Caguama, Secretariat of the Pacific Regional Environment Program, Secretariat of the Pacific Communities, and Everlasting Nature of Asia. The actions described in Alternatives 3 and 4 for relocating nests and handling turtles follow stringent handling protocols as defined in the IUCN comprehensive guide to turtle research and conservation: *Research and Management Techniques for the Conservation of Sea Turtles* (1999, as cited in the attached EA). These methods and protocols are accepted by sea turtle experts as not causing harm to sea turtles and to enhance hatchling productivity.

7. Is the proposed action related to other actions that when considered together will have individually insignificant but cumulatively significant impacts?

Section 4.5 of the attached EA describes the cumulative impacts of the proposed action in combination with other actions in the affected region (pp. 58-59). Although the sea turtle conservation projects will likely increase hatchling success and provide valuable information on sea turtles, there are numerous other nesting beaches that remain unprotected. In addition, there are many other threats to sea turtles including fishery interactions, loss of habitat, beach construction, and disease (to name a few) which can adversely affect sea turtle populations. The conservation work in Alternatives 2-4 will not single-handedly recover sea turtle populations. Collaborative international efforts addressing all phases of a turtle's life history are required to save sea turtle populations from extinction. The Council's sea turtle conservation efforts, although important, are just a small portion of the larger effort needed to protect sea turtles. All activities combined, including activities of other agencies and nations, are expected to have an overall cumulative positive effect on sea turtle populations in the Pacific.

8. Can the proposed action reasonably be expected 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 historical resources?

The conservation measures contained in the proposed action are international in scope and do not take place in any areas listed or eligible for listing under the National Registry of Historic Places.

9. Can the proposed action reasonably be expected to have a significant impact on endangered or threatened species, or their critical habitat as defined under the Endangered Species Act of 1973?

The proposed action is designed to conserve and protect threatened and endangered sea turtles and to be beneficial to these species. Stringent handling protocols as defined in the IUCN comprehensive guide to turtle research and conservation: *Research and Management Techniques for the Conservation of Sea Turtles* (1999, as cited in the attached EA) will be followed to ensure no harm or injury to these species will occur as a result of the proposed action. These methods and protocols are accepted by sea turtle experts as not causing harm to sea turtles and to enhance hatchling productivity.

On March 16, 2010, the NMFS and the USFWS published a 12-month finding in the Federal Register, responding to a petition to reclassify loggerhead sea turtles in the North Pacific Ocean and the Northwest Atlantic Ocean as Distinct Population Segments (DPSs), to change their listing status from threatened to endangered under the ESA, and to designate critical habitat (Federal Register Vol. 75, No. 50 pp.12598-12655). Comments are being solicited on the proposal to reclassify these turtle populations as DPS's with endangered status until June 14, 2010. If found to be prudent and determinable, a subsequent Federal Register notice would be published on the proposal to designate critical habitat for the two DPSs. There is currently no critical habitat designated for any ESA-listed sea turtle.

10. Can the proposed action reasonably be expected to threaten a violation of Federal, state, or local law or requirements imposed for environmental protection?

The proposed action does not violate any Federal, state, or local law. As stated in the attached EA in Section 4.8.6, all projects will operate under appropriate permits as required by the country in which the project is taking place (EA, page 63).

11. Can the proposed action reasonably be expected to result in the introduction or spread of a nonindigenous species?

The conservation measures in the proposed action do not involve the importation or handling of non-indigenous species. The work would strictly focus on education, outreach, monitoring, research, and protection of indigenous sea turtles.

DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting Environmental Assessment prepared for Financial Assistance for the Sea Turtle Conservation Program of the Western Pacific Regional Fishery Management Council, it is hereby determined that the Sea Turtle Conservation Program of the Western Pacific Regional Fishery Management Council will not significantly impact the quality of the human environment as described above and in the supporting 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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National Marine Fisheries Service

04/22/2010
Date