



Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council

NON-GOVERNMENT (Voting)

Thorne Abbott
Business Commerce

Glenn Hong
Commercial Shipping

Barbara (Maka'ala) Kaaumoana
Conservation

Judith Lemus
Education

Myrick (Rick) Gaffney
Fishing

Steve Turner
Hawai'i Island

Maxx Phillips
O'ahu Island

Nina Monasevitch
Kaua'i Island

Solomon Pili Kaho'ohalahala
Lāna'i Island

Robin Newbold
Maui Island

Vacant
Moloka'i Island

Vacant
Native Hawaiian

Jim Coon
Ocean Recreation

Mark Deakos
Research

Vacant
Tourism

Tara Leota
Whale Watching

GOVERNMENT (Non-Voting)

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Eric Kingma
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Tunis McElwain
US Army Corps of Engineers

Eric Roberts
US Coast Guard

Janice Fukawa
US Navy

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 Hawaiian Island Humpback Whale National Marine Sanctuary Advisory Council (SAC) to provide comments regarding the Draft Hawaii-Southern California Test and Training Environmental Impact Statement/Overseas Environmental Impact Statement (DEIS). The SAC is a community-based advisory group consisting of representatives from various stakeholder groups, governmental agencies, and the public at large in the main Hawaiian Islands. Members are native Hawaiian, fishing, business, conservation, science, education, and community representatives.

On December 6, 2017, SAC had a joint meeting with the Northwestern Hawaiian Island Coral Reef Ecosystem Reserve Advisory Council (RAC) to discuss the DEIS.

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 all Navies

"The opinions and findings of this letter/publication do not necessarily reflect the position of the sanctuary, the National Oceanic and Atmospheric Administration or the State of Hawai'i."



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and the number of all ships involved in RIMPAC activities. 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:

- it lacks a process for verifying the independence of its observer program and a fire wall to insure the objectivity and independence of the observer reports;
- it does not demonstrate that the Navy is consulting with other scientists to include state of the art acoustic research and studies related to Marine Mammals. 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 expresses our concern for all marine mammals found within the Hawaiian Island Humpback Whale National Marine Sanctuary and the surrounding ocean waters that connect our islands. 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,

Sol P. Kaho'ohalahala
Chair, Sanctuary Advisory Council
Hawaiian Island Humpback Whale National Marine Sanctuary

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