UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

FINDING OF NO SIGNIFICANT IMPACT

NOAA's National Ocean Service, Office of Coast Survey, has prepared a Programmatic Environmental Assessment (PEA) to ensure that environmental impacts resulting from surveying and other related data-gathering activities are incorporated into the decision-making process. Such activities include small and large vessel operations; use of multibeam echo sounders; aircraft operations; use of airborne lasers; onshore and offshore equipment installation; and bottom sampling. The National Ocean Service has made a Finding of No Significant Impact (FONSI) for the Office of Coast Survey program of conducting hydrographic survey and related field activities for the calendar years 2013 - 2018, having followed CEQ guidance for determining the significance in terms of context and intensity for impacts of a proposed action (40 C.F.R. Parts 1500 - 1508).

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

   The proposed action (preferred alternative) could cause temporary, non-significant, low impact adverse effects on the environment. Examples of these effects include avoidance behavior of whales and dolphins in the presence of a survey vessel or disturbance of wildlife while drilling during tide gauge installation. However, NOAA operations (including requirements for contractor operations) include mitigation measures to reduce or avoid these impacts. In addition, the proposed action will indirectly lead to long-term, beneficial effects on the environment. Through its program of conducting hydrographic surveys, NOAA acquires data vital to safe navigation and environmental sustainability in U.S. and coastal and Great Lake waters, reducing the risk of maritime accidents.

2) **Will the proposed action affect public health or safety?**

   The proposed action will not affect public health or safety. NOAA's Safety, Training, and Environmental Management Office, Fleet Standardization Office, and Safety and Environmental Compliance Division address training and competencies, including maritime safety addressed through Standards for Training and Watchkeeping Certification, occupational and maritime safety, environmental compliance through an Environmental Management System, and equipment procurement. These offices work with the fleet to develop standardized procedures that are organized and presented in an online Document Management System.

3) **Will the proposed action have a significant effect on geographic areas with unique characteristics?**

   The proposed action will not have a significant effect on geographic areas with unique characteristics. Coast Survey could potentially survey in any of the 500,000 square nautical miles of navigationally significant U.S. coastal and Great Lakes waters. Most surveys occur close to shore in busy marine environments. Two surveys are planned to occur in the 2013

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2018 period within National Marine Sanctuaries, including the Florida Keys sanctuary, which is home an ecologically diverse coral reef environment, and the Thunder Bay sanctuary, which was established for the cultural significance of historic wrecks located within its boundaries. Some surveys will occur in Arctic waters, which are home to subsistence hunting of whales and seals by many Alaska Native communities.

Coast Survey will work with the National Marine Sanctuaries permits coordinator and the Florida Keys and Thunder Bay site supervisors to obtain necessary permits for operating in a Sanctuary during the calendar year in which the survey will occur. The permit coordinator and site supervisors were involved with the drafting of the PEA. Coast Survey will take precautions to avoid any negative effect on either Sanctuary. In the unique coral environment of the Florida Keys Sanctuary, the survey ship will try to anchor in bays where data has already been collected, providing the ship with better information on where to drop the anchor. Coral reefs in particular show up well in the multibeam data and can be avoided for anchoring. When conducting a survey within Thunder Bay Sanctuary, Coast Survey and cultural resource managers will work together to identify known wreck locations within the survey area and will establish survey protocols such that the side scan sonar towfish and cable would not strike or snag the wreck, keeping negative impacts to the resource at a minimum.

In the Arctic, Coast Survey will make every possible effort to avoid areas where Arctic marine mammals important for subsistence hunting are known to be concentrated or if they are observed during operations in order to minimize disturbances, and does not expect a reduction in species numbers a result of its operations.

4) **Are the proposed action's effects on the human environment likely to be highly controversial?**

The proposed action's effects on the human environment are unlikely to be highly controversial. The surveying activities of the Coast Survey have generated almost no controversy in the past; the exception being a single incident in which a contractor vessel struck a whale. It is important to note that Coast Survey-operated and contractor-operated hydrographic survey vessels have struck only one whale in approximately 540,000 hours of mapping over the past 40 years. The likelihood of another ship strike is extremely low; however, to avoid future collisions, Coast Survey vessels will operate at slow speeds (4 – 8 knots while mapping, <13 knots while transiting through critical habitat, and <13 knots while transiting within the range of Endangered Species Act-listed cetaceans). Trained observers will keep watch for baleen whales, and the vessels will maintain a distance of 200 yards (500 yards for right whales). The same requirements apply to NOAA-operated vessels and to contractor-operated vessels.

Coast Survey submitted a draft of the PEA for a 30-day public comment period. During this time, only one comment was received, which Coast Survey has addressed in the Final PEA. The comment was aimed specifically at ensuring surveys in Alaska Native subsistence hunting waters would not affect the number of animals available for subsistence hunting.

5) **Are the proposed action's effects on the human environment highly uncertain or involve unique or unknown risks?**

Most activities such as vessel operation, equipment installation and bottom sampling do not involve unique or unknown risks. Surveying does involve the use of high-frequency underwater sound, however. The best available scientific data on the effects of high-frequency underwater sound on marine mammals remains somewhat uncertain, but points to a conclusion of minimal impact: While recent whale strandings have been linked to low-frequency Navy sonar, high frequency sound has not been linked to permanent adverse effects on marine mammals. While vessel noise is a potential stressor for marine mammals, the noise from Coast Survey's relatively small vessels would not appreciatively increase noise over present background noise.

6) **Will the proposed action establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration?**

The proposed action would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. No other public or private organization in the United States conducts hydrographic surveys at the scale of the Coast Survey program. In its 200-year history, Coast Survey has experienced only one known vessel strike.

7) **Will the proposed action have individually insignificant but cumulatively significant impacts?**

Minor cumulative effects of the proposed action include an increase in overall ocean vessel noise and potential for amplifying the effects of climate change; however, these actions are temporary in nature and their effects will not be significant, either individually or cumulatively.

8) **Will the proposed action adversely affect entities listed in or eligible for listing in the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural, or historic resources?**

The proposed action will not adversely affect significant scientific, cultural, or historic resources. Hydrographic surveys planned in the Thunder Bay sanctuary will benefit cultural resources by providing mapping data on historical wrecks in the sanctuary. Arctic surveys will not affect the Alaska Native subsistence whaling and sealing. If any land-based activities such as tide gauge installation are required to support a hydrographic survey, Coast Survey will consult with resource managers within the appropriate agency to ensure there would be no loss or destruction of significant scientific, cultural, or historic resources.

9) **Will the proposed action adversely affect endangered or threatened species, or their critical habitat as defined under the Endangered Species Act, depleted species under the Marine Mammal Protection Act, or essential fish habitat under the Magnuson-Stevens Act?**

The proposed action is not likely to adversely affect endangered or threatened species or their critical habitat as defined under the Endangered Species Act, depleted species under the Marine Mammal Protection Act, or essential fish habitat under the Magnuson-Stevens Act. The proposed action will occur in the vicinity of endangered or threatened marine mammal, sea turtle, fish, sea grass, marine invertebrate, coral and seabird species. Marine mammals,

sea turtles and fish are expected to exhibit minor avoidance behavior during survey operations to avoid a collision. Additionally, Coast Survey has built-in mitigation measures, including the presence of lookout observers, to avoid vessel strikes during survey operations. Where hauled-out pinnipeds or resting seabirds are observed in or near the water, Coast Survey will avoid surveying until the animals leave the area. Collection of bottom samples and anchoring are temporary and infrequent and will not affect endangered species on the seafloor, including sea grasses, marine invertebrates, and corals.

10) Will the proposed action violate a Federal, state, or local law or requirements imposed for environmental protection?

The proposed action will not violate a Federal, state, or local law or requirements imposed for environmental protection. In parallel with the preparation of the draft and final PEA, Coast Survey initiated and completed an informal consultation with NMFS' Office of Habitat Conservation under the Magnuson-Stevens Act, an informal consultation with the U.S. Fish and Wildlife Service under the Endangered Species and Marine Mammal Protection Acts, and a formal consultation with NMFS' Office of Protected Resources under the Endangered Species and Marine Mammal Protection Acts. Coast Survey concluded its Endangered Species Act Section 7(a)(2) consultation requirements on April 30, 2013 with Protected Resources' issuance of a Biological Opinion concluding a "may affect, but not likely to adversely affect" listed species. Coast Survey anticipates a Letter of Authorization under the Marine Mammal Protection Act and an Incidental Take Statement under the ESA for limited incidental take of the Cook Inlet beluga whale, Southern Resident killer whale, Steller sea lion (Western DPS), and Guadaloupe fur seal on or around October 1, 2013.

Coast Survey initiated informal consultation with the Office of National Marine Sanctuaries under the National Marine Sanctuaries Act and determined that it will seek permits as needed in the calendar year in which Coast Survey plans to survey within a Sanctuary. Coast Survey worked with the site supervisor in each Sanctuary in which it plans to survey, Florida Keys and Thunder Bay, during the preparation of the PEA to clarify the general precautions Coast Survey will take during its surveys.

Coast Survey also works with the State Historic Preservation Officer of each state in which it conducts surveys. Two to three months before the start of each survey, Coast Survey contacts the State Historic Preservation Officer under the National Historic Preservation Act to coordinate plans for survey results that uncover historical wrecks.

11) Will the proposed action result in the introduction or spread of a nonindigenous species?

The proposed action will not result in the introduction or spread of a nonindigenous species. In addition to meeting all Environmental Protection Agency Vessel General Permits and Coast Guard requirements, Coast Survey vessels will minimize the risk of introducing or spreading any nonindigenous species (carried in ballast water or on the hull of a vessel) by performing the following protective measures: avoid discharge of ballast water in designated critical habitat; use anti-fouling coatings; clean the hull regularly to remove aquatic nuisance species, including nonindigenous species (but avoid doing so in critical habitat), and rinse the anchor with a high-powered hose after retrieval. These protective measures go beyond the

requirements of Vessel General Permits. Furthermore, the vessels do not transit outside of the United States; therefore, they would not introduce foreign nonindigenous species. Given the above protective measures, it is highly unlikely that one or a few Coast Survey vessels would introduce or spread any nonindigenous species in the action area.

DETERMINATION

With respect to the information presented in this document and the analysis included in the supporting Programmatic Environmental Assessment prepared for Coast Survey hydrographic survey projects, it is hereby determined that Coast Survey hydrographic surveys and all related field activities will not significantly impact the quality of the human environment as described above and in the supporting 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.

Holly A. Bamford, Ph.D.
Assistant Administrator

5/29/13
Date