



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE
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February 28, 2002

Captain H.J. Kircher, IV
Acting Commander
Department of the Navy
Commander Navy Region Southeast
Box 102, Naval Air Station
Jacksonville, Florida 32212-0102

Dear Captain Kircher:

The National Marine Fisheries Service (NMFS) has received your letter of February 7, 2002, which transmitted the report entitled, "Essential Fish Habitat Assessment for U.S. Navy Composite Training Unit Exercise March-April 2002." By your letter the Department of the Navy (Navy) initiated Essential Fish Habitat (EFH) consultation as required by §305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The Navy proposes to conduct a combined Composite Training Unit Exercise (COMPTUEX)/multiple Unit Level Training (ULT) exercise at the Vieques Inner Range over a three week period in late March to early April 2002. The terrestrial portion of the Inner Range covers 14,500 acres, but the Inner Range also includes adjoining waters including a buffer zone that extends 4 nautical miles off the coast of Vieques in the area of the Eastern Manuever Area (EMA) and Atlantic Fleet Weapons Training Facility (AFWTF), which contains the Live Impact Area (LIA). The EMA is approximately 11,000 acres and is located in the western portion of the Inner Range. The AFWTF is approximately 3,500 acres, of which 900 acres comprise the LIA.

As discussed in your EFH Assessment, EFH for various species managed by the Caribbean Fishery Management Council (CFMC) has been identified throughout the Inner Range. Primary categories of EFH for these fisheries, documented at and near the range, include the marine water column, mangroves, sandy beaches, seagrasses, algal plains, coastal lagoons, coral reefs, and live/hard bottoms (see attached figure from the recently completed NOAA benthic map for Puerto Rico). Nearshore reefs and hard bottom areas are designated as Habitat Areas of Particular Concern (HAPC), which are subsets of EFH that are rare, particularly susceptible to human-induced degradation, ecologically important, or located in an environmentally stressed area.

Based on our review of the EFH Assessment and a variety of scientific studies documenting coastal and marine habitats and impacts to those habitats at Vieques (see enclosed references), the NMFS believes that training exercise to be conducted in April 2002 could significantly impact EFH and dependent fishery resources. Damage to EFH of the waters adjacent to Vieques, especially seagrass



and coral habitats, could result from vessel activities, ordnance delivery (misguided and skipped rounds), unrecovered illumination flare parachutes, and indirect impacts (e.g., erosion and sedimentation) related to on-land training activities. Because of these threats, all practicable steps should be taken during and following the training event to ensure that adverse impacts are avoided whenever possible and that the unavoidable impacts are fully mitigated.

A number of environmental issues related to the impacts of past, present, and future naval training activities at Vieques remain inadequately addressed. In response to this need the Navy has identified current research and emerging data that should allow future operations to be planned and conducted in a manner to minimize potential adverse impacts to EFH. However, because NMFS is not intimately familiar with the details of current environmental investigations, we believe that it would benefit the Navy to include NMFS in the review of the results of ongoing investigations and in the development of future study plans. Without a cooperative review process, it is likely that EFH issues will arise in the future which could affect the scheduling of training unit exercises.

Based on our review of the EFH assessment, the NMFS believes that measures to conserve EFH and associated fisheries are appropriate and necessary. The number of measures to mitigate unavoidable impacts are already part of protocol for use of the Inner Range. While the NMFS concurs that actions such as making mangrove forests off-limits should be part of a management plan, we are concerned that the mitigation activities proposed may not fully consider the loss or degradation of EFH. Accordingly, consistent with the requirements of §305(b)(4)(A) of the Magnuson-Stevens Act, we offer the following:

EFH Conservation Recommendations

1. Mitigation measures specified in Section 5.1 of the EFH Assessment shall be fully implemented.
2. To the extent possible, targets in the LIA should be located to minimize the possibility of ordnance damaging EFH.
3. Mitigation plans shall be developed and carried out in coordination with the NMFS to compensate for unavoidable losses to EFH. This plan should be based on ongoing efforts to document impacts to reef and seagrass habitats in the EMA and AFWTF. Particular consideration should be given to removal of non-explosive ordnance located in seagrass and coral habitats and more extensive efforts to locate and remove illumination flare parachutes.
4. To the extent practicable, beach landing areas should be located in zones where seagrasses are not known to be present.
5. For subsequent training exercises during the 1/2002 to 12/2003 period, consultation shall be reinitiated with the NMFS to allow an evaluation of the implications of such activities and an opportunity to supplement these EFH Conservation Recommendations.

Please be advised that Section 305(b)(4)(B) of the Magnuson-Stevens Act and NMFS's implementing regulation at 50 CFR Section 600.920(k)(1) require your office to provide a written response to this letter within 30 days of its receipt. If it is not possible to provide a substantive response within 30 days, the Navy should provide an interim response to the NMFS, to be followed by the detailed response at least 10 days prior to final approval of the actions. Your response must include a description of measures proposed by the Navy to avoid, mitigate, or offset the adverse impacts of the activity. If your response is inconsistent with our EFH Conservation Recommendations, you must provide a substantive discussion justifying the reasons for not implementing those recommendations.

We appreciate your efforts to comply with the requirements of the Magnuson-Stevens Act and look forward to your positive response to our EFH Conservation Recommendations. If we can be of further assistance, please feel free to contact Dr. Lisamarie Carrubba at 787/851-3700.

Sincerely,

A handwritten signature in black ink, appearing to read "Andreas Mager, Jr.", written in a cursive style.

Andreas Mager, Jr.
Assistant Regional Administrator
Habitat Conservation Division

Enclosures

cc:
FWS-PR
COE-PR
PRPB
CFMC

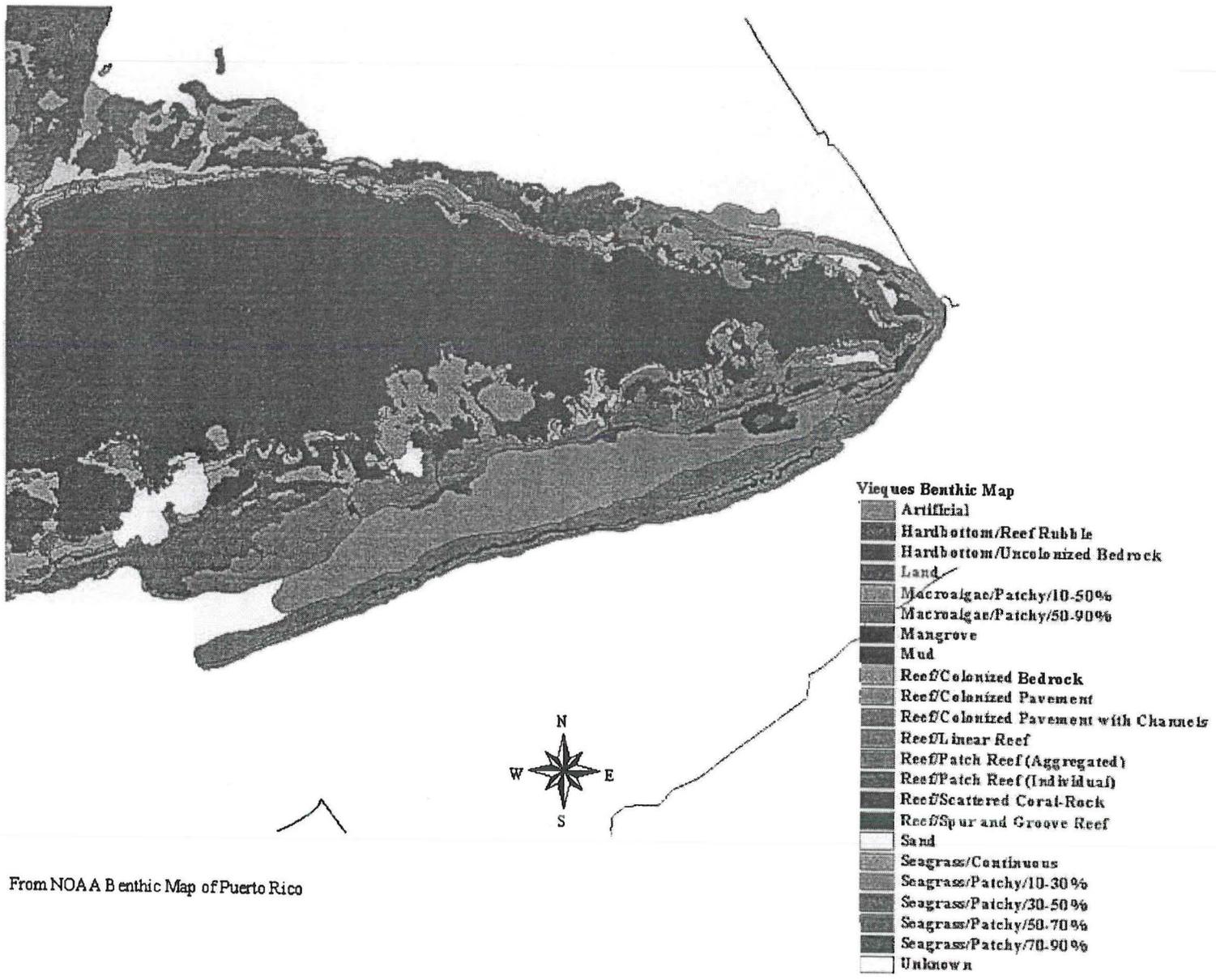
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From NOAA Benthic Map of Puerto Rico