

RECORD OF DECISION
for the
FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT
STATEMENT
on
Continued Implementation of the Coral Reef Conservation Program

National Oceanic and Atmospheric Administration
Office for Coastal Management

August 17, 2020

Introduction

The National Oceanic and Atmospheric Administration's (NOAA's) Coral Reef Conservation Program (CRCP) has decided to continue operating the CRCP in the same manner in which it is currently being operated, in accordance with Congressional directives set forth in the Coral Reef Conservation Act of 2000 (CRCA). The CRCP is managed by NOAA Headquarters in Silver Spring, Maryland, with the National Ocean Service (NOS) serving as the managing NOAA line office. The CRCP conducts coral reef conservation and restoration activities, much of which are administered through grants and cooperative agreements, throughout parts of the United States, including in Florida, Puerto Rico, the U.S. Virgin Islands, the Gulf of Mexico, Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and the U.S. Pacific Remote Island Area. The CRCP also supports work in targeted international regions including the wider Caribbean, the Coral Triangle, the South Pacific, and Micronesia. Projects implemented or funded by the CRCP vary in terms of their size, complexity, duration, geographic location, and CRCP involvement. The projects benefit diverse shallow-water coral species, coral habitats, and coral reef ecosystems. The CRCP conducts and funds research, on-the-ground projects, and monitoring to gather data on the existence and condition of coral reef ecosystems to support coral reef ecosystem management efforts, such as conservation and restoration. NOAA implements the CRCP across four line offices, including NOS, and in coordination with other Federal agencies, state and local agencies, private conservation organizations, and research and academic institutions.

Proposed Action

Pursuant to the CRCA, the CRCP Programmatic Environmental Impact Statement (PEIS) evaluated the continued implementation of the CRCP's activities in order "to preserve, sustain, and restore the condition of coral reef ecosystems; to promote the wise management and sustainable use of coral reef ecosystems to benefit local communities and the Nation; . . . and to develop sound scientific information on the condition of coral reef ecosystems and the threats to these ecosystems" (See 16 U.S.C. § 6401). The CRCP Strategic Plan (2018) focuses CRCP's efforts to ensure compliance with the CRCA. The CRCP Strategic Plan includes four areas of work: increase resistance to climate change, improve fisheries' sustainability, reduce land-based sources of pollution, and restore viable coral populations. The existing CRCP framework, which consists of external grants, contracts, and internal funding for

NOAA programs and offices, supports coral reef conservation and restoration activities within the Strategic Plan's four areas of work.

The description of the proposed action in the CRCP PEIS clearly described the component activities that would predictably be implemented over time and the jurisdictions in which the CRCP would be implemented. This analysis is programmatic and provides sufficient information to predict the general impacts anticipated from the implementation of the CRCP. Therefore, the description is primarily qualitative, not quantitative. Project-specific impacts will be evaluated, as necessary, on a case-by-case basis using clear descriptions of the specific parameters of the scope and scale of each proposed project that has been initially selected for CRCP funding. Such compliance evaluation would occur for both internal NOAA projects and external grant awards. No CRCP funds would be spent for project-specific actions until after all compliance requirements for the action are completed.

The types of activities the CRCP anticipates implementing support the Strategic Plan's four areas of work and include these five categories of activities:

- Monitoring, mapping, and research (e.g., scuba surveys, use of underwater autonomous vehicles, coral sampling, fish sampling and tagging, and bathymetric echosounders);
- Coral restoration and interventions (e.g., coral nursery and outplanting, removal of invasive and nuisance species, and addressing coral disease);
- Watershed management and restoration (e.g., small-scale construction projects designed to minimize sediment and pollutant runoff to coral habitats, such as restoring vegetative cover and use of rain gardens, culvert repair, stream bank stabilization, retention ponds, or constructed wetlands);
- Reduction of physical impacts to coral reef ecosystems (e.g., buoy installation and marine debris removal); and
- Outreach/education and program operations.

Public and Other Agency Comments

The CRCP published three notices in the Federal Register that resulted in comments. Overall, no comments received opposed the proposed action.

Three scoping comments were received, and all were supportive in nature.

CRCP received five public comments and eight agency comment letters during the 45-day public comment period for the draft PEIS. All comments were supportive in nature; some recommended minor revisions for clarity and additional information to improve the PEIS. These revisions were incorporated into the final PEIS. No comments addressed legal concerns, substantial technical issues, or issues of controversy; therefore, while responsive edits were made and documented, no comments resulted in substantive changes to the PEIS. Appendix I in the final PEIS provides the comments the CRCP received, broken down into individual components to which CRCP provided responses.

During the 30-day waiting period after publishing the final PEIS, CRCP received one comment, which was a supportive letter from the Environmental Protection Agency.

Decision to Be Made

The decision to continue implementing the CRCP in the same manner in which it is currently being operated is informed by a final PEIS published in the *Federal Register* on July 17, 2020, and documented and explained in this Record of Decision (ROD). This ROD includes a statement of the decision made, description of the proposed action, synopses of alternatives considered and the factors evaluated in selecting the No Action Alternative, a statement that all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, a summary of comments received from the public and other agencies, and a discussion of permits and other authorizations. Included in the synopses of alternatives is identification of the selected alternative and the environmentally preferred alternative.

This ROD is issued pursuant to the National Environmental Policy Act (NEPA; 42 U.S.C. §§ 4321 *et seq.*), the Council on Environmental Quality (CEQ) NEPA regulations at 40 CFR Parts 1500-1508 (“CEQ regulations”), and NOAA’s procedures for implementing NEPA set forth in NOAA Administrative Order (NAO) 216-6A.

Alternatives Considered

The CRCP considered three alternatives, including the No Action Alternative, which CRCP identified as the preferred alternative. Adverse impacts range from negligible to moderate, and beneficial impacts range from negligible to major. The differences in impacts among the three alternatives are very small.

The No Action Alternative entails continued operation of the CRCP in the same manner in which it is currently being operated by supporting activities within the four areas of work identified in the 2018 CRCP Strategic Plan. The four areas of work include addressing the three primary threats (i.e., fishing impacts, land-based sources of pollution, and climate change) and supporting research, coral restoration, and intervention techniques to respond rapidly to imminent threats, such as increased bleaching and disease, to corals and coral reef ecosystems. CRCP operations currently include monitoring, mapping and research activities, watershed management and restoration, coral reef restoration, reduction of physical impacts to coral reef ecosystems, outreach and education, and program support. The No Action Alternative requires implementation of current best management practices, whereas discretionary mitigation measures may be implemented on a project-by-project basis but not as a requirement. The No Action Alternative is CRCP’s preferred and selected alternative.

Pursuant to Alternative 1, the CRCP would address the three primary threats (i.e., fishing impacts, land-based sources of pollution, and climate change) through monitoring, mapping, research, and watershed management and restoration. Alternative 1 does not include activities to restore viable coral populations (i.e., coral restoration and interventions and reduction of physical impacts to coral reef ecosystems). This alternative would refocus CRCP’s resources and efforts solely on the three primary threats to corals. Alternative 1 would continue to require implementation of current best management practices, and the discretionary mitigation measures may be implemented on a project-by-project basis but would not be required.

Alternative 2 includes the activities described in the No Action Alternative and requires the implementation of the discretionary mitigation measures. Alternative 2 differs from the No Action Alternative in that the discretionary mitigation measures would cease to be discretionary. The discretionary mitigation measures would be required for all projects funded or conducted by the CRCP. As such, Alternative 2 is the environmentally preferable alternative.

Rationale for the Selection of the No Action Alternative

The CRCP selected the No Action Alternative to continue operating the CRCP in the same manner in which it is currently being operated by supporting activities within the four areas of work identified in the 2018 CRCP Strategic Plan. The CRCP selected the No Action Alternative for three primary reasons. First, the CRCP lacks the statutory authority to enforce the implementation of the discretionary mitigation measures included in Alternative 2. Second, the cost savings associated with the implementation of the No Action Alternative, which includes the optional implementation of discretionary mitigation measures, would allow CRCP to support more projects and activities and, thus, achieve more conservation for coral reef ecosystems consistent with the purposes, policies, and requirements of the CRCA. Third, the No Action Alternative's required best management practices plus any mitigation measures imposed through compliance with relevant statutes would address many adverse environmental impacts.

Additionally, all practicable means to avoid or minimize environmental harm from the alternative selected are considered adopted. Therefore, CRCP determined that the No Action Alternative would best meet the purpose and need as stated in Chapter 1 of the PEIS and decided to select and implement the No Action Alternative.

Permits and Other Authorizations Required

The CRCP is pursuing programmatic compliance with several statutes to streamline project- and activity-based compliance. Specific CRCP-supported projects and activities may have compliance requirements under applicable laws, and CRCP will coordinate, as appropriate, with partners and other agencies to facilitate compliance with any such requirements. CRCP is currently consulting with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service for programmatic compliance with the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act, and CRCP is coordinating with agencies to obtain general consistency determinations from Florida, Puerto Rico, the U.S. Virgin Islands, Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa pursuant to the Coastal Zone Management Act. CRCP will prepare a Statement on Activities that Have No Potential to Cause Effects to Historic Properties to document those coral reef conservation and restoration activities commonly undertaken by CRCP that have no potential to cause effects to historic properties, as defined in Section 106 of the National Historic Preservation Act, 54 U.S.C. § 300101 *et seq.* (NHPA) and its implementing regulations "Protection of Historic Properties" (36 CFR Part 800). CRCP has identified activities that will require consultation at the project level with State Historic Preservation Offices and/or Tribal Historic Preservation Officers. Additionally, CRCP sent requests for consultation with representative Native Hawaiian organizations pursuant to NHPA, but no requests to be a consulting party were received.

Nicole R. LeBoeuf
Acting Assistant Administrator
for National Ocean Service

Date