

File No. 16632 Appendix H: Non-target Species

Non-target NMFS Species

Spinner Dolphin

Spinner dolphins (*Stenella longirostris*) occur in the Hawaiian Archipelago and may be affected by the proposed activities. The spinner dolphin is not listed as threatened or endangered under the ESA and is not listed as depleted or a strategic stock under the MMPA. Under CITES, spinner dolphins are listed on Appendix II and under the IUCN as low risk.

Spinner dolphins that may be affected by the proposed action are part of the Hawaiian Islands complex stock, and are referable to the subspecies *S. longirostris longirostris*. In the NWHI, atoll-associated communities at Kure Atoll range from 120-180 individuals; at Midway Atoll from 260-320 individuals; and at Pearl and Hermes reef approximately 350-450 individuals (L. Karczmarski, pers. comm.).

Up to 500 spinner dolphins may be harassed annually during boat transits within the lagoon waters at four NWHI sites (Midway Atoll, Pearl and Hermes Reef, Kure Atoll, and French Frigate Shoals). This incidental harassment could occur at any time of year, but would predominantly be during summer months.

Bottlenose Dolphin

Bottlenose dolphins (*Tursiops truncatus*) occur in the Hawaiian Archipelago and may be affected by the proposed activities. The Hawaiian Islands stock complex of bottlenose dolphin includes Kauai/Niihau, Oahu, 4-island, Hawaii Island, and the Hawaii Pelagic stock. This stock complex is not listed as threatened or endangered under the ESA nor depleted under the MMPA. They are listed on Appendix II under CITES and as low risk under the IUCN.

Bottlenose dolphins occur throughout the Hawaiian Archipelago in the MHI and NWHI. The abundance estimates are as follows: Kauai-Niihau – 147; Oahu – 594; 4-islands region – 153; Hawaii Island - 102; and Hawaii Pelagic (deep water and NWHI) - 3, 178 (Baird et al. 2009).

Up to 20 bottlenose dolphins may be incidentally harassed annually during boat transits in the NWHI at any time of year but predominantly during summer months.

Other Cetaceans

Humpback whales (*Megaptera novaeangliae*) mate and calve in winter months in the MHI, where aerial and vessel surveys of Hawaiian monk seals would take place, and have been observed in the NWHI, where vessels transit to deploy field camps. Humpback whales are listed as endangered under the ESA and are on CITES Appendix I. Abundance of humpback whales for the entire North Pacific Ocean is estimated to be 18,302 individuals, with over 50% of the population (approximately 10,000) estimated to winter in Hawaiian waters (Calambokidis et al. 2008). Most aerial surveys would occur

during summer months when these whales are not present, but vessel and aerial surveys and transporting seals by air and boat could occur year-round.

Other cetacean species that may be encountered near-shore in the MHI would include (in decreasing order of encounters) bottlenose dolphins (*Tursiops truncatus*), pantropical spotted dolphins (*Stenella attenuate*), and pygmy killer whales (*Feresa attenuate*). While transiting among the islands and atolls in the NWHI, cetacean species that may be encountered include humpback whales, bottlenose dolphins, pantropical spotted dolphins, Blainville's beaked whales (*Mesoplodon densirostris*), false killer whales (*Pseudorca crassidens*), sei whales (*Physeter macrocephalus*), and rough-toothed dolphins (*Steno bredanensis*) as well as numerous other cetaceans known to occur in the MHI that may also be present in the NWHI.

However, none of these cetaceans would be affected by the researchers' activities, as appropriate mitigation would be implemented to avoid harassment from aerial and vessel surveys and vessels transiting island locations. Aerial surveys would be conducted above shoreline areas. In the event cetaceans were encountered near shore, researchers would fly to an altitude of 1000 feet to avoid harassment. If encountered by boat, researchers would maintain a distance of 50 yards (150 feet) for cetaceans other than humpback whales, and a distance of 300 feet if a humpback whale is encountered. These approach distances are consistent with Federal Regulation (50 CFR 224.103) to avoid take if humpback whales are encountered and NMFS guidelines to avoid harassment of other cetaceans.

Non-target USFWS Species

ESA-listed Birds

ESA-listed bird species identified within the action area include:

- Nihoa Millerbird (*Acrocephalus familiaris kingi*),
- Nihoa finch (*Telespiza ultima*),
- Laysan finch (*Telespiza cantans*),
- Laysan duck (*Anas laysanensis*),
- Short-tailed albatross (*Phoebastria albatrus*),
- Hawaiian petrel (*Pterodroma sandwichensis*),
- Newell's shearwater (*Puffinus auricularis newelli*),
- Hawaiian stilt (*Himantopus mexicanus knudseni*), and
- Band-rumped storm petrel (*Oceanodroma castro*), a candidate species (USFWS 2010a).

No critical habitat has been designated for any of these species (USFWS 2010a).

The Nihoa finch only occurs at Nihoa Island and HMSRP researchers do not expect to encounter them. Hawaiian stilt are shorebirds that depend on large coastal wetlands and ephemeral playas in the MHI and are not likely to be encountered. Hawaiian petrel, Newell's shearwater, and band-rumped storm petrels are seabirds that nest in upper

elevation sea cliffs, and are not likely to be encountered. The following sea birds may be affected by the proposed activities.

Laysan Finch

Laysan finches are endemic to Laysan Island and were introduced to Southeast Island and Grass Island at Pearl and Hermes Reef in 1967. They are a single species and are restricted to the vegetated area of Laysan Island. Population numbers fluctuate widely, with current estimates to be 17,780 + 2819 individuals at Laysan Island and approximately 329 at Pearl and Hermes Reef (USFWS 2008a). The Laysan finch is threatened by degradation of habitat from invasive species and rising sea levels at Laysan and Pearl and Hermes Reef (Baker et al. 2006).

Both NMFS and USFWS maintain field camps at Laysan Island. NMFS also maintains field camps at Pearl and Hermes Reef. Laysan finches are tame to human presence and enter these field camps in search of food and water. A permanent field camp occupied and maintained by USFWS personnel is present at Laysan Island. It is unknown to what extent the additional presence of an HMSRP field camp (with 3 personnel) increases camp following behavior of finches. In addition, the HMSRP may erect temporary shoreline pens to hold monk seals for approximately 2 weeks at any location in the NWHI, including Laysan and Pearl and Hermes Reef.

Up to 200 individual Laysan finch may be disturbed many times during routine field camp activities each year. Laysan finches will change their behavior to search the campsite for unattended food, food scraps, or standing water. They may become more nutritionally supported than their conspecifics that do not interact with camps.

Unintentional mortality or serious injury of Laysan finches is possible. Despite efforts to prevent mortality, finches have drowned in camp containers that filled with rainwater when researchers were away from camp, or have become trapped in camp gear. Although possible, it is not expected that the finches would become entangled in shoreline net pens. Carcasses of any dead birds would be frozen and given to USFWS. Based upon past occurrences, the HMSRP expects no more than two (2) mortalities a year.

The following avoidance and minimization measures listed in the Laysan finch biological opinion (USFWS 2009) will reduce the risk of harm to the Laysan finch:

To reduce the risk of inadvertent drowning of Laysan finch at the campsite:

- Buckets will always be overturned so that they cannot collect rainwater.
- Laundry buckets must have lids while laundry is soaking.
- Water-filled buckets for dish washing (or for any other purpose) will always be attended.
- Tarps (e.g., those covering propane, etc.) will be tucked in tightly so that they cannot collect rainwater.

- Garbage cans used for desalinization will have netting placed between the can and the lid. Care will be taken to make sure the lids close properly; faulty positioning of hoses can interfere with proper closure.

To minimize accidental entanglement of Laysan finches at the campsite:

- Loose threads on fabric will be burned to minimize the risk of Laysan finch entanglement. Laysan finch feet can become entangled when fabric is hung out to dry.
- Loose threads will be cut off tents and tarps.
- Anything with small mesh (e.g., bird nets) will be put away to avoid Laysan finch entanglement.

To minimize impacts to Laysan finch from general camp activities and maintenance:

- Camp supplies and water jugs will be aligned with ample space between rows so that Laysan finches will not get trapped. Storage jugs will always be capped.
- Burn barrels will be attended at all times when burning trash. When not burning, any vents or rust-eaten holes in the barrel or lid will be covered (e.g., with rocks).
- For stability reasons, buckets will not be stacked more than two high.
- Personnel will watch for leaning buckets or water jugs and level the sand beneath leaning buckets if necessary.
- Tents will be zipped at all times (day and night) so that Laysan finches cannot enter.
- Laysan finches will not be fed or allowed access to human food. Laysan finch dependency on the camp could potentially result in adverse impacts to the Laysan finches when campsites are dismantled.
- Laysan finches appear to be limited by nest sites on the islands of Pearl and Hermes so they nest in debris (driftwood, plastic pipes, baskets, etc.). Thus, the beaches will not be cleaned or debris disturbed as this may destroy a nest. If debris poses an entanglement hazard for Hawaiian monk seals or sea turtles, it may be removed after a thorough inspection and confirmation that no Laysan finch nests are present. In an effort to prevent nesting in undesirable locations, camp gear must be checked daily during the nesting season (spring and summer) for signs that Laysan finches are building nests on or under gear. If it is determined nest building has begun, the nest site should be modified to prevent nest completion.

The Laysan finch biological opinion (USFWS 2009) provides the following reasonable and prudent measure necessary and appropriate to minimize the effect of take on Laysan finch: NMFS shall minimize the potential for harassment, harm, or mortality of Laysan finch.

In order to be exempt from the prohibitions of section 9 of the ESA, the HMSRP must follow the following terms and conditions, which carry out the reasonable and prudent measure above.

- If any unforeseen activity or action results in the harm or mortality of Laysan finches, all practicable means will be taken to apply avoidance or minimization measures to reduce the risk of additional take from that activity.
- All Laysan finch mortalities that are a result of actions which are associated with HMSRP research activities shall be reported to the USFWS within five (5) days of the incident.
- If an incidental death occurs that has not been addressed in the biological opinion, the USFWS will be contacted as soon as logistically feasible to discuss the cause of the mortality and determine the most appropriate method to avoid future mortalities from this new risk factor.
- Dead Laysan finches will be sent to Dr. Thierry M. Work at the National Wildlife Health Center, Honolulu Field Station (U.S. Geological Survey-Biological Resources Discipline) for a necropsy. The method of shipment and preservation will be determined in coordination with Dr. Work.

In addition to the measures above, personnel working in the Monument must follow terrestrial quarantine protocols for moving between islands and packing for field camps. These measures will minimize the potential for the introduction of non-native plants or insects to the Monument, which could modify habitat for Laysan finch.

Nihoa Millerbird

The Nihoa Millerbird has a small population on Nihoa Island estimated at 641 ± 295 (95% CI) (USFWS 2010a). Nihoa Millerbirds nest in small shrubs between January and May (USFWS 2010b). If not singing, they tend to stay hidden in dense vegetation, making them hard to find (USFWS 2012).

A subspecies of the Nihoa Millerbird went extinct on Laysan Island in the 1920s because of introduced grazing mammals that destroyed the birds' habitat. According to a news release (USFWS 2012), USFWS moved 24 Millerbirds from Nihoa Island to Laysan Island in September 2011, to decrease the risk of extinction from a catastrophic event on Nihoa. As of March 2012, at least 21 birds were alive, two breeding pairs were incubating eggs, and one pair was feeding nestlings. Future translocations for Millerbirds are being planned (USFWS 2012).

The Nihoa Millerbirds on Laysan Island do not show the same camp-following behavior as Laysan finch (USFWS pers. comm). Injury or death to Nihoa Millerbirds is not expected from interactions with field camps and HMSRP activities on Laysan Island. It is possible that Millerbirds could be disturbed if they nest near field camps or if HMSRP researchers hike through the interior of the island. Researchers do not expect to encounter Nihoa Millerbirds on Nihoa Island.

Short-tail Albatross

In 2008, the worldwide population of short-tailed albatross was around 2,400. There are about 450-500 breeding pairs on two islands in Japan, and the island with the majority of breeding pairs is an active volcano (USFWS 2008b).

Short-tailed albatross have been rarely seen in the NWHI at Midway Atoll (Sand and Eastern Islets), Laysan Island, French Frigate Shoals (Tern Islet), Pearl and Hermes Reef (Southeast Islet) and Kure Atoll (Green Islet). Since 1938, there have been about 50 observations of 17 individuals in the NWHI, generally between November and April (USFWS 2008b).

Midway Atoll

Short-tailed albatross typically nest on sloping grassy terraces, and a pair began nesting on Eastern Island, Midway Atoll in 2010 (USFWS 2010b). The short-tailed albatross pair on Eastern Island hatched an egg on January 14, 2011 (USFWS pers. comm.). This is the first confirmed hatching of short-tailed albatross outside of Japan in modern history (USFWS 2010b). The chick fledged in June 2011, and the breeding pair returned to the same location and successfully hatched another chick (USFWS pers. comm.).

USFWS has set up a camera to remotely view the nest and decrease disturbance from ground monitoring. When on Eastern Island, USFWS personnel maintain a distance of 150 ft (approximately 45m) from the birds, usually from behind vegetation. Any work in that area is performed when the short-tailed albatross are not present. If work must be done (e.g., camera maintenance), care is taken to decrease human visibility (USFWS pers. comm.).

The nest is located on the southeastern corner of Eastern Island, approximately 65 ft (20m) from the beach where researchers would survey monk seals. To remain out of sight of the nesting short-tailed albatross, researchers will stay low on the beach. If a researcher walks above the beach, the likelihood of being seen by the albatross is high. This could cause the chick or adults to move away from the researcher or cause the adults to fly away (USFWS pers. comm.).

Kure Atoll

Department of Land and Natural Resources (DLNR) staff have sighted short-tailed albatross on Kure Atoll from October to April in 1994, 2008, 2010, and 2011 (DLNR pers. comm. 2011). A female-female pair was observed nesting on Kure Atoll in 2010 but the egg was not fertilized. Short-tailed albatross land on Kure in the following locations:

- in camp,
- at the border of the west landfill and runway, and
- the nesting site at the southern edge of the west end of the runway.

Monk seal researchers are likely to interact with short-tailed albatross in camp and at the nest site on the west end of the runway from October to June. However, short-tailed albatross have only been sighted once in camp in January 2011 (DLNR pers. comm.).

Based on guidance from DLNR, researchers will stay out of the sight of the short-tailed albatross and keep a 500 ft (approximately 45m) buffer distance unless there is vegetation that prevents the birds from seeing humans. Researchers will take alternate paths to access the camp when short-tailed albatross are present. It is possible that a monk seal could haul up near the short-tailed albatross nesting site. If this occurred, the seal will not be approached unless there is a life-threatening situation, such as entanglement. In this case every effort will be made to minimize disturbance to the short-tailed albatross nest as required by DLNR (DLNR pers. comm.).

Laysan Island

Over the past few years on Laysan Island, a short-tailed albatross has arrived in December and is often found in the northern East Desert. NMFS researchers may encounter this bird since they tend to return from surveys through the desert. The USFWS policy on Laysan Island is to stay at least 200 ft (60m) away from the bird (USFWS pers. comm.).

Effects to short-tailed albatross

Albatross require a long straight-line ground trajectory to become airborne, and there is a small risk that they could fly into a shoreline pen fencing (erected temporarily to hold seals) with possible injury. Temporary pens had been seasonally maintained by HMSRP at Kure Atoll, Midway Atoll, and French Frigate Shoals for over ten years during summer months with no incidents of seabirds becoming entangled in the fence. However, during a 3-month maintenance of a temporary pen at French Frigate Shoals in 2006, a single Laysan albatross (*Phoebastria immutabilis*) flew into the fencing and was injured, but survived.

The HMSRP will ensure that no pens would be placed in the vicinity of short-tailed albatross or their nests. For example, at Midway Atoll, the shore pen will not be on the same island where the short-tailed albatross decoys, sound recordings, and recent nesting occurred. The placement of the pen would be on Sand Island, approximately 3 miles from the short-tailed albatross nesting location.

Monk shore pens will normally be erected in the fall, after the short-tailed albatross breeding season and fledging of hatchlings. However, pens could be erected at any time of year. If shorepens are erected, the height of the pen would be below 5 ft. HMSRP researchers would increase monitoring of pens on windy days. Pens would be dismantled immediately after use, which typically would not exceed two weeks for holding seals. In the unlikely event that a short-tailed albatross were to fly into a shorepen, the pen would be taken down and the Monument and USFWS would be contacted for guidance.

HMSRP field camps in the NWHI are typically supplied and staffed using vessels, rather than aircraft. The use of an aircraft may occasionally occur at Midway Atoll or French Frigate Shoals, which could pose a risk to short-tailed albatross. Requirements of the Monument would be in place to ensure the overall effects of air strikes on albatross and other birds is minimal (PMNM 2008). These include:

- Night flights for most of the year at Midway;
- Vegetation management along the runways to modify bird flight and nesting behavior;
- Flight path advisories given to pilots; and
- Runway clearing of birds and other wildlife by personnel prior to landing and takeoffs (PMNM 2008).

With USFWS, DLNR, and Monument mitigation measures in place to limit or eliminate interaction with short-tailed albatross, it is not likely that the activities carried out by the HMSRP would adversely affect this species. Disturbance to short-tailed albatross by HMSRP researchers will be decreased by following the required mitigation measures for each island.

Laysan Duck

The Laysan duck is found on Laysan Island and Midway Atoll. The population on Laysan is estimated at 611 (95% CI 538-714) adults (Reynolds *et al.* 2006a cited in USFWS 2009), and 200 at Midway (Reynolds *et al.* 2007a cited in USFWS 2009). The ducks use all available habitats at both locations: upland vegetation, ephemeral wetlands, freshwater seeps, mudflats, the hypersaline lake, and coastal areas (USFWS 2009).

Although these ducks primarily use vegetated upland and lake/lowland habitats, a few ducks on Laysan use the camp area to get freshwater, insects, and shade (Reynolds 2004 cited in USFWS 2009). Coastal habitats are used more frequently during the post-breeding season (September through February) than the breeding season (Reynolds 2004 cited in USFWS 2009). Flocks of up to 70 Laysan ducks were recorded on the coast during the post-breeding season (Reynolds 2004 cited in USFWS 2009).

HMSRP researchers could disturb ducks near camp. There is a small possibility that ducks in coastal areas could fly or run into the temporary monk seal holding pens when foraging. Laysan ducks have never interacted with shorepens used by the HMSRP since 1981 and any such occurrence is not expected. Thus, no injury or mortality to Laysan ducks is expected.

ESA- listed Sea Turtles

On land, sea turtles are under the jurisdiction of the USFWS and in water, under NMFS' jurisdiction.

ESA-listed sea turtle species identified within the action area include:

- Green (*Chelonia mydas*),
- Hawksbill (*Eretmochelys imbricate*),
- Loggerhead (*Caretta caretta*),
- Olive ridley (*Lepidochelys olivacea*), and
- Leatherback (*Dermochelys coriacea*).

Critical habitat has not yet been designated for any of these species in the U.S. Pacific.

Most of the sea turtle species do not occur where Hawaiian monk seals are found and would not be affected by the proposed action. None of these species (except green sea turtles) would be affected by the research activities. . Researchers do not work at night so no nesting animals would be disturbed. If turtles are seen during the day, research activities would not occur in that area. Boat drivers would watch for turtles to avoid disturbance or collision. Mitigation measures would also be carried out to avoid disturbing sea turtles.

Green sea turtles may be present on beaches where monk seal researchers conduct their work; therefore, additional detail on green sea turtles is provided below.

Green Sea Turtles

The green turtle nests in the NWHI and may be affected by the research activities when on land. The research activities will not affect green turtle hatchlings or green turtles while in the water or nesting in the MHI, as discussed below.

In Hawaii, the green sea turtle is listed as threatened under the ESA and endangered worldwide under the IUCN. Since harvest practices stopped in 1974, the Hawaiian stock of green turtles has increased and is believed to be 83% of its historical size, with an estimate of 61,000 turtles (Chaloupka and Balazs 2007).

Green turtles occur in the coastal waters surrounding the MHI throughout the year and also migrate seasonally to the NWHI to reproduce. The largest nesting colony in the central Pacific Ocean occurs at French Frigate Shoals in the NWHI, where about 200 to 700 females nest each year (Balazs 1976, as cited in Balazs and Chaloupka 2006). On occasion, green turtles also nest in the MHI. Nesting in the MHI has occurred along the north shore of Molokai, the northwest shore of Lanai, and the south, northeast, and southwest shores of Kauai.

Since harvest practices stopped in 1974, the Hawaiian stock has increased and is believed to be 83% of its historical size, giving an estimate of 61,000 for the Hawaiian stock (Chaloupka and Balazs 2007). In 2004, over 500 green turtles were recorded nesting at the East Island rookery at French Frigate Shoals (Chaloupka and Balazs 2007), where over 90% of Hawaiian green turtles nest. Research activities such as monitoring, capture, and handling of seals as well as boat landings may cause incidental disturbance to 140 basking green sea turtles a year in the NWHI, which includes French Frigate Shoals, Laysan Island, Lisianski Island, Pearl and Hermes Reef, Midway Atoll, and Kure Atoll.

Sleeping or basking green sea turtles are generally unaware of researchers that maintain a low profile such as when they are observing seals. However, some activities, such as small boat landings, capturing a seal, and other research activities may disturb basking turtles that are asleep on the beach, causing them to move into the water. Impacts to turtles are expected to be temporary, and no harm or mortality would occur. Temporary shore pens for holding monk seals would not be erected in areas where green turtles rest or nest. HMSRP researchers would monitor the pens daily for interactions with sea turtles.

Researchers work during daylight hours (sea turtles nest at night) and remain out of sight of turtles to the extent possible when carrying out activities necessary to benefit monk seals. The HMSRP does not establish field camps in the immediate vicinity of turtle nesting areas, so emerging hatchlings are not exposed to lights or disturbance.

Boats will maintain straight line paths while transiting between the islands. Boats will also avoid landing on beach areas where turtles are in the immediate vicinity. Small boats will maintain a moderate speed and watch for objects in the water including turtles to reduce the threat of boat strikes or disturbance to sea turtles in the water. Caution would be exercised in shallower waters within the atolls to avoid any disturbance to swimming green sea turtles. Therefore, takes of green sea turtles in the water are not expected.

The following conditions would be put in Permit No. 16632 based on previous consultation with USFWS:

- Walking is prohibited on all beaches, from dusk to dawn, where adult turtles rest.
- All field camps will use maximum light control (shading, minimum wattage, etc.).
- All field camps must avoid disorienting hatchling turtles.

Green sea turtles may be disturbed during some of the HMSRP activities, however they will not be harassed or harmed to the point where they would be injured or killed. The permit will require that the above measures are taken to decrease disturbance of green sea turtles. Using the best management practices for the Monument (Appendix G of Draft PEIS) would decrease potential adverse effects on turtles. These conditions for field camps and research activities in the Monument are in place to ensure preservation of the NWHI native ecosystem, including turtles (PMNM 2008).

ESA-listed Plants

ESA-listed plant species identified within the action area include:

- (*Amaranthus brownii*),
- Coastal flatsedge (*Mariscus pennatiformis*),
- Nihoa fan palm (*Pritchardia remota*),
- Nihoa carnation (*Schiedea verticillata*),
- 'Ohai (*Sesbania tomentosa*),
- 'Awiwi (*Centaurium sebaeoides*),
- Hilo ischaemum (*Ischaemum byrone*), and
- Carter's panic grass (*Panicum fauriei* var. *carteri*).

Proposed Hawaiian monk seal research and enhancement activities would have no effect on endangered plants that occur in the NWHI or MHI, as determined in 2009. The proposed activities would be located in coastal waters on the beach or within 5m inland of the splash zone. Some plants may occur on or near trail paths leading to beaches where monk seals haul out, however these plants would not be affected by research activities. Researchers primarily work on the beach or perimeter of the vegetation zone. Field

research camps in the NWHI are located further inland. The Monument requires strict quarantine procedures to avoid introducing species that might adversely affect the native biota of the NWHI.

The HMSRP would take all precautions necessary to avoid contact with ESA-listed plants including:

- Staying on the path where no vegetation occurs when accessing beaches by foot,;
- Only landing on sandy beaches below the vegetation line when accessing beaches by boat; and
- Training researchers on the identification and locations of ESA-listed plants in the MHI and NWHI.

Proposed Listed Corals

The following species of corals are proposed to be listed as threatened in the Hawaiian Archipelago:

In the MHI:

- *Montipora flabellate/M. dilatata/M. turgescens* (blue rice coral)
- *Montipora patula/M. verrilli* (spreading or sandpaper rice coral)

In the NWHI:

- *Acropora paniculata* (fuzzy table coral)

Researchers do not anchor boats in the MHI and are prohibited from anchoring boats on corals in the NWHI. It is not likely that these corals would be affected by the proposed activities.

Critical Habitat

Activities carried out by the HMSRP will not permanently alter the beach or other monk seal habitat, and will not adversely modify designated critical habitat for USFWS species. Any structures erected (e.g., tents or seal pens) would be temporary and would not be placed in areas where endangered plants are found.

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