

APPENDIX A
CORRESPONDENCE



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

APR 11 2003

MEMORANDUM FOR THE DEPUTY CHIEF OF NAVAL OPERATIONS, NAVAL
WARFARE, REQUIREMENTS AND PROGRAMS (N7)

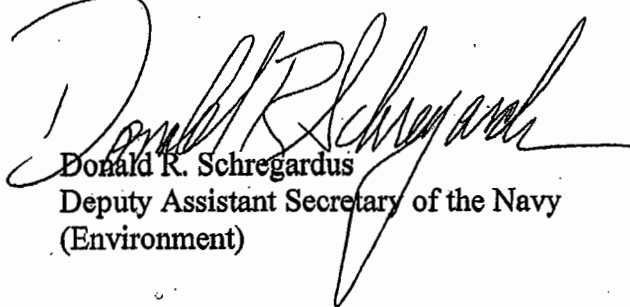
Subj: SURTASS LFA Supplemental EIS

I have reviewed the Final Overseas Environmental Impact Statement and Environmental Impact Statement (OEIS/EIS) for the Surveillance Towed Array Sensor System Low Frequency Active Sonar (SURTASS LFA) and the July 16, 2002 Record of Decision (ROD) concerning employment of the SURTASS LFA system. I find the analysis of the OEIS/EIS to have taken the requisite "hard look" at the environmental consequences of the decision to employ the SURTASS LFA system and that the ROD adequately addresses the issues raised.

However, due to recent concerns raised by the Court over employment of the SURTASS LFA system, I have determined that the purposes of the National Environmental Policy Act would be furthered by the preparation of supplemental analysis related to employment of system. This analysis will take the form of a Supplemental Overseas Environmental Impact Statement/ Supplemental Environmental Impact Statement and will provide additional information regarding the environment that could potentially be affected by employment of SURTASS LFA and additional information related to mitigation of the potential impacts of the system.

Specifically, I direct that the analysis focus on identifying geographic areas and seasonal periods of high marine mammal abundance in those areas where the Navy intends to use SURTASS LFA for routine training and testing. Once completed, information developed from this analysis will be used to assist the Navy in selecting the operating areas that it requests for routine SURTASS LFA training and testing in applications for Letters of Authorization submitted to the National Marine Fisheries Service.

While I have no reason to believe that any impacts from the employment of SURTASS LFA will occur inside U.S. territory, I direct that this analysis comply with both the National Environmental Policy Act and Executive Order 12114.


Donald R. Schregardus
Deputy Assistant Secretary of the Navy
(Environment)



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

9462
N774T/3U630157
28 Jul 03

From: Chief of Naval Operations (N774)
To: Director, Office of Protected Resources, National Marine
Fisheries Service, National Oceanic and Atmospheric
Administration, 1315 East-West Highway, Silver Spring,
Maryland 20910

Subj: COOPERATING AGENCY REQUEST FOR SURTASS LFA SONAR
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

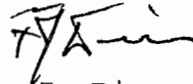
Ref: (a) Deputy Assistant Secretary of the Navy (Environment)
Memorandum for the Deputy Chief of Naval Operations,
Naval Warfare, Requirements and Programs (N7),
SURTASS LFA Supplemental EIS, 11 April 2003
(b) Acting Director, Office of Protected Resources,
National Marine Fisheries Service, National Oceanic
And Atmospheric Administration letter of 14 April
2003

1. In reference (a), the Deputy Assistant Secretary of the Navy for Environment directed the Navy to prepare a supplemental environmental impact statement (SEIS) to provide additional information regarding the environment that could be potentially affected by employment of the Surveillance Towed Array Sensor System Low Frequency Active (SURTASS LFA) sonar and additional information related to mitigation of the potential impacts of the system. In reference (b), the National Marine Fisheries Service (NOAA Fisheries) stated that they supported the decision to produce an SEIS and would agree to serve as a cooperating agency under 40 CFR 1501.6, upon formal request from the Navy.

2. In preparation for the important work ahead in developing the SEIS, the Navy desires to formalize the working relationship between National Marine Fisheries Service (NOAA Fisheries) and the Navy. The Navy therefore invites the National Marine Fisheries Service (NOAA Fisheries) to be a "cooperating agency" under 40 CFR 1501.6 for the preparation of the SURTASS LFA Sonar Supplemental EIS.

Subj: COOPERATING AGENCY REQUEST FOR SURTASS LFA SONAR
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

3. The CNO point of contact is Mr. Joseph S. Johnson (Code N774T), who can be reached at 703-604-7389, E-mail: joe.johnson@navy.mil.



F. J. Diemer
Captain, U. S. Navy
Head, Undersea Surveillance



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1316 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

SEP 26 2003

Captain F. J. Diemer
Department of the Navy
Office of the Chief of Naval Operations
2000 Navy Pentagon
Washington, D.C. 20350-2000

Dear Captain Diemer:

Thank you for your letter requesting the National Marine Fisheries Service (NOAA Fisheries) to be a cooperating agency (as that term is defined by the Council on Environmental Quality (40 CFR 1501.6) in the preparation of a Supplemental Environmental Impact Statement (SEIS) addressing the potential impacts from operational deployment of the Surface Towed Array Surveillance System Low Frequency Active (SURTASS-LFA) Sonar.

We support the U.S. Navy's determination to do an SEIS on this activity as we have participated in the preparation of previous SURTASS LFA sonar documents under the National Environmental Policy Act and have permitted recent scientific research on the impacts from SURTASS-LFA sonar on marine mammals. In cooperating with the U.S. Navy on this activity, NOAA Fisheries has a dual role, both through review of and comment on the preparation of the SEIS and in the processing of incidental take applications for Letters of Authorization (LOAs) under section 101(a)(5)(A) of the Marine Mammal Protection Act. NOAA Fisheries will also be in formal consultation under section 7 of the Endangered Species Act on the LOAs. Therefore, NOAA Fisheries agrees to be a fully cooperating agency in the preparation and review of the SEIS but also reserves the ability to review that document when it is released to the general public, and to provide the U.S. Navy with appropriate comments. Provided our comments are satisfactorily addressed in the Navy's Administrative Record, NOAA Fisheries is prepared to adopt the U.S. Navy SEIS when making its determination on the issuance of further LOAs.

If you need any additional information, please contact Mr. Kenneth Hollingshead, (301) 713-2055, ext. 128, or Ms. Kimberly Skrupky, (301) 713-2322, ext. 163, who will be the points of contact for the preparation of the SURTASS-LFA sonar SEIS.

Sincerely,

William T. Hogarth, Ph.D.

