



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850

In Reply Refer To:
01EPIF00-2018-I-0261

Amanda Cruz
Land Division
United States Environmental Protection Agency
Region IX
75 Hawthorne Street,
San Francisco, California, 94105-3901

MAY 24 2018

Subject: Informal Consultation on the Remedial Action Plan, Marpi Point Explosives
Detonation Site, Saipan, Commonwealth of the Northern Mariana Islands

Dear Amanda Cruz:

The U.S. Fish and Wildlife Service (Service) received your letter on April 4, 2018 requesting consultation and our concurrence that the remedial action plan at the Marpi Point explosive detonation site (Project) may affect, but is not likely to adversely affect the federally listed as endangered Mariana fruit bat (*Pteropus mariannus mariannus*), Mariana swiftlet (*Aerodramus vanikorensis bartschi*), Micronesian megapode (*Megapodius Laperous*), and nightingale reed-warbler (*Acrocephalus luscini*), pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C 1531 et seq.). This informal consultation addresses the implementation of the Project on the species listed above.

The findings and recommendations in this consultation are based on: (1) your letter and the attachments received on April 4, 2018; (2) the survey conducted by Service biologist Tyler Willsey on March 16, 2018; (3) email correspondence between the Service and United States Environmental Protection Agency (EPA); (4) Telephone and email conversations with the Service and EPA; and (4) and other information available to us. A complete administrative record is on file in our office.

PROJECT DESCRIPTION

Background Information

During World War II and the military occupation immediately following it, millions of pounds of unexploded ordinance (UXO) were left in the CNMI. Some of these munitions were fired but

failed to detonate, while other ordnance was abandoned after the war ended. Unexploded bombs, artillery shells, grenades, and bullets are still routinely found throughout the island during land clearing for commercial and residential development. These munitions slowly degrade into the environment and can detonate if disturbed.

The Marpi Point site was first used by the Japanese and later by the US during WWII for explosive storage. Following the war, the site continued to be used by the US for storage and emergency detonation of waste munitions. In 2008, the CNMI was issued a permit from the EPA to store and detonate UXO at the site and has been doing periodic detonations there since.

Proposed Action

The EPA is seeking to renew a Resource Conservation and Recovery Act permit to continue to use the Marpi Point site to address the threat of unexploded ordnance on Saipan. In 2018 the CNMI Department of Fire and Emergency Management Services (DFEMS) submitted the renewal application to the EPA to continue operation of the unit and storage cave (Figure 1). The permit will allow DFEMS to retrieve munitions and store them in the cave until a maximum explosive weight is achieved. DFEMS will then coordinate with the Department of Defense who detonates the UXO using plastic explosives to eliminate the potential explosive hazards. The site is comprised of a 5,000-square-foot area surrounding the existing UXO storage cave. The cave is located in the side of a cliff face surrounded by routinely mowed grass and a perimeter exclusion fence (Figure 2).

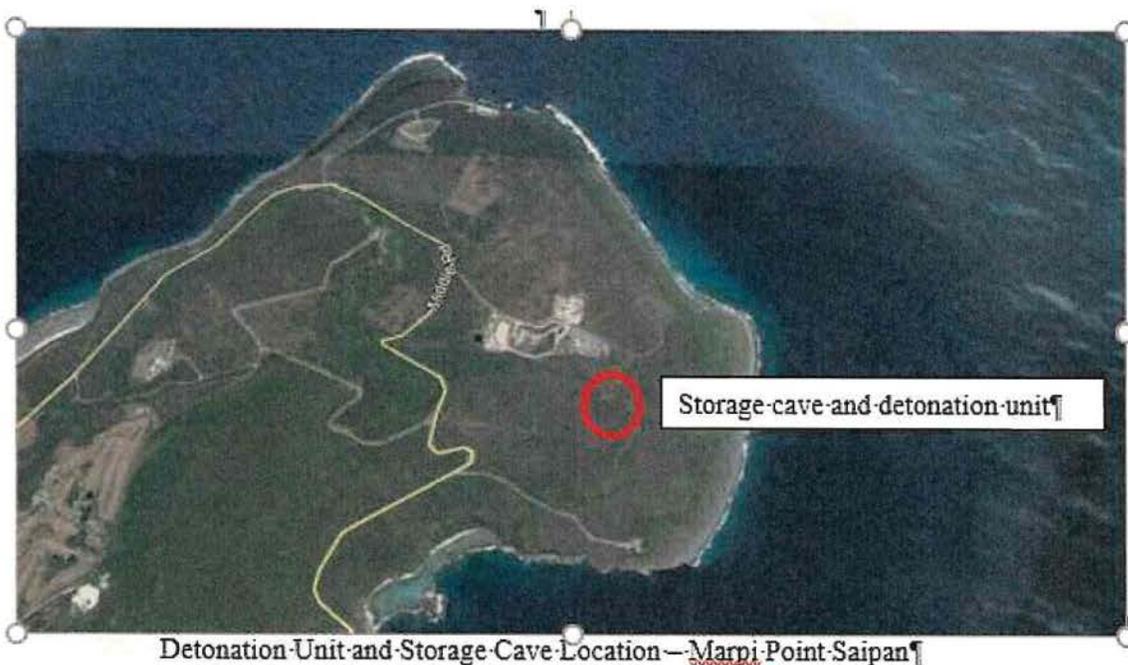


Figure 1: Map of the Marpi Point Detonation Site

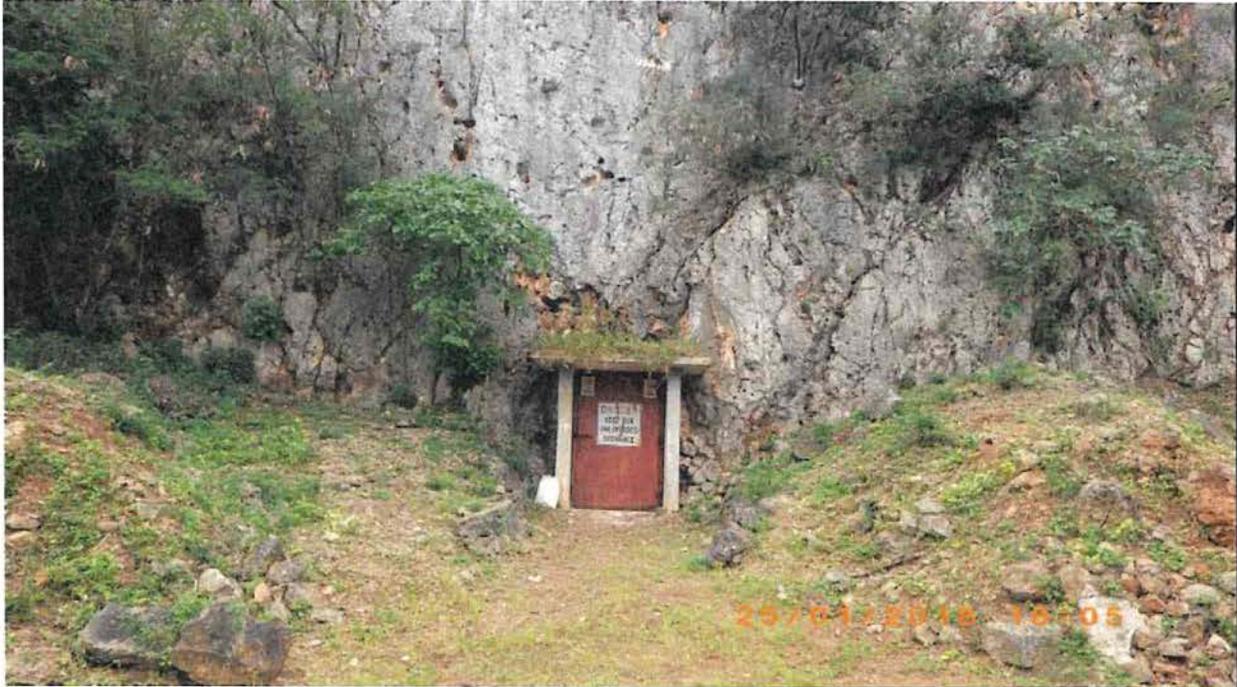


Figure 2: Photo of the explosive storage cave (courtesy of U.S. EPA website)

Conservation Measures

The following conservation measures, developed in coordination with the Service, will avoid or minimize effects to the Mariana fruit bat, Mariana swiftlet, Micronesian megapode, and nightingale reed-warbler. They are considered part of the project description. Any changes to, modifications of, or failure to implement these conservation measures would result in a need to reinitiate this consultation.

1. Detonation events must be conducted between the hours of 10 am and 2 pm when wildlife is less active. There will be no detonation events prior to 10 am and no events past 2 pm.
2. Prior to a detonation event, the detonation pit will be accessed and vegetation will be physically disturbed. If there is evidence of wildlife in the pit, consult with USFWS for guidance in relocating the type of wildlife prior to the detonation event.
3. A warning shot will be fired with an appropriate fire arm as a warning to evacuate wildlife in the area prior to a detonation event each day. The shot must occur at least 15 minutes prior to a detonation event, but no more than two hours prior to the first detonation event.
4. United States Fish and Wildlife Service should be notified at least 24 hours prior to any detonation event. This will allow the Service an opportunity to conduct a survey for listed species and nesting sea birds.

5. All operations will be confined to work limits of the project. Special care will be exercised to maintain natural surroundings as much as possible. Any unauthorized damage to natural features will be restored as nearly as possible to original condition.

Action Area

The action area of a project is defined by regulation as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR §402.02). The action area for this formal consultation includes approximately 5,000 square feet of land surrounding the Marpi Point detonation site.

EFFECTS ANALYSIS

Species background

Mariana Fruit Bat

The Mariana fruit bat is a medium-sized bat measuring 195 to 250 mm from head to rump, with a wingspan of 860 to 1065 mm. The males are slightly larger than the females. The abdomen and wings are dark brown to black with individual gray hairs intermixed throughout the fur. The mantle and sides of the neck are bright gold on most animals but in some individuals, this region may be pale gold or pale brown. The color of the head varies from brown to dark brown.

Mariana fruit bats are found in Guam and the CNMI. Fruit bats sleep during much of the day, but also perform other activities such as grooming, breeding, scent rubbing, marking, flying, climbing to other roost spots, and defending roosting territories (harem males only). Bats gradually depart colonies for several hours around sunset to forage.

The fruit bat feeds on a wide variety of plant material but primarily on fruits. It appears that the favored foods include the fruits of breadfruit, papaya, fadang, figs, kafu, and talisai and the flowers of kapok, coconut, and gaogao.

Mariana Swiftlet

The Mariana swiftlet is a small, narrow winged bird with dark sooty gray above and grayish brown below. The species is endemic to the Mariana Islands and populations currently exist on Guam, Aguiguan, and Saipan. The swiftlet nests and roosts in limestone caves in nests composed of moss held tightly together and sealed to the cave wall by hardened saliva. The species navigates through caves using echolocation. Swiftlets leave the cave early morning and early evening to drink and forage on insects over a wide variety of terrain and vegetation.

Micronesian Megapode

The Micronesian megapode is a pigeon-sized bird with an average weight of about 12.25 ounces (3.8 grams). It has a dark gray to black body plumage and an ash gray head with a slightly darker, short, rough crest. The flight feathers and short tail are grayish-black, and the wings are short and round. The bill is yellow with the upper mandible clove-brown to black at the base.

The feathers around the eye, ear, and throat are very sparse or absent revealing red skin and a red throat patch. The heavily built legs and feet are yellow with the joints of toes and/or all the upper surface dark gray-black.

The Micronesian megapode was historically widespread throughout the Mariana Island chain but declined on all of the southern Mariana Islands (Guam, Rota, Aguiguan, Tinian, and Saipan) in the 19th and early 20th centuries. While the megapode was extirpated on Guam, and Rota, remnant population persists on Aguiguan, a small population on remains on Saipan, and an individual has been recently documented on Tinian.

Nightingale Reed-Warbler

The nightingale reed-warbler (*Acrocephalus luscini* or ga'ga'karisu) is endemic to the Mariana Islands. It has become extirpated from many of the islands it once occupied, such as Guam and Pagan, and now remains only in Saipan and Alamagan. It occupies areas of dense understory, including reed marshes, wetland/edge vegetation, forest edge and openings, mixed tangantangan (*Leuceana leucocephala*)/grassland, mixed tangantangan/secondary forest, and tangantangan forest (Craig 1992, Service 1998). Nightingale reed-warblers show high site fidelity, defend their territories by singing, and tend to remain in the same territory (Craig 1992). Main threats include habitat loss and degradation, habitat conversion by non-native invasive plants, and predation by introduced animals such as rats and cats.

Effects of the Action

The project may affect the Mariana fruit bat, Mariana swiftlet, Micronesian megapode, and nightingale reed-warbler through noise disturbance related to the detonation of UXO in the project area. Noise disturbance could result in the harassment of any of the before mentioned species causing disruptions to feeding, breeding, or sheltering behavior. However, the immediate project area does not contain suitable habitat for listed species and noise impacts will be infrequent and short in duration leading us to conclude the project impacts will be temporary and discountable.

In order to minimize affects to threatened and endangered species, the project proponent will implement the conservation measures listed above to avoid and minimize impacts. These measures include contractor education on the sensitivity of the area, removal of all trash and debris (aside from native vegetation), and conducting species surveys prior to project activities to avoid direct impacts to listed species.

CONCLUSION

The Service has reviewed the biological evaluation, the proposed conservation measures, and analyzed other information pertaining to the presence or absence of listed species in the project vicinity. In addition, pre-project surveys of the area did not detect listed species. Based on the documents reviewed, the survey finding and the proposed conservation measures, the Service concurs with your determination that the project may affect, but is not likely to adversely affect listed species or critical habitat because any adverse effects would be discountable and temporary. Therefore, no further endangered species consultation will be required unless: 1) the

identified action is subsequently modified in a manner that causes an effect on a listed species or designated critical habitat; 2) new information reveals the identified action may affect federally protected species or designated critical habitat in a manner or to an extent not previously considered; 3) a new species is listed or a critical habitat is designated under the Act that may be affected by the identified action; or, 4) the project is not completed within three years from the date of this consultation. If new effects are identified in the future, the project proposal should be resubmitted to our office for further consideration.

Conservation Recommendations

We ask that you also consider the following measures to further prevent and minimize impacts to listed species.

1. Detonation events or land clearing should occur October through December or April through June, to avoid the peak nesting season for the reed-warbler.
2. If the clearing of trees greater than 3 inches in diameter at breast height or grasses taller than 5 feet is required, please contact the Service prior to clearing in order to ensure listed species are not occupying the area.

Thank you for participating with us in the protection of our endangered species. If you have any further questions or concerns regarding this consultation, please contact Tyler Willsey (phone: (670) 234-7207 ext. 2008; email tyler_willsey@gmail.com).

Sincerely,



Jacqueline Flores
Mariana Islands Team Manger

CC: Antonio Benevente, Secretary of Department of Lands and Natural Resources (DLNR)
Manny Pangelinan, Director of Division of Fish and Wildlife (DFW)

REFERENCES

USFWS (U.S. Fish and Wildlife Service). 2015. Endangered and Threatened Wildlife and Plants: Endangered Status for 16 Species and Threatened Status for 7 Species in Micronesia. Federal Register Vol. 80.