



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
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NEW YORK, NY 10007-1866

SEP 01 2011

Roy E. Crabtree, Ph.D.
Regional Administrator
Southeast Regional Office
National Oceanic and Atmospheric Administration
263 13th Avenue South
St. Petersburg, FL 33701

Re: Comprehensive Annual Catch Limit (ACL) Amendment for the U.S. Caribbean
Amendment 6 to the Reef Fish Fishery Management Plan of Puerto Rico and the U.S.
Virgin Islands
Amendment 5 to the Fishery Management Plan for the Spiny Lobster Fishery of Puerto
Rico and the U.S. Virgin Islands
Amendment 3 to the Fishery Management Plan for the Queen Conch Resources of Puerto
Rico and the U.S. Virgin Islands
Amendment 3 to the Fishery Management Plan for Corals and Reef Associated Plants
and Invertebrates of Puerto Rico and the U.S. Virgin Islands

Dear Dr. Crabtree:

The U.S. Environmental Protection Agency (EPA) is providing comments to the National Oceanic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS) on the referenced actions. These comments are offered in accordance with EPA's responsibilities under Section 309 of the Clean Air Act, Section 102(2) of the National Environmental Policy Act (NEPA), and the Council on Environmental Quality's regulations for implementing NEPA.

The purpose of this Draft Environmental Impact Statement (DEIS) is to bring the referenced fisheries into compliance with the 2007 revisions to the Magnuson-Stevens Fishery Conservation and Management Act.

For Actions 1 and 2, which consider alternatives to revise management reference points for those U.S. Caribbean species in each of the Reef Fish and Spiny Lobster Fishery Management Plans (FMP), EPA supports the selection of the most precautionary alternatives, which minimize habitat interaction, due to the level of scientific and management uncertainty associated with fishery management.

Little to no direct or indirect effects to the physical environment are expected as an outcome of Actions 3 and 4.

Though there could be substantial direct and indirect impacts from Action 5 on the biological and ecological environment, fishing behavior is unlikely to be altered in a way that would cause new adverse effects.

EPA supports the selection of two alternatives for Action 6(b), one of which sets bag limits (Alternative 2 or 3) and the other which prohibits the take of species of surgeonfish in the U.S. Caribbean Exclusive Economic Zone (Alternative 4) such that the biological benefit of both alternatives can be realized.

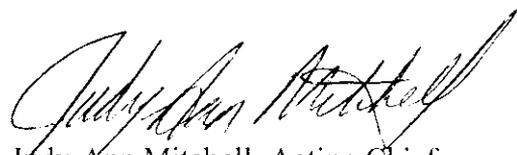
EPA supports the selection of Alternative 4 for Action 6 (c) which would prohibit the harvest of species of spiny lobster in the U.S. Caribbean as it would provide the greatest benefit to the physical and biological environment.

Action 7 is not expected to have a negative direct or indirect effect on the physical or biological environment.

EPA supports Alternative 2 for Action 8 (a) and 8 (b) given that it is a more comprehensive framework which includes a list of reference points and management measures that can be adjusted by a regulatory amendment as opposed to a plan amendment.

EPA rates this action as "LO" that is, lack of objections. EPA supports the overall Comprehensive Annual Catch Limit (ACL) Amendment for the U.S. Caribbean. We appreciate NOAA's continued coordination with us and look forward to receipt of the Final EIS (FEIS). Should you have questions regarding these comments, feel free to contact Stephanie Lamster at (212)-637-3465.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy-Ann Mitchell". The signature is written in a cursive, flowing style.

Judy-Ann Mitchell, Acting Chief
Strategic Planning and Multi-Media Programs Branch