



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

December 2, 2015

Roy E. Crabtree, Ph.D.  
Regional Administrator  
National Marine Fisheries Service, NOAA  
Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, Florida 33701

Re: Draft Environmental Impact Statement (DEIS) for Regulatory Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (RIN 0648-BD78); CEQ No.: 20150291

Dear Mr. Crabtree:

The U. S. Environmental Protection Agency has reviewed the referenced document in accordance with the EPA's responsibilities under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act (NEPA). The principal action, Regulatory Amendment 16, proposed by the South Atlantic Fishery Management Council is to reevaluate the annual November 1 through April 30, prohibition on the use of black sea bass pot gear and enhance buoy line/weak link gear requirements and buoy line rope marking for black sea bass pots required by the Atlantic Large Whale Take Reduction Plan. The need for the amendment is to potentially reduce the adverse socioeconomic impacts resulting from the annual November 1 through April 30, prohibition on the use of black sea bass pot gear and increase the flexibility of black sea bass pot endorsement holders to fish with this gear while continuing to protect Endangered Species Act listed whales in the South Atlantic region. Additionally, the proposed action is expected to reduce the adverse effects on whales if entangled and help identify black sea bass pot lines used in the South Atlantic.

The EPA supports the proposed actions to the Regulatory Amendment 16 to the Snapper Grouper Fishery Management Plan, which proposes a means to: 1.) Reevaluate the annual November 1 through April 30 prohibition on the use of black sea bass pot gear and enhance buoy line/weak link gear requirements and 2.) Evaluate buoy line rope marking for black sea bass pots required by the Atlantic Large Whale Take Reduction Plan (ALWTRP). The South Atlantic Council chose Preferred Alternative 11, for action 1, as its preferred alternative because Alternative 11 prohibits black sea bass pot fishing from areas where ninety-six percent to ninety-seven percent of the known sightings of North Atlantic Right Whale (NARW) occurred from November 1 through April 30, and allows black sea bass pot fishing outside the closed area. The South Atlantic Council also chose Preferred Alternative 4 as its preferred alternative for action 2. The South Atlantic Council also determined that Alternative 1 (No Action) would not be the best alternative because the status quo would not be able to identify black sea bass pot gear if it was found entangled on a NARW. The Preferred Alternative for Action 2 enhances the current ALWTRP gear-marking requirements in addition to the requirements identified in 50 CFR § 622.189.

Climate changes could have significant effects on South Atlantic fisheries. However, the extent of these effects is not known at this time. Possible impacts include temperature changes in coastal and marine ecosystems that can influence organism metabolism and alter ecological processes such as productivity and species interactions; changes in precipitation patterns and a rise in sea level which could change the water balance of coastal ecosystems; altering patterns of wind and water circulation in the ocean environment; and influencing the productivity of critical coastal ecosystems such as wetlands, estuaries, and coral reefs. This DEIS has addressed climate change in general. The South Atlantic Fishery Management Council might wish to consider collecting and including a more thorough analysis and how climate change may or may not effect a particular species of fish. For more information on climate change effects and NEPA, please see the revised draft guidance on consideration of GHGs emissions and effects of climate change in NEPA reviews by the President's Council on Environmental Quality at [https://www.whitehouse.gov/sites/default/files/docs/nepa\\_revised\\_draft\\_ghg\\_guidance\\_searchable.pdf](https://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf).

The EPA has rated this DEIS as "LO" – or Lack of Objections. The EPA has not identified any potential environmental impacts to the proposed action that would require substantive changes to the proposal. If you wish to discuss this matter further, please contact Larry O. Gissentanna at (404) 562-8248 or [gissentanna.larry@epa.gov](mailto:gissentanna.larry@epa.gov) of the NEPA Program Office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris A. Militscher", with a long horizontal flourish extending to the right.

Christopher A. Militscher  
Chief, NEPA Program Office  
Resource Conservation and Restoration Division