



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

Roy E. Crabtree, Ph.D.
Regional Administrator
National Marine Fisheries Service, NOAA
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505

JAN 29 2016

Re: Draft Environmental Impact Statement (DEIS) for Regional Management of
Recreational Red Snapper: Amendment 39 to the Fishery Management Plan for the Reef
Fish Resources of the Gulf of Mexico
(RIN 0648-BD25); CEQ No.: 20150350

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 purpose of the principal action, Amendment 39, proposed by the South Atlantic Fishery Management Council (Council) is to provide States flexibility in the management of the recreational sector's harvest of red snapper by restructuring the federal fishery management strategy to allow for the regional variation of management measures, and modifying accountability measures for recreational overages to better account for biological, social, and economic differences among the regions of the Gulf of Mexico. The need for the amendment is to prevent overfishing, while rebuilding the red snapper stock. Additionally, the proposed action is expected to increase the States' ability to tailor the management measures to address the regional differences in the fishery.

This amendment considers seven actions with a total of eight alternatives. The proposed actions include:

1. Regional Management
2. Regional Management and Sector Separation
3. Establish Regions for Management
4. Modify the Federal Minimum Size Limit
5. Closures in Federal Waters of the Gulf
6. Apportioning the Recreational Annual Catch Limit (Quota) among Regions
7. Post-Season Accountability Measures

The 'No 'Action' and action alternatives are discussed in the DEIS. Preferred alternatives and preferred options, in some instances, were identified by the National Marine Fisheries Service (NMFS) for six of the alternatives/actions. Action 2 does not include a preferred alternative. Due to the complexity of the regional management plan and the different options under consideration for the different areas of the Gulf of Mexico, the NMFS has not identified a specific preferred alternative at this time.

The EPA has the responsibility to review and comment on major Federal actions significantly affecting the quality of the human environment, including Fishery Management Plans (FMPs) and FMP Amendments as developed, approved, and implemented under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) where those Plans and Amendments are subject to the EIS requirement of NEPA. It should be clear, however, that we defer to the NMFS and the Council as to the development of fishery statistics and the relative importance of the commercial and recreational fisheries for each species.

Based on our review, we offer the following comments:

Greenhouse Gas Emissions and Climate Change

Scientific evidence supports the concern that continued increases in greenhouse gas emissions (GHG) resulting from human activities contribute to climate change. Climate changes could have significant effects on South Atlantic fisheries. 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 issues in general. The South Atlantic Fishery Management Council might wish to consider collecting data and including a more thorough analysis and how climate change may or may not affect a particular species of fish and include this information in the FEIS.

Environmental Justice Analysis

The EPA appreciates the NMFS including an Environmental Justice (EJ) discussion in Section 3.5.1 of the DEIS. We understand that data relating to the demographics of the fishing community that may be impacted by this Federal action is limited; however, the DEIS includes a discussion of the coastal counties that may be impacted by this action. As more specific demographic data for the recreational sector (*i.e.*, vessel owners, crew, dealers, employees, etc.) becomes available, the EPA recommends that a more detailed EJ analysis be included in future NEPA documents. We expect minimal impact on subsistence fishing associated with this action, but we recommend that the NMFS include a brief discussion in the FEIS of the proposed amendment's impact on subsistence fishing in the Gulf region.

Additionally, the EPA requests that the NMFS revise the last paragraph on page 78 describing the data shown in Figure 3.5.1.1. The description mentions seven communities exceeding the ½ standard deviation threshold for at least one of the social vulnerability indices; it appears to the EPA that a total of nine communities are exceeding the ½ standard deviation threshold.

List of Preparers

Per 40 C.F.R. Part 1502.17, the EIS "shall list the names, together with their qualifications (expertise, experience, professional disciplines) of the persons who were primarily responsible..." The table in Chapter 7 of the EIS includes the expertise and responsibility for each preparer. However, information on the experience was not included. The EPA recommends that the FEIS for this document includes a brief description of each preparer's experience, as

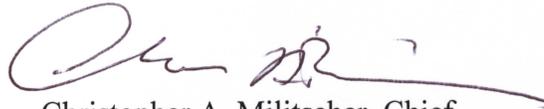
appropriate.

Acronyms Definitions and Language Simplicity

Per 40 C.F.R. Part 1500.4, the EIS should (d) use plain language. While reviewing the DEIS, the EPA review staff found the following acronyms were not clearly defined; please revise the 'Abbreviations Used in This Document' (p.iii) to define the following: RA (p.16), PAHs (p.66), HAPCs (p.143), OY (p.145), and LNG (p.145). Also, the EPA recommends that it would be helpful if the NMFS could incorporate an appendix that includes a list of the most relevant definitions used in the document. Currently, most of the technical definitions are scattered throughout the text which makes it difficult for the public and review agencies to follow the flow of the contents and increases the difficulty in understanding all of the technical and regulatory concepts as presented in the document.

The EPA has not identified any potential environmental impacts to the proposed action that would require substantive changes to the proposal and has rated the DEIS as 'LO', meaning that we 'lack objections' to the NMFS's proposals. If you wish to discuss this matter further, please contact Ana M. Oquendo at (404) 562-9781 or quendo.ana@epa.gov of the NEPA Program Office.

Sincerely,

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

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