

**IPT COMMENTS ON DRAFT FMP AMENDMENT 15/DEIS
OCTOBER 2006 VERSION**

Comment #	Commenter	Line and/or page #	Comment	Sub-group To Address	Response
1	Jim Waters	493	Spell out Optimum Yield (OY)	Rick	
2	Jim Waters	558-565	This paragraph may want to specifically recognize that long-term management of fish stocks is intended to include monitoring and feedback so that adjustments can be made over time. In other words, the rebuilding strategies can and probably will be modified in the future as better information becomes available.	Jack/Rick	
3	Jim Waters	628	The word 'comprises' does not seem to fit the sentence. Do you mean 'compromises?'	Rick	
4	Jim Waters	746	The original FMP did not implement a 12 inch minimum size limit for vermilion snapper. It implemented a 4 inch mesh requirement for trawls to mimic the effect of a 12 inch size limit for trawl gear. A proposal to implement a 12 inch size limit was considered and rejected. Size limits for vermilion were implemented later.	Jack/Rick	
5	Jim Waters	2852	There are closures in April for greater amberjack, in March and April for black grouper, in May and June for mutton snapper, from mid-Jan to mid-April for wreckfish, and from Jan-April for red porgy. Others?	Socio-econ	
6	Jim Waters	2896, 2899	The text references mentions amendment 13C. Do you mean amendment 15?	Socio-econ	
7	Jim Waters	2905, 2914	Landings and exvessel prices in the tables following	Socio-econ	

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			lines 2905 and 2914 should be labeled as being expressed in terms of whole weights or landed (gutted) weights.		
8	Jim Waters	2918-2919	The text sounds like it was copied from an older amendment because it says that additional regulations were recently proposed by amendment 13C. Please rephrase.	Socio-econ	
9	Jim Waters	2977	An ending date of 2003 gives a striking visual suggestion in Figure 3-1 that the fishery for vermilion snapper is in the midst of a serious decline. However, data in Table 3-8 (line 3001) indicate that the fishery bounced back somewhat in 2004 (but no where near the harvest levels for 2001 and 2002), and I wonder what happened in 2005 and 2006. Can data be updated through 2006? It would help to determine if 2003 was an aberration or a trend.	Socio-econ	
10	Jim Waters	3015-3041, 3182-3202:	Text can be revised so that Amendment 13C is no longer portrayed as pending.	Socio-econ	
11	Jim Waters	3251-3252	Text indicates that data in tables does not keep up with most recent data. Although text reports more recent data for 2004, why not update the tables?	Socio-econ	
12	Jim Waters	3333	Clumsy sentence: change 'willingness to pay to avoid a one fish red snapper bag limit decrease to be \$1.06 to \$2.20' to 'willingness to pay from \$1.06 to \$2.20 to avoid a one fish reduction in the bag limit for red snapper'	Socio-econ	
13	Jim Waters	Section 3.4.2 (social and	No suggestion to change the text in draft amendment 15, but note that suburban sprawl now often spills well	Socio-econ	

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		cultural environment)	beyond the municipal boundaries of many of the communities cited here.		
14	Jim Waters	4227-4221	The differences among proposed reference points would be expressed more clearly with graphs. One graph could plot the reference points along the vertical axis and associated sustainable biomass along the horizontal axis. Another graph could plot reference points against associated levels of F. In addition, each graph should display the current state of biomass and F. Although biologists no longer use surplus production methods to assess fish stocks, the concepts of surplus production remain valid and can be easily depicted and understood with graphs.		
15	Jim Waters	4228-4253	The main point in this discussion should be that MSY is a function of certain characteristics of the current fish population, such as its age and size structure. Given our current state of knowledge about the stock, we think that alternative 2 offers a better estimate of the true (but unobservable) MSY. However, we should also discuss what happens if we consider both alternatives as scientifically viable estimates for true (but unobservable) MSY. (1) If Alt 2 is really the better estimate, but we adopt Alt 1, then what happens? The paragraph mentions a few things such as fishery managers unintentionally allow stocks to be overfished. (2) If Alt 1 is really the better estimate, but we adopt Alt 2, then what happens? The issues of uncertainty and biological response to regulatory protection might be relevant. Although Alt 2 is our best estimate for MSY, Alt 1 could	Biological	

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			<p>be a legitimate choice if the estimate for Alt 2 is not known with certainty, or if regulatory protections change the age and size structure of the population to the point that Alt 1 becomes feasible. But for now, the prudent thing is to accept the best estimate, Alt 2. If MSY based on Alt 2 really were too low, then we eventually will discover it because we would find that biomass would continue to increase. This discussion is missing entirely.</p>		
16	Jim Waters	4262-4303	<p>Use graphics to show where the OY reference points are in relation to each other, to the status quo, and to MSY. Since the amendment uses the tiered approach to evaluating proposed alternatives, this is the only chance to explain the consequences of choosing an OY other than the preferred. This section warrants a better discussion of the size of biomass associated with each estimate of OY in relation to each other and to the biomass associated with MSY, and of the resulting short-term, indirect effects of specifying each proposed OY. Basically, a larger sustainable biomass associated with OY will be good for the stock, but bad for the fishery (in the short term) because longer and/or harder short-term reductions in harvest are needed to achieve larger sustainable biomass. Again, surplus production type graphics would clarify the discussion.</p>	Biological	
17	Jim Waters	4284, 4290, 4300	<p>These lines refer to buffers and safety margins between OY and MSY. Actually, the text should refer to the levels of biomass associated with each value of OY and MSY rather than the levels of OY and MSY. And the need for a buffer should be explained, along with the</p>	Biological	

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			consequences of having a buffer that is too small and a buffer that is too large. I suspect that the concept of a buffer explains why all values for OY are associated with levels of biomass that are larger than the biomass associated with MSY, but the rationale needs to be explained and included in the document. In the surplus production framework, it is possible for sustainable harvest OY to be associated with more than one level of biomass. This amendment chooses biomass greater than B(msy). The explanation about buffers should explain why we do not consider the same OY at a biomass that is smaller than B(msy).		
18	Jim Waters	4293	The text should explain what is meant by the ‘risk of overfishing,’ and how it is calculated. Is the Restrepo et al. risk of overfishing relevant to the present application to snowy grouper, and why?	Biological	
19	Jim Waters	4308-4351	Good discussion about the consequences of choosing the alternative for MSST.	Biological	
20	Jim Waters	4450-4475	The discussion about OY focuses on differences in the sustainable yield possible in the long term. However, are there indirect, short-term implications of the various choices that should be mentioned too? The most conservative choice for OY is associated with the largest biomass, and therefore requires the greatest amount of rebuilding to achieve. Hence, the indirect, short-term economic losses associated with rebuilding would be greatest with the most conservative levels of OY. If this interpretation of the consequences of OY is incorrect, then please clarify in the discussion.	Biological	

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21	Jim Waters	4462, 4554	Change “sustatinable” to “sustainable”	Biological	
22	Jim Waters	4489	This sentence appears to be missing a word. “These effects will be quantified when such action is, if necessary.”	Biological	
23	Jim Waters	4508	Workers may replace or fill a market niche. I don’t think that they fulfill a niche.	Socio-econ	
24	Jim Waters	4522-4526	Delete text: “Many people do not possess the technical training necessary to understand the myriad of equations that define the conceptual benchmarks.” Change next sentence to: “The fact that “the science” can cause relatively large reductions in harvests is particularly disconcerting to many fishermen and concerned stakeholders.”	Socio-econ	
25	Jim Waters	4551-4552	Change “imply” to “implies” (change twice).	Socio-econ	
26	Jim Waters	4561	The word “cushion” is used, but it is not clear what it means, but I presume that it refers back to the biological discussion of a buffer.	Socio-econ	
27	Jim Waters	4599-4615	The discussion about differences among rebuilding strategies would be clarified if graphs were presented. Show TAC (and define TAC as total allowable mortality (TOM) or total allowable kills (TAK) rather than total allowable landings) along the vertical axis and time (year) along the horizontal axis.	Jack/Rick	
28	Jim Waters	4645-4646	Change “impose a strict harvest provision” to “impose the strictest harvest controls” or “impose the strictest harvest reductions.”	Biological	
29	Jim Waters	4649-4653	This discussion implies that all commercially caught snowy grouper would be either landed or discarded	Biological	

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			regardless of the harvest restrictions. However, some targeting behavior is possible, with the result that management can reduce the overall mortality of snowy grouper. The incidental catch and discard would most likely occur on trips for which snowy grouper are not the primary species. Therefore, I wonder if “the actual mortality of snowy grouper would be similar under all three alternatives.”		
30	Jim Waters	4682	Change ‘effect’ to ‘affect’	Socio-econ	
31	Jim Waters	4702	Change ‘affect’ to ‘effect’	Socio-econ	
32	Jim Waters	4759	Alt 2 probably would help the resource. It just would not help enough for the resource to recover fully within the allotted time. Text states that Alt 2 would not help the resource.		
33	Jim Waters	4768-4770	The text states that positive harvests would be allowed, but that the fishery could not be rebuilt with current bycatch mortality rates. With a longer rebuilding period, this alternative allows for bycatch mortality, but would fishermen be allowed to keep fish if the stock could not be rebuilt? Could the stock be rebuilt if only bycatch mortality were allowed? This paragraph needs to be clarified. Graphs would help.	Socio-econ	
34	Jim Waters	4771-4773	Clumsy sentence. Change “While some reduction in revenue and consumer surplus loss relative to Alternative 2 would be expected” to “Alternative 3 would entail smaller losses in revenues and consumer surplus than Alternative 2, but”	Socio-econ	
35	Jim Waters	4886-4896	The paragraph begins by stating that the administrative	Jack/Rick	

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			effects of Alt 2 are more beneficial than for Alt 3, but it ends by stating that additional administrative burden would result. Does the author include these additional administrative burdens in the original statement that Alt 2 is more beneficial than Alt 1? Please clarify, perhaps by changing the order in which these thoughts are introduced.		
36	Jim Waters	Appendix F	Appendix F (calculation of discards): Prediction of discards is very difficult because it depends on the way that fishermen change fishing practices in response to regulation. All we can do is make a few reasonable assumptions and proceed. Appendix F does a good job of listing the assumptions. However, the operational use of the assumptions should be clarified. The clarification can be included in expanded discussions about each step in the calculation procedure.	Jack	
37	Jim Waters	14501-14503	It would be helpful to mention the quota and trip limit for 2007, just for completeness even though it is mentioned later.	Jack	
38	Jim Waters	14568-14569	It may sound like quibbling, but we do not want to know when the quotas for tilefish and vermilion snapper would have closed during 2000-2005. Rather, we want to use historical data from 2000-2005 to predict if and when these fisheries would close in the future, on average. The distinction is important because Amendment 15 proposes new regulations, including alternatives to change the fishing year to begin on Sept 1 for tilefish. Therefore, it seems appropriate to calculate our estimates of future discards based on the new fishing year that	Jack	

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			begins on Sept 1. Unfortunately, multiple calculations may be necessary because fishing behavior (and hence, quantities discarded) may depend on the various management actions that could be taken in Amendment 15. For example, the status quo scenario suggests a separate set of calculations with the existing Jan 1 start date. Also, the quota and trip limit alternatives for the deep water unit probably affect quantities discarded.		
39	Jim Waters	14576	The quota would not be met <i>on average</i> , but it might be met in individual years.	Jack	
40	Jim Waters	14583-14584	The fishing year for tilefish probably will begin on Sept 1, so snowy grouper might not be taken with longlines during the spring and summer rather than the fall.	Jack	
41	Jim Waters	14585	It is unclear what is tabulated in Table 5, although it probably includes estimated catches within the trip limit for snowy grouper, given the assumption about fishing behavior and catches after having reached the quota for tilefish. Please include text to explain how the assumptions were used to arrive at the numbers in the table. It would be helpful to include several additional columns to help make the calculations of discards easier to follow. Add columns for pounds within the trip limit for hook-and-line gear, pounds in excess of trip limit (pounds not caught?) for hook-and-line gear, pounds within the trip limit for longline gear, and pounds in excess of trip limit or otherwise not caught for longline gear.	Jack	
42	Jim Waters	14596-14599	I admit to being confused, and ask for text to clarify what is being tabulated. Have the trips in Table 6	Jack	

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			<p>already been included in Table 5 (must have been, or you would not be performing subtractions in Table 7)? Does Table 6 include total catches of snowy grouper on these trips, or only those catches in excess of a snowy grouper trip limit? The argument has to be that fishermen may only keep snowy grouper up to the trip limit, but that additional pounds will be caught and discarded on trips that incidentally catch snowy grouper. Therefore, it seems reasonable to expand Table 6 to report total pounds of snowy grouper landed on these trips, pounds of snowy grouper within the trip limit, and pounds of snowy grouper in excess of the trip limit. This last column will be the estimate of discards from these trips.</p>		
43	Jim Waters	14605-14607	<p>As you can tell, by now I am totally confused. As written, Table 7 appears to include (a) the total catch of snowy grouper on incidental trips, (b) the catch of snowy grouper within the trip limit for all trips (incidental and directed), and (c) the difference between (a) and (b). If this interpretation is not correct, then please offer additional information at all steps to clarify. If this interpretation is correct, then the method seems faulty. The correct method would be as described in the comment about Table 6. Quantities discarded would be calculated as total catch from incidental trips minus catch within the trip limit <i>for incidental trips only</i>.</p>	Jack	
44	David Keys	N/A	<p>This consolidated Amendment/EIS is 298 pages long, which is almost to the limit of 300 pages prescribed by the CEQ NEPA Regulations, Section 1502.7, for the</p>	All Sub-groups; Jack/Rick	

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			Purpose and Need through the Environmental Consequences. The document could be shortened by decreasing the volume of Chapter 3, Affected Environment. This document uses an unorthodox line numbering system that runs continuously throughout the document from line 1 on the title page to line 16,858 on page 512.		
45	David Keys	N/A	There is no scoping report or documentation that scoping was conducted in this document. The DEIS portion of this consolidated document does not convey to the reader and decision makers what were the issues presented by the public during scoping for incorporation into the DEIS. The CEQ NEPA Regulations, Section 1500.5(d), require agencies to reduce delay by “Using the scoping process for an early identification of what are and what are not the real issues.” Scoping is covered further in Section 1501.7 and Scope in Section 1508.25.	Rick	
46	David Keys	Page 3, EIS cover sheet	The abstract paragraph is missing and needs to be added. CEQ NEPA Regs 1502.11(e)	Jack/Rick	
47	David Keys	Pages 9 and 10	The table of contents has error messages in it.	Jack/Rick	
48	David Keys	Page 11	The Summary is missing and needs to be added. It must stress the major conclusions, areas of controversy, and issues to be resolved in the EIS as per 40 CFR 1502.12. Summaries can be up to 15 pages long and often present the environmental impacts of the proposal and alternatives in comparative form by using a table. CEQ NEPA Regs 1502.12		
49	David Keys	N/A	This consolidated Amendment/EIS needs a detailed table	Jack/Rick	

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			of contents identifying required sections of the EIS per NAO 216-6, Section 6.03a.2.		
50	David Keys	Page 61	The comparison of alternatives is incomplete. This comparison must be based on the analysis done in the Environmental Consequences, Chapter 4. CEQ NEPA Regs 1502.14.	All Subgroups; Rick	
51	David Keys	Page 317,	The list of preparers is missing and needs to be added. CEQ NEPA Regs 1502.17	Rick	
52	David Keys	Page 317	The list of agencies, organizations, and persons to who copies of the statement are sent is missing and needs to be added. CEQ NEPA Regs 1502.10(i)	Rick	
53	David Keys	N/A	The index is missing and needs to be added. CEQ NEPA Regs 1502.10(j)	Rick	
54	David Keys	Page 471, Appendix G	Impact Analysis from FMP Amendment 13C for Snowy Grouper, has been added, but there is no reference to it or analysis of it in the DEIS. Its contents are germane to the snowy grouper and tilefish analyses and should be integrated there.	Jack/Rick	
55	David Keys	N/A	Overall readability. This consolidated FMP/EIS document is very difficult to read due to the consolidated nature of the document as well as the level of science and amount of technical jargon presented. We use scientific fisheries terms and concepts every day and are intimately familiar with them. However, not all readers will be familiar with these scientific concepts and terms and it is thus incumbent on us to explain them as much as possible in lay terms in the DEIS. A glossary defining these terms would be very useful as well as a	Jack/Rick	

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			<p>clear explanation in the alternatives analysis and environmental consequences sections. We could cite and provide the link to the NOAA Fisheries Glossary, October 2005, http://www.st.nmfs.gov/st4/documents/FishGlossary.pdf. Alternatively, we could tailor a glossary for the proposed actions analyzed in this DEIS. In addition, we should cite and include in the references section those essential references that help to explain the scientific aspects and concepts of fishery management. This method for explaining scientific fishery management terms and concepts should be a standard feature of all of our consolidated FMPs/EISs.</p>		
56	David Keys	Page 12	All of the specialized scientific fishery management terms used in this document such as MSY, OY, MFMT, MSST, F _{MSY} , B _{MSY} , F _{OY} , F _{45%SPR} , TAC, and ABC must be explained as much as possible in lay terms in the DEIS. In addition, their interrelationships need to be explained and they need to be correlated to the general categories of actions on pages 12 (lines 470-480) and 27 (lines 815-825) in order to make the connections between the purpose and need and the alternatives.	All Sub-groups	
57	David Keys	Page 12, Purpose and Need.	The definitions of OY and MSY need to be cited, e.g., 50 CFR 600.310, National Standard 1-Optimum Yield.	Jack/Rick	
58	David Keys	Page 12, line 450	In the box where MSY is defined, change “longest” to “largest” as per 50 CFR 600.310(c)(1).		
59	David Keys	Page 12, line 467	The CEQ NEPA Regulations, Section 1502.13, Purpose and Need, says that “The statement shall briefly specify	Jack, Rick, Dave	

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			the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” Note that the regulations specify the <i>underlying purpose and need</i> , not the <i>overriding need</i> . These phrases mean different things and we need to be clear on the difference and in our meaning in this DEIS. “Underlying” is an adjective that means fundamental or basic, whereas “overriding” is a verb that means to ride over or prevail over.		
60	David Keys	Page 12, line 469.	Insert “proposed” in between “These” and “actions”.	Rick	
61	David Keys	Page 13, line 489	The reference to the MSA needs a section citation.	Jack/Rick	
62	David Keys	Page 14, lines 541-542	The reference to the MSA needs a section citation.	Jack/Rick	
63	David Keys	Page 14, line 560	Line 560 introduces the concept of total allowable catch (TAC). We need to be clear in explaining what it is and how it was determined in the context of this DEIS.	All Sub-groups	
64	David Keys	Page 15, line 604, SEDAR 4 2004	The term “SEDAR 4 2004” is used approximately 46 times in this document. We need to provide an explanation on first use of the term in the document, or in an appendix. Add SEDAR 4 to the references section. SEDAR is explained somewhat on page 85, line 2,279 and SEDAR 4 is broached in Appendix G, but not really integrated into the analysis.	All Sub-Groups	
65	David Keys	Page 16, lines 628-629	The meaning of the first sentence needs to be clarified.	Jack/Rick	
66	David Keys	Page 17, lines	List the biological assessment and opinion in the	Biological -	

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		684-696	references section.	PR	
67	David Keys	Pages 27-28, lines 837-853	This section discusses “tiering”, which confuses the concept with the CEQ NEPA Regulations concept of tiering. In order to use the CEQ NEPA Regulations concept of “tiering” refer to the CEQ NEPA Regulations, Sections 1502.20 and 1508.28. “Tiering” in the CEQ NEPA Regulations refers to the coverage of general matters in broader environmental impact statements (tier 1 document) with subsequent narrower statements incorporating by reference the general discussions and concentrating solely on the issues specific to the statement subsequently prepared (tier 2 document). In this consolidated FMP amendment/DEIS a more appropriate and less confusing term may be “sequential”.	Jack/Rick	
68	David Keys	Page 28, line 846	Introduces the concept of annual ABCs without explaining what it is or how it relates to TAC (see comment B.9. above).	Jack/Rick	
69	David Keys	Page 28, Table 2-x, below line 859	This table could be quite useful in terms of understanding what the amendment is attempting to accomplish. However, there are “seven additional actions not shown”, which need to be included in this table if it is to be effective in explaining the proposed actions in the amendment. In addition, the general categories of actions listed on page 27, lines 813 – 825, the first Table “2-x” on page 28, and the individual analyses in the remainder of the alternatives section all need to need to be connected in the analysis. Without this connection, it is very difficult to understand the	Jack/Rick	

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			alternatives, which in turn means there is no clear basis for choice among the alternatives. An additional table showing the species under consideration in this document and whether they are undergoing overfishing and are overfished or are approaching an overfished condition would also be helpful. Also, all of the Tables in the alternatives section are labeled “2-x”, which is confusing.		
70	David Keys	Page 29, line 880, Table 2-x, OY alternatives	The far right hand column, “OY value”, indicates “not specified”, yet on page 153, line 4450, we estimate this value to be 350,000 pounds.	Jack/Rick	
71	David Keys	Page 30, line 902	Alternative 4 (preferred) recommends a rebuilding schedule of 34 years. We need to explain how we arrived at both T_{MIN} and one generation time values other than “SEDAR 4 2004 was the source”.	Jack/Rick	
72	David Keys	Page 30, line 911	Line 911 introduces the phrase “constant catch” without defining it or explaining how it relates to the reference points and why this concept is important to the purpose and need in this DEIS, which is to end overfishing.	Jack/Rick	
73	David Keys	Page 31, line 918,	Line 918 introduces the phrase “constant F” without defining it or explaining how it relates to the reference points and why this concept is important to the purpose and need in this DEIS, which is to end overfishing.	Jack/Rick	
74	David Keys	Page 31, line 930	Line 930 introduces the phrase “modified F” without defining it or explaining how it relates to the reference points and why this concept is important to the purpose and need in this DEIS, which is to end overfishing.	Jack/Rick	

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75	David Keys	Page 31, lines 938-941, Sub-alternatives 4a.and 4b	Briefly explain the rationale for changing the listed parameters every 5 years as opposed to annually.	Jack/Rick	
76	David Keys	Pages 61-77	The alternatives section is the “heart” of the DEIS and must be properly completed. Some of these pages are missing various textual and table entries, which makes a clear basis for choice among the alternatives impossible.	Socio-econ Sub-group; Rick	
77	David Keys	Pages 78-146, Chapter 3	Affected Environment. General comments. This part of the document would benefit from a map showing where the proposed actions will occur. Such a map would also be useful in Chapter 1, Introduction. The environment described here is the baseline for comparisons in Chapter 4, Environmental Consequences. The CEQ NEPA Regulations, Section 1502.15, is quite clear when it states: “Agencies shall avoid useless bulk in statements and shall concentrate effort and attention on important issues. Verbose descriptions of the affected environment are themselves no measure of the adequacy of an environmental impact statement.”	All Sub-Groups	
78	David Keys	Page 92, line 2600	“Proposed Amendment 13C (NMFS 2006)” should be changed to “Amendment 13C” and later on page 98, line 2841, “Amendment 13C” is cited as “(SAFMC 2006)”, none of these citations (Amendment 13C, NMFS 2006, or SAFMC 2006) are in the References section, pages 318-322.	Biological - PR	
79	David Keys	Page 147, beginning of environmental	The table numbering in this section is confusing. Many tables in this section are labeled “4-x”, some are labeled “2-x” (p. 183), Table 2 (p. 273), others are labeled “4-	Rick	

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		consequences section	1x” (p. 295), table 4-17 (p. 290), and Table xxx (p. 278).		
80	David Keys	Pages 151-152, lines 4353-4373	Defining MSY, OY, and MSST does alter use of the resource because these parameters will determine allowable harvest levels. This part of the document needs to be more accurate and clearer.	Socio-econ	
81	David Keys	Page 153, lines 4433-4436	The sentence that begins with “Thus, while...” needs clarification.	Socio-econ	
82	David Keys	Page 182, line 5560	Blueline tilefish is added to alternative 2A to create alternative 2B. Line 5,584, similarly, blueline tilefish and golden tilefish are added to alternative 2A to create alternative 2C. The current text is unclear.	Jack/Rick	
83	David Keys	Page 284, line 9382	Add “(MacDonald 2000)” to the reference section. Line 9395, change “...relation to regulatory thresholds.” to “...response to change and capacity to withstand stress.” This particular error has shown up before, which means we need to correct the source of the error. Reference page 10, http://www.nepa.gov/nepa/ccenepa/ccenepa.htm	Rick	
84	David Keys	Page 293, line 9717	there is no socioeconomic cumulative impacts analysis as stated on page 285, line 9408.	Socio-econ	
85	David Keys	Page 293, lines 9709-9710	Change the name of Cumulative Effects Analysis step 11 to: “Monitor the cumulative effects of the selected alternative and adapt management.” Reference page 10, http://www.nepa.gov/nepa/ccenepa/ccenepa.htm	Rick	
86	David Keys	Page 312, line 10355	Environmental justice (EJ). Other than this paragraph that describes environmental justice there is no	Socio-econ	

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			<p>environmental justice analysis in this document. The demographics of the fishers should be determined if possible. If percentages are generally the same as the general population, there probably is no EJ impact. If minorities are significantly greater for the fishers, there could be a potential EJ impact. Similar analyses would also be needed for low-income populations. Since the low-income poverty level may vary by state, it should be defined for the area of concern. Assuming fishing community data may not be available now, this lack of data should be clearly explained including any attempts to obtain such data. Also see the attached file containing the EPA's Region IV interim EJ policy dated April 1999.</p>		
87	David Keys	Page 326	<p>The glossary is missing and needs to be added, see comment B.1. above.</p>	Rick	
88	Andy Herndon	Page 252	<p>Andy supplied numerous changes and additions. The following highlighted comments require biological sub-group discussion:</p> <ol style="list-style-type: none"> 1. The highest priority of the ACCSP bycatch module would be reporting of protected species interactions as well as releases and discards. 2. Reporting of protected species interactions (including threatened (and endangered(?) species, (marine mammals (?)), and protected finfish species) would be mandatory. 3. The module would utilize at-sea observer coverage 	Biological	

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			<p>to collect bycatch and effort information from commercial fisheries. Vessels (capable of carrying at-sea observers would be required to do so as a condition of permitting in commercial fisheries (?)) would carry at-sea-observers as a condition of permitting in commercial fisheries.</p> <p>4. The minimum level of coverage would vary between 2% to 5% of total trips depending on the priority assigned to the respective fishery. For fisheries with a high bycatch potential, it is recommended that the target sampling level be set at 5% of total trips or at a level that achieves a 20-30% proportional standard error. Also, data would be collected at the haul level on each observer trip.</p> <p>5. Pilot surveys can be used to determine the appropriate level of observer coverage to meet relevant management objectives.</p> <p>6. Minimum data elements, an extensive set of sampling protocols and quality control/assurance procedures developed by the ACCSP would be used for at-sea observer programs.</p> <p>7. Training programs, as well as certification of qualifications, would be provided for all new at-sea observers by the ACCSP and program partners. (would current at-sea observers already have this training?)</p> <p>8. Observer data would be utilized in combination with information obtained from fishermen.</p> <p>9. ACCSP approved standardized data elements,</p>		

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			<p>sampling strategies, priorities and data management would be included in the commercial fishermen reporting system. For a description of the commercial fishermen reporting system please refer to Appendix H in Shrimp Amendment 6. (any idea why the requirements for reporting noted here are for trips, while observed effort mentioned above (#4) is to be reported by haul?)</p> <p>10. Required reporting of protected species interactions information is mandatory for the ACCSP commercial reporting system and is mandatory for the for-hire vessels that fall under the Marine Mammal Protection Act (MMPA) requirements. Reporting of discards or releases through the catch and effort reporting system is strongly encouraged, although voluntary for non-protected species discards or releases of other marine organisms.</p> <p>11. The ACCSP qualitative release, discard and protected species interactions monitoring program for commercial fisheries would include interviews by state and federal port agents to verify finfish reporting in the fishermen trip report, as well as stranding and entanglements data.</p> <p>12. All partners would develop outreach and training programs to improve reporting accuracy by fishermen.</p>		
89	Andy Herndon	Page 256	Andy supplied numerous changes and additions. The following highlighted comments require biological sub-	Biological	

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			<p>group discussion:</p> <p>The sample selections are made in July of each year and the selected fishermen/vessels are required to complete and submit the form for the trips they make during August through July of the following year. (This reporting period has changed).</p>		
90	Andy Herndon	Page 267	<p>Andy suggests the following replacement language for the economic impacts discussion for the sea turtles and sawfish alternatives. The following highlighted comments should be addressed by the socio-economic subgroup:</p> <p>The sea turtle and smalltooth sawfish release gear requirements specified by Alternative 2 and estimates of their costs are provided in Table 4.11.2.1. Note that the tire gear is not checked for either Alternative 2 or Preferred Alternative 3 since it is assumed that some other cushioned surface, already on board, will be utilized (the tire is checked off in the table below). Out-of-pocket expenses per vessel are estimated to range from \$578-\$1,044 (2004 dollars). In 2004, 1,066 commercial vessels participated in the snapper-grouper fishery (Table 3-5a), while 1,594 vessels had for-hire snapper-grouper permits (Table 3-21). Of these for-hire vessels, 235 had both the commercial and for-hire permits, resulting in 1,359 vessels possessing just the for-hire permit, or 2,425 unique vessels across both permit categories. Using this total as the estimated</p>	Socio-econ	

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			<p>number of affected vessels, the estimated aggregate cost of the gear requirements of Alternative 2 on the participants in the fishery is approximately \$1.40-\$2.53 million (2004 dollars). In addition to the out-of-pocket expenses for the release gear, fishery participants would be further burdened by the on-board storage requirements of the gear.</p>		
91	Andy Herndon	Page 269	<p>Andy suggests the following replacement language for the social impacts discussion for the sea turtles and sawfish alternatives. The following highlighted comments should be addressed by the socio-economic subgroup:</p> <p>Under Alternative 1, there would be no direct short-term impacts on the fishermen, families, or communities in the southern Atlantic coastal region since this alternative will not impose any bycatch release gear requirements and will allow status quo operation of fishing activities and practices. However, if the level of incidental take for these species exceeds the estimates in NMFS (2006) it may be necessary to require more severe management measures at a later date than those currently considered. More severe future action may be accompanied with added costs, loss of employment, or other changes in fishing practices, which may lead to changes in the fishing community structure, resulting in more significant economic and social impacts than those associated with the alternatives currently under consideration. The full extent of these additional</p>	Socio-econ	

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			<p>impacts, however, cannot be assessed at this time since the more restrictive measures have not been specified.</p> <p>Foregone or delayed sea turtle and smalltooth sawfish protection risks the loss of benefits to society through the loss of species that are potentially highly valued by the public. Continued adverse impacts on these species resulting from incidental take may represent significant economic loss to the public, as well as businesses dependent upon non-consumptive interactions with the species.</p> <p>Since the bycatch release gear requirements of Alternative 2 do not vary by vessel operation size (i.e., the amount of harvest or gross revenues), the cost per vessel could represent a prohibitive additional operational cost, resulting in cessation of fishing and exit from the fishery. Such non-voluntary exit would be expected to increase stress on family and community structures and further erode the character and importance of areas as fishing communities. The expected minimization of impacts from the incidental take on sea turtles and smalltooth sawfish, however, may enhance species recovery and aid development of activities associated with the species, such as diving activities and eco-tours. While the development of these types of activities and the infrastructure to support them would not preserve the character of communities that have evolved around fishery extractive activities, such</p>		

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			<p>development may provide continued opportunities in ocean related activities, thereby mitigating some of the losses that might occur as a result of the increased gear costs.</p> <p>Preferred Alternative 3 would impose less financially burdensome gear requirements, hence reducing the likelihood of fishery exit by individual participants. Thus, the potential individual, family, and community adverse social impacts of the bycatch release gear requirements of this alternative should be less than those of Alternative 2. Although the impacts from incidental take may be greater under Preferred Alternative 3 relative to Alternative 2, the magnitude or likelihood of such cannot be determined and, hence, differences in the social benefits that are expected to accrue to the species recovery associated with the two alternatives cannot be distinguished.</p>		