

D. Keys comments, April 8, 2009

Comprehensive Ecosystem-Based Amendment for the South Atlantic Region, April 2009

Karla Gore and I discussed this amendment on 3/24/09 and some of those edits have been incorporated into the April 2009 document.

In addition, I have the following comments:

1. The cover page is five pages long including an almost one page abstract--too long and confusing for a cover page. See 40 CFR 1502.11, Cover sheet.
2. The summary is overly long at 17 pages. See 40 CFR 1502.12, Summary.
3. The purpose and need as stated on page 1-2 is to "protect the deep water coral ecosystems in the South Atlantic Fishery Management Council's jurisdiction." This statement seems to be very broad and could include many alternatives. The statement of purpose and need should help us select the range of alternatives to be evaluated in the EIS. I am saying there is a mismatch between the purpose and need and the range of alternatives analyzed, which needs re-aligning.
4. Action 1 on page 2-1 does not offer a reasonable range of alternatives, only the No Action and the Preferreds. The essence of an EIS is a rigorous and objective search for all reasonable alternatives. As pointed out above, it is not possible to analyze the statement of need and purpose without also analyzing the range of alternatives.
5. There are no Appendices included in the EIS. Appendix E, Alternatives considered but eliminated from detailed consideration, is critical to determining the statement of purpose and need and the range of reasonable alternatives analyzed in the EIS.
6. There need to be scoping summaries or a report in the EIS.
7. Page 4-108, Section 4.8, Unavoidable adverse effects, must be aligned with the purpose and need and range of alternatives analyzed.
8. Page 4-110, Section 4.12, Monitoring and mitigation measures, does not make sense as written and needs to be revised, especially in light of the purpose and need statement on page 1-2.
9. List of Preparers, page 9-1, add D. Keys as a reviewer.
10. Page 10-1 title should be changed to: List of agencies, organizations, and persons to whom copies of the statement are sent to, in accordance with NEPA practice, 40 CFR 1502.10(i), and the EIS TOC on page xviii.
11. There is an index per 40 CFR 1502.10(j), but it is VERY SMALL one for a 270-page document.