Appendix F. Shrimp Amendment 9 Other Things to Consider

1.1 Unavoidable Adverse Effects

Amendment 9 to the Shrimp Fishery Management Plan of the South Atlantic Region (Shrimp Amendment 9) is largely administrative in nature. Adding a temperature component to the list of criteria that must be met to request concurrent closure of federal waters to shrimping for overwintering white shrimp, streamlining the process by which states request concurrent closures of federal waters for overwintering shrimp, and modifying the overfished threshold for pink shrimp are not likely to result in any unavoidable adverse effects on the biological, socioeconomic, or administrative environments.

1.2 Effects of the Fishery on the Environment

The biological impacts of the proposed actions are described in Section 4.0, including potential impacts on habitat. No actions proposed in this amendment are anticipated to have any adverse impact on Essential Fish Habitat (EFH) or EFH-Habitat Areas of Particular Concern (HAPC) for managed species. Nor are the actions contained in this amendment likely to jeopardize the sustainability of any target or non-target species.

1.3 Damage to Ocean and Coastal Habitats

The alternatives and proposed actions are not expected to have any adverse effect on the ocean and coastal habitat. Measures adopted in the Coral and Shrimp FMPs have restricted access by fishermen that had potential adverse impacts on protected coral species. These measures include the designation of the *Oculina* Bank HAPC and the Rock Shrimp closed area (see the Shrimp and Coral FMP/Amendment documents for additional information).

The South Atlantic Council's Comprehensive Habitat Amendment (SAFMC 1998c) contains measures that expanded the *Oculina* Bank HAPC and added two additional satellite HAPCs. The Comprehensive Ecosystem-Based Amendment 1 created Coral Habitat Areas of Particular Concern (CHAPCs) that house an invaluable array of deepwater coral species living in waters ranging from 400 meters (1200 ft.) to 700 meters (2300 ft.) deep. Within two of these CHAPCs "Shrimp Fishery Access Areas" were created to ensure the continued existence of these fisheries and the communities they support without jeopardizing the existence of deepwater corals.

1.4 Relationship of Short-Term Uses and Long-Term Productivity

The relationship between short-term uses and long-term productivity will not be affected by the administrative actions in this amendment. The proposed actions would modify the criteria for states to request concurrent closures of federal water to protect overwintering shrimp, streamline the process through with states request concurrent closures of federal waters, and update the overfished status determination criterion for pink shrimp. None of these actions are expected alter the relationship between short-term uses and long-term productivity of the penaeid shrimp fishery.

1.5 Irreversible and Irretrievable Commitments of Resources

Irreversible commitments are defined as commitments that cannot be reversed, except perhaps in the extreme long-term, whereas irretrievable commitments are lost for a period of time. There are no irreversible commitments for this amendment.

Since the Shrimp FMP and its implementing regulations are always subject to future changes, proceeding with the development of Shrimp Amendment 9 to does not represent an irreversible or irretrievable commitment of resources. NOAA Fisheries always has discretion to amend its regulations and may do so at any time, subject to the Administrative Procedures Act.

1.6 Monitoring and Mitigation Measures

The proposed actions would improve timeliness of concurrent closures of federal waters to protect overwintering shrimp, and update the overfished criterion for pink shrimp. None of these actions would result in adverse impacts on the fishery or shrimp stocks; therefore, no mitigation measures are needed to address adverse biological or socioeconomic impacts. The shrimp fishery will continue to be monitored through the SEAMAP and Pamlico Sound Surveys, as well as by NOAA Fisheries and state landings records.

1.7 Unavailable or Incomplete Information

The Council on Environmental Quality, in its implementing regulations for the National Environmental Policy Act, addressed incomplete or unavailable information at 40 CFR 1502.22 (a) and (b). That direction has been considered. There are two tests to be applied: 1) Does the incomplete or unavailable information involve "reasonable foreseeable adverse effects…;" and 2) is the information about these effects "essential to a reasoned choice among alternatives…".

The penaeid shrimp fishery in the South Atlantic is monitored largely through the SEAMAP survey conducted off the coast of the South Atlantic between Cape Hatteras and Cape Canaveral. The Pamlico Sound Survey collects data on a wide range of shallow water species including penaeid shrimp in the Pamlico Sound area of North Carolina. Stock assessments have not been completed for penaeid shrimp species in the South Atlantic region. Because the SEAMAP survey does not cover the entire geographical range of pink shrimp, a stock assessment that employs a novel method of analyzing the data available may be advantageous.