

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

May 26, 2005

William L. Robinson
Regional Administrator
National Marine Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Boulevard., Suite 1110
Honolulu, HI 96814

Subject: Final Environmental Impact Statement (FEIS) for the Seabird Interaction
Mitigation Methods and Pelagic Squid Fishery Management (CEQ # 040405)

Dear Mr. Robinson:

The Environmental Protection Agency (EPA) has reviewed the above referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA reviewed the Draft Environmental Impact Statement (DEIS) and provided comments to the National Marine Fisheries Service (NMFS) on October 12, 2004. We rated the DEIS as Environmental Concerns - Insufficient Information (EC-2) and indicated our concerns regarding the discontinuation of thawed blue-dyed bait as a seabird interaction avoidance measure and our preference for an alternative requiring side-setting when feasible. For the U.S. squid fishery, we requested additional background and context of the fishery and recommended incorporating an experimental fishery into the proposed plan to determine impacts to target and protected species.

EPA is pleased that the new preferred alternative does not discontinue the use of thawed blue-dyed bait as a seabird interaction avoidance measure. Additionally, while the new preferred alternative does not mandate the use of side setting, it does encourage it by adding bird-scaring streamer lines (tori lines) to the current suite of mandatory mitigation measures if side-setting is not employed. In regard to the pelagic squid fishery, we understand there are limited data on the effect of the fishery on protected resources. The mandatory monitoring in the preferred alternative is intended to collect data to better understand the fishery and the condition of the squid resources. We have no objection to this data collection occurring through the Pelagic Fish Management Plan.

We appreciate the opportunity to review this FEIS. When the Record of Decision is signed, please send one copy to the address above (mail code CED-2). If you have any questions, please contact me or Karen Vitulano, the lead reviewer for this document. Karen can be reached at 415-947-4178 or vitulano.karen@epa.gov.

Sincerely,

/S/
Nova Blazej, Acting Manager
Environmental Review Office
Communities and Ecosystems Division

cc: Susan A. Kennedy, NOAA Strategic Planning Office
Holly Freifeld, U.S. Fish and Wildlife Service