

From: Bowman, Randal
To: [Richard Goeken](#)
Subject: Re: Late request
Date: Wednesday, August 23, 2017 7:44:26 AM

Heard from Michael again. Further checking reveals that the red crab certification has been revoked for some reason, and NMFS now concurs with my suggestion that we delete all reference to it. I had marked which text that would be when I sent the first edit yesterday afternoon. I am likely to be tied up on American Samoa issues a good part of this morning.

On Tue, Aug 22, 2017 at 10:34 PM, Richard Goeken <richard.goeken@sol.doi.gov> wrote:
That's not bad.

Sent from my iPhone

On Aug 22, 2017, at 10:09 PM, Bowman, Randal <randal_bowman@ios.doi.gov> wrote:

Michael and I had another exchange of thoughts at 9, so perhaps something will come in first thing in the morning.

On Tue, Aug 22, 2017 at 6:58 PM, Goeken, Richard
<richard.goeken@sol.doi.gov> wrote:

Let me know if you get something you think we can use -otherwise lets leave it out.

On Tue, Aug 22, 2017 at 6:41 PM, Bowman, Randal
<randal_bowman@ios.doi.gov> wrote:

Here is NOAA's second response. I don't think it helps explain clearly, and would again raise my suggestion about deleting the red crab reference entirely. Sent that to Michael also, no response yet.

----- Forwarded message -----

From: Michael Weiss - NOAA Federal <michael.weiss@noaa.gov>
Date: Tue, Aug 22, 2017 at 6:16 PM
Subject: Re: Late request
To: "Bowman, Randal" <randal_bowman@ios.doi.gov>

Evening.

Hi Randy as regards the other piece--

To clarify, there is no correlation between existing red crab regulations and protection of the monument. Rather, the red crab and lobster fisheries are being phased out of the monument because hauling lobster/crab pots has a negative impact on other resources in the canyons that need protection, such as corals.

With that said, the suggested minor changes (suggested in bold text) provide some additional factual

clarity denoting the sustainability of the fishery and narrow impact (comparatively speaking to the entire canyon depth) and may be worth retaining.

Executive Order 13158, which established the National System of Marine Protected Areas, requires in Section 5 that to the extent permitted by law and to the maximum extent practicable, each Federal agency, in taking any actions, shall avoid harm to the natural and cultural resources that are protected by an MPA. In addition, in 2009, the red crab fishery became the first Marine Stewardship Council certified sustainable fishery on the east coast of United States. **It is important to note that the Atlantic deep-sea red crab sex-segregate by depth, therefore making the red crab fishery highly selective, targeting a narrow band along the shelf (between 620-650 m) minimizing impact to a select area and maximizing efficiency in the capture of large males because retention of female red crab is prohibited.**

Also a note- section 5 of the MPA is not necessarily a replacement for the protections provided by the Monument proclamation or under the MSA. Factually, the statement is correct, but in practice it is my understanding there are no implementing regulations, enforcement accountability-related activities/measures, or guidance regarding this section of EO 13158.

Thanks,

Michael

On Tue, Aug 22, 2017 at 3:53 PM, Bowman, Randal
<randal_bowman@ios.doi.gov> wrote:

Thank you. Even I can understand this.

On Tue, Aug 22, 2017 at 3:50 PM, Michael Weiss - NOAA Federal
<michael.weiss@noaa.gov> wrote:

NMFS response to the first highlighted section question. They are looking at the second one with the clarification based on our conversation.

Thanks

EXISTING TEXT:

(b) (5) DPP

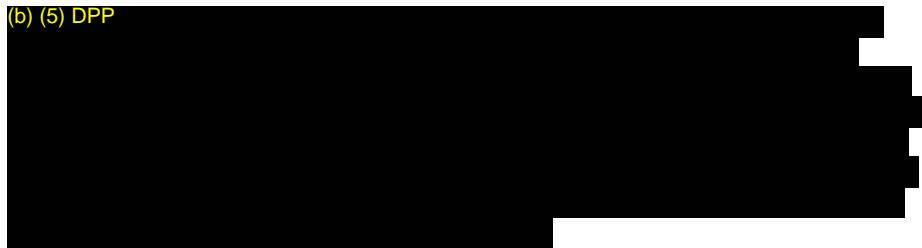


REQUEST: **PLEASE explain in the text what gear restricted areas are**

and how they address concerns raised in the proclamation.

NEW TEXT SUGGESTED:

(b) (5) DPP



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Michael Weiss
Office of the Under Secretary
National Oceanic and Atmospheric Administration
[202-482-5958](tel:202-482-5958) (w)
 (c)

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