

D3 Programmatic Evaluation (PEIS)



February 2024

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Outline and Action for the Council

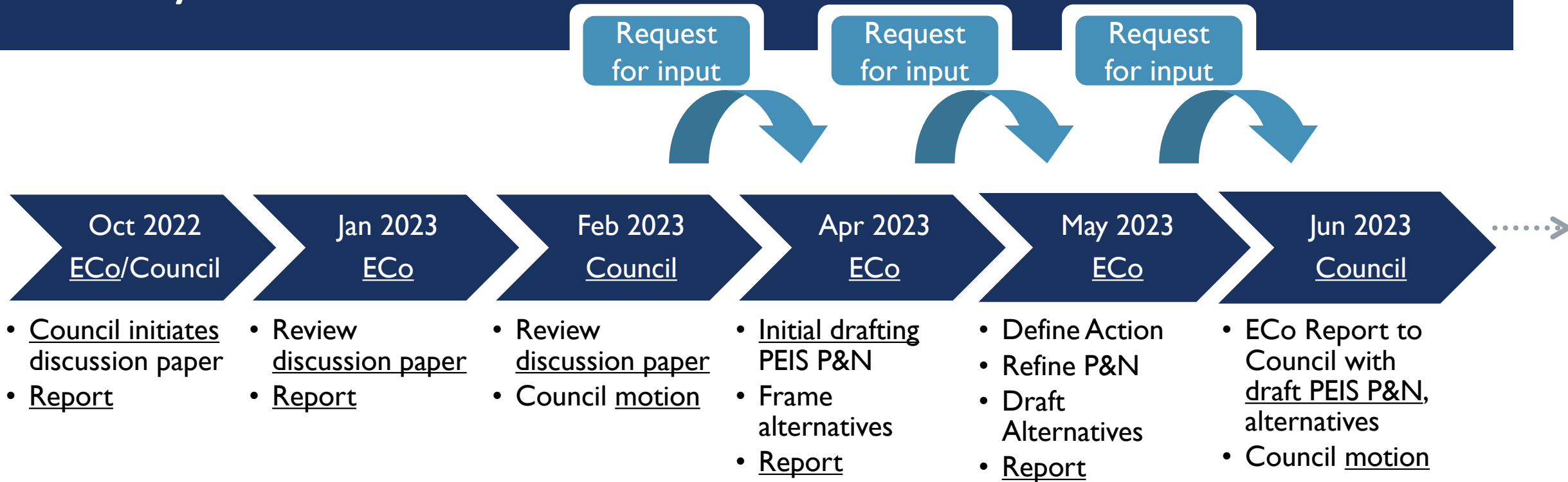
1. Receive presentation on Programmatic Evaluation

- History, background, timeline of action – Sections 1 and 2 of discussion paper
- NEPA / Programmatic EIS – revisit from prior presentations
- Management policy, goals, objectives – Sections 3 and 4 of discussion paper
- Next Steps – Section 5

2. Provide direction on next steps- Section 5



History of Action



ECo = Ecosystem Committee



COUNCIL MOTION

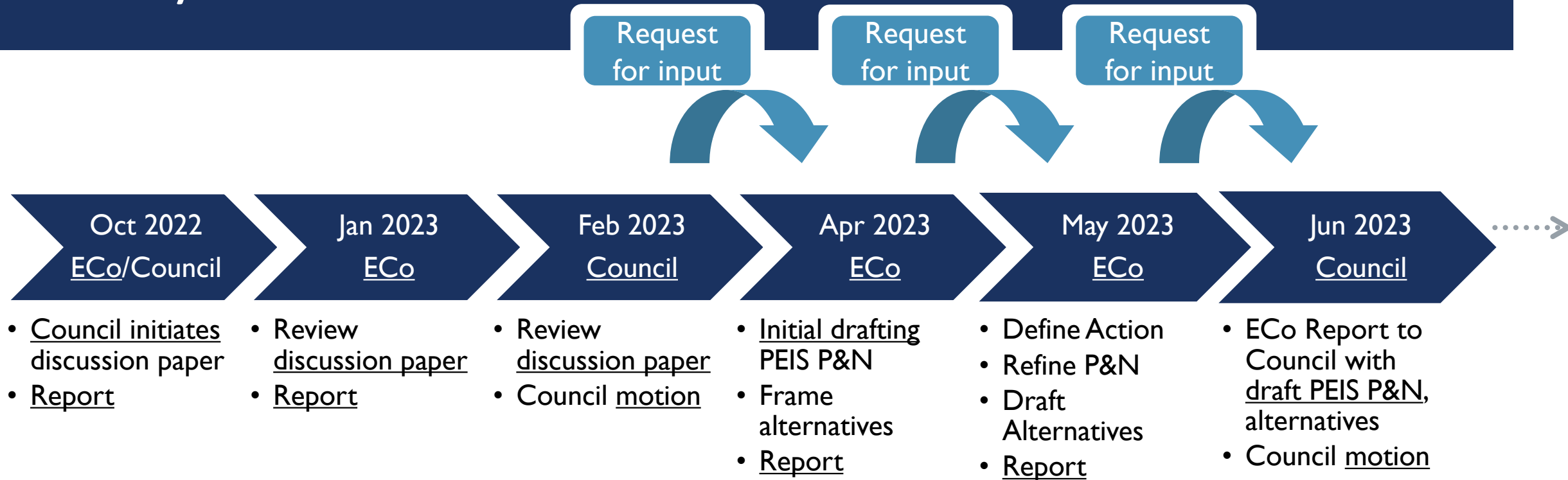
FEBRUARY 2023



The Council initiates the process of considering a Programmatic EIS with the purpose of providing a comprehensive analysis of the cumulative impacts of Federal groundfish fisheries on the human environment given both ecosystem and management changes that have occurred since the last review. Adoption of a final alternative would include updating the Council's current suite of 45 management policy objectives. As guidance:

- The Ecosystem Committee is tasked with reviewing the guidance above and developing recommendations to the Council on a purpose and need statement and alternatives.
- Ongoing Council efforts specifically tasked to create more climate-resilient federal fisheries (e.g., ACLIM 2.0, Climate Change Task Force, pending SSC workgroup on groundfish harvest control rules accounting for ecosystem change) should be incorporated as applicable.
- The process should include opportunity for meaningful engagement of Alaska Native Tribes and stakeholders, through informal scoping, formal scoping as part of the NEPA process, and Tribal consultations conducted by NMFS.

History of Action



ECo = Ecosystem Committee



COUNCIL MOTION

JUNE 2023

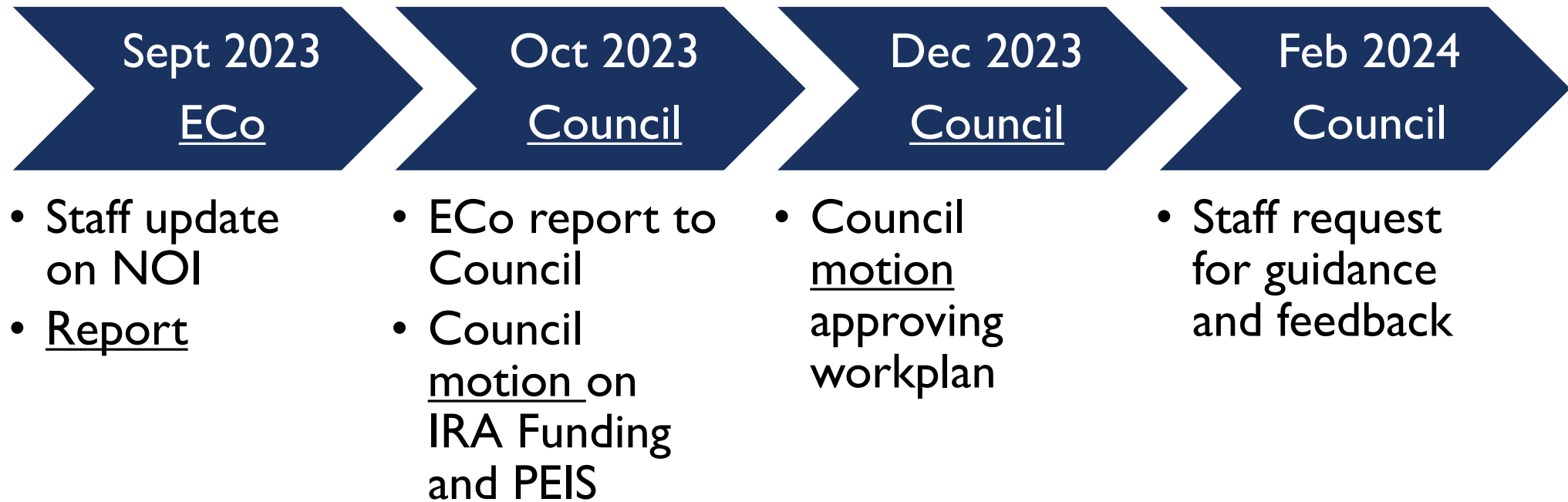
The Council initiates the development of a Programmatic EIS for all Council-managed fisheries and recommends NMFS initiate NEPA scoping and solicit public input on the following purpose and need and alternatives.

Alternative 1: Maintain current ecosystem-based management policy and objectives for Council-managed fisheries (status quo)

Alternative 2: Adopt a more adaptive ecosystem-based management policy and objectives for Council-managed fisheries which would enable the Council to develop and implement climate-resiliency tools; new pathways to incorporate indigenous, local, and traditional knowledge; and new tools to assess and adapt to risk in the face of additional uncertainty in stock status and distribution due to climate driven marine ecosystem changes.



History of Action

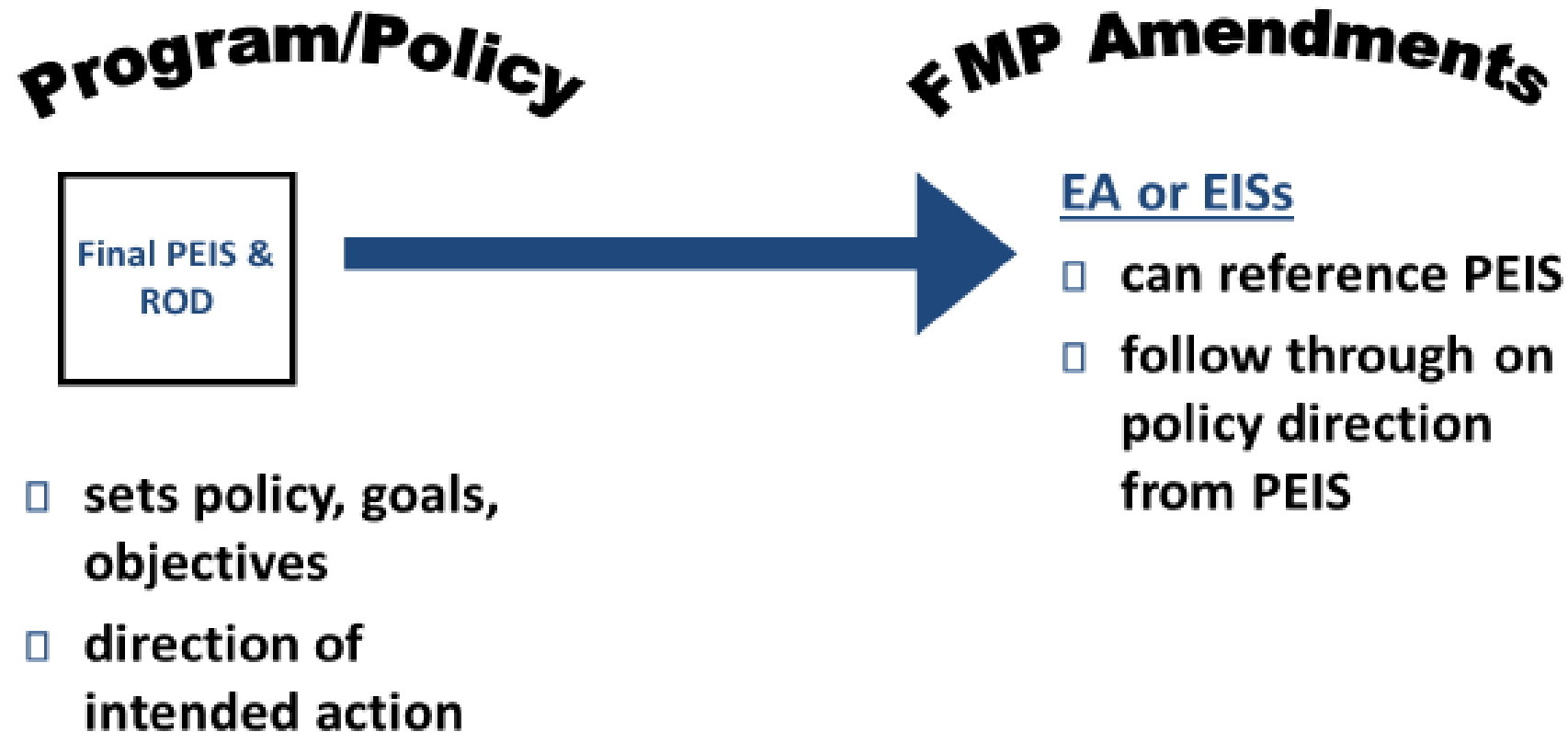


NOI= Notice of Intent



Programmatic Evaluation

Two-step process



Current Management Policies: Groundfish

- Management Approach Statement
- Goals & Objectives
 - Guideposts to be re-evaluated as amendments to the FMP are considered
- Associated workplan which has a triennial comprehensive review, status report posted at every Council mtng

Goal	Management Objective	Council actions	
		December 2023	February 2024
3. Preserve Food Web <i>Ecosystem-based Fishery Management</i>	10. Develop indices of ecosystem health as targets for management.	<ul style="list-style-type: none"> • Discuss options for climate readiness funding incl 2024 climate scenario workshop 	<ul style="list-style-type: none"> • Update on climate readiness funding incl programmatic evaluation • Planning for 2024 climate scenario workshop
	11. Improve the procedure to adjust acceptable biological catch levels as necessary to account for uncertainty and ecosystem factors.		
	12. Continue to protect the integrity of the food web through limits on harvest of forage species.		
	13. Incorporate ecosystem-based considerations into fishery management decisions, as appropriate.		
4. Manage Incidental Catch and Reduce Bycatch and Waste	14. Continue and improve current incidental catch and bycatch management program.	<ul style="list-style-type: none"> • Industry crab avoidance reports • PSC limits as part of groundfish final specifications 	<ul style="list-style-type: none"> • BBRKC area closures analysis • GOA Tanner crab protections paper • Small sablefish discard mortality rate discussion paper
	15. Develop incentive programs for bycatch reduction including the development of mechanisms to facilitate the formation of bycatch pools, vessel bycatch allowances, or other bycatch incentive systems.		
	16. Encourage research programs to evaluate current population estimates for non-target species with a view to setting appropriate bycatch limits, as information becomes available.		
	17. Continue program to reduce discards by developing management measures that encourage the use of gear and fishing techniques that reduce bycatch which includes economic discards.		
	18. Continue to manage incidental catch and bycatch through seasonal distribution of total allowable catch and geographical gear restrictions.		
	19. Continue to account for bycatch mortality in total allowable catch accounting and improve the accuracy of mortality assessments for target, prohibited species catch, and noncommercial species.		
	20. Control the bycatch of prohibited species through prohibited species catch limits or other appropriate measures.		
21. Reduce waste to biologically and socially acceptable levels.			
5. Reduce and Avoid Impacts to Seabirds and Marine	22. Continue to cooperate with U.S. Fish and Wildlife Service (USFWS) to protect ESA-listed species, and if appropriate and practicable, other seabird species.		
	23. Maintain or adjust current protection measures as appropriate to avoid jeopardy of extinction or adverse modification to critical habitat for ESA-listed Steller sea lions.		
	24. Encourage programs to review status of endangered or threatened marine		



Current Management Policies: Groundfish & Other FMPs

Similarities

- All include:
 - A biological sustainability objective
 - A social/economic objective
 - The phrase “adaptive management” (only in reference to EFH in Scallop FMP)
 - References to stability
- None refer to climate change or non-stationarity.

Fishery Management Plan
for the
Scallop Fishery off Alaska



North Pacific Fishery Management Council
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Fishery Management Plan
for
Bering Sea/Aleutian Islands
King and Tanner Crabs



Differences

- Crab and Scallop: include objectives on gear conflicts and due process
- Crab and salmon: include reference to subsistence users; none refer to LKTKS or indigenous knowledge systems
- Crab: no reference to incidental catch of non-directed species
- Crab, scallop, salmon include no reference to preserving food web, impacts to seabirds nor marine mammals



OPPORTUNITY TO:

Cleanup

- Revisit/refresh goals and objectives to ensure they reflect current conditions, Council policies, etc.

Increase consistency

- Achieve & communicate high level guidance in a more consistent and comprehensive way, across fisheries/FMPs.

Look ahead

- Address the purpose & need focus on “meet[ing] current and forthcoming challenges in the federal fisheries
- Implement framework in a comprehensive manner to improve the Council’s ecosystem-based management approach
- Reference/incorporate IRA funded work on climate readiness.



QUESTIONS FOR THE COUNCIL (SECTION 5 OF PAPER)

- Does the Council want to remove any objectives (from any of those in Appendix 1) that are no longer relevant?
- Adopt a single policy across all FMPs, or FMP-specific objectives that need to be retained?
- Does the Council intend to have a workplan associated with the new management policy to use as a way to measure Council progress against objectives?

QUESTIONS FOR THE COUNCIL

- Specific questions to include in NOI to receive public input on?
- Any specific direction for how staff should include opportunity for meaningful engagement of Alaska Native Tribes and stakeholders?
- Should staff develop draft language (using current guidance from Council) for October?



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NEPA and Programmatic Environmental Impact Statements

National Environmental Policy Act:

- Requires Federal agencies (NMFS) to prepare EIS and consider impacts and alternatives
- Does not mandate particular outcomes (hence there are alternative actions to choose from)

Environmental Impact Statement (EIS)

- Prepared to meet NEPA requirements.
- For legislation and other major Federal actions significantly affecting the quality of the human environment.

Programmatic EIS (PEIS)

Includes both bullets above *and*:

- Is a broad-scale environmental evaluation that examines a program on a large scale. Agencies often prepare this type of EIS when considering new federal programs or regulations.



NEPA Scoping

- Begins with a sufficiently developed proposal for action and the required Notice of Intent (NOI) to prepare an EIS
- NOI must include:
 1. The purpose and need for the proposed action;
 2. A preliminary description of the proposed action and alternatives the environmental impact statement will consider;
 3. A brief summary of expected impacts;
 4. Anticipated permits and other authorizations;
 5. A schedule for the decision-making process;
 6. A description of the public scoping process, including any scoping meeting(s);
 7. A request for identification of potential alternatives, information, and analyses relevant to the proposed action; and
 8. Contact information for a person within the agency who can answer questions about the proposed action and the environmental impact statement .

