

# Groundfish Programmatic Supplemental Environmental Impact Statement (PSEIS) Discussion Paper



Presentation to the Ecosystem Committee  
January 2023

Sara Cleaver & Nicole Watson, NPFMC



# COUNCIL MOTION (p.21)

OCTOBER 2022



The Council initiates a discussion paper for a roadmap and timeline for reevaluating the Programmatic Groundfish SEIS in order to better address the impacts of climate change on our marine ecosystems and on the people who are dependent on those ecosystems. The Council requested that the discussion paper include the following:

- Outline of the information relevant to understanding the impacts of groundfish fisheries that will be necessary for revising the PSEIS, such as a compilation of new assessments of the impacts of climate change.
- Assessment of how existing Council initiatives as well as other related efforts such as the ACLIM project will inform Council reevaluation of the PSEIS (e.g., Climate Change Taskforce work, SSC workshops)
- Primer on the 2004 PSEIS, its structure and alternatives; a summary of the findings from periodic reviews of the PSEIS; and guidelines for what would be required in a new evaluation
- Discussion of available and new opportunities to ensure robust tribal and stakeholder engagement in Council consideration of alternatives for a revised PSEIS
- A timeline for how to framework ongoing initiatives, staff work, and public input opportunities.

# PRESENTATION OUTLINE

- 
- Committee Action
  - PSEIS primer
  - Relevant information on changes in groundfish management & ecosystem (climate change)
  - Opportunities for engagement
  - Discussion: Committee Action



# Committee Action

1. Clarify purpose (goal) of addressing the 2004 PSEIS at this time:
  - Establish problem with the current PSEIS (why reevaluation of PSEIS is needed)  
and/or
  - Establish what will be accomplished through a new programmatic (this should relate to the problem statement)
2. Based on the purpose, consider scope:
  - Specific to only groundfish fisheries, or
  - Holistic approach that would affect all FMPs (change overarching policy for all FMPs)



# COUNCIL MOTION (p.21)

OCTOBER 2022



The Council initiates a discussion paper for a roadmap and timeline for reevaluating the Programmatic Groundfish SEIS in order to better address the impacts of climate change on our marine ecosystems and on the people who are dependent on those ecosystems. The discussion paper should include the following:

- Outline of the information relevant to understanding the impacts of groundfish fisheries that will be necessary for revising the PSEIS, such as a compilation of new assessments of the impacts of climate change.
- Assessment of how existing Council initiatives as well as other related efforts such as the ACLIM project will inform Council reevaluation of the PSEIS (e.g., Climate Change Taskforce work, SSC workshops)
- **Primer on the 2004 PSEIS, its structure and alternatives; a summary of the findings from periodic reviews of the PSEIS;** and guidelines for what would be required in a new evaluation
- Discussion of available and new opportunities to ensure robust tribal and stakeholder engagement in Council consideration of alternatives for a revised PSEIS
- A timeline for how to framework ongoing initiatives, staff work, and public input opportunities.

# PSEIS Primer: Types of EIS

## 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)

- Broad-scale environmental evaluation that examines a program on a large scale. In keeping with CEQ regulations, agencies often prepare this type of EIS when considering new federal programs or regulations.

## Supplemental EIS (SEIS)

- Prepared after the issuance of an earlier EIS pertaining to same federal action.
- Must be prepared:
  - if a federal agency proposes substantial changes to an action that was the subject of a previous EIS.
  - if those changes are relevant to environmental concerns.
  - if there are significant new circumstances or information bearing on the action or its impacts that are relevant to environmental concerns.



# Primer: 2004 PSEIS (“the Programmatic”) (p.2)

- NPFMC Groundfish Programmatic Supplemental EIS (PSEIS)
  - Finalized in 2004
  - Response to a legal challenge coming out of 1998 EIS
  - Comprehensive review of BSAI and GOA Groundfish Fisheries and their management
  - Evaluated cumulative changes in the management of the groundfish fisheries and a broad array of policy-level programmatic alternatives
  - Used as the basis for amending Groundfish FMPs to incorporate a new policy statement
    - Groundfish Management Policy
  - Sets stage for future management actions
  - Designed to anticipate the need to adapt management to a continually changing environment



# Primer: 2004 PSEIS Purpose and Need

- The 2004 PSEIS noted that management of the groundfish fisheries had two interrelated purposes: to maximize the social and economic benefits of the groundfish resource and to conserve the resource to ensure its sustained availability to current and future generations.
- The use and conservation of the fisheries need to be managed so that one objective—whether related to biological conservation or to socioeconomic well-being—does not take priority over the other, except when the resource itself is at risk of being depleted. To prevent such depletion of the resource, fisheries management strives to balance these two fundamental objectives.
- The FMPs for the groundfish fisheries of the BSAI and GOA, subsequent FMP amendments, and related regulatory actions addressing changes in management measures have all been attended by NEPA documents, whether environmental impact statements (EISs), environmental assessments (EAs), or categorical exclusions that consider the environmental impact of those actions. At this juncture, however, the continuing effort to manage the groundfish fisheries requires a renewed evaluation of the overall environmental impacts of existing management policy and an analysis of alternative policies that will allow NPFMC and NOAA Fisheries to strike the most effective and efficient balance between the dual objectives of conservation and use.
- As a comprehensive foundation for management of the BSAI and GOA groundfish fisheries, the Programmatic SEIS is intended to function as a “first tier” analysis for incorporation by reference into subsequent EAs and EISs that focus on specific federal actions.



## Primer: 2004 PSEIS Structure & Alternatives (p.3)

The PSEIS evaluated 4 policy-level alternatives, ranging from a more aggressive harvest management policy to highly precautionary.

The alternatives were:

1. Continue under the current risk averse management policy;
  2. Adopt a more aggressive harvest management policy;
  3. Adopt a more precautionary management policy;
  4. Adopt a highly precautionary management policy;
- PA. Adopt a conservative, precautionary approach to ecosystem-based fisheries management (*the preferred alternative*).



# Primer: 2004 PSEIS (p.4)

## Groundfish Management Policy

- Objectives
  - Guideposts to be re-evaluated as amendments to the FMP are considered over the life of the PSEIS

## Groundfish Workplan

- Triennial comprehensive review
  - Most recent: Feb 2022
- Updated and posted at every Council meeting
- This was more important in the years immediately following implementation of the policy. More recently the workplan has become a communicative status report.



# Primer: Workplan (p.36)

## Groundfish Programmatic Workplan

The Council conducted its most recent *comprehensive* review of its Programmatic Groundfish Management Policy<sup>1</sup> (Policy) at its February 2022 meeting<sup>2</sup>, highlighting Council activities in calendar years 2019-2021 which continue to fulfill the Priorities and Objectives established in the Policy. Annual review of the Policy is a requirement of the GOA and BSAI Groundfish FMPs, and the Council fulfills that requirement through this Programmatic Workplan, a concise tool that presents Council actions relative to Policy Objectives and is provided at every Council meeting. As determined by the Council in February 2019, a comprehensive review of the Policy is done on a three-year cycle in order to accommodate the multi-year lifespan of major Council actions.

The table below provides a two-meeting (previous and current) snapshot of the Programmatic Workplan, listing only Council actions relate to the Groundfish FMPs and indicating their correspondence to Programmatic Management Objectives. Those Management Objectives were intended to support decision-making under the Groundfish FMPs. Although the Policy’s EBFM approach is reflected in actions outside of the Groundfish FMPs, these other actions are not included in the table. The tabular presentation of the Programmatic Workplan below as well as prior versions of the table are available on the Council eAgendas: (<https://meetings.npfmc.org/>).

### December 2022 Workplan

Goal	Management Objective	Council actions	
		October 2022	December 2022
1. Prevent Overfishing  Maintain Sustainable Harvest	1. Adopt conservative harvest levels for multi-species and single species fisheries and specify optimum yield.	<ul style="list-style-type: none"> <li>• Groundfish proposed specifications</li> <li>• Stock prioritization review and considerations</li> </ul>	<ul style="list-style-type: none"> <li>• Groundfish final specifications</li> </ul>
	2. Continue to use the optimum yield caps for the BSAI and GOA groundfish fisheries.		
	3. Provide for adaptive management by continuing to specify optimum yield as a range.		
	4. Provide for periodic reviews of the adequacy of F40 and adopt improvements, as appropriate.		
	5. Continue to improve the management of species through species categories.		
2. Promote Sustainable Fisheries and Communities	6. Promote conservation while providing for optimum yield in terms of the greatest overall benefit to the nation with particular reference to food production, and sustainable opportunities for recreational, subsistence, and commercial fishing participants and fishing communities.	These considerations are applied in all Council management recommendations.  See specific actions also under Goals 1,7 and 8.	<ul style="list-style-type: none"> <li>• USCG Reports</li> <li>• NIOSH Report</li> </ul>
	7. Promote management measures that, while meeting conservation objectives, are also designed to avoid significant disruption of existing social and economic structures		
	8. Promote fair and equitable allocation of identified available resources in a manner such that no particular sector, group or entity acquires an excessive share of the privileges.		
	9. Promote increased safety at sea.		



## Primer: Summary of findings, 2004 PSEIS (p.5)

- Key findings noted by NMFS (2004):
  - In the previous 25 years, transition from a primarily foreign groundfish fishery to completely domestic.
  - Significant changes occurred in areas fished, nature and efficiency of gear types, utilization of catch, and rates of bycatch.
  - Diversity of groundfish species fished and the volume of catch increased through early 1990s and has since stabilized.
  - Value of catch continued to increase over time.
  - Communities, including Alaska Native, experienced cumulative beneficial effects through their participation in the groundfish fishery.
  - No apparent adverse cumulative effects on groundfish fishery on target species.
  - Management has become more precautionary over time and developed extensive scientific knowledge regarding target species.
  - Human activities have, over time, resulted in cumulative conditionally adverse effects on various components of the ecosystem. However, there is uncertainty regarding the contribution of the domestic groundfish fishery to these cumulative effects on the North Pacific ecosystem.
  - Fisheries management has incorporated measures (temporal and spatial closures, changes in fishing techniques and gear) to account for ecosystem effects as research has become available.



## Primer: Summary of findings, 2004 PSEIS (p.7)

- Two issues were noted to overlay all environmental issues analyzed in the PSEIS
  1. Environmental risk and uncertainty:
    - How should managers respond to situations where the environmental impact of a proposed action is not known and where there is a great deal of uncertainty, both in the data and in our ability to predict future outcomes?
    - How should managers apply the precautionary principle when making management decisions?
  2. Ecosystem-based management:
    - What does it mean in practice and how should resource managers apply EBFM principles?



# Primer: Summary of findings, 2004 PSEIS

- The PSEIS addressed environmental risk and uncertainty and EBFM issues by:
  1. Environmental Risk:
    - Adopting measures that would mitigate against adverse impacts. Such measures would be monitored and if new data indicate they are not working as intended, the NPFMC and NMFS would adapt the management regime accordingly.
  2. EBFM:
    - Integrating EBFM to require managers to consider all interactions that a target stock has with predators, competitors, and prey species; the effects of weather and climate on fisheries biology and ecology; the complex interactions between fishes and their habitat; the effects of fishing on fish stocks and their habitat.
    - Informing the public on the subject of EBFM to increase understanding the concept and how it is incorporated into fishery management plans.



## Primer: Summary of findings, 2015 PSEIS SIR (p7)

- Between 2004 and 2015, many changes were made which affected the management of the groundfish fisheries: the Council's policy goal statements, changes in groundfish population status, and in environmental conditions.
- NEPA requires agencies to prepare a supplemental EIS to either draft or final EISs if the agency:
  1. makes substantial changes in the proposed action that are relevant to environmental concerns; or
  2. there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.
  - Passage of time alone does not trigger the need for a supplement.
  - EISs do not need to be supplemented because information has accumulated.
- Management changes since 2004 did not constitute a substantial change in the action.
- The information and new research did not suggest a substantial change in the understanding of the impacts.
- A supplement was not required as the 2004 PSEIS continued to provide NEPA compliance for the groundfish FMPs, and the Council determined not to reinitiate a new PSEIS.



# COUNCIL MOTION (p.21)

OCTOBER 2022



The Council initiates a discussion paper for a roadmap and timeline for reevaluating the Programmatic Groundfish SEIS in order to better address the impacts of climate change on our marine ecosystems and on the people who are dependent on those ecosystems. The discussion paper should include the following:

- Outline of the information relevant to understanding the impacts of groundfish fisheries that will be necessary for revising the PSEIS, such as a compilation of new assessments of the impacts of climate change.
- **Assessment of how existing Council initiatives as well as other related efforts such as the ACLIM project will inform Council reevaluation of the PSEIS (e.g., Climate Change Taskforce work, SSC workshops)**
- Primer on the 2004 PSEIS, its structure and alternatives; a summary of the findings from periodic reviews of the PSEIS; and guidelines for what would be required in a new evaluation
- Discussion of available and new opportunities to ensure robust tribal and stakeholder engagement in Council consideration of alternatives for a revised PSEIS
- A timeline for how to framework ongoing initiatives, staff work, and public input opportunities.

# Ongoing Initiatives: Informing the PSEIS (p.9)

- SCS7 August 2022: Adapting Fisheries Management to a Changing Ecosystem
- SSC February 2023 Workshop: Rapid change in Bering/Chukchi Seas
- ACLIM
- GOA CLIM
- Climate Change Taskforce
- LKTKS Taskforce
- Other Bering Sea FEP action modules
- ESA Section 7 Consultation
- Ecosystem Committee exploration of a GOA FEP



#### INPUT NEEDED ON THESE CORE QUESTIONS

1. What do we know about the current and near-term future environmental and ecological states of the northern Bering Sea and southern Chukchi Sea?
2. What data do we need to collect and monitor in the northern Bering Sea and southern Chukchi Sea to support ecosystem-based fishery management of species in the Bering Sea Fishery Management Plan?
3. Science to Management: what tools do we have or need to apply these data to management of Bering Sea fisheries?

#### OBJECTIVES

The North Pacific Fishery Management Council's scientific and statistical committee (SSC) is holding a workshop during the February 2023 Council meeting. The workshop is focused on rapid ecosystem changes in the northern Bering Sea and southern Chukchi Sea, driven by recent extreme environmental events in the region. The Council has a need to understand how resilient fisheries management will be to these changes. The workshop will consider how species that are currently managed under the Bering Sea Fishery Management Plan will respond to environmental changes and the potential socioeconomic and cultural impacts on those fishermen, communities, and tribes who rely on these marine resources.

The purpose of the workshop is to identify the science and monitoring requirements for supporting future Council decision-making under increased uncertainty. The workshop will include an exploration of proactive approaches for achieving management goals in a changing environment, and an assessment of how existing frameworks may or may not be able to address ecosystem variability.

Following the workshop, the Council will consider the SSC's recommendations at a future meeting (tentatively April 2023) and communicate its strategic needs for fishery management in this region, during which there will be opportunities for the public to provide advice on the Council's strategic direction.

While this workshop is primarily for SSC members to consider and make recommendations to the Council, the SSC desires public input and feedback on the important management questions that should be considered during the workshop. To this end, the SSC is asking you to help answer these questions from your perspective. Written public comments can be submitted ahead of the February workshop at the site: [meetings.npfmc.org/MeetingDetails/2023](https://www.npfmc.org/MeetingDetails/2023). There will also be brief public comment periods each day during the workshop.



# COUNCIL MOTION (p.21)

OCTOBER 2022



The Council initiates a discussion paper for a roadmap and timeline for reevaluating the Programmatic Groundfish SEIS in order to better address the impacts of climate change on our marine ecosystems and on the people who are dependent on those ecosystems. The discussion paper should include the following:

- **Outline of the information relevant to understanding the impacts of groundfish fisheries that will be necessary for revising the PSEIS, such as a compilation of new assessments of the impacts of climate change.**
- Assessment of how existing Council initiatives as well as other related efforts such as the ACLIM project will inform Council reevaluation of the PSEIS (e.g., Climate Change Taskforce work, SSC workshops)
- Primer on the 2004 PSEIS, its structure and alternatives; a summary of the findings from periodic reviews of the PSEIS; and guidelines for what would be required in a new evaluation
- Discussion of available and new opportunities to ensure robust tribal and stakeholder engagement in Council consideration of alternatives for a revised PSEIS
- A timeline for how to framework ongoing initiatives, staff work, and public input opportunities.

# Changes in Management and Environmental Conditions Since 2015 (p.11)

## Changes in management

- FMP amendments
- Regulatory amendments
- ESA Section 7 Consultation
- Bering Sea FEP

### FISHERY MANAGEMENT PLAN for Groundfish of the Gulf of Alaska



North Pacific Fishery Management Council  
1097 West Third, Suite 403  
Anchorage, Alaska 99501

PHONE: (907) 271-2809  
FAX: (907) 271-2817



Patterns in seabird reproductive success track patterns in food availability. Double-crested cormorants, like auklets, did well on the Pribilof Islands and on St. Lawrence Island. Fish-eating seabirds also did well on the Pribilof Islands. However, reproductive success was lower for fish-eating seabirds, like Kittiwakes, on St. Lawrence Island. This pattern tracks the availability of forage fish on the shelf, with higher abundance in the south and lower abundance in the north.

Cooler ocean temperatures began in 2021 (though still above average) and continued cooling to average conditions in 2022. These cooler temperatures mean reduced metabolic demands on the fish. In fact, groundfish condition improved from 2021 to 2022 for all monitored species over the southern shelf, except

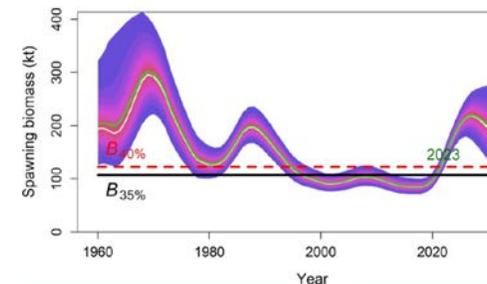
adult pollock that remained comparable to 2021; trends were more variable over the northern shelf.

The groundfish community shifted northward during the recent warm stanza. The community remained near its northern maximum through 2019 before shifting south again in 2021 as conditions cooled. In 2022, the groundfish community shifted into slightly deeper waters, a drop in catch per-unit effort (CPUE) in the northern Bering Sea between 2019 and 2022 was due to large decreases in all of the dominant species. The continued drop in CPUE from 2021 and 2022 may indicate migration of stocks out of the survey area or that the carrying capacity of the system was exceeded during the exceptionally warm years of 2016 and 2019.

U.S. Department of Commerce | National Oceanic and Atmospheric Administration | National Marine Fisheries Service

## Changes in ecosystem

- Information in ESRs, SAFE, among others
- EBS warm phase, declines in sea ice extent and cold pool extent
- Marine heatwaves in GOA, “the blob”
- Changes in recruitment (sablefish, cod)
- Changes in stocks: Snow crab, Yukon salmon runs, BBRKC, pollock



# COUNCIL MOTION (p.21)

OCTOBER 2022



The Council initiates a discussion paper for a roadmap and timeline for reevaluating the Programmatic Groundfish SEIS in order to better address the impacts of climate change on our marine ecosystems and on the people who are dependent on those ecosystems. The discussion paper should include the following:

- Outline of the information relevant to understanding the impacts of groundfish fisheries that will be necessary for revising the PSEIS, such as a compilation of new assessments of the impacts of climate change.
- Assessment of how existing Council initiatives as well as other related efforts such as the ACLIM project will inform Council reevaluation of the PSEIS (e.g., Climate Change Taskforce work, SSC workshops)
- Primer on the 2004 PSEIS, its structure and alternatives; a summary of the findings from periodic reviews of the PSEIS; and guidelines for what would be required in a new evaluation
- **Discussion of available and new opportunities to ensure robust tribal and stakeholder engagement in Council consideration of alternatives for a revised PSEIS**
- A timeline for how to framework ongoing initiatives, staff work, and public input opportunities.

# OPPORTUNITIES FOR TRIBAL AND STAKEHOLDER ENGAGEMENT (P.14)

Formal NEPA Scoping

“Informal” scoping

Tribal Consultation



# Engagement Opportunities: Formal NEPA Scoping (p.14)

- Specific process defined under NEPA
- 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 .



## Engagement Opportunities: “Informal” Scoping (p.15)

- Council process provides additional opportunities through MSA
- General opportunities for public engagement (ex: this discussion paper going through Council process)
- Workshops, engagement in remote communities, convening Community Engagement Committee to brainstorm or refine ideas for specific opportunities



## Engagement Opportunities: Tribal Consultation (p.15)

- NEPA requires early engagement with appropriate Tribal governments at a level on par with State and local governments when involvement is reasonably foreseeable.
- Tribal Consultation under EO 13175:
  - NMFS must have an accountable process to ensure meaningful and timely input by Tribal officials in the development of regulatory policies with Tribal implications.
  - Regulations have Tribal implications when they would have substantial direct effects on:
    - one or more Indian Tribes
    - the relationship between the Federal government and Indian Tribes, or
    - the distribution of power and responsibilities between the Federal government and Indian Tribes.



# Recent Council Action

## Feb 2022 Triennial Review

- Council indicated continued approval of the substance of the management policy and objectives as written, although noting that some of the language is dated.
- At that time, Council acknowledged that in the next 2-3 years, it may be appropriate to develop a Supplemental Information Report for the PSEIS, to evaluate whether any new information about environmental concerns triggers a requirement to supplement the PSEIS.



# Committee Action

1. Clarify purpose (goal) of reevaluating the 2004 PSEIS at this time:
  - Identify problem with the current PSEIS (why we need to do this)  
and/or
  - Establish what will be accomplished through a new programmatic (this should relate to the problem statement)
2. Based on the purpose, consider scope:
  - Specific to only groundfish fisheries, or
  - Holistic approach that would affect all FMPs (change overarching policy for all FMPs)



# Committee Action: Discussion Questions (p.16-17)

Is the purpose to:

- Provide a comprehensive analysis of the cumulative impact of the groundfish fisheries given specific management changes that have occurred since the last review in 2004? Are we trying to reestablish the environmental baseline for assessment of the impacts of the fisheries, given how conditions have changed? (*Impact focus*)
- Focus specifically on achieving a better understanding of the impact of changing climate conditions and what they mean for managing the groundfish fisheries, and affirm whether the current management is durable in changing conditions or whether there is a cumulative effect or unintended consequences of the fisheries that is being missed as a result of the increased rate of change? (*Climate focus*)
- Primarily evaluate whether its current understanding of the impacts of the fisheries continues to be accurate or does the Council already anticipate, through this document, and intent to shift its management policy, for example to develop a more adaptive program? (*Policy change*)

Additionally,

- Does the Council view this as an opportunity to refresh dated management policy objectives, or remove objectives that are no longer relevant? If so, is the Council ready to articulate any of these specifically? (*Policy change*)
- In addition to a programmatic view, are there specific areas of the management program that the Council identifies as a priority for policy adjustment, and which might be a focus of this evaluation? (*Policy change*)



Impact  
Focus

Climate  
Focus

Policy  
Change



## Committee Action: Discussion Questions (p.16-17)

*What is the appropriate scope and analytical vehicle for implementing the purpose?*

- Not bound by structure of 2004 PSEIS
- Other ways to frame the analysis
  - Specific to only groundfish fisheries, or cross-FMP assessment?



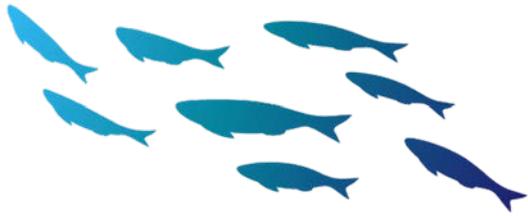
## Timeline (p. 17-18)

Addressing purpose and scope will inform our ability to get to last bullet of Council motion:

*“A timeline for how to framework ongoing initiatives, staff work, and public input opportunities”*

- Ongoing actions are not yet complete but are informative to the process.
- Lengthy process





Thank you:

- NMFS reviewers
- Kate Haapala (NPFMC)
- Diana Evans (NPFMC)

## Questions?

Sara Cleaver

[Sara.cleaver@noaa.gov](mailto:Sara.cleaver@noaa.gov)

Nicole Watson

[nicole.watson@noaa.gov](mailto:nicole.watson@noaa.gov)