

Ecosystem Committee Programmatic EIS recommendation

May 17, 2023

The Ecosystem Committee recommends that the Council initiate a Programmatic EIS to amend the management objectives, policies and procedures in all federal fisheries managed under the Magnuson-Stevens Act and the Halibut Act for fisheries in the Gulf of Alaska, the Bering Sea, and Aleutian Islands (*there was no consensus or decision on the Arctic FMP/region, see discussion in the May 2023 Ecosystem Committee report*). Also included below is a preamble with additional context for recommending a programmatic EIS. The Ecosystem Committee recommendation is for the Council to recommend NMFS initiate NEPA scoping using the purpose and need, and alternatives described below.

Programmatic EIS: PREAMBLE

A Programmatic Environmental Impact Statement (Programmatic EIS or PEIS) should constitute the central environmental document supporting the Federal Fishery Management Programs in the Alaskan Exclusive Economic Zone. The last time NOAA and the North Pacific Fishery Management Council (NPFMC or Council) performed a programmatic review of federal fisheries management in the Alaska EEZ was in 2004 through the Programmatic Supplemental EIS (PSEIS) for the groundfish fisheries of the Gulf of Alaska and the Bering Sea/Aleutian Islands and their respective Fishery Management Plans (FMPs) for each region.

The 2004 PSEIS, focused on the groundfish fisheries, remains the most comprehensive analysis performed by NOAA Fisheries and the Council for the federal fisheries in Alaska. The goals and objectives included as part of the Council's management approach were intended to be durable, and the Council has steadily worked to implement specific measures adopted pursuant the 2004 PSEIS, through the groundfish work plan, resulting in a number of important and groundbreaking fishery management measures and programs.

While the PSEIS was comprehensive for its time, the escalating and far-ranging effects of climate change were not anticipated during the preparation and adoption of the 2004 PSEIS. The effects of climate change affect all species and fisheries managed pursuant to federal FMPs and regulations in the geographic regions that make up the Alaska EEZ, and we now understand that the current rate of change is substantially faster than was previously known. In the past decade alone, there have been several dramatic fishery collapses for target species such as Bering Sea snow crab and Gulf of Alaska Pacific cod, and numerous other target species have undergone significant declines. Additionally, non-target species are also experiencing population declines. The dramatic declines of Western Alaska chinook and chum salmon stocks, which are not making enough escapement to meet biological requirements stands out. Other effects are less well known or prominent, such as the effects of warming on marine habitats, the slow march by some species northward, and effects on food webs and basic marine productivity.

This new analysis should encompass a scope beyond groundfish fisheries and should consider the Council's management framework across all its federally-managed fisheries. Federal fishery management programs for the Alaska EEZ are intertwined and interconnected, and the analysis needs to consider the interactions between the various components of the management system for numerous fisheries, species, and geographical areas.

In the early 2000's, NOAA Fisheries and the Council chose to develop a programmatic analysis in recognition of the "significant changes [that] have occurred in the resource and its environment over the past 20 years." At that time, the EIS documents supporting the groundfish FMPs were roughly 20 years old with outdated analyses and data. While the NEPA documents that support recent individual Council actions are more robust than pre-2000, the situation is strikingly similar in that the degree of change in

environmental condition is substantial; the fisheries have evolved significantly as implementation of limited access privilege programs and other allocation mechanisms has continued; new participants and interests have emerged; and the socio-economic landscape is markedly different than in 2004 including the growing interest, involvement, and inclusion of Alaska Native Tribes and tribal entities who require a meaningful voice in the management process.

While the Council and NOAA Fisheries have conducted NEPA analyses on each individual action, and other reviews have taken place such as the 2015 SIR review of the Groundfish PSEIS, EFH 5-year reviews, or program and allocation reviews, there needs to be a hard look at the individual and cumulative ecosystem effects and impacts to the human environment of the federal fisheries management programs off Alaska. A programmatic NEPA analysis and EIS provides the best avenue for broadening the look at the matrix of fisheries, resources, and people affected by climate change, and the policies and procedures needed to manage fisheries, to inform potential changes to current fishery management policies and procedures.

Programmatic EIS: Proposed Action, Purpose and Need, and Alternatives

Proposed Action

The federal action under consideration is to amend the management objectives, policies and procedures for all federal fisheries managed under the Magnuson-Stevens Act and the Halibut Act for fisheries in the Gulf of Alaska, the Bering Sea, and Aleutian Islands (*there was no consensus or decision on the Arctic FMP/region, see discussion in Ecosystem Committee report*).

Purpose and Need Statement

The purpose of this action is to ensure that the management framework of the NPFMC, including the policies and procedures that guide fishery management, are adequate to meet the challenges of climate change. Given changing conditions in the fisheries and the environment that have occurred since 2004, there is a need for fishery management policies and procedures to be more adaptable in light of the rapidly escalating effects of climate change on marine ecosystems. The far-reaching effects of climate change affect many species and multiple aspects of the fishery management process. The Council's suite of fishery management programs was designed and implemented under past oceanographic conditions which were more predictable and exhibited less dramatic annual changes. Changing conditions can have significant effects on how these fisheries management programs perform. Climate-related impacts to target and non-target species can have differential impacts on fishery participants and gear groups and impacts on subsistence resources can have substantial impacts on the cultures, economies, and communities of Alaska's Indigenous peoples.

There is a need to increase adaptability of fishery management policies in a time of rapidly changing ecosystems with unpredictable conditions deviating from the normal range historically observed. A holistic, adaptable ecosystem-based approach is the most likely to increase the effectiveness of fisheries management in this new regime. Through potential changes to management objectives, policies, and procedures, the Council also intends to ensure that:

- Its management framework appropriately recognizes the rights and needs of Alaskan Tribes and communities that rely on subsistence resources.
- Cumulatively, current allocation schemes [*OPTION*: and fishery limited access privilege programs (LAPPs)] meet conservation and management objectives that are responsive to changing climate conditions.
- The science-management interface meets the needs of current and future fishery management, including evolving climate conditions and incorporates indigenous science and traditional knowledge.

Alternatives

- Alternative 1: Maintain current policy approach, goal statements, and objectives as described in the groundfish FMPs, and adapted to other Council-managed fisheries (status quo)
- Alternative 2: Adopt a less precautionary ecosystem-based management policy
- Alternative 3: Adopt a more precautionary ecosystem-based management policy

[The Ecosystem Committee notes that further work is needed to describe specific changes to the policy approach, goal statements, objectives, and potential management actions for each fishery under each alternative for analysis, however the Committee suggests that specific language changes should await public comment during NEPA scoping.]