

# D2 Programmatic Environmental Impact Statement (PEIS) & Ecosystem Committee Report



June 2023

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## Outline and Action for the Council

1. Receive presentation on PEIS background information
2. Receive Ecosystem Committee Report
3. Provide direction on draft purpose and need statement, alternatives, and next steps



# COUNCIL MOTION

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.

# 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.

# Programmatic Environmental Impact Statement

## 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.



# 2004 PSEIS

## 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
- Set stage for future management actions
- Designed to anticipate the need to adapt management to a continually changing environment



## 2004 PSEIS Structure & Alternatives

The 2004 PSEIS evaluated 4 policy-level alternatives, ranging from a more aggressive harvest management policy to highly precautionary.

Alternative 1: Continue Under the Current Risk-Averse Management Policy

Alternative 2: Adopt a More Aggressive Harvest Management Policy

Alternative 3: Adopt a More Precautionary Management Policy

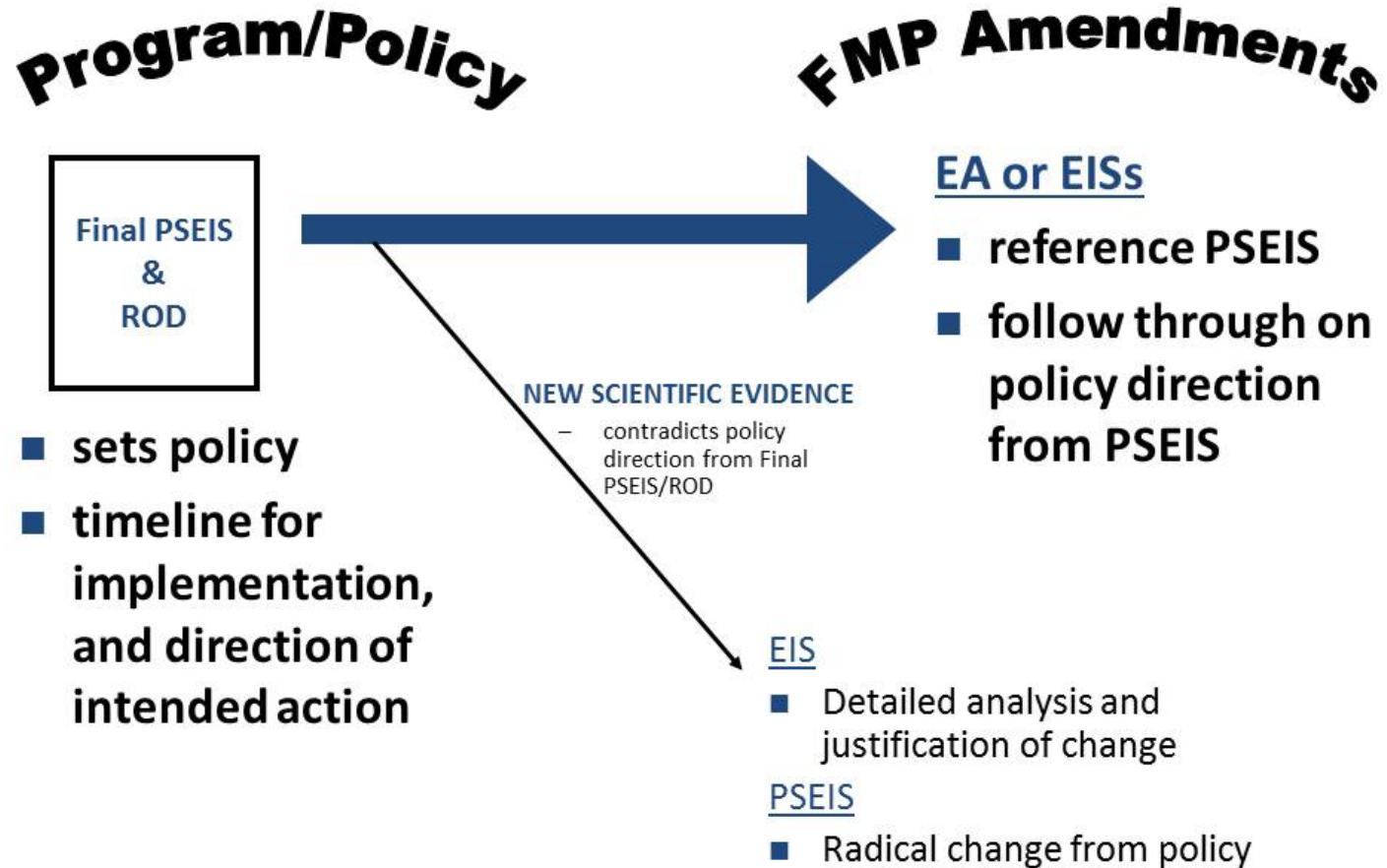
Alternative 4: Adopt a Highly Precautionary Management Policy

*Preferred Alternative:* Adopt a conservative, precautionary approach to ecosystem-based fisheries management.



# 2004 PSEIS

## Two-step process





# 2004 PSEIS

## 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.

## 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/>).

| Goal   | Management Objective   | Council actions  |   |
|--|--|--|---|
|  |  | October 2022   | December 2022   |
| 1. Prevent Overfishing<br><br>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.<br><br>See specific actions also under Goals 1, 7 and 8.<br><br><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.  |  |   |

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# Ecosystem Committee Report

## June 2023



Nicole Watson, NPFMC Staff



# Outline & Documents

## Outline

- Council action
- Background
- Committee Recommendation
  - Programmatic EIS: Purpose, need, alternatives

## Documents available

- Committee Reports
  - [January](#), [April](#), [May](#)
- Committee [Recommendation](#)
- February 2023 Council [Motion](#)

## eAgenda links (previous meetings)

- [October](#) 2022, [January](#) 2023, [April](#) 2023, [May](#) 2023



## Council Action

To consider initiating 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; to determine whether or not to include the Arctic region in the Programmatic; and to recommend NMFS initiate NEPA scoping using the draft purpose and need statement and alternatives described in the Ecosystem Committee's recommendation.



# Background: Timeline

Oct 2022  
ECo/Council



# Background: Solicitation of Input

## Who?

- Attendees of past ECo meetings (email)
  - Oct 2022, Jan 2023, Apr 2023, May 2023
  - 72 total recipients
    - Individuals, organizations/groups
- Recipients of NPFMC emails

## How?

- Email distributed to past attendees
- NPFMC website & email
  - Spotlight
  - Newsletter
- eAgenda





# COMMITTEE RECOMMENDATIONS

PROPOSED ACTION, PURPOSE AND NEED, ALTERNATIVES

## Committee Recommendation: 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.

*The Committee did not reach a consensus or decision on the Arctic FMP/region.*





## Committee Recommendation: Purpose and Need

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.



## Committee Recommendation: 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.*



## Committee Report: Scoping

The Committee recognizes the need for continued comprehensive scoping, Tribal consultation by NMFS, and public engagement as critical aspects moving forward.

It was agreed that there is a need to balance urgency with the assurance of inclusion of the perspectives of Tribal entities and stakeholders.



# Opportunities for Tribal and Stakeholder Engagement

“Informal” scoping

Tribal Consultation

Formal NEPA Scoping



# Engagement Opportunities: Formal 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 .



# Clarifying FMP Changes

Fishery Management Plan  
for the  
Scallop Fishery off Alaska



North Pacific Fishery Management Council  
605 W. 4th Avenue, Suite 306  
Anchorage, Alaska 99501  
PHONE: (907) 271-2809  
FAX: (907) 271-2817

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



North Pacific Fishery Management Council  
1007 West Third, Suite 400  
Anchorage, Alaska 99501

- Groundfish FMPs currently have the Groundfish Mgmt Policy, approach & objectives
- Other FMPs have chapters specific to mgmt. goals and objectives
- Halibut - develop a policy or guiding principle



## Next Steps

- Adopt a purpose & need for the action
- Provide a preliminary description of the proposed action and alternatives
- Consider scope:
  - Specific to only groundfish fisheries, or
  - Holistic approach that would affect all FMPs





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