



E Staff Tasking

October 2023 Council Meeting

Action Memo

Council Staff:	David Witherell, Diana Evans
Action Required:	<ol style="list-style-type: none">1. Review Committees and Plan Teams2. Review Ecosystem Committee report and Trawl Performance Standard Workshop report3. Provide input to staff regarding IRA funding priorities4. Provide input to staff regarding Programmatic EIS next steps5. Provide direction on other tasking priorities and scheduling

BACKGROUND

Committees and Plan Teams

Membership

Posted on the eAgenda is the updated Council committee list reflecting changes since June 2023.

In June, the Council called for nominations for [2024 Advisory Panel members](#), which closes on October 31, 2023. Due to a resignation, the Council has also issued a call for nominations for the [AP Tribal Representative seat](#), which closes on November 17, 2023. The Council will consider appointments at the December 2023 Council meeting.

Status of future advisory group meetings

The following Committee and Plan Team meetings are currently anticipated:

- **Charter Halibut Management Committee** – October 20, 2023, virtual; Dec 2023 (date TBD)
- **BS FEP Climate Change Taskforce** – Nov 1-2, 2023; Seattle, WA and virtual
- **Joint Groundfish Plan Teams** – November 13-17, 2023; Seattle, WA and virtual
- **PNCIAC** – November 28, 2023; virtual
- **BSAI Crab Plan Team** – Jan 8-12, 2024; Anchorage, AK and virtual

In addition, there will be a series of Plan Team discussions of **research priorities** between November and January, in order to provide input to the SSC in February:

- **Social Science Planning Team** – Oct 18, 2023 and Nov 3, 2023; both virtual
- **Scallop Plan Team** – December 14, 2023; virtual
- **BSAI Crab Plan Team** – pre-prioritization Dec 2023 (date TBD, virtual); and final discussion during Jan 8-12, 2024 meeting (Anchorage, AK and virtual)
- **Bering Sea Fishery Ecosystem Plan Team** – January 9, 2024; virtual
- **SSC Subgroup for Research Priorities** – January 11, 2024; virtual
- **Joint Groundfish Plan Teams** – January 17, 2024; virtual

Committee and workshop reports

The **Ecosystem Committee** met on September 28th to discuss recommendations on the PEIS (see also below), and to review the CCC area-based management report. Staff will present the Committee report under this agenda item.

NMFS is scheduled to host a **Trawl Performance Standard Workshop** on October 2nd, to engage with stakeholders and fishery participants on ways to revise the trawl gear performance standard so that it is clear, enforceable, and meets Council objectives. A short overview of the workshop can be provided by staff if the Council is interested; outcomes of the workshop will also be presented during the Council's discussion of changes to the trawl gear performance standard which is scheduled for the February 2024 meeting.

Tasking and Scheduling

Posted on the eAgenda are updated versions of tasking documents for background material: the 3-meeting outlook, Council staff responsibilities, and the groundfish workplan. The Council tasked a number of new items at the June 2023 meeting, which have been tentatively scheduled for review over the course of the next several meetings. Additionally, the Area 4 vessels caps initial review analysis, which was originally scheduled to be reviewed at this meeting, has been rescheduled for the April 2024 meeting.

IRA funding guidance to staff

As described in the B1 Executive Director's report, the Council has an opportunity to apply for funding under the Inflation Reduction Act in support of advancing or developing climate-ready fisheries management measures or governance. The staff paper requests Council guidance on particular objectives, issue areas, or projects that staff should explore for inclusion in a proposal.

Programmatic EIS Update

In June 2023, [the Council recommended](#) that NMFS initiate the development of a Programmatic Environmental Impact Statement (PEIS), beginning with the NEPA scoping process. The intent of the PEIS is to evaluate and consider changes to the management policy and objectives of BSAI and GOA Federal fisheries to ensure that Council's management framework is adequate to meet current and forthcoming challenges in Federal fisheries, in an ecosystem-based approach that takes into account changing conditions and significant climate-related impacts to the ecosystem, using best available science and recognizing Alaska tribes and communities that rely on subsistence resources. The action alternative focuses on the Council's ability to develop climate resiliency tools; pathways to incorporate indigenous, local, and traditional knowledge; and new tools to assess and adapt to risk in the face of uncertainty in stock status and distribution due to climate changes.

As staff were preparing the NEPA Notice of Intent (NOI), however, it became apparent that the Fiscal Responsibility Act passed in Congress, which instituted procedural changes to NEPA as described by NMFS in their B2 report, has created constraints of which the Council was not aware when it passed the June motion. These constraints include requiring the Council and NMFS to entirely complete and implement an EIS within two years of the publication date of the NOI: steps that include scoping, identification of alternatives, developing draft and final versions of the analysis, two public comment periods, response to comments, a Council decision, and final agency approval. While in June the Council identified a purpose and need statement and alternatives for the PEIS, the alternatives are far from being sufficiently defined as to allow staff to understand the potential scope and time required to write an analysis in support of this action. The Council also has several other high-priority actions underway at this time, such as the chum salmon bycatch EIS, Bristol Bay red king crab closure areas, small sablefish release, and Area 4 vessel caps. As a result, staff determined the best course would be not to publish the NOI yet, and rather come back to the Council at this October meeting to ask for further direction, prior to binding the Council and Agency to an accelerated schedule that could impact how the Council can proceed with its other priorities.

Under the pathway that the Council understood in June, it was our intent to schedule an agenda item for December for the Council to refine alternatives for the PEIS based on public input from NEPA scoping. If the Council requests NMFS to proceed with publishing the NOI as requested in June, the Council is committing to a very ambitious timeline to scope, analyze, and recommend final action on a programmatic management policy by early 2025 at latest. This would delay the timeline for other Council actions underway, as Council agenda time and staff are reprioritized for the PEIS. Alternatively, the Council could consider first conducting more scoping through the Council process rather than through NEPA, and use the December 2023 agenda opportunity to solicit public comment on how to refine alternatives. With this additional clarity, the Council could better describe its intent for this action when soliciting public comment in a future NOI.

The Council may also wish to consider the interaction between the timing of this programmatic action to review the Council's management framework in light of changing conditions, and its intentions to pursue projects under the IRA funding in support of climate-ready fisheries, which may align with some of the tools or approaches to risk that are highlighted in the action alternative.

The Ecosystem Committee is meeting on September 28, and may provide recommendations to the Council on this issue.

December 2023 and February 2024 agendas

Preliminary December 2023 and February 2024 agendas are posted to the eAgenda for your review. We have provided both agendas because of the limited work time between these two Council meetings, which limits our ability to add items to the February agenda in December. Please note that these preliminary drafts are for the purpose of discussion and feedback, and will be revised after this meeting.

Public Comment

Written public comments that have been submitted to the Council are available on the eAgenda.