



North Pacific Fishery Management Council

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Ecosystem Committee REPORT

08 May 2023 8:30am – 4:30pm (AKT)

Hybrid: In-person NPFMC Office, Anchorage; Virtual via Zoom

[eAgenda](#)

The Committee met to revise the draft Purpose and Need statement and to develop alternatives.

Committee Members in attendance: Bill Tweit (Chair), Dave Benton, Dave Fluharty, Gretchen Harrington, Jim Ayers, John Iani, Rose Fosdick, Stephanie Madsen, Theresa Peterson

Member(s) absent: Jeremy Rusin

Council Staff for Committee: Nicole Watson

Agency and Council Staff attending included: Diana Evans, Sara Cleaver, Molly Watson, Tom Meyer

Public attending included: Alexandra Hale, Angel Drobnica, Austin Estabrooks, Ben Enticknap, Brent Paine, Chad See, Chris Oliver, Chris Tran, Chris Woodley, Ernie Weiss, Evan Erickson, Glenn Merrill, Heather Mann, Kenny Down, Kristin Stahl-Johnson, KYUK staff, Landry Price, Lauren Divine, Loretta Brown, Marc Solano, Megan Williams, Maktuayaq Mellisa Johnson, Michael LeVine, Nicole Kimball, Peg Parker, Rose Bennett, Steve Marx, Susie Zagorski, Terese Schomogyi .

The Chair opened the meeting with a discussion of the agenda and adjustments for time constraints over the course of the day for Committee members. The Committee remains focused on responding to the Council's February 2023 [task](#) for the Committee to provide recommendations to the Council on a purpose and need statement and alternatives for a Programmatic EIS. **The Committee's recommendation for the Council is provided as an attachment to this report.**

Programmatic EIS

Following the April Ecosystem Committee (Committee) meeting, where the Committee developed an initial draft Purpose & Need statement and framework for alternatives, a request for public input on the Committee's language was distributed using the eAgenda, an email distribution list to attendees of recent Ecosystem Committee meetings, a Spotlight on the NPFMC website, and in the Council's Newsletter.

Staff provided a brief presentation that included background information, details of public input requests, and actions needed for the meeting before transitioning into public input.

Mike LeVine (Ocean Conservancy), Kristin Stahl Johnson (OceanPeople Resources), Maktuayaq Mellisa Johnson (AYK Coalition), Peg Parker, Chris Woodley (Groundfish Forum), and Chad See (Freezer Longline Coalition) provided oral testimony. Their comments included viewpoints on the alternatives to be considered; recognition that this is an iterative approach; the importance of collaboration and comprehensive scoping; the need for an ecosystem-based approach from copepods, seabirds, harvested and non-harvested species; the rapid rate of change; the role and status of Alaska native groups; and incorporation of local knowledge and traditional knowledge (LKTK).

Additional discussion focused on the scope of the Programmatic EIS: if it should only encompass the management of groundfish, take a more comprehensive approach including all federally-managed fisheries, and if it should include the Arctic region due to the uniqueness of this region.

Written comment was received by Julie Raymond-Yakoubian (Kawerak), Kristin Stahl Johnson (OceanPeople Resources), Vivian Korthuis and Brian Ridley (Association of Village Council Presidents and Tanana Chiefs Conference), Kevin Whitworth (Kuskokwim River Inter-Tribal Fish Commission), Marissa Wilson (Alaska Marine Conservation Council), Chris Tran (Aleut Community of St. Paul), Roberta Townsend Vennel (Kodiak Archipelago Rural Regional Leadership Forum), Steve Marx (Pew Charitable Trusts), Loretta Brown (SalmonState), Aaron Martin (U.S. Fish and Wildlife Service), Becca Robbins Gisclair (Ocean Conservancy), Hunter McIntosh and Paul Olson (The Boat Company), and Patricia Phillips.

The Committee appreciates the detailed level of conversation and public input that occurred throughout this meeting covering the scope and input on the initial draft Purpose and Need of the Programmatic EIS.

Proposed Action - Geographic and Biological Scope

The Committee had a broad discussion regarding the inclusion or exclusion of the Arctic in the programmatic review and whether the scope should be wholly inclusive of all federally managed fisheries in the region or solely focused on the groundfish fisheries. **The Committee recommends that the Programmatic analysis include the Gulf of Alaska, Bering Sea, and Aleutian Islands, but was unable to reach consensus on whether to include the Arctic region and left this decision to the Council.** The Committee also noted that the Council could delay making a decision about the Arctic at this time and rely on additional public input through the formal NEPA scoping process to provide more perspectives on the question.

The benefits of including the Arctic FMP in this Programmatic analysis include developing a consistent management policy with robustness to climate change across all Council-managed regions; providing efficiency by including the Arctic in this process now rather than needing to revisit the management policy in the future; and extending engagement opportunities to communities and peoples not currently involved in the Council process. Disadvantages and concerns highlighted by the Committee include analytical and workload complexity in that the Arctic region is uniquely different from other Council regions as it does not currently allow commercial fisheries, and that including it in the analysis could cause confusion if it were interpreted as an indication that the Council is considering opening the Arctic to commercial fishing. Public comments, both written and oral, were mixed for including the Arctic but did document substantial concern about the potential for an analysis to lead to opening the Arctic for fishing.

The Committee agreed that the biological scope of the action should consider all fisheries for which we have Fishery Management Plans or regulations (noting that no decision was made on the Arctic FMP). This would include the two groundfish FMPs for the BSAI and GOA, the BSAI Crab FMP, the Scallop and Salmon FMPs, and regulations governing the management of halibut fisheries off Alaska. Recognizing the importance of an ecosystem-based approach, the programmatic analysis would consider the cumulative impacts of fishery management across fisheries and the environments in which they occur, in the light of changing environmental conditions. There was Committee consensus that the **federal action under consideration is amending 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** (noting no consensus on inclusion of the Arctic).

Purpose and Need

The Committee had lengthy discussions on the sections of the Purpose and Need document, and the edited version is provided in the attachment. The Committee agreed the intent is to have a forward-looking document that takes an ecosystem-based approach in a flexible and adaptive manner.

One area of Committee disagreement related to the language indicating Council intent to cumulatively assess current allocation schemes and fishery limited access privilege programs (LAPPs). Some members were concerned that the language about LAPPs in particular would focus the Programmatic too much on project-level analysis of individual programs, which would be duplicative of existing efforts such as LAPP program reviews. Other members of the Committee noted that LAPP programs were featured in the 2004 PSEIS as an important conservation tool and adopted as a policy and objective for fishery management. Their intent was for the Programmatic to look at NPFMC allocation schemes in a broad sense, and how management of allocations across fisheries is precautionary or not in light of the effects of climate change. The Committee did not resolve this issue definitively.

Additionally, there was some concern expressed that changing climate conditions was only one of several important factors and other changes such as economic and socio-economic changes should also be listed but the Committee recognized that a comprehensive list of all changes would be too lengthy and opted to maintain focus on evolving climate conditions.

Alternatives

The alternatives from the 2004 Programmatic SEIS were used as the starting point for this discussion. Committee members agreed that the structure of these alternatives, comparing the status quo policy to something more aggressive, more precautionary, or highly precautionary, remains a relevant approach. It was clarified that the “status quo” for this analysis would effectively be the preferred alternative from 2004, as that has been the Council’s management policy since that time. The Committee purposely chose not to label the status quo policy, but that alternatives should be to evaluate something more or less precautionary. With one member disagreeing, the Committee chose not to include a fourth alternative evaluating a highly precautionary policy, noting that in 2004 it was an artifact of litigation, and confirmed there was not a need to include an outlier. **The Committee’s recommended alternatives are provided in the attached document.**

Scoping and Public Involvement

The need for continued comprehensive scoping, Tribal consultation by NMFS, and public engagement was identified as a critical aspect moving forward and it was agreed that there is a need to balance urgency and to ensure inclusion of the perspectives of Tribal entities and stakeholders.

Scheduling

A brief closing discussion included the need for a rapid turnaround of meeting documents to allow the public sufficient time to comment on the draft Purpose and Need with alternatives ahead of the upcoming June Council meeting. The next meeting was not scheduled as it will depend on Council action on the report.