

## CONSIDERATION OF 2015-2016 AND BEYOND HARVEST SPECIFICATIONS AND MANAGEMENT MEASURES

At the June meeting, in odd years the Council has adopted a detailed process and schedule governing the development of harvest specifications and related management measures for the ensuing biennial period. For a variety of reasons, since 2003 the National Marine Fisheries Service (NMFS) has determined that this action should be evaluated in an environmental impact statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Combined with the procedures required for NMFS to issue regulations and, in most cases, to review and approve an amendment to the Pacific Coast Fishery Management Plan as part of the action, timely implementation has become difficult, if not impossible.

In response, over the past few years the Council and NMFS have been examining these process problems and considering methods to both simplify Council decision-making and the related analyses required by the Magnuson-Steven Fishery Conservation and Management Act, NEPA, the Administrative Procedure Act, and other applicable laws. This has culminated in proposing several changes to the Council decision-making and NEPA processes. First, the 2015-2016 harvest specifications EIS will include an evaluation of the long-term environmental impacts of setting harvest specifications and management measures (along with the impacts of specifications and management measures for 2015-16). This long-term impact analysis is expected to allow streamlined evaluation of future harvest specification actions (starting with the 2017-18 biennial period). Second, a framework for computing “default” harvest specifications, which would serve as a starting point for Council decision-making, would be incorporated into the FMP through Amendment 24, also part of the proposed action. Clearly specifying this framework in the FMP is expected to allow the Council to consider a narrower range of alternatives for harvest specifications. Third, through revisions to Council Operating Procedure 9, the Council would commit to only recommend adjustments to “routine” management measures (those already in regulation) with limited scope to recommend new management measures needed to address immediate stock conservation problems. Since the routine measures have been previously analyzed, such adjustments require less analysis. Non-routine new management measures would be separated from the normal binomial process and occur via a distinct, non-concurrent process. While the EIS evaluation of long-term impacts would pay off in future biennial cycles, the Council should be able to use the default harvest specification framework and narrowed scope of management measures for this cycle. At the March 2013 meeting the Council confirmed its intent to move forward with these initiatives.

Because of the Council’s interest in the analytical approach that will be used in the EIS to evaluate the specific actions for the 2015-2016 cycle and the long-term impacts of setting harvest specifications, Council and NMFS staffs have developed a detailed annotated outline of the EIS at this early stage (Attachment 1). Since the April meeting, subject matter experts from NMFS Northwest Region, the Northwest Fisheries Science Center, and the Groundfish Management Team have been asked to review a draft of the EIS table of contents and an annotated outline the analytical framework. The current version reflects revisions responding to their comments. In particular, the Council should review the range of alternatives described in the outline, because

subsequent major modifications or additions could make it more difficult to complete the EIS in time.

Over the past year, the Scientific and Statistical Committee's (SSC) Economics and Groundfish Subcommittees have been reviewing the projection models used to evaluate biological and socioeconomic impacts of groundfish harvest specifications and associated management measures. A summary of these reviews will be provided as a supplemental attachment. It is expected that the full SSC will review this report and provide recommendations on the use of these models.

The proposed schedule for Council decision-making on these initiatives and subsequent implementation is contained in Attachment 3. This schedule is closely patterned after that used for the 2013-2014 harvest specifications. Note that, like the cycle, the draft EIS (DEIS) would be circulated before the June 2014 Council meeting, when final action is scheduled. If the Council's final preferred alternative represents "substantial changes in the proposed action that are relevant to environmental concerns" (40 CFR 1502.9(c)) NMFS may have to recirculate the DEIS, delaying implementation. Council staff will continue working with NMFS to find efficiencies that would allow the DEIS to come out after the June 2014 meeting but allow the regulations to become effective by January 1, 2015. Doing so would reduce the chance that the DEIS would have to be recirculated. As alluded to above, more streamlined NEPA analyses for future biennial harvest specifications are intended to reduce the amount of time needed between Council final action and NMFS implementation of the regulations. It is expected that in future cycles this type of constraint would not be imposed on the June final action.

While the Council will formally adopt revisions to the groundfish management process by changing Council Operating Procedure 9 under Agenda Item D.6, the proposed revisions are introduced here as Attachment 2. This allows the Council and its advisory bodies to provide substantive input at this point on the proposed changes. In the intervening time between agenda items F.7 and D.6, a revised draft could be prepared for consideration of final action to be taken under Agenda Item D.6.

### **Council Action:**

- 1. Review the EIS Annotated Outline and Range of Alternatives Adopted in March 2013.**
- 2. Approve Projection Models for Use in Evaluating Harvest Specifications and Management Measures.**
- 3. Adopt a Schedule for the Development of 2015-2016 Harvest Specifications and Management Measures and Associated Analysis of Long-Term Impacts.**
- 4. Review and Discuss Proposed Revisions to Council Operating Procedure 9.**

### **Reference Materials:**

1. Agenda Item F.7.a, Attachment 1: Draft Annotated Outline for the Harvest Specifications EIS.
2. Agenda Item F.7.a, Attachment 2: Proposed Revisions to COP 9.
3. Agenda Item F.7.a, Attachment 3: Schedule for Developing Groundfish Harvest Specifications and Management Measures.
4. Agenda Item F.7.b, WDFW Report.

Agenda Order:

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Review Environmental Impact Statement Approach and Range of Alternatives for Amendment 24 Harvest Control Rules; Approve Relevant Projection Models; Adopt Schedule for Deciding 2015-2016 Harvest Specifications and Management Measures; and Consider Council Operating Procedure 9 Modifications

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