

## GROUND FISH MANAGEMENT TEAM REPORT ON SCOPING FOR AMENDMENT 24: IMPROVEMENTS TO THE GROUND FISH MANAGEMENT PROCESS

The Groundfish Management Team (GMT) reviewed materials under this agenda item and provides the following comments for Council consideration. Most of all, the GMT continues to view the potential improvements discussed under this agenda item as necessary and important and hopes the Council will make development of Amendment 24 a high priority. With the large number of species and fishery sectors managed under this fishery management plan (FMP), complexity in the management process seems unavoidable. Nonetheless, the team sees areas for improvement.

### **Scope of alternatives under consideration**

The Council staff white paper (Attachment 1, Agenda Item F.4.a) provides thoughtful analysis and recommendations for improving the process for adjusting harvest specifications and management measures. The GMT recommends that the Council move forward with a wide range of alternatives and not remove any alternatives from consideration at this time. There are a lot of potential approaches and the Council may wish to leave itself and staff flexibility to consider alternatives not identified in the white paper.

### **Alternative Approaches to Analyzing Significant Environmental Impacts**

As described in the white paper, the decision to produce an environmental impact statement (EIS) each cycle is largely responsible for the review and implementation timelines that have made the January 1 start date challenging. A key piece of Amendment 24 will involve a close look at how the analytical requirements of NEPA relate to the Magnuson-Stevens Act (MSA) standards, guidelines, etc. that speak directly to the Council's conservation and management responsibilities. The white paper describes how the North Pacific Fishery Management Council approaches the NEPA requirement to analyze and disclose significant impacts to the environment differently than we do with this FMP. There are even differences in the way the NEPA significant impacts question is addressed in other FMPs at this Council. The Amendment 24 process should involve a close look at the various options for integrating NEPA significant impact analysis with the analysis necessary for decisionmaking under the MSA.

The Council may also wish to explore how the developing Fishery Ecosystem Plan could help address this issue. This new plan might produce analysis and information on how the groundfish fisheries affect and are affected by the marine environment. These relationships between the environment and the fishery are the key focus of NEPA significant impacts analysis.

The following headers review to sections in the Council staff white paper. The discussions here briefly summarize the team's initial thoughts on the information presented within those sections.

### *Increase the Length of Time of the Management Period*

The team noted some confusion in our discussion about increasing the time window of the EIS and increasing the length of the management period. The latter may refer to making adjustments to harvest specifications or management measures less frequently (i.e. an EIS would be produced less often because changes are made less often). This distinction is important to keep in mind. As

mentioned above, it could be possible to extend the time window of an EIS without a change to the frequency with which the Council makes management changes.

#### *Limit the Scope of Council Decisions*

The GMT understands that analyzing new management measures (i.e., those not contemplated in the FMP or regulation) contributes a significant portion of the analysis and review workload in the current process. Analyzing some management measures separate from the harvest specifications—e.g., something akin to the PIE rule approach taken for the Amendment 20 and 21 follow up management measures—may save time and reduce the burden of review both within the Council process as well as within NMFS.

#### *Change the Timing of Decision-Making*

The GMT notes that modifying the timing of decision making could conflict with decision making in other FMPs or may not be practicable due to other workload priorities or create tradeoffs involving the information available for analysis. For example, moving the timing of the stock assessment process might be an option looked at under Amendment 24. The analysts supporting development of Amendment 24 will have to look hard at the tradeoffs involved with such moves.

#### *Change Start of the Management Period*

Modifying the start of the management period to March 1 would effectively formalize the current practices. The GMT questioned whether this potential solution would effectively improve the situation.

#### *Standardize and Simplify the Documentation*

The GMT recognizes the need to clearly communicate the objectives and results of harvest specification and management measure analyses. Efforts to standardize and simplify analysis presentation based on issue content are recommended as part of all alternatives looked during consideration of Amendment 24. Clear guidelines on analyses, in addition to increased opportunity for communication between the analysts and reviewers would greatly improve the process.

#### *Change Internal Review and Process Requirements*

Modification to the current review and process requirements may not be possible because certain processes have hard wired timelines that cannot be amended under this process (e.g., APA, MSA, and NEPA timelines). The GMT notes that either the review or preparation processes, or both, can be modified to achieve a savings. Again, we would suggest that one of the primary focuses of the Amendment 24 Ad Hoc Workgroup should be reviewing the various legal and administrative standards that are currently being met under the umbrella of the current EIS in a more efficient manner.

#### *New Alternatives*

The GMT discussed that there may be a benefit to seeking out “lessons learned” from other regions and even other natural resource policy process in order to determine if their efficiencies are transferable. To the extent possible, the team thought it would be helpful to invite professionals from these other processes to present their experiences to those charged with development of Amendment 24.

## **Process Related Issues**

### *Ad-Hoc Work Group and Schedule*

The GMT supports the formation of a process to develop analytical materials and provide strategic direction during consideration of Amendment 24. We did not reach consensus on a recommendation as to the composition of workgroups or exact form of the process. At this stage, we would highlight that the team and Council staff could be engaged with the 2013-14 analysis until July 31st. It could be difficult to have full team participation before that time. However, individual team members and Council staff could be available to participate on work groups or to produce analyses in support of Amendment 24 over the spring and early summer.

On a similar note, the GMT reviewed the proposed schedule. As the Council has discussed at this meeting, it is unclear how or if the Pacific Dawn lawsuit (and the court imposed deadlines) would affect the ability of NMFS staff to fully engage in this process. Successful development of Amendment 24 will depend on full participation by all parties involved and no new emerging issues which would shift staff to other workload.

PFMC  
03/05/12  
11:16 a.m.