

# Chapter 1

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# Chapter 1 Purpose and Need

This Programmatic Supplemental Environmental Impact Statement (Programmatic SEIS) constitutes the central environmental document supporting the Fishery Management Plan (FMP) for the groundfish Fishery of the Bering Sea and Aleutian Islands (BSAI) and the FMP for groundfish of the Gulf of Alaska (GOA). The historical and scientific information and analytical discussions contained herein are intended to provide a broad, comprehensive analysis of the general environmental consequences of fisheries management in the Exclusive Economic Zone (EEZ) off Alaska, and thus provide agency decision-makers and the public with information necessary for making informed decisions in managing the groundfish fisheries and for setting the stage for future policy decisions and management actions.

This introductory chapter establishes the purpose and need for the federal action supported by this Programmatic SEIS. It provides an overview of the National Environmental Policy Act (NEPA) of 1969 and its procedural requirements; a history of this document and how the National Marine Fisheries Service (National Oceanic and Atmospheric Administration [NOAA] Fisheries or NMFS) has conducted the NEPA scoping process and addressed public comments; and a review of the future steps that will be taken to finalize the Draft Programmatic SEIS. Finally, this introduction describes the overall organization of this document.

## **1.1 Purpose and Need for Federal Action**

This section describes the purpose of and need for federal action. In this case, the federal action is a continuing activity: the ongoing management of the groundfish fisheries in the EEZ off Alaska, as authorized by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and pursuant to NEPA and other applicable statutes and executive orders.

At a fundamental level, management of the groundfish fisheries has two interrelated purposes: to maximize the social and economic benefits of the groundfish resource to the people of the United States (U.S.) and to conserve the resource to ensure its sustained availability to current and future generations. The use and conservation of the fisheries need to be managed so that one objective—whether related to biological conservation or to socioeconomic well-being—does not take priority over the other, except when the resource itself is at risk of being depleted. To prevent such depletion of the resource, fisheries management strives to balance these two fundamental objectives.

The North Pacific Fishery Management Council (NPFMC) and NOAA Fisheries have managed the groundfish fisheries off Alaska for more than 20 years under the FMPs for the groundfish fisheries of the BSAI and GOA. These FMPs, subsequent FMP amendments, and related regulatory actions addressing changes in management measures have all been attended by NEPA documents, whether environmental impact statements (EISs), environmental assessments (EAs), or categorical exclusions that consider the environmental impact of those actions. At this juncture, however, the continuing effort to manage the groundfish fisheries requires a renewed evaluation of the overall environmental impacts of existing management policy and an analysis of alternative policies that will allow NPFMC and NOAA Fisheries to strike the most effective and efficient balance between the dual objectives of conservation and use.

## 1.2 Action Area

The subject groundfish fisheries take place in the Bering Sea and North Pacific Ocean within the U.S. EEZ from 50° North (N) to 65°N (Figure 1.2-1). The EEZ off Alaska extends seaward from 3 to 200 nautical miles (nm). The action area for the federally managed BSAI groundfish fisheries effectively covers all of the Bering Sea under U.S. jurisdiction, extending southward to include the waters south of the Aleutian Islands west of 170° West (W) longitude, to the border of the EEZ. The action area for the federally managed GOA groundfish fisheries includes the EEZ of the North Pacific Ocean, exclusive of the Bering Sea, between the eastern Aleutian Islands at 170°W longitude and Dixon Entrance at 132°40'W longitude. State waters and international waters adjacent to the action area are also affected by the federal groundfish fisheries. A review of areas fished by the groundfish fisheries (Fritz *et. al.* 1998) suggests that virtually the entire Bering Sea and GOA from the continental slope shoreward is utilized by one fishery or another.

The BSAI and GOA groundfish fisheries are divided into sub-areas for management purposes. The BSAI is divided into two sub-areas (eastern Bering Sea [EBS] and Aleutian Islands) and 19 reporting areas (Figure 1.2-2), and the GOA is divided into three sub-areas (western, central, and eastern) and eight reporting areas (Figure 1.2-3).

These regions constitute the areas that are potentially affected either directly or indirectly (or both) by the groundfish fisheries. A more detailed description of the action area is provided in Chapter 3, Affected Environment.

### **1.3 The Purpose and Need for the Programmatic Supplemental Environmental Impact Statement**

The purpose of this Programmatic SEIS is to analyze comprehensive policy alternatives in support of the continuing management of the groundfish fisheries of the BSAI and GOA. A Programmatic SEIS such as this provides a broad, “big picture” environmental evaluation that examines a program on a large scale and may be used to evaluate an ongoing program and alternative directions that the program might take in the future (40 Code of Federal Regulations [CFR] 1502.4[b]). By providing up-to-date scientific information on the cumulative impacts of the groundfish fisheries on the physical, biological, and human environment of the action area, this Programmatic SEIS will serve as the environmental baseline for evaluating current and alternative management regimes and subsequent management actions.

As a comprehensive foundation for management of the BSAI and GOA groundfish fisheries, this Programmatic SEIS is intended to function as a “first tier” analysis for incorporation by reference into subsequent EAs and EISs that focus on specific federal actions. Rather, the federal action supported by this document is the continuing management of the groundfish fisheries in the EEZ off Alaska. This Programmatic SEIS sets forth four distinct management policies, including the current policy, from which NPFMC will choose a preferred management policy direction. Any specific FMP amendments or regulatory actions proposed in the future will be evaluated by subsequent EAs or EISs that are tiered from the Programmatic SEIS but stand as case-specific NEPA documents and offer more detailed analyses of the specific proposed actions. Any such amendments and actions will logically derive from the chosen policy direction set for the preferred alternative. To maintain this document’s viability as the “first tier” reference for future analyses, NOAA Fisheries will periodically update this Programmatic SEIS as warranted by the availability of new information or the development of significant changes in the fisheries or their environment.

The need for a “Supplemental” EIS became apparent to NOAA Fisheries during the 1990s, when the agency was apprised of the legal and scientific insufficiency of the initial EISs prepared for the GOA and BSAI groundfish FMPs in 1979 and 1981, respectively. (For a more detailed discussion of the history of this document, see Section 1.5.) Regulations implementing NEPA require preparation of an EIS (or SEIS) when “there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts” (40 CFR 1502.9[c]). Significant changes have occurred in the resource and its environment over the past 20 years, and the initial EISs supporting the FMPs no longer adequately reflect the current state of the environment. While fishery management regulatory actions and FMP amendments have all been attended by environmental analyses, mainly EAs or EISs, none of those analyses attempted to examine the impact the FMPs in their entirety have had on the environment. Consequently, NOAA Fisheries announced its decision to prepare an SEIS that would, moreover, be a “programmatic” analysis based on the current state of the resource and its environment. In January 2001, NOAA Fisheries published the first draft Alaska Groundfish Fisheries Programmatic SEIS (hereinafter referred to as the 2001 Draft Programmatic SEIS).

The 2003 Draft Programmatic SEIS was released in August 2003 and substantially revised the 2001 Draft Programmatic SEIS. The 2003 Draft Programmatic SEIS public comment period began August 29, 2003 and ended November 6, 2003. This Final Programmatic SEIS responds to and integrates into the analysis, the substantive concerns raised by public comments on the 2003 Draft Programmatic SEIS.

## **1.4 National Environmental Policy Act of 1969**

The Programmatic SEIS has been prepared to meet the requirements of NEPA (42 United States Code [USC] 4321-4347), the basic charter of the U.S. for protection of the environment. NEPA establishes the nationwide policy, goals, and legal authority for federal agencies regarding the environment (40 CFR 1500.1[a]). It requires federal agencies to study the environmental consequences of their actions and to use an interdisciplinary framework for environmental decision-making.

NEPA also requires federal agencies to make environmental information available to the public and to public officials, and to consider their comments, before making decisions that could affect the environment. Documents prepared by federal agencies in compliance with NEPA must focus on the issues that are truly significant to the action in question, rather than amassing needless detail, and present alternatives in a way that allows their potential environmental consequences to be clearly distinguished, along with “advice and information useful in restoring, maintaining, and enhancing the quality of the environment” (43 Federal Register [FR] 55990, November 28, 1978, and 40 CFR 1502.1, 1502.2, and 1502.14).

### **1.4.1 Provisions of National Environmental Policy Act**

Title I of NEPA, “Congressional Declaration of National Environmental Policy,” requires that a federal agency’s study of environmental consequences be presented to the public in “a detailed statement” that must describe:

1. The environmental impact of the proposed action.
2. Any adverse environmental effects which cannot be avoided should the proposal be implemented.
3. Alternatives to the proposed action.
4. The relationship between local short-term uses of man’s environment and the maintenance and enhancement of long-term productivity.
5. Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented (42 USC 4332).

This requirement is based on the idea that if the potential effects of federal actions are publicly disclosed and considered before the actions are taken, the resulting decisions are more likely to be in the public interest (Bass, Herson, and Bogdan 2001).

Title II of NEPA, “Council on Environmental Quality,” establishes and funds the President’s Council on Environmental Quality (CEQ) to oversee the implementation of NEPA and, among other things, “to formulate and recommend national policies to promote the improvement of the quality of the environment” (42 USC 4342). In 1977, President Carter strengthened the CEQ’s role in Executive Order (EO) 11991 (May 24, 1977), authorizing the CEQ to issue binding regulations to cover all of the procedural provisions of NEPA, which until that point had no formal guidance for implementation (Bass, Herson, and Bogdan 2001). A year later, the CEQ issued such regulations implementing NEPA (40 CFR 1500-1508). Among other provisions, the CEQ regulations set forth an orderly procedure that all federal agencies must

follow to comply with NEPA, including the preparation of EISs. In accordance with these provisions, NOAA issued Administrative Order 216-6, the provides further guidance for implementing NEPA consistent with the agency's mission.

#### **1.4.2 The National Environmental Policy Act Process for Environmental Impact Statements**

The CEQ regulations provide a step-by-step procedure that federal agencies must follow when preparing EISs. (Figure 1.4-1 presents a diagram of how NOAA Fisheries has followed this procedure in preparing this Programmatic SEIS.) While the NEPA process is broad enough that agencies can tailor EISs to their individual missions and program needs, the preparation of an EIS must include the following five basic steps:

1. **Scoping.** Scoping, the first step in the NEPA process, provides an opportunity for the public, government agencies, and other interested groups to provide information and advice on issues that might be associated with the proposed project, so that the lead federal agency can decide whether and how to address them in the EIS. Scoping can also identify new alternatives to be considered in the EIS. This step is usually accomplished by publishing a Notice of Intent and through a combination of written communications, statements made at public meetings, and consultation with agency officials, interested individuals, organizations, and groups.
2. **Draft Environmental Impact Statement.** After scoping is completed, a draft EIS is prepared. The draft EIS describes and evaluates all reasonable alternative actions, including no action. If the lead agency has decided upon a preferred alternative by the time a draft EIS is prepared, it is identified. The draft EIS evaluates physical, biological, and socioeconomic environmental impacts that might result from the alternatives, and it identifies those impacts that are likely to be significant. It focuses on cause-and-effect relationships and provides sufficient evidence and analysis for determining the probable magnitude of predicted impacts. Finally, it identifies ways to mitigate the impacts—to avoid, minimize, rectify, reduce or eliminate those impacts over time, or to compensate for any potential harm to the environment that might be caused by any of the alternatives (40 CFR 1508.20).
3. **Public Comment.** Following publication of a draft EIS, a public notice of its availability for review is published in the FR, and a public comment period of no less than 45 days ensues. A public hearing may be conducted to provide an opportunity for interested parties to provide oral comments on the draft EIS. Following the public comment period, the lead agency considers all of the comments received and prepares a final EIS (FEIS) to incorporate responses to the comments. The responses to public comments can range from major document revisions to simple acknowledgments, depending on the nature of the comment, but the FEIS must address all of the comments received on the draft EIS—except when the public comments are particularly voluminous, in which case the federal agency may respond to comment summaries.
4. **Final Environmental Impact Statement.** The lead agency is required to address all substantive comments received on the draft EIS and include copies of the comments in the FEIS (40 CFR 1503). The FEIS must also identify the lead agency's preferred alternative and may identify the environmentally preferable alternative. These may be different: the preferred alternative is usually the one that the lead agency believes would best accomplish its mission and goals, whereas the environmentally preferable alternative is the one that would best promote NEPA's goals—that is, cause the least overall harm, on balance, to physical, biological, and socioeconomic resources. There



may be more than one environmentally preferable alternative; if so, they must each be identified and discussed. Once the FEIS is completed and published, agencies and the public may comment on the FEIS before a final decision is made by the lead agency (40 CFR 1503.1[6]). Public comments received on the FEIS are collected and considered by the lead agency prior to making a final decision regarding which of the alternatives to implement. No decision on the action may be made by the lead agency within the 30-day period following publication of the FEIS (40 CFR 1506.10[6]).

5. Record of Decision (ROD). Following completion of the FEIS process as described above, the lead agency prepares a ROD. The ROD must 1) state what the decision was, 2) identify all alternatives considered in reaching the decision and which were considered to be environmentally preferable, and 3) state whether all practicable means to avoid or minimize environmental harm have been adopted, and if not, why not (40 CFR 1505.2). If a monitoring and enforcement program is applicable for any mitigation, it must be adopted and summarized in the ROD (40 CFR 1505.2).

### **1.4.3 Supplemental and Programmatic Environmental Impact Statements**

An SEIS is a document that is prepared after the issuance of an earlier EIS that pertains to the same federal action. The CEQ regulations require that an SEIS be prepared if a federal agency proposes substantial changes to an action that was the subject of a previous EIS, if those changes are relevant to environmental concerns, or if there are significant new circumstances or information bearing on the action or its impacts that are relevant to environmental concerns (40 CFR 1502.9[c]).

A Programmatic EIS is typically a 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 (40 CFR 1502.4[b]). However, a Programmatic EIS may also be used to evaluate an ongoing program and alternative directions that the program may take in the future. To streamline the NEPA process and avoid repetition, the CEQ regulations encourage federal agencies to develop a tiered approach to their analyses (40 CFR 1502.20). This allows broad, program-oriented issue analyses to be incorporated by reference into subsequent EAs or EISs that focus on specific proposed federal actions (40 CFR 1500.4[I]). NOAA, in its own NEPA guidelines (NOAA Administrative Order 216-6, Section 5.09a), states that “a programmatic environmental review should analyze the broad scope of actions within a policy or programmatic context by defining the various programs and analyzing the policy alternatives under consideration and the general environmental consequences of each.”

## **1.5 Historical Development of the Programmatic Supplemental Environmental Impact Statement**

This section gives readers a brief overview of the history of this Programmatic SEIS and the key factors influencing its development.

### **Background**

The present system of federal fisheries management in the EEZ was established by the MSA in 1976. In creating regional fishery management councils to manage fisheries, the MSA established NPFMC to develop FMPs and set fishery regulations for the marine waters off Alaska in conjunction with NOAA Fisheries, a federal regulatory agency.

The original EISs for the BSAI and GOA FMPs were finalized in 1981 and 1978, respectively. Although many EAs and several EISs have been prepared for FMP amendments and regulatory actions over the ensuing years, none examined the BSAI and GOA FMPs in their entirety or, in other words, at a programmatic level. Since the original EIS documents were developed, major changes have taken place in the technology of the fishing industry, in the allocation of the resources, in the environmental conditions, and in the FMPs themselves. The accumulation of these changes indicated a need for a revision of those initial EISs that would supplement the original analyses and would hence result in a Programmatic SEIS.

Among many other factors, the dramatic decline in the population of Steller sea lions since the 1970s has played a major role in shaping the supplemental analyses. NOAA Fisheries listed Steller sea lions as “threatened” under the Endangered Species Act (ESA) in 1990. Three years later, NOAA Fisheries designated “critical habitat areas” for sea lions around their major rookeries and haulouts. In 1997, NOAA Fisheries recognized two distinct populations of Steller sea lions and classified the western stock, including those animals living in the BSAI and GOA areas, as “endangered” under the ESA. Section 7 of the ESA required NOAA Fisheries to develop a Biological Opinion (BiOp) that analyzed the likelihood that the groundfish fishery would jeopardize the survival, recovery, or critical habitat of the endangered population. If a BiOp determines that a proposed action places the endangered species in jeopardy, ESA requires the agency to develop Reasonable and Prudent Alternatives (RPAs) for mitigating the impact of federal action and alleviating the condition of jeopardy.

In December 1998, NOAA Fisheries issued two documents to bring the federally managed fisheries into compliance with NEPA and ESA: the 1998 Final SEIS for the BSAI and GOA groundfish fisheries (NMFS 1998i) and a Steller sea lion BiOp (NMFS 1998j). Contrary to previous BiOps, the 1998 BiOp determined that the pollock fishery “jeopardized” the survival and recovery of the western stock of Steller sea lions and their critical habitat. In conjunction with this BiOp, NOAA Fisheries drafted a set of RPAs to mitigate the deleterious impacts of the pollock fisheries on sea lions (NMFS 1998k). These draft RPAs were used to implement emergency fishing rules by NPFMC. Since these RPAs constituted a separate federal action, they were also subject to the requirements of NEPA. NOAA Fisheries began work on a separate SEIS that would examine the impacts of the RPAs. At this point, NOAA Fisheries was responsible for developing a series of interrelated documents.

In 1999, the 1998 Final SEIS for the BSAI and GOA groundfish fisheries was challenged in court. In July of 1999, U.S. District Court Judge Thomas S. Zilly issued a ruling in *Greenpeace v. NOAA Fisheries* (Civ.No. C98-0492Z and 55F.Supp. 2d 1248 [W.D.Wash. 1999]) that the 1998 SEIS was legally inadequate and remanded the document back to NOAA Fisheries for additional analyses, directing the agency to produce a “programmatically” SEIS. Judge Zilly also upheld the conclusion of “jeopardy” in the pollock fisheries but remanded the 1998 BiOp back to NOAA Fisheries, directing them to revise the RPAs and explain how they will avoid the likelihood of jeopardy or adverse modification of critical habitat.

In October 1999, NOAA Fisheries published in the FR a Notice of Intent to prepare a Programmatic SEIS that would serve as a comprehensive foundation or “first tier” reference for future specific environmental analyses. NOAA Fisheries also issued a set of “Revised Final RPAs” (NMFS 1999d) in response to Judge Zilly’s orders and which NPFMC implemented through emergency rules while litigation continued to challenge their sufficiency and legality.

In July of 2000, Judge Zilly ruled that NOAA Fisheries had not established sufficiently protective measures for Steller sea lions and ordered an injunction against all trawl fishing within designated critical habitat areas (*Greenpeace v. NOAA Fisheries*, 106 F.Supp.2d 1066 [W.D.Wash. 2000]). In November of 2000, NOAA Fisheries issued a new BiOp and an RPA (NMFS 2000a) that included further restrictions on the fishing industry. Judge Zilly lifted the injunction on trawl fishing at this point and attempted to get the litigants to settle their disputes through mediation. This effort was only partially successful. BiOp 2000 drew criticism from both sides. Environmental groups thought it sacrificed sea lion protection for industry profits and the fishing industry challenged the scientific basis for its conclusions of “jeopardy.”

During this period of revising RPAs and legal challenges to the BiOps, NOAA Fisheries proceeded to develop a Programmatic SEIS for the groundfish fisheries and to incorporate government, industry, and public input at various stages through public hearings and comment periods. Then, in January 2001, NOAA Fisheries released the 2001 Draft Programmatic SEIS (NMFS 2001a). In November of the same year, NOAA Fisheries issued a Final SEIS for Steller sea lion protection measures (NMFS 2001b) that contained a great deal of similar information and analyses as the 2001 Draft Programmatic SEIS, but was more limited in scope and oriented toward compliance with the ESA. The 2001 BiOp and RPA (NMFS 2001c) concluded that the groundfish FMPs, as amended by the final RPA, did not jeopardize the survival or critical habitat of the western stock of Steller sea lions.

### **The 2001 Draft Programmatic SEIS**

The 2001 Draft Programmatic SEIS was released for public review on January 26, 2001. This eight-volume report provided, for the first time, a comprehensive environmental review of the BSAI and GOA groundfish fisheries and their management over more than 20 years by NPFMC and NOAA Fisheries. In accordance with the requirements of NEPA, the 2001 Draft Programmatic SEIS was made available for public review. Given its significance as a precedent-setting analysis, and in light of on-going litigation and a number of environmental issues, extensive public comment was received on the 2001 Draft Programmatic SEIS.

## **Public Comment**

The public comment period on the 2001 Draft Programmatic SEIS began on January 26, 2001 and was originally scheduled to end on April 26, 2001. Extended twice at the request of a number of public stakeholders, the public comment period closed on July 25, 2001. During the public comment period a number of public hearings were held on the 2001 Draft Programmatic SEIS in Anchorage, Kodiak, and Juneau, Alaska; Seattle, Washington; Washington, D.C.; and Portland, Oregon. In addition, two statewide teleconferences were held for the purpose of soliciting public comment from individuals living across Alaska, including Alaska Natives and tribal organizations, who were unable to attend any of the public hearings.

Approximately 21,000 comments were received during the comment period on the 2001 Draft Programmatic SEIS. One of the most substantive themes that emerged from the public comments was the concern that the alternatives analyzed in the 2001 Draft Programmatic SEIS focused too narrowly on specific issues, violated one pertinent law or another, and stood no realistic chance of being implemented. Many comments suggested that the document failed to present true alternative FMPs and, thus, simply reinforced the status quo and did nothing to promote ecosystem-based management policies. As a direct result of this input, NPFMC and NOAA Fisheries decided in December 2001 to revise the 2001 Draft Programmatic SEIS by restructuring the alternatives to better represent viable alternative FMPs.

## **The Restructured Alternatives**

As described earlier, the programmatic alternatives put forward in the 2001 Draft Programmatic SEIS were based on different “primary objectives” that gave each alternative a distinct policy emphasis. For instance, Alternative 2 proposed the adoption of a fisheries management policy framework that emphasizes increased protection to marine mammals and seabirds, while Alternative 3 proposed adoption of a framework that emphasizes increased protection to target groundfish species; likewise, the remaining three alternatives proposed primary emphases, respectively, on protecting non-target and forage species, on protecting habitat, and on increasing the socioeconomic benefits of the fisheries.

The alternatives put forward in this revision replace the “primary-objective” approach with a more holistic approach that recognizes both the dynamic nature of the resource and its ecosystem and our imperfect understanding of their interactions. The restructured alternatives (now four in number) range from a relatively less environmentally precautionary approach to an approach that is relatively more precautionary. Toward this end, each policy alternative offers, to varying degrees, an integrated suite of comprehensive policy goals designed to meet the alternative’s specific management or policy objective. To capture the breadth of each policy approach, each alternative (with the exception of the first, *status quo* alternative) contains two hypothetical FMPs that serve as “bookends” to illustrate a range of management actions and potential environmental effects consistent with that alternative policy framework (Section 2.6 provides a detailed description of the restructured alternatives and their development).

## **The 2003 Draft Programmatic SEIS**

The 2003 Draft Programmatic SEIS was released for public review on August 29, 2003. This nine-volume report incorporated substantive public comments on the 2001 Draft document and was restructured substantially as described above.

## **Public Comment**

The public comment period on the 2003 Draft Programmatic SEIS began on August 29, 2001 and was originally scheduled to end on October 15, 2001. However, at the request of a number of public stakeholders, the comment period was extended and finally closed on November 6, 2003 for a total comment period of 70 days. During the public comment period a number of public hearings were held on the 2003 Draft PSEIS in Anchorage, Kodiak, and Juneau, Alaska; in Seattle, Washington; and in Silver Spring, Maryland. All combined, only nine people provided oral testimony on the 2003 Draft PSEIS, however approximately 13,400 submissions were posted on the E-Comments website or mailed to NOAA Fisheries by the deadline.

The Comment Analysis Report (CAR) appended to this document (Appendix G) summarizes the public comments. As the primary response-to-comment document for this Programmatic SEIS, the CAR describes the methodology used by NOAA Fisheries in reviewing and sorting the comments and presents a synthesis of all comments that address a common theme. It also documents changes made in the revised Programmatic SEIS as a result of those comments. NOAA Fisheries undertook a careful and deliberate approach to ensure that all substantive public comments were treated equally and reviewed, considered, and responded to on the basis of the quality and substantive content of the comment, and not on the basis of who wrote the comment or how many other comments agree with it. Commenters can reference how and where their comments were responded to by using the cross-reference tables in the CAR.

## **1.6 The Final Programmatic Supplemental Environmental Impact Statement**

The publication of this document begins the final stage of this NEPA process. CEQ regulations require that no decision be made until 30 days after publication of the Final Programmatic SEIS. Once that 30-day period has elapsed, NOAA Fisheries will issue its ROD in accordance with NEPA procedure.

The ROD will announce the selected policy alternative that will, in turn, be recommended by NPFMC for Secretarial review and approval in accordance with the MSA FMP amendment process. Subsequent to issuance of the ROD and upon Secretarial approval of an alternative, the NPFMC and NOAA Fisheries will likely need to prioritize the requisite amendments and regulatory actions required to effect the selected policy and identify those measures that may require additional data and analysis. The NPFMC and NOAA Fisheries will identify those priorities and set a realistic schedule for implementing the decision.

## 1.7 Document Organization

The management of the Alaska groundfish fisheries is a large, complex program that continues to evolve as more information is obtained on the fishery resources, the marine ecosystem, and those that derive benefits from both. The Programmatic SEIS provides a means for informing the public about Alaska groundfish management, the current regime, alternative regimes, known and unknown elements of the ecosystem, and the complex set of laws and regulations that apply to federal fisheries management. To meet its objectives, the document has been organized into a series of chapters and sections.

Chapter 1 establishes the purpose of and need for the federal action supported by this Programmatic SEIS. It provides an overview of NEPA and its procedural requirements, a history of this document including NOAA Fisheries' methods for conducting the NEPA scoping process and addressing public comments.

Chapter 2 presents the programmatic alternatives that are the focus of this document, beginning with a detailed explanation of the body of fisheries management policies, practices, tools, and methods that will give readers the foundation for a better understanding of the alternatives. This chapter also identifies the NPFMC's preferred alternative.

Chapter 3 describes the physical, biological, and socioeconomic resource components of the BSAI and GOA environments, and the eastern Bering Sea (EBS) and eastern North Pacific ecosystems. The objective of this chapter is to present a description of the relevant history and current status of the resources and environment that will serve as the baseline for the analyses of the alternatives. This chapter also includes a discussion of the past cumulative effects on the human environment, as they contribute to the existing baseline condition.

Chapter 4 discusses the effects of groundfish fishing on the environment under the different alternatives and their associated FMP bookends. The analyses examine the direct, indirect, and cumulative effects of each of the hypothetical FMPs that serve as bookends for the range of management actions appropriate to the particular policy alternative. This chapter then builds on these analyses and presents conclusions regarding the overall effects of the policy alternatives.

Section 4.1 provides a description of the methods used to determine the significance of potential consequences, the methods used to analyze the alternatives, and the application of the model output. The analysis of these model regimes and their contrast to the baseline condition established in Chapter 3 is intended to illustrate the general environmental effects of each programmatic policy alternative. In so doing, this Programmatic SEIS will provide the NPFMC and NOAA Fisheries, as well as the public, with information that can be used to guide future policy decisions.

Section 4.2 presents the analytical framework used to evaluate the alternatives. FMP bookends for each alternative were used as proxies for analyzing the policy alternatives. This section describes the FMP bookends and also presents maps that were developed to interpret the policy alternatives and depict some of the differences, such as closure areas, between the alternatives.

Section 4.3 presents abstracts of eleven Qualitative Analysis papers prepared to analyze the FMP components as they relate to the alternatives. These papers describe, in a qualitative manner, the effects of the alternative FMPs on key issues, such as fishing bycatch or overcapacity (the full text of these papers is included as Appendix F).

Section 4.4 provides a review of the comparative baseline statements carried forward for cumulative effects analysis for each key issue category.

Sections 4.5 through 4.9 present, by alternative, a detailed examination of the example FMP bookends and the likely environmental consequences of each alternative. Several key issues were identified through NOAA Fisheries' review of the scoping comments. A subset of ten key issues emerged as being mentioned more frequently and, we infer, most important to the public. The following list presents the ten key issues NOAA Fisheries used to develop the programmatic policy alternatives:

1. The effects of the alternatives on target groundfish species.
2. The effects of the alternatives on prohibited species.
3. The effects of the alternatives on other species.
4. The effects of the alternatives on forage species.
5. The effects of the alternatives on non-specified species.
6. The effects of the alternatives on essential fish habitat.
7. The effects of the alternatives on seabirds.
8. The effects of the alternatives on marine mammals.
9. The effects of the alternatives on the socioeconomics of the fishery.
10. The effects of the alternatives on the marine ecosystem.

Section 4.10 analyzes each alternative from a policy-level perspective, drawing on the results from the previous analyses, and Section 4.11 compares the alternatives at the policy-level, presenting the major conclusions of the findings on environmental and social issues.

Chapter 5 focuses on research and management, and provides a brief description of existing research priorities in fisheries management, as well as a list of data gaps and research needs for each policy alternative. This section also presents a discussion of management and enforcement considerations for each policy alternative.

Chapter 6 contains a list of preparers of the document while Chapter 7 presents the distribution list for the document. Chapter 8 contains the literature cited, and Chapter 9 provides an index.

The figures and tables of the document are included in Appendix A. Appendices B through E provide historical information on groundfish management. Appendix F contains the Qualitative Assurance papers, and Appendix G includes the comment analysis report (CAR) for the 2003 Draft Programmatic SEIS. Appendix H contains model output used to analyze the alternatives. Several appendices (I through L) provide copies of the Federal Register notices relating to the preparation of the Programmatic SEIS. Appendices M



and N are informational NPFMC documents, and Appendix O is the Biological Assessment that presents the results from the informal Endangered Species Act consultation.

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