

Bering Sea FEP Next Steps

Update for Ecosystem Committee, February 2, 2016

At the December 2015 meeting, the Council initiated the development of the Bering Sea FEP. Consistent with the implementation next steps described in the discussion paper, the Council tasked staff with identifying members for the Bering Sea FEP team, developing a terms of reference for the team, and development of an outreach and public involvement plan for Ecosystem Committee and Council review. Council staff is working on these issues, as well as thinking through considerations for moving forward with Action Module 1. This document provides an update on staff work with respect to these next steps for developing the Bering Sea FEP.

The Council motion adopted at the December 2015 meeting reads as follows:

The Council initiates development of a Bering Sea Fishery Ecosystem Plan consistent with the framework described in the discussion paper presented to the Council.

The Council recommends staff proceed with development of the Core FEP and Action Module 1 (assessment and gap analysis of Council's EBFM approach).

The Council directs staff, working with NMFS AKR and AFSC staff, to address the next steps identified in the document, specifically providing recommendations on the composition of the Bering Sea FEP team, terms of reference for the BS FEP team, and development of an outreach and public involvement plan for developing the FEP for Ecosystem Committee and Council review.

Bering Sea FEP team structures (Core FEP and Action Modules)

In considering what the membership of the core FEP team should be, staff has been thinking about the tasks of the core FEP team, and the relationship between the core FEP team and the action module teams. The first task of the team will be to develop the core FEP document, which describes EBFM principles, the BS ecosystem, FEP goals and objectives, and the FEP framework process for identifying, prioritizing, and re-evaluating action modules. The core FEP will be the interface between management and science, and once the document is developed, team members will likely continue to meet to discuss ongoing and upcoming action modules, and make recommendations to the Ecosystem Committee and the Council about future steps. The core FEP team will also likely be tasked with writing up the five questions for each potential action module: a synopsis of the task, what purpose it will achieve relative to FEP objectives, how it will inform and be integrated into the Council's decisionmaking and management process, an estimate of time and staff resources to achieve, and a plan for public involvement.

As recommended by the Ecosystem Committee, the starting point has been the AI FEP team model, which was to structure the core FEP team as a Council plan team. Logistically, this means that the core FEP team would be comprised of state and federal agency staff, who will work together in public meetings. As with the AI FEP, the aim would be to include a diversity of expertise, but unlike the AI FEP team, the focus of the core FEP team is not exclusively on science expertise but also needs to include an understanding of how FEP projects can fit with management needs. As such, under the current working approach, a somewhat smaller core FEP team is being considered, where ideally 7 to 10 state and federal agency staff members will be invited to join the core FEP team, along with Council staff membership. Initial thinking is that the team would consist of staff with diverse scientific backgrounds from the Council, NMFS Alaska Region, Alaska Fisheries Science Center, State of Alaska, and potentially US Fish and Wildlife Service and NOAA Pacific Marine Environmental Laboratory.

If this is the chosen approach, it will be very important to be clear about what is the public involvement process, as the FEP process is intended to be a transparent one. The value of stakeholder participation was emphasized by the Ecosystem Committee and reflected in the discussion paper presented to the Council in December 2015. Among other benefits, encouraging and facilitating participation by a variety of stakeholders provides diverse perspectives and solutions that meet the principles established in the core FEP document, and also those laid out in the Magnuson-Stevens Act and NOAA's Ecosystem Based Fishery Management Policy. If the core FEP team is constituted as a Plan Team, its meetings will be public, as will be its work products. Those work products will also be reviewed by the Ecosystem Committee, again in public meetings, and the Committee may choose to have specific public hearing sessions on the FEP while it is under development, perhaps in a joint session with the FEP team. At a minimum, a draft and final version of the FEP will also go through the Council process, which includes opportunities for public involvement.

One of the advantages of structuring the core FEP team this way is that it focuses the role of the core FEP team on how to utilize information from the action modules in the Council management process. In contrast, the action modules themselves are individual projects or research efforts that have a specific scientific purpose, and which will end once their task is completed. To address the specific needs of an action module, a workgroup would be assembled, composed of individuals with the appropriate expertise for the task. The composition of these action module teams or workgroups will depend, based on the diverse nature of potential future action modules, but could include state and federal agency employees, and/or non-government stakeholders, including but are not limited to NGOs, tribal government, industry participants, subsistence users, and non-fisheries industries. The structure for action module workgroups should be flexible to adapt to different needs. Some crossover between members of the core FEP team and action module workgroups would be desirable, for consistency.

Developing an outreach plan

The FEP next steps also called for developing an outreach plan for the FEP. The current approach under consideration by staff is that formal outreach plans should be specifically developed for action modules as they are initiated, and that public involvement opportunities relating to the development of the plan should be clearly communicated. Staff also recommends that the core FEP establish general outreach principles or objectives to guide individual outreach and public participation plans for each action module.

Since the FEP is the framework for establishing a formal process for the incorporation of ecosystem considerations into the federal decision making process, establishing general principles would be consistent with the function of the core FEP document. Such principles could be used to communicate the role of public involvement in the action module development process, and steps for each action module team to take to insure that the necessary range of stakeholder interests are represented. However, because needs for outreach and public involvement are likely to be different for each action module, a specific plan for how best to involve stakeholders should be defined in the action module planning process.

Outreach and public participation plans should reflect the adaptability intended for developing action modules. The action module team, guided by the outreach and public participation principles defined in the core FEP document, would have the ability to develop an outreach and public participation strategy that best utilize the available TEK and LTK. Incorporating outreach and public participation plans into the action module development process would serve as an additional measure to ensure all necessary stakeholders are involved.

The Ecosystem Committee has expressed interest in coordinating with the Outreach Committee to develop a public involvement plan. While establishing a public involvement structure for the core FEP and action modules is useful, developing a detailed plan at this point would be difficult. Currently, there

is no standing Outreach Committee (only a chairperson and Council staff member assigned to the committee), and it may be too soon to develop specific outreach plans.

Thoughts on Timeline

While the eventual timeline for developing and approving the Bering Sea FEP will in part be dictated by other Council actions and priorities, staff has mapped out a tentative best case timeline for the development of the core FEP document. Following this meeting, staff will confer with the Council chair and finalize the list of candidates to invite to join the core FEP team. Assuming the team can be gathered in the spring, an initial scoping meeting might take place in May or early summer 2016. Based on our experience with the Aleutian Islands FEP, we anticipate that the development and Council approval of the FEP will take approximately 18 months, with an initial draft of the document perhaps ready for review in June or October of 2017, and final action at the end of the year. During this time period, the team will interact directly with the Ecosystem Committee.

Action Module 1 (Gap Analysis)

Following the proposed model for developing the FEP, work on action module 1, the EBFM evaluation and gap analysis, will constitute an opportunity to define the role of an action module team in the development of the module. In this instance, there is a lot of overlap between the expertise needed by the core FEP team, and the work required to evaluate action module 1. Staff has considered two possible approaches for moving forward, which would define the role, and therefore the required expertise, of an action team identified for this module. Our current proposal is that these two possibilities be discussed by the core FEP team at their first meeting. The two approaches are:

- Staff could prepare a draft document, which would be sent to the action module team to review and improve
- The members of the action module team could be charged with writing such an analysis, and the component sections of the document would then be compiled and edited into a comprehensive document by staff.

The two approaches differ in terms of the workload being requested of the action module team. In the first instance, the workload is largely borne by staff, with the additional advantage of having a uniform starting point for the document, which can then be discussed and improved upon. Having a staff-prepared document for review would allow the team to discuss components of the paper in relation to the document as a whole and suggest changes. Under this approach, the task for members of the action reviewer team is more discrete, and we would likely be able to attract more diverse people willing to participate.

Alternatively, we could form a team with the task of writing the overall document. In this case, team members would not only need to be experts, but also have the ability and time to write sections of the overall document. Council staff would be responsible for assembling a main document, and editing it to be consistent.

We do not yet have a specific timeline projected for the development of the first action module. The Council has initiated work on this module to occur in conjunction with developing the core FEP, and in part this is useful to test out the action module structure as the core FEP process is being developed. Once the core FEP team is formed, a timeline for this action module can be fleshed out.