

APPENDIX 2 -- ENVIRONMENTAL ASSESSMENT

1. SUMMARY

This document assesses the probable impacts on the human environment of the alternatives contained in the draft Fourth Amendment of the Fishery Management Plan for the Salmon Fisheries in the EEZ off the Coast of Alaska. It concludes that amending the plan to define overfishing will have no significant impacts on the human environment, on marine mammals, or on flood plains, wetlands, trails, and rivers. The Assistant Administrator for Fisheries has found that Amendment Four will have no significant impact.

2. INTRODUCTION

The need for the Fourth Amendment of the salmon plan and the alternatives considered by the council are contained in the Fourth Amendment. The proposed amendment deals only with incorporating a definition of overfishing into the plan.

Neither this incorporation nor the definition itself will have any impact on the human environment. The Council on Environmental Quality defines "human environment" to mean "the natural and physical environment and the relationship of people with that environment." and excludes purely economic and social factors (40 CFR 1508.14).

Much of the required content of an environmental assessment is contained earlier in the draft Fourth Amendment (e.g., the need for the action, alternatives considered, list of preparers) and is incorporated here by reference.

3. ASSESSMENT OF THE PROBABLE ENVIRONMENTAL IMPACTS

3.1. Impacts of the Proposed Amendment on the Human Environment

The current objectives of the fishery management plan are focused on preventing overfishing and obtaining optimum yield from the salmon stocks found in the EEZ off the coast of Alaska. Amending the plan to specifically define overfishing will add support to these objectives, but because the definition simply further supports what is already in the plan, it will have no impacts (detrimental or positive) on the human environment.

Specifically, Objective A of the plan is to "Manage the troll fishery in conjunction with other Southeast Alaska salmon fisheries to obtain the number and distribution of spawning fish capable of producing the optimal total harvest on a sustained basis from all wild salmon stocks harvested in Alaska."

This theme of preventing overfishing and obtaining optimal yields is furthered with other objectives. Objective C, for example, focuses on reducing catch and mortality of sublegal chinook salmon. Objective E focuses on obtaining full utilization of salmon produced by salmon enhancement methods while providing the necessary protection to the natural runs. Objective F focuses on a coast-wide plan for managing the harvests of chinook salmon, a task largely solved by the Pacific Salmon Treaty.

Thus, the theme of preventing overfishing is a foundation of the existing plan; amending it to incorporate a specific definition of overfishing will have no impacts on the human environment.

3.2 Impacts of the Proposed Amendment on Marine Mammals.

Amendment 4 will not change the way the fishery is managed; thus, it will have no impacts on marine mammals. For more discussion, see sections 6.3 and 6.6 of Amendment 4.

3.3 Impacts of the Proposed Amendment on Flood Plains, Wetlands, Trails, and Rivers.

Section 02-12 of the NOAA Directives Manual (NDM) implements NOAA policies and procedures for implementing Executive Orders 11988 and 11990. Part 7 of NDM 02-12 requires the responsible program official to review the applicability of the directive to any proposed action and determine whether the action is located in a floodplain or wetland.

NOAA guidelines for the fishery management plan process (Phase II, 5.1.4) specify that an EA must contain an assessment of whether the action significantly and adversely affects flood plains or wetlands and trails and rivers listed, or eligible for listing, on the National Trails and Nationwide Inventory of Rivers.

The NMFS Regional Director for the Alaska Region has determined that this amendment of the salmon plan will have no significant impact on flood plains, wetlands, trails, or rivers

because it applies to fisheries in the U.S. Exclusive Economic Zone (EEZ).

4.0 JUSTIFICATION FOR AN EA RATHER THAN AN EIS.

4.1 NOAA Requirements, Procedures, and Criteria.

The NOAA Directives Manual establishes NOAA procedures for implementing the National Environmental Policy Act of 1969 (NEPA). Section 20, Chapter 10 (NDM 02-10), Appendix b, provides specific guidance for fishery management plans and amendments. This directive requires that either an environmental impact statement (EIS) or an environmental assessment (EA) be prepared for any amendment of a fishery management plan.

An EA is a concise public document that presents sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact (40 CFR 1508.9). Its purpose is to determine whether significant environmental impacts could result from a proposed action; if so, an EIS must be prepared.

An EIS provides a full and fair analysis of significant environmental impacts and informs decision makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. It serves as an action-forcing device to insure that the policies and goals defined in NEPA are infused into the ongoing programs and actions of the Federal Government (40 CFR 1502.1)

If a proposed plan amendment will or may cause a "significant" impact on the human environment, then preparation of an EIS is required.

A NOAA agency may prepare an EA for an amendment of a fishery management plan, rather than an EIS, if it reasonably expects that the proposed action is unlikely to have any of the following five environmental consequences (NDM 02-10 (13(b)), also see 40 CFR 1508.27):

- (1) jeopardize the long-term productive capability of any fish stocks;
- (2) allow substantial damage to the ocean and coastal habitats;
- (3) have a substantial adverse impact on public health or safety;

- (4) affect adversely an endangered or threatened species or a marine mammal population;
- (5) result in cumulative adverse effects that could have a substantial effect on the target resource species or any related stocks.

A NOAA agency must also consider whether the proposed action will likely cause any significant controversy or socio-economic effects.

4.2 Analysis of the Fourth Amendment for Consistency with NOAA Criteria.

4.2.1. Will the Proposed Fourth Amendment Jeopardize the Long-term Productive Capability of any Fish Stock?

No. The fisheries governed by this plan harvest almost exclusively five species of Pacific salmon (chinook, coho, pink, sockeye, and chum). A few other fish species are incidentally caught but in such low numbers as to be insignificant in terms of the long-term productivity of those stocks. For Pacific salmon, the objectives of the Council's fishery management plan, the provisions of the Pacific Salmon Treaty, the provisions of the International Convention for the High Seas Fisheries of the North Pacific Ocean, and the policies of the Alaska Board of Fisheries all serve to ensure that the long-term productivity of the salmon stocks are not jeopardized; in fact, they act to ensure that the fisheries harvesting salmon are managed for the long-term optimum production from the salmon stocks. This amendment, by specifically defining what overfishing means, further protects the long-term productivity capacity of the fish stocks covered by the plan from being jeopardized.

4.2.2. Will the Proposed Fourth Amendment Allow Substantial Damage to the Ocean and Coastal Habitats?

No. By defining overfishing, the fourth amendment helps ensure that the salmon stocks covered by the plan will be held at optimum numbers. By so doing, it sustains the long-term predator-prey associations in the ocean and coastal habitats.

4.2.3. Will the Proposed Fourth Amendment Have a Substantial Adverse Impact on Public Health or Safety?

No. The fourth amendment will have no impact upon public health and safety.

4.2.4. Will the Proposed Fourth Amendment Affect Adversely an Endangered or Threatened Species or a Marine Mammal Population?

No. By defining overfishing, this fourth amendment provides further protection to salmon stocks being considered for the endangered or threatened species status (see section 6.3 of the amendment for more discussion). Also, it tends to support marine mammal populations by ensuring the optimum number of salmon occur in the EEZ off the coast of Alaska.

4.2.5. Will the Proposed Fourth Amendment Result in Cumulative Adverse Effects that Could Have a Substantial Effect on the Target Resource Species or Any Related Stocks?

No. By defining overfishing for salmon stocks, this fourth amendment helps ensure that the target resource species are maintained at optimum levels. By doing so, it helps impose some stability in the environment for the related species.

4.2.6. Will the Proposed Fourth Amendment Likely Cause any Significant Controversy or Socio-economic Effects?

No. This amendment will cause no significant controversy or socio-economic effects. The definition of overfishing basically restates what is already accepted policy and practice.

4.3 Conclusion.

The Regional Director, Alaska Region, National Marine Fisheries Service has determined on the basis of the analyses presented in this document that the Fourth Amendment of the Fishery Management Plan for the High-Seas Salmon Fisheries off the Coast of Alaska East of 175° East Longitude can reasonably be expected to cause none of the five listed environmental consequences, nor is it likely to cause any significant controversy or socio-economic effects. Therefore, he has determined that this EA is the appropriate environmental document for this proposed Federal action.

5.0 FINDING OF NO SIGNIFICANT IMPACT

