

**ADVISORY PANEL**  
**Motions and Rationale**  
**April 5-7, 2023 - Anchorage, AK**

**C1 Cook Inlet Salmon**

The Advisory Panel recommends the Council adopt Alternative 2 for C1: Cook Inlet Salmon FMP Amendment.

**Alternative 2:** Federal Management of the EEZ with specific management delegated to the State.

Motion passed 13/3 (1 abstain from vote)

*Rational In Favor Of Motion:*

- *Under the current court ruling, the Council has a limited timeline to amend the FMP. There was expressed sentiment that neither Alternative 2 nor 3 are ideal. Further, many AP members recognized that the choice of alternative 2 or 3 was like choosing the lesser of two evils, as many public comments and the AP discussion identified shortcomings with both alternatives. At this time Alternative 2, providing for shared management responsibility, best serves the needs of the fishery participants.*
- *Alternative 3 would require considerable resources for NOAA to create the infrastructure to manage the fishery, and was perceived to possibly result in a fishery cap that limits the fishery despite potential high abundance and river returns. This complexity and uncertainty was considered a significant reason for voting in support of Alternative 2 as opposed to Alternative 3.*
- *Majority of the public comment from the commercial fleet is in support of some version of Alternative 2. The recreational sector is minimally impacted by this decision, so preference was given to comments provided by commercial participants.*
- *There was discussion about this motion potentially setting a precedent for allowing Federal oversight of other State managed fisheries. This was not overarchingly voiced in public comment, and this is a unique situation which resulted from litigation and therefore may not be applicable to other State managed fisheries.*

*Rational In Opposition Of Motion:*

- *There was discussion about the motion potentially setting a precedent for allowing federal oversight of other state managed fisheries, potentially resulting in their management terms "watered down". From that perspective, Alternative 2 is concerning. The initial preference for Alternative 2 was made with the hope that necessary improvements could be made during the approximate 12 month implementation phase; but there were no supplemental suggestions or ideas for how that would occur.*

- *Public comment and AP discussion identified both deficiencies and consequences to Alternative 2. While members in opposition cannot support the motion to select Alternative 2 for final action, neither do they support Alternative 3.*
- *The action lacks Tribal consultation. Alaskan Tribal representatives noted the lack of consultation created inequity in the process.*
- *Alternative 2 depends on the State's willingness to accept partial delegated management. By accepting delegated management, the State would open the management of the UCI fishery resources to Federal intervention. The State's ability to respond would be subject to two government regulatory processes and expectations. This situation weakens the State's ability to manage its fishery resources in this region.*
- *Under either alternative, VMS requirements may be financially burdensome. The \$4,000 cost is an out of pocket expenditure and can take up to a year to receive the 75% reimbursement. VMS also has an annual cost of approximately \$1,000.*
- *The daily registration requirement can undermine safety. A vessel registered to fish in the EEZ would not be able to move inshore in response to weather conditions. This restriction would force a participant to forgo fishing or face harsh weather in small vessels typically 42 ft or less.*
- *The court mandated deadline requires action to be taken at this meeting, even though some AP members consider alternatives (2 & 3) unpalatable. This is forcing a premature decision to support an alternative that is the better of two less than ideal options.*

*Rational for Abstaining From the Vote:*

- *It was noted during the staff presentation that for some Tribes, Tribal Consultation did not provide for sufficient time to organize and develop formal positions on the issues, and that more time was requested to develop adequate opinions.*

*Discussion Points Applicable to Any Potential Chosen Alternative*

- *The AP encourages completion of the Tribal Consultation process.*
- *The AP recommends that the current conservation corridors and conservation measures remain in place.*