



# The Joint Protocol Committee of the North Pacific Fisheries Management Council and the Alaska Board of Fisheries



## Draft Meeting Summary

The meeting was held by webconference on November 5, 2020. The meeting agenda, background materials, presentation, and written comment letters are posted on the meeting webpage at <https://meetings.npfmc.org/Meeting/Details/1684>.

Joint Protocol Committee membership:

North Pacific Fishery Management Council

Cora Campbell  
Kenny Down  
Andy Mezirow

Alaska Board of Fisheries

John Jensen (not present)  
Märit Carlson-Van Dort  
McKenzie Mitchell

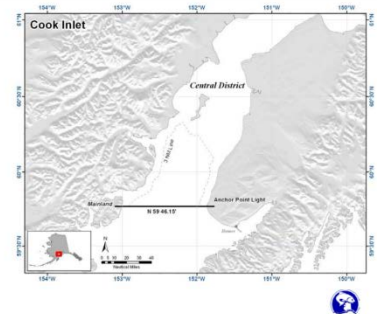
The meeting convened at approximately 1:05pm.

- 1. Introductions** – Mr. Mezirow served as meeting Chair and opened the meeting with introductions of the members and Executive Directors. Maria Davis (Council staff) provided an overview of how to use the webconference platform and public comment procedures.

- 2. Staff Reports** – Doug Duncan (National Marine Fisheries Service [NMFS] Alaska Region) provided a presentation on the Analysis to amend the Federal Salmon Fishery Management Plan (FMP) with new management measures that comply with Magnuson-Stevens Act requirements for the Cook Inlet commercial drift gillnet salmon fishery in the exclusive economic zone (EEZ), such as status determination criteria, annual catch limits, and accountability measures. This action is being taken to comply with the 9<sup>th</sup> Circuit Court ruling; Final action by the Council is required by December 31, 2020. Alternatives to the status quo (which is not legally tenable) include Federal management with or without delegation of management to the State of Alaska.

### ALTERNATIVES

- **Alternative 1:** No Action.
- **Alternative 2:** Federal management of the EEZ with specific management measures delegated to the State.
- **Alternative 3:** Federal management of the EEZ without delegation.
- **Alternative 4:** Federal management of the EEZ, closed to commercial salmon fishing.



Mr. Duncan provided an overview of each alternative, and provided additional details on the similarities and differences between Alternatives 2 and 3. Common elements of both alternatives include establishment of a Council Salmon Plan Team to prepare an annual Stock Assessment and Fishery evaluation Report, an annual evaluation of stocks relative to status determination criteria (SDC) to determine if overfishing was occurring or the stock was in an

### ALTERNATIVE COMPARISON

	Alternative 1 Status Quo	Alternative 2 Delegated Mgmt.	Alternative 3 NMFS Mgmt.	Alternative 4 EEZ Closure
Annual Council Process?	No	Yes	Yes	No
Inseason Managers	ADFG	ADFG	NMFS	n/a
State/EEZ catch apportionment	BoF	BoF within MSA & FMP criteria	Responsive to State management	n/a
CFEC Permit Req'd	Yes	Yes	Yes, if landing in SoA	n/a
Fishing across EEZ boundary?	Yes	Yes	No	No

overfished condition, setting annual catch limits (ACL) for the EEZ through the Council process, and reliance on State data, coordination, and cooperation.

Alternative 2 would result in Federal management of the commercial salmon fishery in the Cook Inlet EEZ with specific management measures delegated to the State of Alaska. Notably, inseason management in the EEZ would be delegated to the Alaska Department of Fish and Game. SDC and ACLs would be pre-season through the Council process, but be evaluated post-season. Other measures delegated to the State: escapement goals, fishing seasons, closed waters, management areas, legal gear, recordkeeping and reporting. Alternative 2 would also require a Federal Fisheries Permit, a Federal logbook (catch by statistical area, EEZ groundfish), and Fish tickets/eLandings reporting used for catch accounting and data analysis by the Council and NMFS.

Alternative 3 would result in Federal management of the commercial salmon fishery in the Cook Inlet EEZ by the Council and NMFS. This would authorize inseason management by NMFS, an Annual EEZ harvest limit (TAC) set pre-season and for which the EEZ would be closed when the TAC is reached, SDC and ACLs evaluated post-season, reduced harvest allowed in the EEZ if State waters harvests increase. The State would continue to set escapement goals in State waters. Alternative 3 would also require a Federal Fisheries Permit, a Federal logbook, a Vessel Monitoring System for compliance monitoring, and eLandings reporting. Alternative 3 requires pre-season agreement and coordination with the State. Doug noted that the EEZ could be closed in a given year if: there is a conservation concern, data are not available from the State, there is no harvestable surplus for the EEZ after projected State removals, or TAC(s) are too small to support directed fishing. The EEZ would not be open at the same time as adjacent State drift gillnet fishery. Doug noted that the forecast-based TACs would likely be set conservatively to account for increased uncertainty, and that lower than average harvest levels for the EEZ Upper Cook Inlet drift gillnet fleet were likely.

Alternative 4 would include the Cook Inlet EEZ in the adjacent “West Area” of the FMP’s fishery management unit and apply the West Area prohibition on commercial salmon fishing in the Cook Inlet EEZ. This approach would require few FMP or regulatory amendments, however, the effects of Alternative 4 were not available in time for the JPC meeting. This alternative was added by the Council in October.

Doug answered questions from BOF representatives on how TACs would be set by species pre-season; what is the response to an overfishing or overfished determination by the State or Council/NMFS depending on the alternative, and what the level of State involvement would be required under Alternative 2.

3. **Oral Public Testimony.** A total of six people provided oral public comments: John McCombs, Steve Vanek, Dyer VanDevere, Roland Maw, Erik Huebsch, and Matt Haakenson. All expressed concerns with the fishery as currently managed. Written comment letters were also submitted and posted online at <https://meetings.npfmc.org/Meeting/Details/1684>.
4. **Committee discussion** – Committee members thanked Mr. Duncan for his excellent and informative presentation, as well as the public for providing additional information and perspectives in their testimony. Chairman Mezirow noted that the Council will take final action on this issue at its December 2020 meeting, and if the Board members wished to provide additional comments they could do so at that time.
5. **Other Business** – No other business was addressed.
6. **Adjourn** – The meeting adjourned at approximately 3:45 pm.