

# ALTERNATIVE 2

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# DELEGATION OF MANAGEMENT MEASURES



COOK INLET SALMON COMMITTEE

SEPT 30, 2019

HOMER, ALASKA

# PROCEDURES FOR FMP IMPLEMENTATION

## DP SECTION 2.4

### Procedures for FMP Implementation (Federal/State)

A primary objective of the FMP is to facilitate State of Alaska salmon management for the salmon fisheries that occur in the EEZ in accordance with the Magnuson Stevens Act, Pacific Salmon Treaty, and applicable federal law. To the extent practicable, NMFS will coordinate with ADF&G to develop management measures for the salmon fisheries in the EEZ that are consistent with the objectives of the FMP and the Magnuson-Stevens Act.

The FMP would establish the following protocol which describes the roles of the Federal and State governments:

1. The Council will develop and amend the FMP to govern management of salmon fisheries in the EEZ, prescribing objectives and any management measures found by the Council and NMFS to be necessary for effective management. The State will promulgate regulations applicable to all vessels governing the fisheries in the EEZ that are consistent with the FMP, Magnuson-Stevens Act, and other applicable Federal law.

The following description of management measures is not intended to limit the State government to only these measures. However, implementation of other management measures not described in the FMP must be consistent with the FMP, the Magnuson-Stevens Act, and other applicable Federal law.

The FMP contains two categories of management measures:

Category 1: Federal management measures that are fixed in the FMP, implemented by Federal regulation, and require an FMP amendment to change.

Category 2: General management measures delegated to the State for implementation consistent with the FMP, MSA, and other applicable law.

Category 1 (Federal)	Category 2 (State)
<ul style="list-style-type: none"> <li>• Status Determination Criteria (optimum yield, overfishing and overfished)</li> <li>• Annual Catch Limits and Accountability Measures</li> <li>• Essential Fish Habitat</li> <li>• Standardized Bycatch Reporting</li> <li>• Recordkeeping and Reporting</li> <li>• Legal Gear</li> </ul>	<ul style="list-style-type: none"> <li>• Fishing Seasons</li> <li>• Closed Waters</li> <li>• Management Area, District, Subdistrict, Section, and Statistical Area Boundaries</li> <li>• Inseason Management</li> <li>• Limited Entry Permits</li> <li>• Recordkeeping and Reporting</li> <li>• Legal Gear</li> <li>• Vessel Size Limits</li> <li>• Other</li> </ul>

2. Representatives from the Council, NMFS, and NOAA General Counsel will coordinate with the State in the development of regulations for salmon fisheries management in the EEZ for the purpose of assisting the State in determining the extent to which proposed management measures are consistent with the FMP, Magnuson-Stevens Act, and other applicable Federal law. NMFS will review measures adopted by the State to determine if they are consistent with the FMP and the Magnuson-Stevens Act and its national standards in accordance with FMP Chapter 9.

3. Under FMP Chapter 9, the Secretary will consider only those appeals asserting that a State law is inconsistent with the Magnuson-Stevens Act, the FMP, or other applicable Federal law. If necessary, NMFS will issue Federal regulations to supersede in the EEZ

# MANAGEMENT MEASURES

 Category 1	 Category 2
<ul style="list-style-type: none"><li>• Status Determination Criteria</li><li>• Annual Catch Limits and Accountability Measures</li><li>• Essential Fish Habitat</li><li>• Standardized Bycatch Reporting</li><li>• Recordkeeping and Reporting</li><li>• Legal Gear</li></ul>	<ul style="list-style-type: none"><li>• Fishing Seasons</li><li>• Closed Waters</li><li>• Management Areas</li><li>• In-season Management</li><li>• Limited Entry Permits</li><li>• Recordkeeping and Reporting</li><li>• Legal Gear</li><li>• Vessel Size Limits</li><li>• Other</li></ul>

# MANAGEMENT MEASURES

## Fishing Seasons –

State - based on accumulated data and an extensive in-season data collection system that monitors run timing of stocks.

Federal - no in-season Federal data collection system. Would be static.

# MANAGEMENT MEASURES

## Closed Waters –

State – Identification of conservation needs, in-season management to achieve subsistence requirements and to promote conservation and sustained yield management of a specific salmon species or stock

Federal – possible long-term closures

# MANAGEMENT MEASURES

Management Area,  
District, Subdistrict,  
Section, and Statistical  
Area Boundaries –

State- system of management  
boundaries in the Cook Inlet  
EEZ

Federal – No such system, but  
could be done

# MANAGEMENT MEASURES

Legal Gear –

State – defines legal gear.

Federal – can be done

# MANAGEMENT MEASURES

## Inseason Management –

State – responsive to ongoing data collection on harvest. Adjusts time and area to modify harvest. Time and area in regs or by emergency order (weekly).

Federal – extensive, time-consuming rulemaking process



# MANAGEMENT MEASURES

Limited Entry Permits –

State - Limited Entry Act

Federal – FFL as required

# MANAGEMENT MEASURES

## Recordkeeping and Reporting –

State - fish tickets, methods of submitting, and frequency of submittal, logbooks.

Federal – other methods –  
eLandings, seaLandings,  
eLogbooks,tLandings

# MANAGEMENT MEASURES

Vessel size limits –

State - maximum length purse  
seine vessels

Federal – can be done