

C1 Cook Inlet Salmon FMP Amendment

The SSC reviewed the Environmental Assessment and Regulatory Impact Review (EA/RIR) for the proposed Amendment 16 to the Salmon Fishery Management Plan (FMP), which describes the alternatives and options for the inclusion of salmon fisheries in the Exclusive Economic Zone (EEZ) waters of Upper Cook Inlet (UCI) within the FMP. The EA/RIR describes four alternatives, only two of which appear viable under both MSA and court orders following litigation of this issue. Alternative 2 describes the process and considerations for federal management of fisheries within the UCI EEZ waters with specific management measures delegated to the State of Alaska, while Alternative 3 describes full federal management of fisheries in the EEZ within UCI. The SSC thanks the authors for their responsiveness to past SSC comments and for their careful consideration of methods for implementation and the potential impacts of the alternatives before the Council. Public comment was received from Ted Eischeid (Matanuska-Susitna Borough Fish and Wildlife Commission staff) and oral public testimony was received from Jim Sykes (Matsu Fish & Game) and Erik Huebsch (United Cook Inlet Drift Association).

The SSC highlights that this action necessitates a challenging blending of management paradigms and, as such, represents a compromise between standard practices in the escapement-based salmon management policy that has historically formed the basis for Alaskan salmon fishery management and specific regulatory requirements for harvest-based management under MSA. The SSC further highlights that either alternative will require significant coordination, data sharing and collaboration between NMFS and the Alaska Department of Fish and Game to ensure the fishery meets MSA requirements.

The SSC finds that this document is sufficient to inform the Council at final action. The EA/RIR has benefitted from a substantive revision to address several key issues highlighted during the October 2020 SSC review and additional considerations brought forward for specific alternatives and options. The document now describes the impact and implications for management of saltwater recreational fisheries within the EEZ region, including several options for implementation. The document acknowledges that recreational fishery removals within the EEZ are quite small in the context of total EEZ fishing mortality. The document has also been updated to describe several options for defining MSY and an OY range based on either (1) the history of catch, considering escapement goals, (2) the range of the sum of group-specific ACLs across years, or (3) the range between the average of the three lowest and three highest salmon harvests within the EEZ. The SSC notes that these alternative approaches for defining the OY range lead to very different results in some cases. Which of these approaches is most applicable requires additional consideration in the context of the purpose behind the OY definition.

The SSC also highlights that the definition of MSY within this context is not consistent with the way MSY is estimated in standard stock-recruitment analyses for (Tier 1) salmon stocks. However, it is consistent with the proposed status determination criteria (SDC), which are defined relative to the lower bound of the escapement goal range. With respect to the analysis of impacts among alternatives, the current document presents a clear description of the annual and multi-year processes and timelines for implementation and review of data and stock status, and the specific roles of NMFS, ADF&G, a potential Salmon Plan Team, the SSC and the Council. **The description and equations for the calculation of maximum fishing mortality thresholds (MFMT) and the minimum stock size thresholds (MSST), annual catch limits, and ABC appear reasonable and consistent with MSA requirements. However, the SSC highlights that it remains clear that these EEZ management measures require considerable development before implementation, with several specific decisions deferred to NMFS or a future Salmon Plan Team.** For example, the question of what to do when data are unavailable from specific escapement enumeration projects in a given year was highlighted in public testimony. The SSC feels it is reasonable to expect that some of these lingering questions will be addressed by the relevant bodies as this process moves toward implementation.

The SSC again commends the analysts on developing detailed and insightful profiles of the communities engaged in this fishery. The profiles are supported by data that are collected by the State of Alaska for salmon fisheries but are not common in other fisheries within Council jurisdiction. Nevertheless, the analysts were able to describe the impacts of the alternatives only in qualitative terms. The SSC notes that modeling tools exist to understand how permanent or in-season closures of the EEZ will displace effort, and capture associated changes in production efficiency, competition with other fleets, and accessibility of the resource to different harvesting communities. However, it is not clear if available data are sufficient to inform such models.

The SSC acknowledges that this comprehensive analysis does not mean that anyone will be satisfied with the outcome, as evidenced by public testimony. Neither of the alternatives before the Council are likely to address the objectives of fishery participants when they pursued federal management of the Cook Inlet EEZ waters, and in fact are likely to result in both increased data and reporting burden, and the potential for more restrictive management of harvest in EEZ waters.

The SSC provides the following additional recommendations for the EA/RIR:

- NMFS staff, or a Salmon Plan Team if created, should consider scaling the level of precaution represented in the ABC calculation as a function of past preseason forecast performance, which will depend on the forecast methodology used and the available data. The SSC suggests that this be noted in the document.
- In the specific case of Kenai River late-run Chinook salmon, for which the existing escapement goal is size-based (≥ 75 cm), careful consideration is necessary to ensure all calculations for potential yield, SDC, ABC, and other management quantities, are represented in the common currency of large-sized Chinook salmon. For example, in ABC calculations based on the escapement goal, average harvest fraction in State waters, and the preseason forecast, both the State waters harvest fraction and preseason forecast would also need to be in terms of large Chinook. The SSC suggests that a footnote be included to highlight this point for specific calculations throughout the document.