

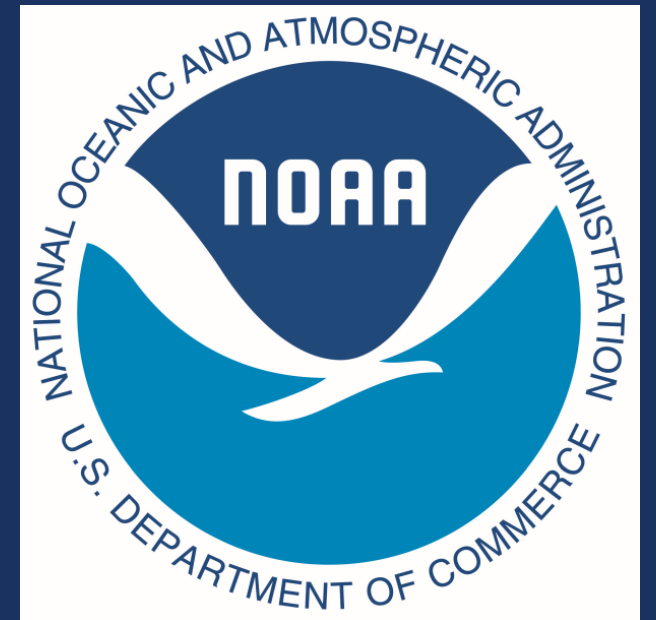
C4 COOK INLET SALMON *INITIAL REVIEW – SSC*

DOUG DUNCAN, NMFS AKRO

GRETCHEN HARRINGTON, NMFS AKRO

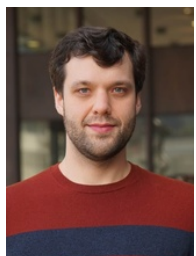
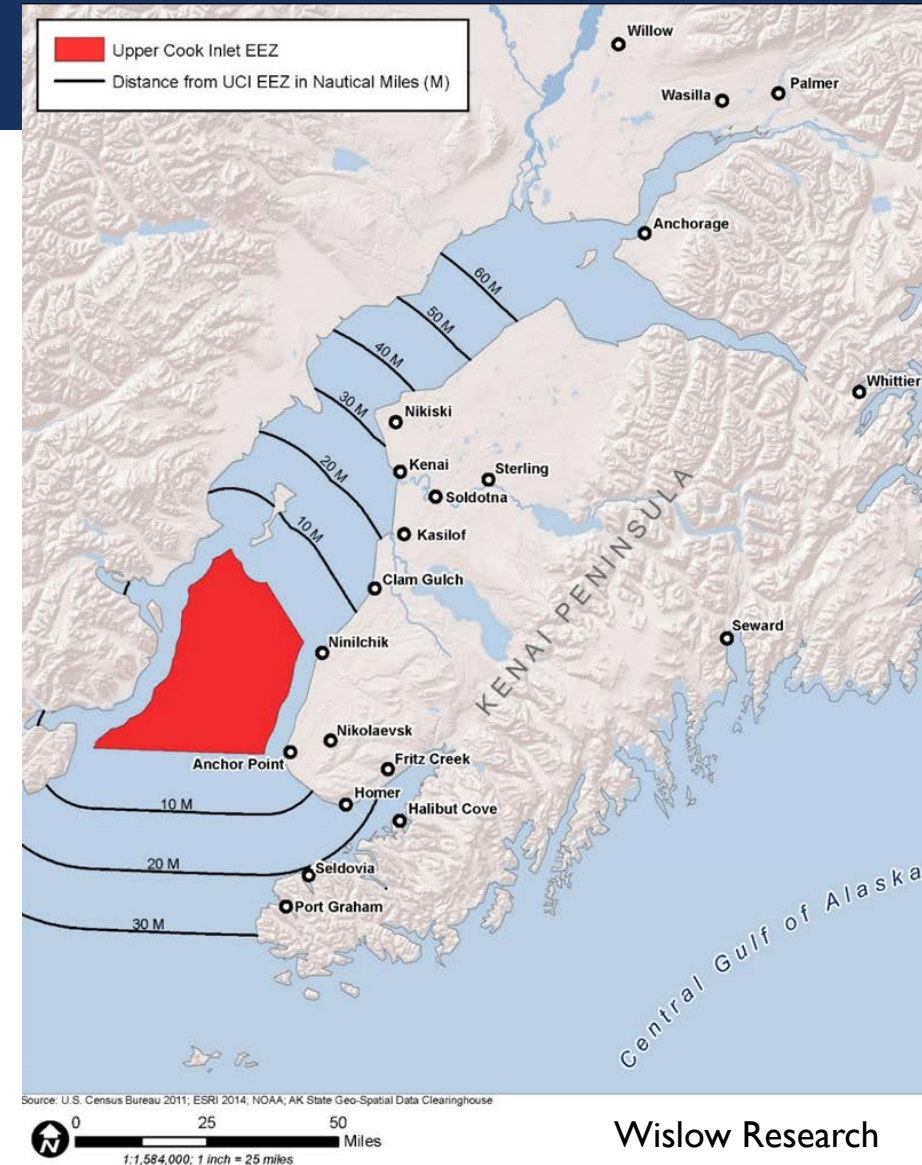
MARCUS HARTLEY, NORTHERN ECONOMICS

9/30/20



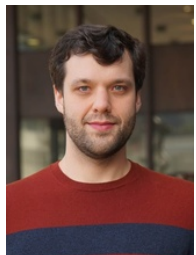
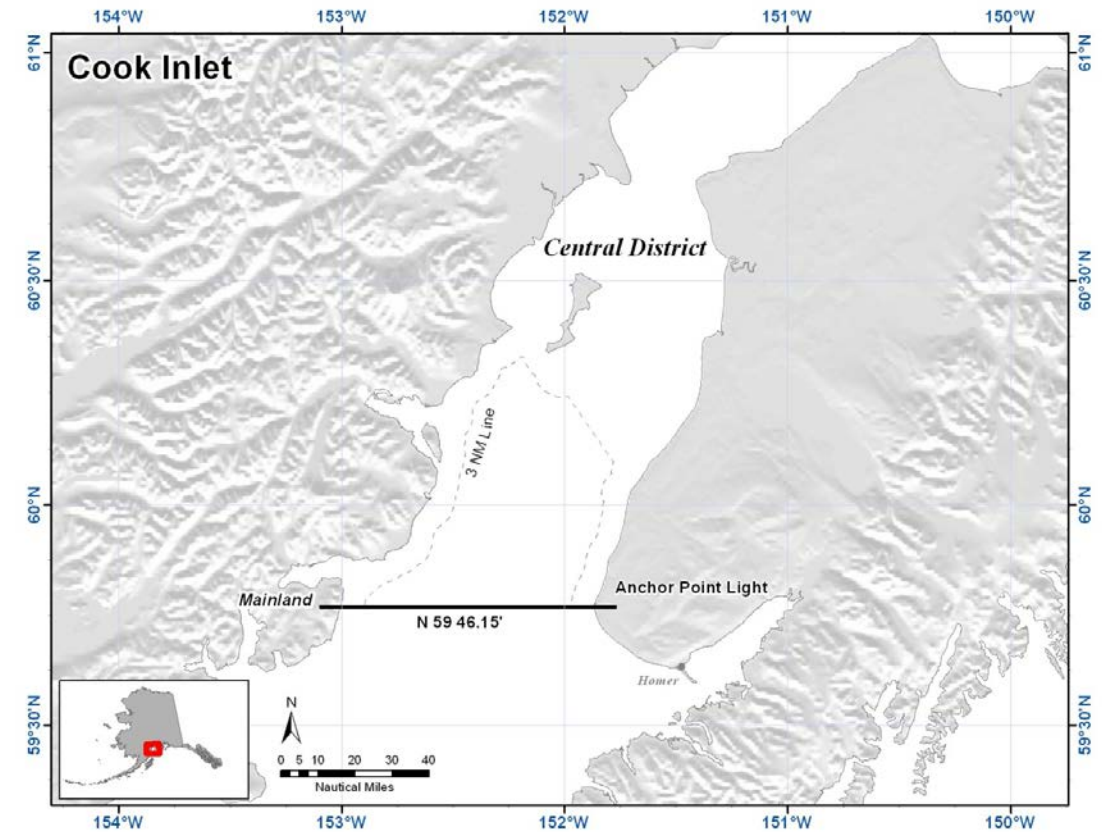
ACTION

- Amend the Salmon FMP and Federal regulations to include the upper Cook Inlet EEZ commercial drift gillnet salmon fishery



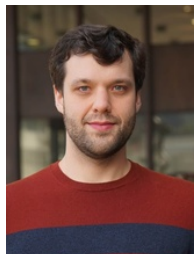
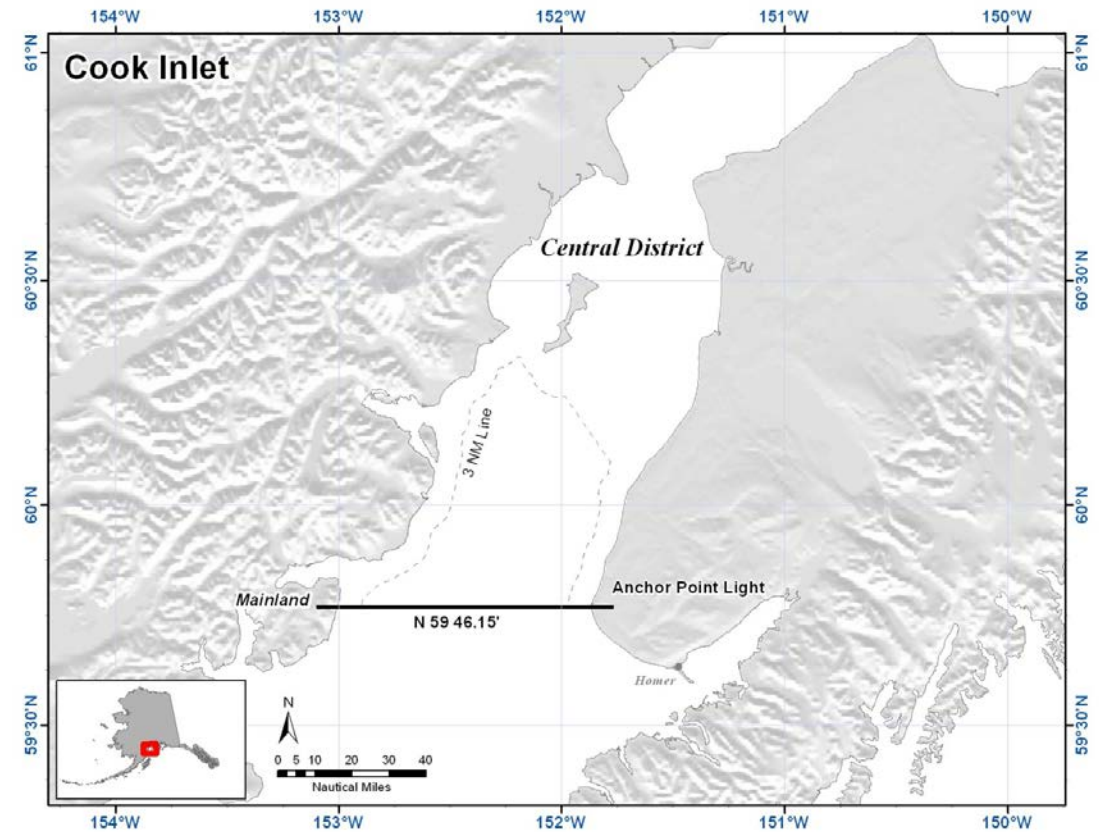
INITIAL REVIEW

- SSC
 - Review responses to SSC comments and additions to the analysis
- Council
 - Review alternatives, impact analysis, and potentially select PPA



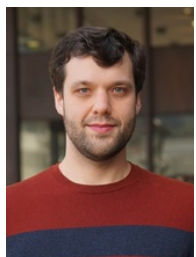
MATERIALS

- Action Memo
- *Initial Review Draft EA/RIR*
- Presentation



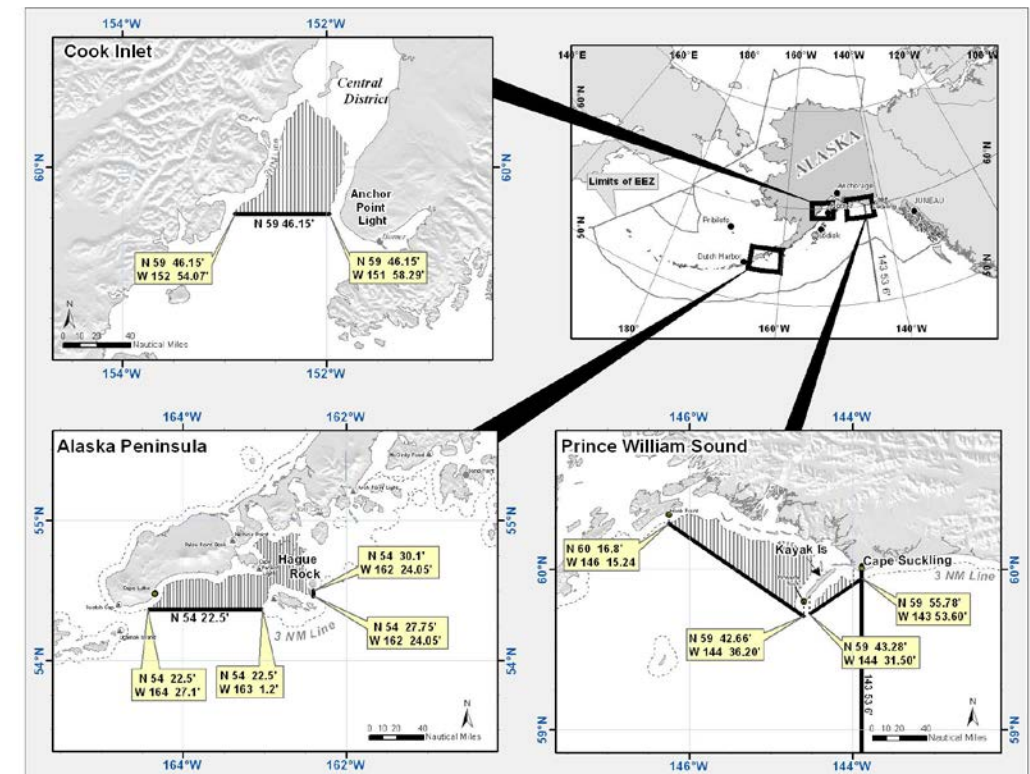
STAFF PRESENTATIONS

- **Background, Alternatives, and EA** – Doug Duncan & Gretchen Harrington, NMFS Alaska Regional Office
- **Regulatory Impact Review** – Marcus Hartley, Northern Economics
- **Fishing Community Assessment** – Mike Downs, Wislow Research
- **Workgroup staff available for questions** – Forrest Bowers (ADF&G), Dr. Andrew Munro (ADF&G), Dr. Curry Cunningham (UAF), Dr. Jordan Watson (NMFS), Lauren Smoker (NOAA GC)



BACKGROUND

- Dec 2012 Amendment 12
 - Updated FMP to comply with the MSA
 - Removed Cook Inlet, PWS, S.AK Pen.
- Jan 2013 UCIDA Lawsuit
- Sep 2016 9th Circuit rules in favor of Plaintiffs
- Apr 2017 Council initiates action
- Jan 2020 Court orders Dec 31, 2020 deadline



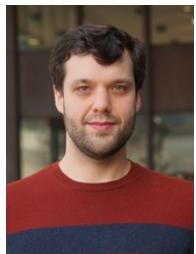
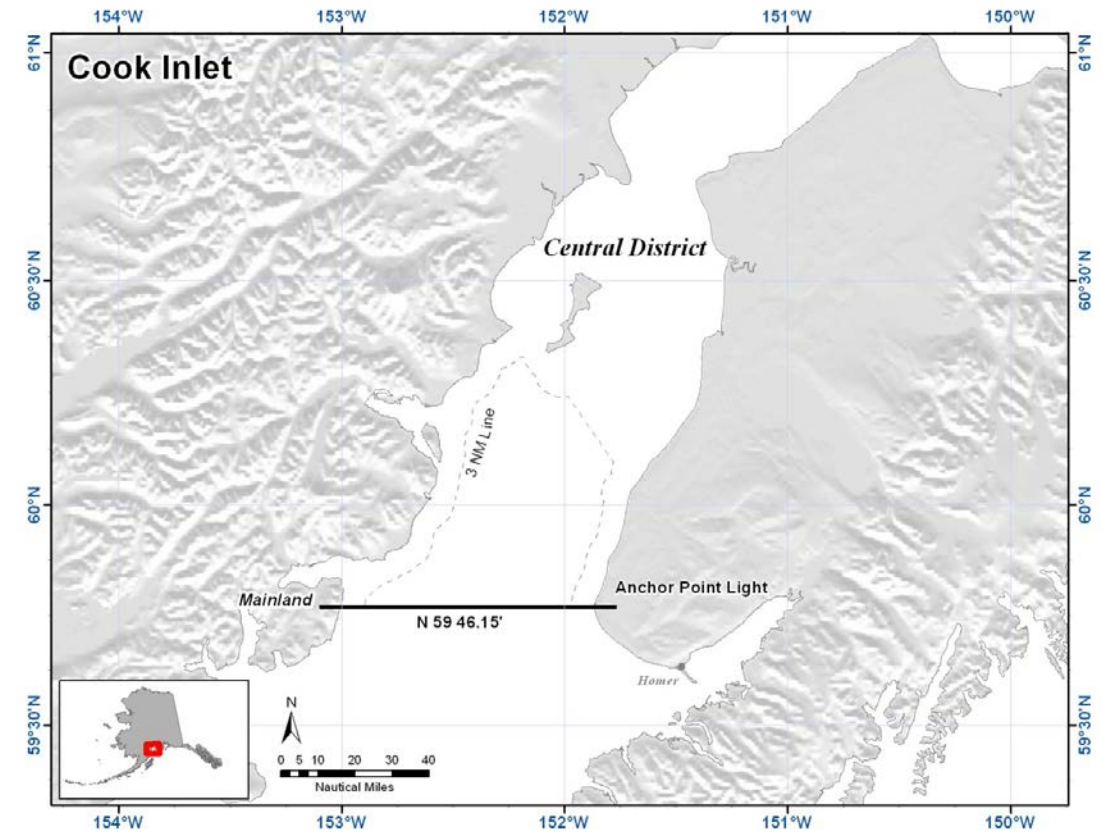
PURPOSE AND NEED (JUNE 2020 – 2.1, PG. 56)

*The Council intends to amend the Salmon FMP to **manage the traditional net fishing area that occurs in Federal waters of Cook Inlet**. Federal management in an FMP must meet the Magnuson-Stevens Act required provisions for an FMP in section 303(a) and related Magnuson-Stevens Act provisions. This proposed action is necessary to bring the Salmon FMP into compliance with the Magnuson-Stevens Act consistent with the recent Ninth Circuit ruling and the Judgement of the District Court in UCIDA et al., v. NMFS.*



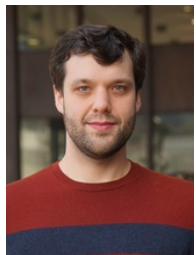
ALTERNATIVES (2.2, PG. 57)

- **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.**



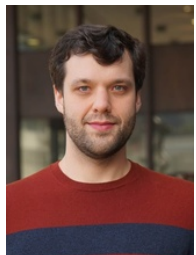
RESPONSES TO SSC COMMENTS

- Helpful review at the April 2019 and June 2020 meetings
- This presentation focuses on:
 - Comment responses
 - Document changes



DESCRIPTION OF THE ALTERNATIVES

- Improved description and comparison of alternatives
 - Executive Summary Tables (Pg. 6-11)
 - Parallel structure
 - Streamlined descriptions
 - Improved consistency of terms used



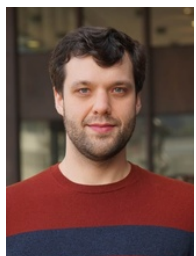
COMPARISON OF ALTERNATIVES

- Table ES-1 (pg. 6) summarizes and compares Alternatives

C4 Cook Inlet Salmon Initial Review
OCTOBER 2020

Table ES-1 Summary of Alternatives and their elements

	Alternative 1 No Action/Status Quo	Alternative 2 Federal Management/Delegation to the State	Alternative 3 Federal Management/No Delegation to the State
Who can fish?	<ul style="list-style-type: none"> Persons holding limited entry permits issued by CFEC 	<ul style="list-style-type: none"> Persons with CFEC permits allowed by the State, consistent with FMP criteria FFP endorsed for salmon FFP for groundfish retention 	<ul style="list-style-type: none"> Persons holding applicable CFEC permits, consistent with FMP criteria FFP required
When can they fish?	<ul style="list-style-type: none"> Times allowed by ADF&G/BoF 	<ul style="list-style-type: none"> Times allowed by ADF&G, consistent with FMP criteria 	<ul style="list-style-type: none"> Times allowed by the FMP and Federal regulations Federal regulations would set opening date and fishing days and inseason management would close the fishery to avoid exceeding the TAC <ul style="list-style-type: none"> Option 1: Mirror State fishing periods (additional monitoring of State vessels would be required) Option 2: Open the EEZ fishery off-cycle with State fishing periods
Where can they fish?	<ul style="list-style-type: none"> Areas allowed by ADF&G/BoF 	<ul style="list-style-type: none"> Areas allowed by ADF&G, consistent with FMP criteria 	<ul style="list-style-type: none"> EEZ areas allowed by the FMP and Federal regulations <ul style="list-style-type: none"> Option 1: Federal Regulations could mirror State fishing areas OR Option 2: Independent EEZ open areas



STATUS DETERMINATION CRITERIA

- Streamlined SDC descriptions in Alts 2 and 3 (2.4.4, pg. 69, and 2.5.4, pg. 88)
 - Incorporate SSC comments
 - Clarify default (not fixed) values in the Tiers
 - MSY control rule uses lower bound of the escapement goal as example/default for the analysis
 - Clarifies that SPT/SSC can specify an appropriate value during annual process
 - Consistent use of terms
- Added Appendices:
 - Incorporation of Uncertainty into Escapement Goal Development and Management of Pacific Salmon in Alaska
 - Exploration of Overcompensation and the Spawning Abundance Producing Maximum Sustainable Yield for Upper Cook Inlet Sockeye Salmon Stocks



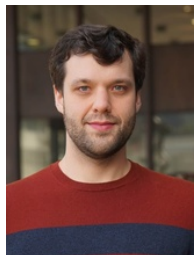
STATUS DETERMINATION CRITERIA

- Revised Section 3.1 to analyze the SDC by applying the Tier system using historical data.
 - Overview of State salmon management
 - Analysis of Alternative 1 - 2009 to 2018 escapement data compared to current escapement goals
 - Impacts of the Tier system on Cook Inlet salmon stocks under Alt. 2 and Alt. 3
 - Identifies the stocks that would be in each tier based on available information
 - Applies the Tier system to each stock or stock complex using data from 1999 to 2018.
 - Identifies when a salmon stock or complex would have been overfished, overfishing occurred, or an ACL exceeded



ANNUAL PROCESSES

- Intended to be flexible, generally not fixed in the FMP
- Potential annual processes summarized in Tables ES-2 & ES-3 (pg. 8)
- Goal would be to efficiently integrate with existing management activity



Preseason

- **State**
 - Forecasts of salmon runs
 - Reg. restrictions, timing of openings in place
 - **Federal TAC, fishing periods known***
- **Federal**
 - Preseason ACL
 - Harvest Specs/TAC*



Postseason

- **State**
 - Annual management reports
 - Final run, harvest, escapements
 - Escapement goal review
- **Federal**
 - Postseason ACL (SDC)
 - Accountability Measures
 - SAFE

Inseason (June to Sept.)

- **State**
 - Monitor escapement
 - Monitor harvest
 - Adjust times/areas of openings
 - **EEZ harvest factored in***
- **Federal**
 - Catch monitoring*
 - Federal closure*

WITHIN YEAR PROCESS

(Specific steps not prescribed
in FMP)

*only under
Alt 3



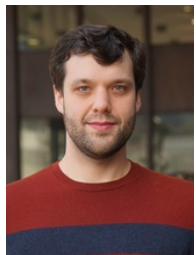
CATCH ACCOUNTING REQUIREMENTS

- Action alternatives require differentiating State/EEZ harvests
- Alt. 2 – SDC/ACLs (2.4.8, pg. 78)
 - Required: FFP, logbook, fish tickets/eLandings reporting
- Alt. 3 – SDC/ACLs, inseason management (2.5.7, pg. 93)
 - Required: FFP, logbook, VMS, eLandings reporting
 - No concurrent EEZ/State waters openings without additional State monitoring
- EEZ groundfish bycatch, SBRM



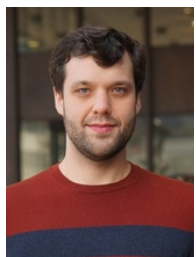
NEW SECTION: ALTERNATIVES CONSIDERED BUT NOT MOVED FORWARD FOR ANALYSIS

- Cook Inlet Salmon Committee recommendations are addressed in detail in Section 2.6 (pg. 100)



GENERAL EA COMMENTS

- No significant impacts expected
- Updated salmon stocks information (3.1, pg. 109)
- Updated Cook Inlet beluga information (3.3.1, pg. 136)
 - Desire to improve escapement monitoring
- Added cumulative effects on habitat section (3.6.2, pg. 160)
- Updated climate change information (3.6.3, pg. 162)



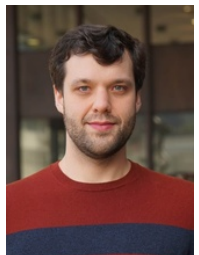
GENERAL RIR ADDITIONS & COMMENTS

- Alt. 3 impacts
- Logbook costs – paper logbook expected, no cost to participants
- VMS cost offsets (4.7.2.2.6, pg. 280)
- Stock identification – some info available, develop methodology
- Impacts to processors (4.7, particularly 4.7.2.2.7. pg. 282)



FISHING COMMUNITIES

- Information has been added on the historical closing of two processors in Ninilchik mentioned in public comment.
- Aside from edits for clarity, no other changes have been made to fishing communities historical/existing conditions information in Section 4.5.5.
- After selection of PPA, analysis of social/community impacts will be revised and/or supplemented as relevant.



RIR CONCLUSIONS FOR ALTERNATIVE I (PAGE 265)

- Alternative I would not change the State's management of the UCI salmon drift gillnet fishery in either Federal or State waters.
- Harvest levels will likely fluctuate from year to year due to the inherent annual variability in the scale of wild salmon runs (Figure 4-5).
- The drift gillnet fleet's proportion of total catch by all user groups would likely stay the same on average.



RIR CONCLUSIONS FOR ALTERNATIVE 2 (PAGE 265)

- Pre-season ACLs would be set for each salmon stock, evaluated post-season
- If no post-season ACLs are exceeded and no overfishing is occurring then harvests...
 - ... in the drift gillnet fishery are not expected to differ from Alternative 1.
 - Harvests in the set gillnet fishery, and harvests of recreational, personal use, and subsistence fisheries would also be unaffected.
- If ACLs are exceeded or overfishing is occurring then the Council would request the State to take remedial measures.
 - If remedial measures are deemed adequate then no further federal action would be required.



RIR CONCLUSIONS FOR ALTERNATIVE 3 (PAGE 266)

- Pre-season ACLs would be set for each salmon stock, evaluated post-season
- Binding TACs would be set for the drift gillnet fishery in the EEZ for each salmon species.
- Due to uncertainty inherent to forecast-based TACs for the EEZ, they would have to be set conservatively to avoid over harvesting if there is a weaker than forecast return.
- When the TAC is attained, no additional commercial harvests in the EEZ would be allowed.
- The overall result would likely be a lower harvest levels for the EEZ UCI drift gillnet fleet on average.
- Management and catch accounting will likely require that drift gillnet openings in the EEZ and in State waters are “non-concurrent”
- In order to consider simultaneous openings, the State would need to impose a VMS requirement for their waters



VMS COSTS AND POTENTIAL REIMBURSEMENTS

- Table 4-35 (page 280) provides estimates of VMS Installation and Operational Costs
 - Total Installation Costs are estimated to be \approx \$3,500
 - Total Operating Costs could be as high as \$815. The relatively short UCI drift gillnet fishing season may result in lower annual costs.
- The Vessel Monitoring System Reimbursement Program could potentially provide eligible users up to \$3,100 of the initial installation costs.
 - Operating costs are not covered in the program
 - The program is funded by NOAA Fisheries and administered by the Pacific States Marine Fisheries Commission.



RIR DISCUSSION OF MANAGEMENT AND ENFORCEMENT

- This is a new section 4.8 developed by NMFS-AKR (see page 287).
- Rationale for reporting under Alternative 2 and Alternative 3.
- Minimum requirements of catch monitoring under Alternative 3
 - Deliveries from a single drift gillnet fishing trip cannot include harvests from both the EEZ and State waters.
 - A Federal VMS requirement for salmon drift gillnet vessels registered to fish in the EEZ ensures that VMS-equipped vessels fish only in state waters or only in the EEZ.
 - But vessels not registered to fish in Federal waters would not be required to have VMS units.
 - Ensuring vessels without a VMS do not fish in the EEZ requires that EEZ and state-water openings are “non-concurrent”
- Impacts of non-concurrent openings on the drift gillnet fleet will be difficult to assess



Questions?



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