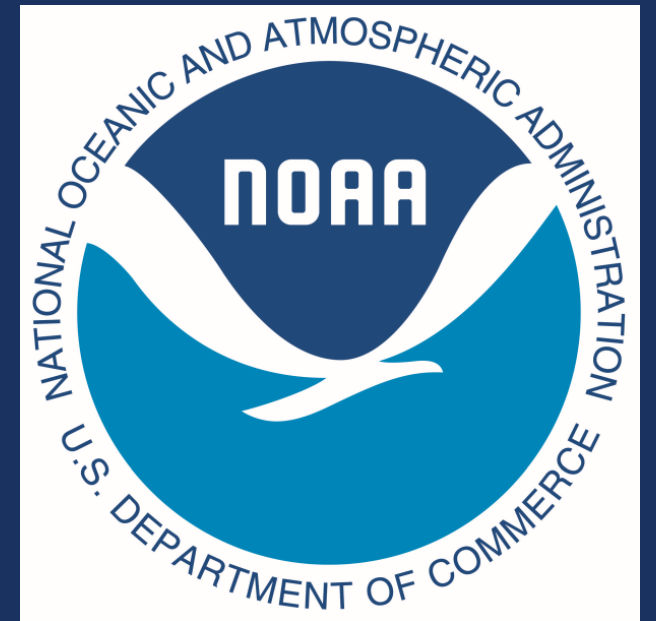


C4 COOK INLET SALMON *INITIAL REVIEW – COUNCIL*

DOUG DUNCAN, NMFS AKRO – 10/12/2020

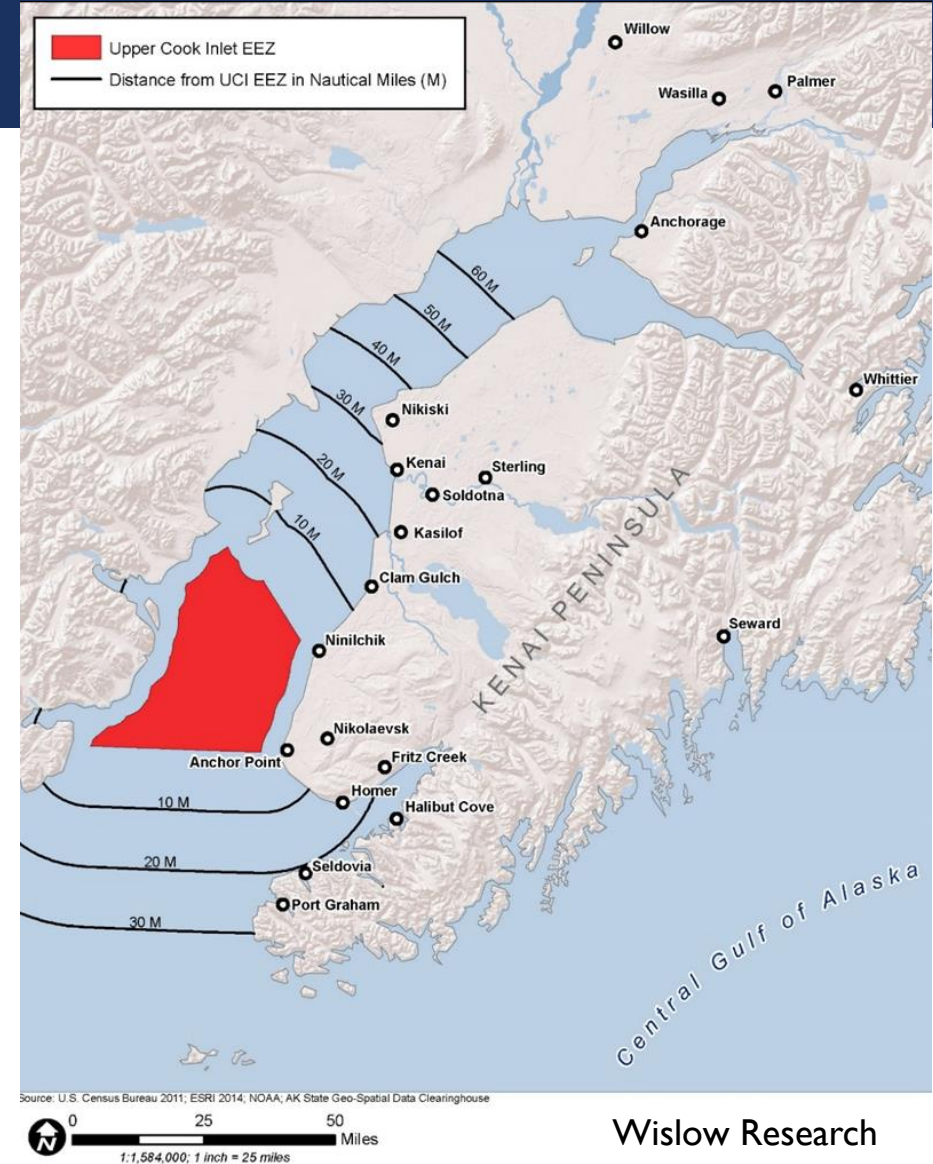


Patrick Dixon Fine Art Photography



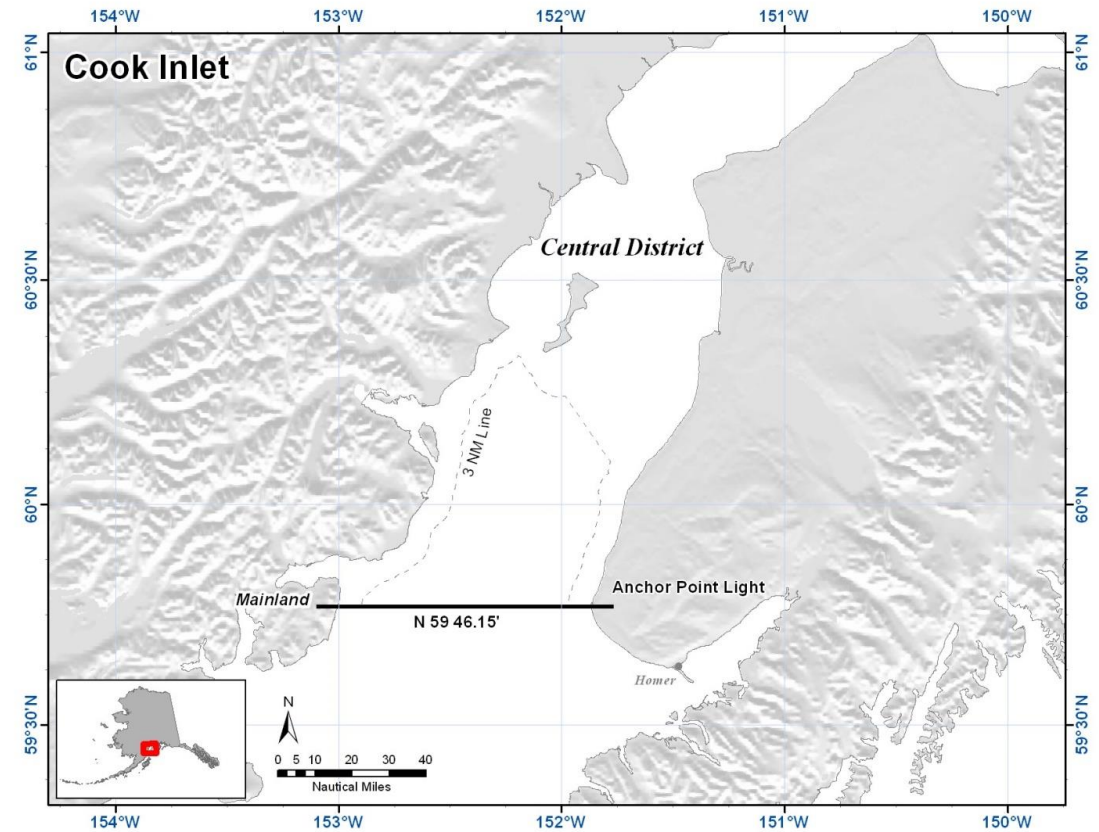
ACTION

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



INITIAL REVIEW - MATERIALS

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

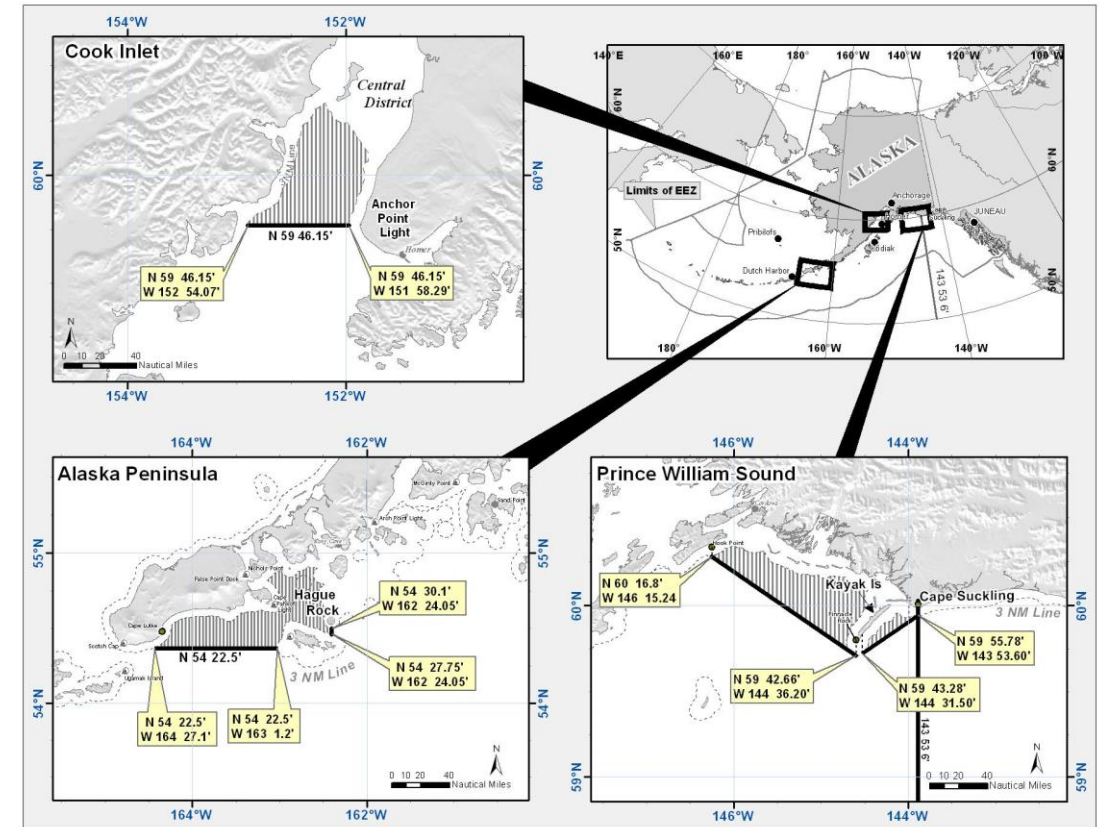
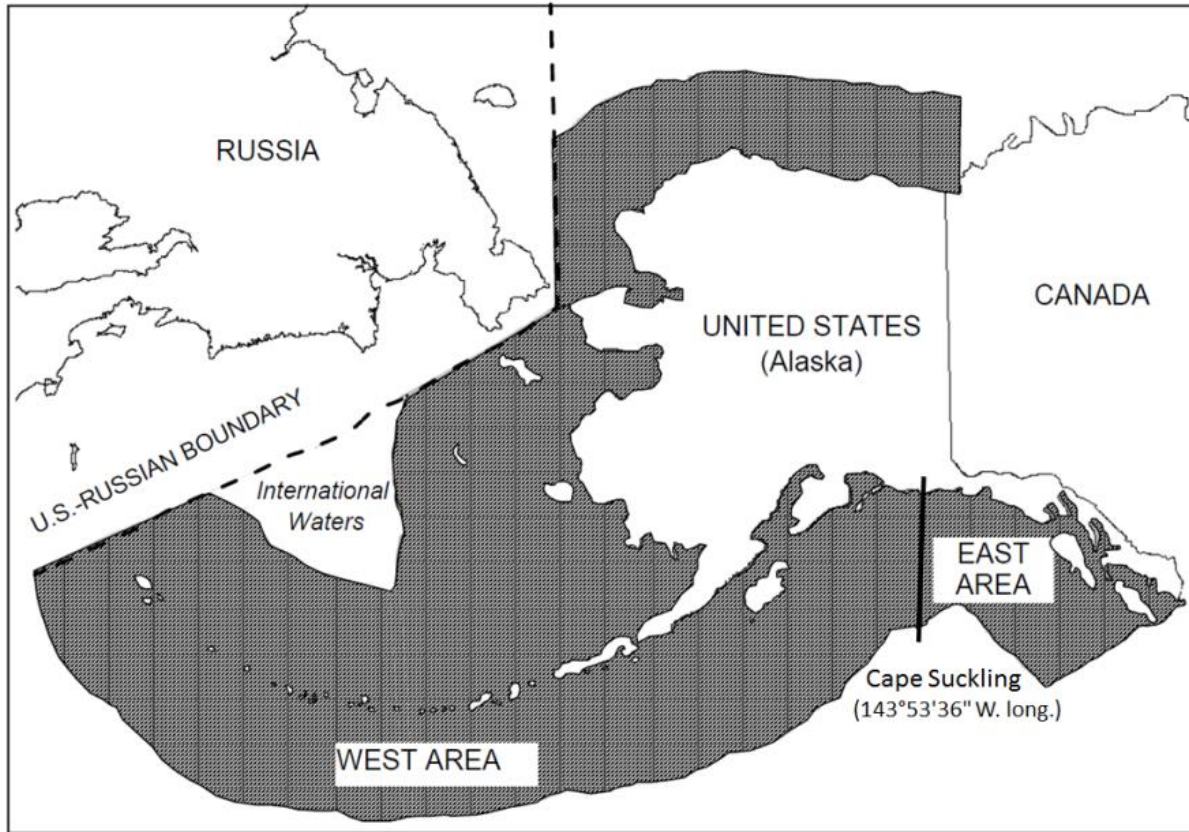


TODAY'S PRESENTATION

- Builds on review at the April 2019 and June 2020 meetings
- This presentation focuses on:
 - Comment responses
 - Document changes
- **Workgroup staff available for questions** – Gretchen Harrington (NMFS), Forrest Bowers (ADF&G), Marcus Hartley (Northern Economics), Mike Downs (Wislow Research), Jim Armstrong (Council Staff), Lauren Smoker (NOAA GC)



BACKGROUND (I.I, PG. 21)

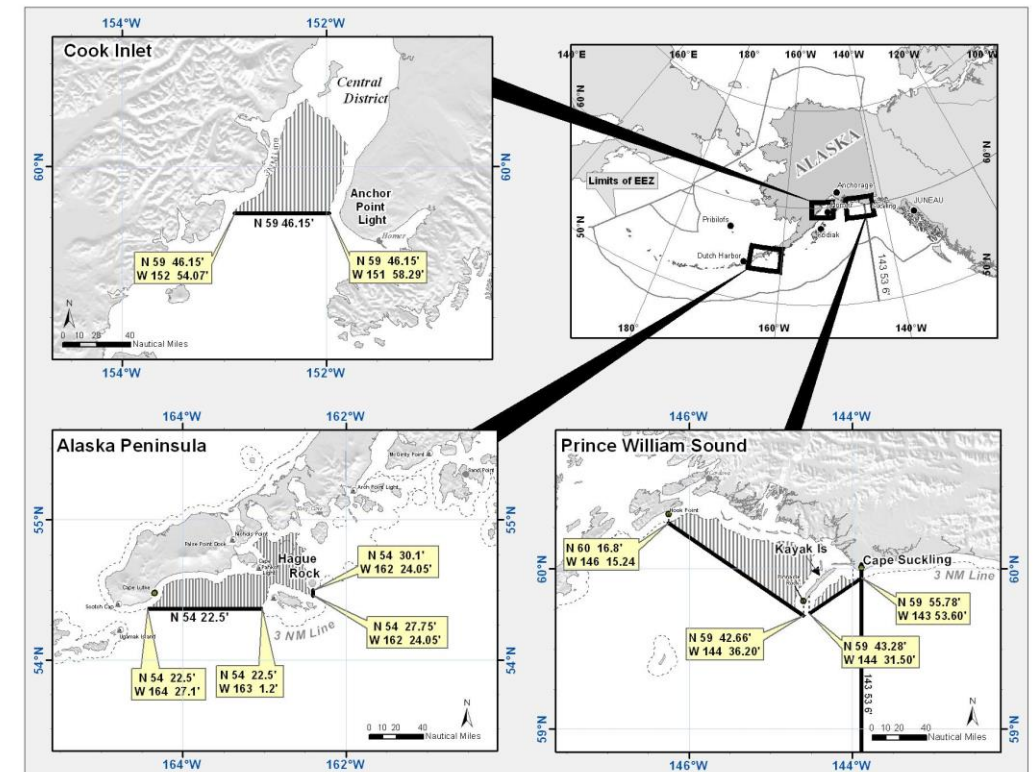


- Commercial Salmon fishing in the EEZ is prohibited in the West Area
- Except 3 “traditional net fishing areas” excluded from the Salmon FMP



BACKGROUND (I.2, PG. 29)

- 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



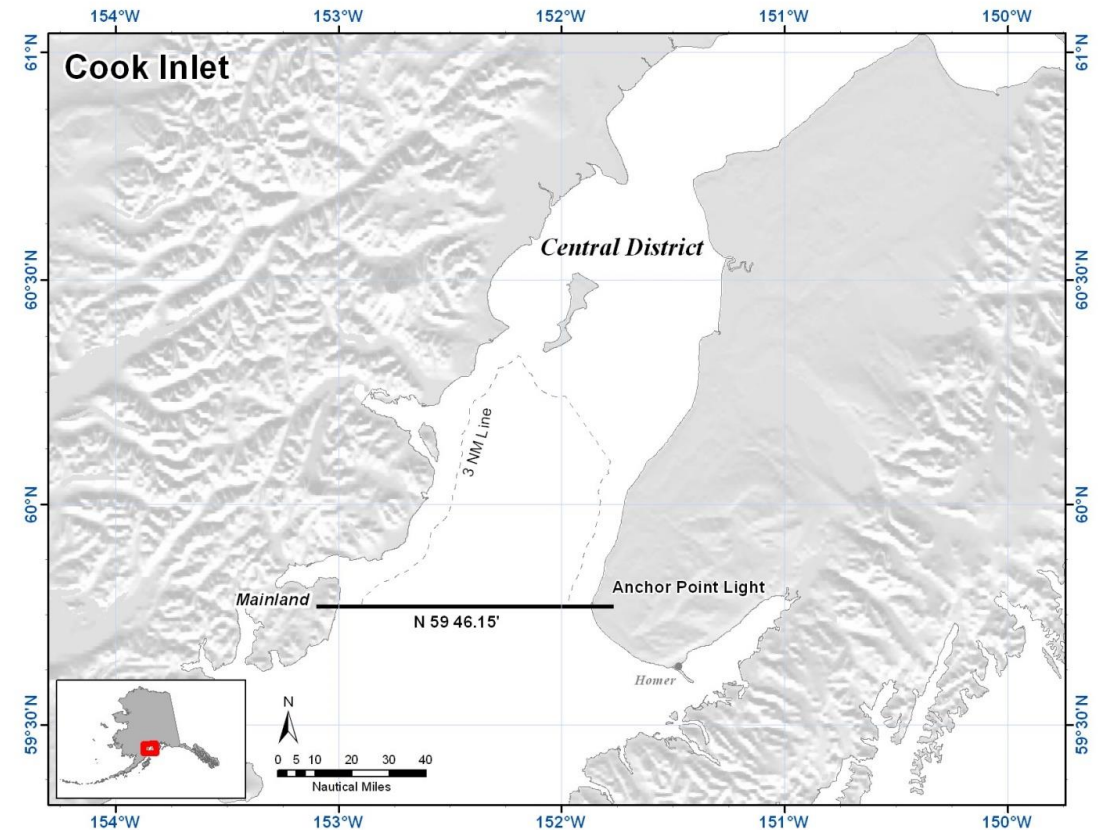
PURPOSE AND NEED (JUNE 2020 – 2.1, PG. 56)

*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.**



DESCRIPTION OF THE ALTERNATIVES

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

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)



STATUS DETERMINATION CRITERIA

- Streamlined SDC descriptions in Alts 2 and 3 (2.4.4, pg. 69, and 2.5.4, pg. 88)
- Analysis of Alternative 1 - 2009 to 2018 escapement data compared to current escapement goals (3.1.1, pg. 111)
- Analysis of Alt 2 and 3 - Applied SDC to Cook Inlet salmon stocks (3.1.2, pg. 116)
 - Applies the Tier system to each stock or stock complex using data from 1999 to 2018.
 - Identifies when overfished/overfishing status occurred, or an ACL was exceeded
 - ACLs apply only to the EEZ



ANNUAL PROCESSES

- Decision points and potential annual processes summarized in Tables ES-2 & ES-3 (pg. 8)
- Intended to be flexible, generally not fixed in the FMP
- 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
- EEZ groundfish bycatch, SBRM



NEW SECTION: MANAGEMENT & ENFORCEMENT CONSIDERATIONS (4.8, PG 287)

- Rationale for reporting under Alternative 2 and Alternative 3.
- Minimum requirements of catch monitoring under Alternative 3
 - No mixed EEZ and State water fishing trips.
 - A Federal VMS requirement ensures that vessels fish only in the EEZ on a given trip.
 - Vessels not registered to fish in Federal waters could 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”
- Need to assess impacts of non-concurrent openings on the drift gillnet fleet



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

- Logbook costs – paper logbook expected, no cost to participants
- VMS cost offsets (4.7.2.2.6, pg. 280)
- Impacts to processors (4.7, particularly 4.7.2.2.7. pg. 282)
- Addressed historical closing of two processors in Ninilchik (pg. 233)



RIR CONCLUSIONS FOR ALTERNATIVE I (PAGE 265)

- Alternative I would not change State 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 salmon runs (Figure 4-5).



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 are not expected to differ from Alternative 1.
- 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”



Questions?



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