



Cook Inlet Salmon Committee REPORT

September 30, 2019, 9:00 am – 5:00 pm
Best Western Hotel, 575 Sterling Hwy, Homer, AK

The Cook Inlet Salmon Committee met to continue developing recommendations to the Council on management measures needed to extend federal management authority to salmon fisheries in EEZ waters of Cook Inlet. ([link to Meeting Agenda](#))

Committee Members in attendance:

Karla Bush (**Co-Chair**)
John Jensen (**Co-Chair**)
Dan Anderson (Homer)
Jeff Berger (Ninilchik)
Mark Casseri (Kasilof)

Georgeanna Heaverley (Anchorage)
Hannah Heimbuch (Homer)
Eric Huebsch (Kasilof)
Dino Sutherland (Eagle River)

Others in attendance (*salmon amendment workgroup members in italics*):

Donna Aderhold (Gulf Watch Alaska)
Matt Alward (salmon fisherman)
Jim Armstrong (Council Staff)
Forrest Bowers (ADF&G)
Catherine Cassidy (salmon fisherman)
Julianne Curry (Icicle Seafoods)
Doug Duncan (NMFS)
Diana Evans (Council Staff)
Duncan Fields (Kodiak Salmon Workgroup)
Gretchen Harrington (NMFS)
Brian Harrison (Drift fisherman)
James Hasbrouk (ADF&G)
Kendall Henry (ADF&G Ext. Jur.)
Wes Humbyrd (UCIDA)
David Martin (UCIDA/CIFF)
Jim Martin (Alaska Charter Assn.)
Joe Martishev (UCIDA)
Spiridon Martushoff (UCIDA)
Sue Mauger (Inletkeeper)

Alaine Maw (salmon fishery)
Roland Maw (UCIDA)
John McCombs (CIFF)
Matt Oxford (self)
Matt Paneratz (UCIDA)
Larry Reator (salmon fisherman)
Jan Rumble (ADF&G)
Revelle Russell (UCIDA)
Audrey Salmon (UCIDA)
John Scoblic (Trident, AP)
Lauren Smoker (NOAA General Counsel)
Dyer Van Deveve (UCIDA)
Steve Vanek (UCIDA/CIFF)
Sarah Vance (Rep, AK Legis, House Fisheries)
Jordan Watson (NMFS)
David Witherell (Council Staff)
Robert Wolfe (Chugach Wild/UCIDA)
John Wood (self)
Vasily Yakunin (F/V Charisma/UCIDA)

Administrative Issues

The meeting began at 9:00 a.m., and Committee members (all present) and others in attendance introduced themselves. New to the Committee at this meeting were Georgeanna Heaverley, selected to represent new/recent entrants to the fishery, and Karla Bush, appointed to Co-Chair the Committee with John Jensen. Agenda items were addressed by the Committee in the posted order, which is reflected below, and public comments, often spontaneous at previous meetings, were generously allowed for, but at discrete intervals under the rules established by the Chairs.

The availability of a teleconference listen-in option for the public was advertised on the [Committee meeting webpage](#), which also provided links to all meeting documents and presentations. A discussion paper initially provided to the Council in April 2017 and updated most recently in April 2019 continues to serve as a reference for exploration of preliminary management measures. The Committee is still in the process of developing recommendations based on information provided in the latest version. Other stand-alone documents were provided by staff at this meeting to facilitate Committee discussion. In this report, Committee recommendations are highlighted in **bold font**.

Delegation of Management Measures

At its December 4, 2018, meeting, the Committee identified Alternative 2 as its preferred alternative and decided to focus on developing management measures under that alternative.

This agenda item was a continuation from the March and April 2019 meetings, and it was brought up that the Committee was going to provide “redline” comments on measures identified in the discussion paper. Members of the Committee, however, remarked that they were unsure about both the mechanics and efficiency involved in circulating multiple redline versions of the document. A workgroup member suggested Google docs, or some other online tool be used to allow multiple active users to suggest edits and the Committee was interested in using this approach.

Under Alternative 2, commercial salmon fisheries in EEZ waters of Cook Inlet would be cooperatively managed with the State of Alaska, and authority would be delegated to the State for several types of management measures. Under Alternative 2, the Fishery Management Plan (FMP) would establish two categories of management measures. Category I is for Federal management measures. Category II management measures would be delegated to the State and the FMP would establish criteria for each type of management measure to guide the State in adopting and implementing these management measures. Section 2.4.3 of the discussion paper provides a preliminary list of the Category II management measures and criteria for each management measure. The criteria represent all of the types of management measures that the State could enact under the FMP, but Category II does not prescribe that the State must enact management measures under each of the criteria. The Committee was interested in identifying/developing mechanisms for constraining State management for most of the criteria. The BSAI Crab FMP was suggested by staff as providing examples of criteria that could be stipulated in the Federal FMP for constraining the latitude of the State on Category II measures. Jim Armstrong provided a presentation to allow the Committee to develop recommendations for each of the Category II management measures. The Committee’s recommendations are listed below:

Fishing Seasons	Recommendation: Category II with criteria. Recognition that Federally imposed seasons would likely be static. The Committee expressed concern about State adoption of fishing seasons to meet “economic and social objectives” and recommended that constraints be developed to confine fishing season setting to achieving biological goals.
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Closed Waters	Recommendation: Category II with criteria. Recognition that Committee discussion reflected concern about the definitions of subsistence fisheries as differentiated from personal use fisheries. Additionally, it was suggested that State goals associated with closed waters could be modified. The discussion paper states that “sustained yield” is one such goal.
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Management Areas	Recommendation: Category I and Category II with criteria. Limited Committee discussion. Recognition that federal management areas could be established (Cat I), and continued comment on difficulty in differentiating state/fed waters, further discussion under the subsequent agenda item (reporting and monitoring).
Legal Gear	Recommendation: Category I and Category II with criteria. There was discussion/concern about avoiding conflicts between federal and state gear definitions.
In-Season Management	Recommendation: Category II with criteria. Recognition that there is no federal infrastructure for monitoring run size and adjusting harvest accordingly. Comments reflected concern about prioritization of user groups.
Limited Entry Permits	Recommendation: Category I and Category II. Limited Committee discussion.
Recordkeeping and Reporting	Recommendation: Category I and Category II. Comment noted an apparent glitch in the State system with respect to reporting by statistical sub-areas in Cook Inlet, where only the larger stat area is accepted by the system. This issue is covered under a subsequent agenda item.
Vessel Size	Recommendation: Category I and Category II. Limited Committee discussion.
Other	Recommendation: Develop process for stakeholder involvement in “Plan Team” reviews of information supporting harvest limit setting. Additional comment/discussion on whether we are ready to develop an analytical document.

Committee members asked what in the FMP will make the State comply with the MSA or the criteria in the FMP. Gretchen Harrington pointed out that the FMP would establish the authority for the State to comply with it, the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and applicable Federal law, as explained in section 2.4.2 of the discussion paper. Under § 306(a)(3)(B) of the MSA, a State may regulate a fishing vessel outside the boundaries of the State when the FMP for the fishery in which the fishing vessel is operating delegates management of the fishery to a State and the State's laws and regulations are consistent with such fishery management plan. In addition, the FMP would have an appeals process as explained in section 2.11 of the discussion paper.

Public comment – Six members of the audience addressed the Committee on this agenda item. Their comments addressed the following themes: “All waters” should be the management unit. The definition of “State” changes every four years based on changes in the Administration and this has been disruptive to management of the fishery. If the State continues to marginalize driftnetters, they should offer a “cash bond” buyout. There is uncertainty as to who the enforcement authority is if the State closes waters in EEZ. Opinion that there is a need to limit the power of the Commissioner. Testimony about worsening conditions.

Reporting and Monitoring Requirements

Doug Duncan led the Committee through a presentation under this agenda item based on section 2.9 and 2.10 of the discussion paper. The MSA requires that processes be in place to gather information on catches of target species, bycatch of non-target species, and where the catches came from (EEZ vs. State waters). In terms of EEZ vs. State, it would help if we could compartmentalize catches that are clearly EEZ, clearly State, and then estimate how much fishing occurs right at the EEZ boundary line. Viable reporting and monitoring options include: eLandings, logbook, and EM.

Committee discussion reflected the following thoughts – Need to bear in mind that the existing documentation requirements are already very burdensome. The State’s stat areas are too big to capture the necessary detail for where fishing actually occurs. Forrest Bowers asked if having the boundaries on the plotter would help, noting that the boundaries are not GPS-defined. Committee member responded that drift fishing is very dynamic and often starts on one side of the line and ends on the other and it is difficult to know where the catch occurred. One Committee member said fishing right on the line is not actually that common, and others said they have no ability to determine where the line is. Committee member said plotters are already over-crowded with information. Committee member said the EEZ boundary is too convoluted and needs to be simplified so there are straight lines. NOAA Chart on the plotter was suggested for use since it has the EEZ boundary. It was stated that many CI fishermen use inexpensive plotters that don’t have NOAA Charts depicting the EEZ and there was a reluctance to upgrade equipment due to expense. It was suggested that simplifying the EEZ definition so that it is more usable would help for reporting (as opposed to enforcement). **Recommendation: Investigate technology options for making differentiation of EEZ/State waters more practicable for CI fishermen. Also, consider options for simplifying the attribution of catches to either EEZ or State. It was suggested that the EEZ/State waters determination could be added to fish tickets. There was a suggestion that an option be developed to allow EEZ driftnetters to choose between no retention/FFP and full retention.**

Public comment – Six members of the audience addressed the Committee on this agenda item. Their comments addressed the following themes: There is “no bycatch” in the driftnet fishery. Frustration about jurisdictions given the need to manage anadromous stocks as a whole unit. The need for practicable reporting so it is not unnecessarily burdensome. A suggestion to use EM for a temporary period to provide information on whether bycatch is an issue. An option for some people to have “no retention” while others have the option to sell a salmon shark or a few cod/pollock per year.

Economic and Community Impacts

Jim Armstrong began with a comparison of the existing Fishery Impact Statement in the FMP and the parallel information reflected in the current discussion paper in Chapter 4. Dr. Jordan Watson presented information gathered thus far on permit activity and value, tax revenues, and residency as part of an economic and community impact analysis that builds on the outline he presented to the Committee at its meeting on March 6, 2019. The basis for these considerations in NS8 was explained, which focuses on “engagement” and “reliance”. Additionally, he explained that measures of community vulnerability have been developed for Alaska communities and are provided online by NMFS. The Committee is interested in future reviews of fishery information and suggested the information be limited to Upper Cook Inlet and not include purse seine and other fisheries from Lower Cook Inlet.

Jim Armstrong explained how the ratio of federal and state catches had been estimated from fish ticket data for Cook Inlet. Committee members commented that past patterns of harvest are not necessarily

indicative of future patterns and the fishery was being put in “boxes”, meaning patterns are driven more by management than fish distribution.

After Dr. Watson reviewed tax revenue information, there were suggestions that many additional levels of tax collection occur for the fishery. The decision to either split or lump communities in the summary was discussed with the Committee appearing to prefer splitting in order to identify specific community-level impacts. There was discussion about the importance of Icicle Seafoods as a processor for Cook Inlet salmon. Despite a 1998 fire at the Homer plant a large percentage (~25%) of Cook Inlet salmon harvest is delivered to the Seward plant, and this should be included in the economic and community profile. While offloading occurs in Homer, Ninilchik, and Kasilof, processing occurs elsewhere, so the need to differentiate point of delivery (fish ticket) from processing (COAR) was suggested. There is a perceived need for providing a narrative on the fate of catch after the point of landing, for explaining the activity and importance of tenders, and for providing information on direct marketers (harvesters who sell directly to retail markets).

Some concern was expressed that some of the data used for processing engagement analysis, which showed some years with processing concentrated only in Kenai is incorrect.

Community vulnerability discussion included a need for expanding on ecological vulnerability as a contributing factor. Other information desired by the Committee includes changes in the catchability of salmon, extending time series as far back as possible to reflect historical fishery harvest. Recent harvest was perceived to be politically allocative and skewed while harvest from the early 1990’s was thought to better demonstrate harvest potential. Providing profiles of permit holder ages was suggested for showing the “graying of the fleet”. Differentiation between “vessel owners” and “permit holders” is needed.

Public comment – Six members of the audience provided public comment – spatial patterns of fishing have changed, a lot of this has been allocative, a UCIDA report from 2015 was distributed, the need to characterize the declines in driftnet fishery and role of BOF. A commenter provided some information on thermal refugia and the increasing pre-spawn mortality over time in the Kenai.

Timeline

Jim Armstrong reviewed the overall Council process for moving actions from discussion paper to Council final action, and Gretchen Harrington reviewed the post-final action process that eventually leads to approval of the FMP Amendment and implementation of a final rule. Based on conversations with other staff, it is possible that an initial review analytical document could be presented to the Council in June or October 2020. If final action were to follow quickly, for example in December 2020, a one-year review/implementation process would result in regulations affecting Cook Inlet EEZ salmon fisheries being implemented by December 2021 and effective for the 2022 salmon fishing year. This was explained as a best case / fastest scenario, such that the addition of any major management issues to the action would contribute to additional time. No Committee recommendations were provided on this issue.

The Committee recommended further online collaborative work on the discussion paper, particularly regarding the criteria used to establish the Category II management measures. The intended outcome would be to capture distinct stakeholder ideas that can be folded into the next document. There was no discussion of timing for the next Committee meeting. Committee and audience members were encouraged to attend the Council meeting for the Committee Report under D5.

The Committee meeting adjourned at 5pm.