

# COOK INLET SALMON FMP AMENDMENT: B2 REPORT

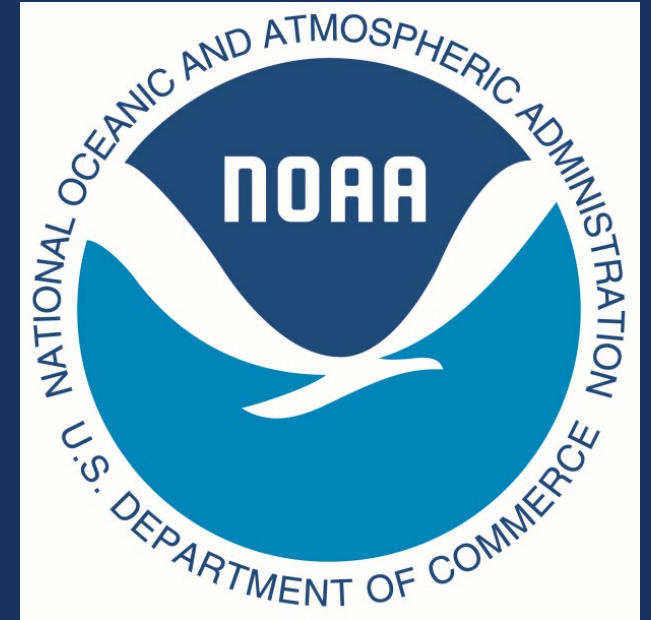
NMFS ALASKA REGIONAL OFFICE - 12/7/23

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RICHARD BRENNER



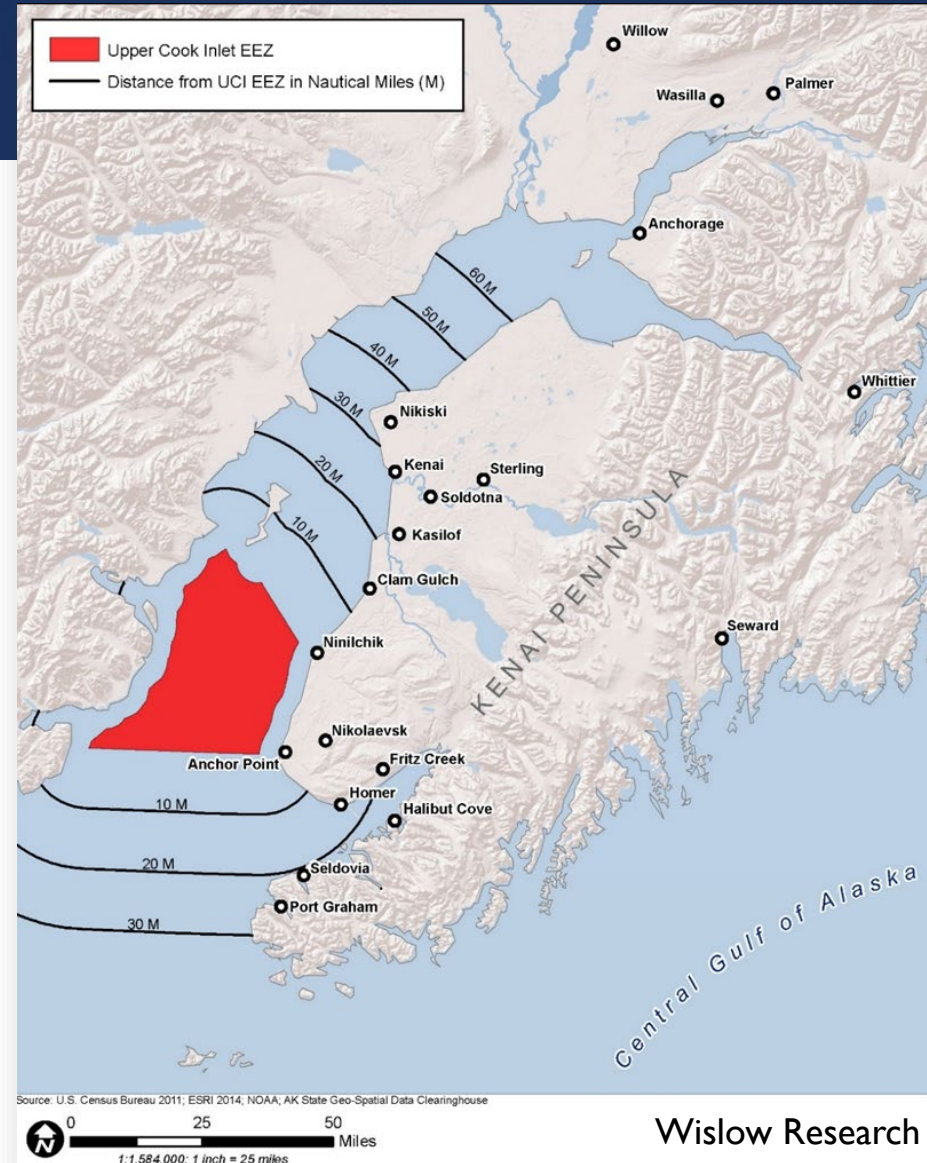
Patrick Dixon Fine Art Photography



# PROPOSED ACTION

- Secretarial amendment to the fishery management plan (FMP) to manage salmon fishing in the Cook Inlet Exclusive Economic Zone (EEZ) in compliance with applicable court orders.
  - Commercial fishing
  - Recreational fishing

**Final Rule must be published by May 1, 2024.**



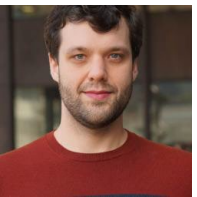
Wislow Research



# AUTHORITY

- This is a Secretarial FMP Amendment under section 304(c) of the Magnuson-Stevens Act:

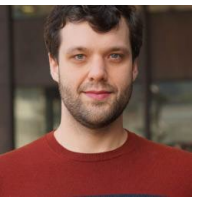
*“The Secretary may prepare a fishery management plan, with respect to any fishery, or any amendment to any such plan, in accordance with the national standards, the other provisions of this Act, and any other applicable law, if— (A) the appropriate Council fails to develop and submit to the Secretary, after a reasonable period of time, a fishery management plan for such fishery, or any necessary amendment to such a plan, if such fishery requires conservation and management”*



# PROCESS – SECRETARIAL FMP AMENDMENT

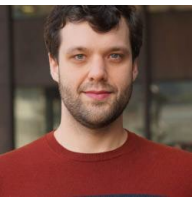
- Per section 304(c) of the Magnuson-Stevens Act:

*“(5) Whenever a plan or amendment is submitted under paragraph (4)(A), **the appropriate Council must submit its comments and recommendations, if any, regarding the plan or amendment to the Secretary before the close of the 60-day [comment] period** referred to in paragraph (4)(B). After the close of such 60-day period, the Secretary, after taking into account any such comments and recommendations, as well as any views, information, or comments submitted under paragraph (4)(B), may adopt such plan or amendment.”*



# PROCESS AND TIMELINE

1. Conduct public hearings (5/18/23, 88 FR 25382 & preceding Council meetings)
2. Develop proposed rule
3. Publish proposed rule (10/19/23, 88 FR 72314)
4. **Public and Council comment period ends on 12/18/23**
5. Consider and respond to all comments
6. Develop a final rule
7. Publish a final rule before May 1, 2024 court deadline
8. Effective for the 2024 fishing season



# SUBMITTING COMMENTS

- <https://www.federalregister.gov/documents/2023/10/19/2023-22747/fisheries-of-the-exclusive-economic-zone-off-alaska-cook-inlet-salmon-amendment-16>

 **FEDERAL REGISTER**   
The Daily Journal of the United States Government

**PR** Proposed Rule

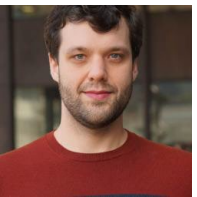
## Fisheries of the Exclusive Economic Zone Off Alaska; Cook Inlet Salmon; Amendment 16

A Proposed Rule by the National Oceanic and Atmospheric Administration on 10/19/2023

This document has a comment period that ends in 19 days. (12/18/2023)

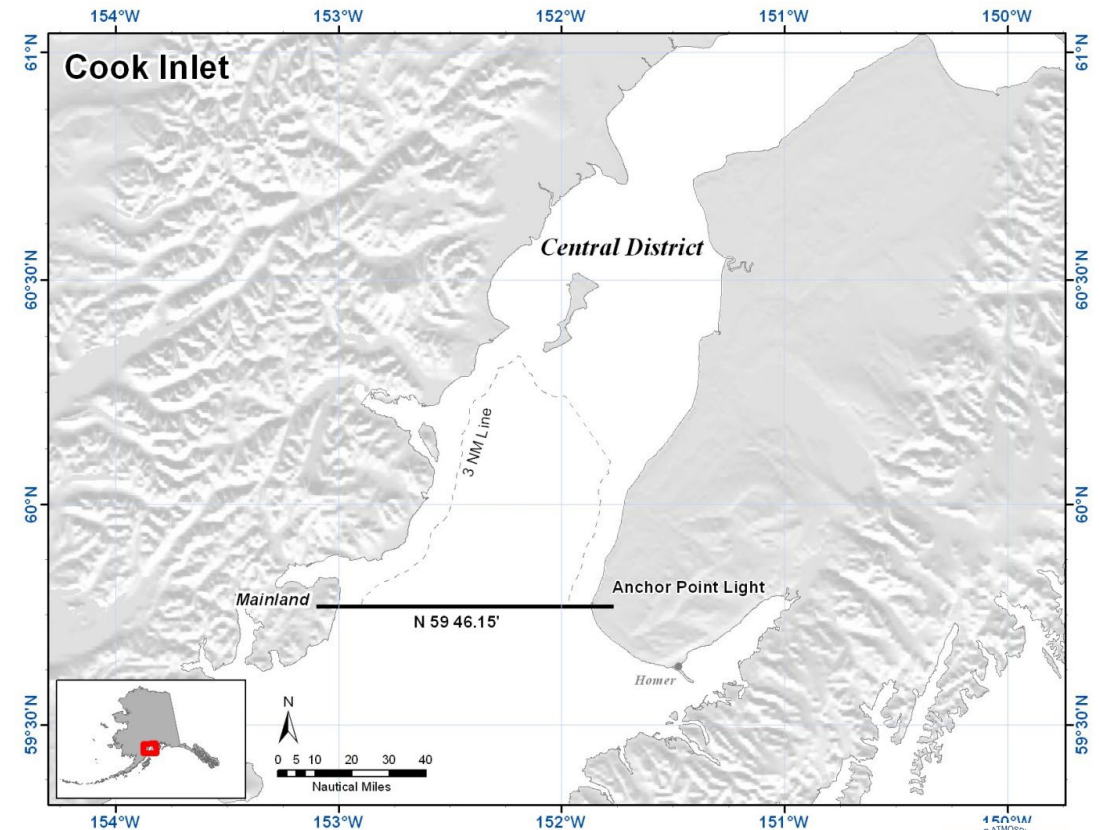
**SUBMIT A FORMAL COMMENT**

18 comments received. View posted comments



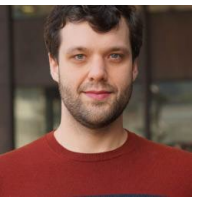
# MANAGEMENT ALTERNATIVES CONSIDERED

- *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.**
- *Alternative 4: Federal management of the EEZ, closed to commercial salmon fishing.*



# PROPOSED ACTION

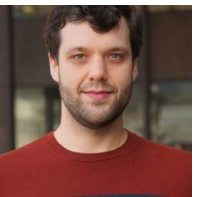
- Proposed FMP amendment
- Proposed implementing regulations





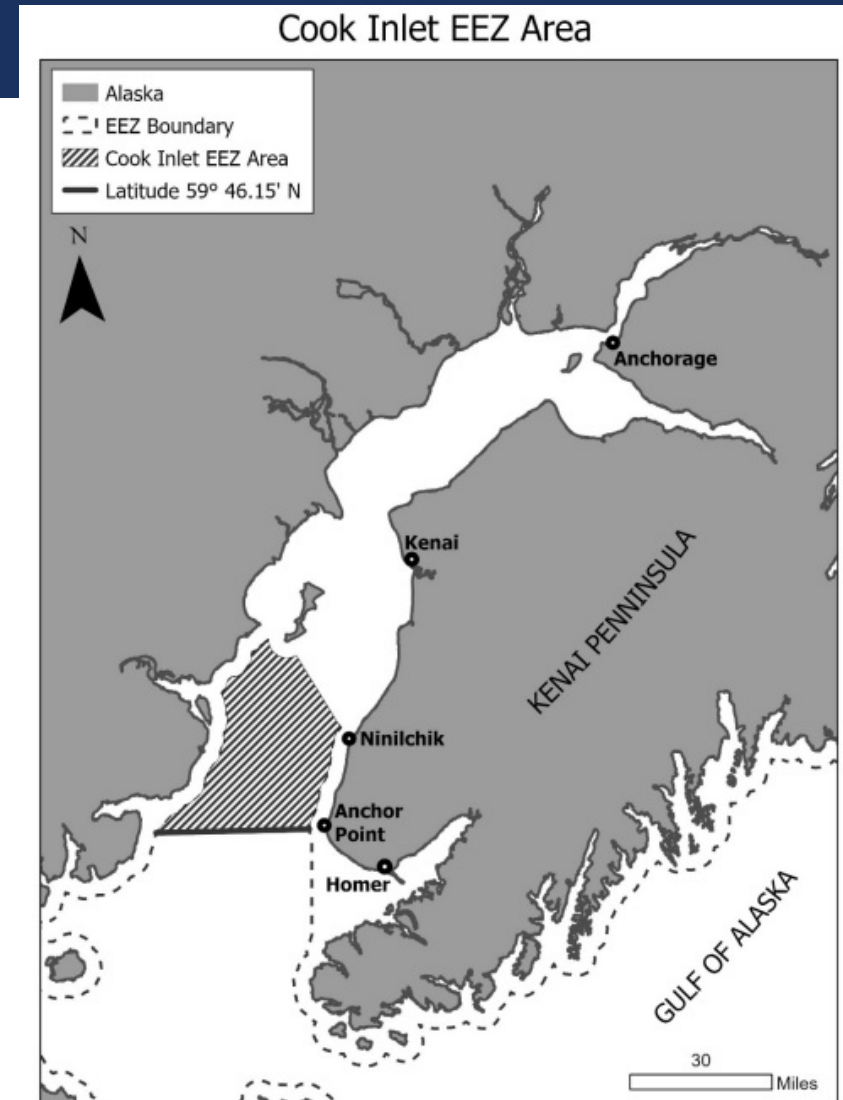
# PROPOSED FMP AMENDMENT

- General FMP reorganization
- Updated introduction
- **Added Cook Inlet EEZ Area to fishery management unit**
- Consolidated existing East Area/West Area content
- **New chapter addressing the Cook Inlet EEZ Area**
- No change to domestic harvesting and processing section
- No change to essential fish habitat section
- Removed outdated fishery impact statement content



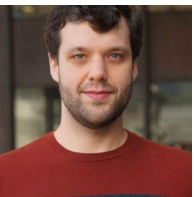
# FMP CHAPTER 2

- Management Policies and Objectives
  - Maintained for the East and West Areas
  - Integrated Cook Inlet EEZ Area elements
  - Added habitat protection objective
- Salmon Management Area
  - “The Cook Inlet EEZ Area is the area of the EEZ in Cook Inlet north of a line at 59°46.15’ N.”



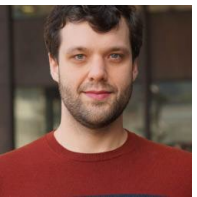
# FMP CHAPTER 4

- Authorizes commercial drift gillnet and sport (recreational) fishing for salmon in the Cook Inlet EEZ Area
- NMFS and the Council are responsible for management
- Coordination with the State to the extent practicable
- Enforcement by the NOAA Office of Law Enforcement, in combination with the Coast Guard and the Alaska Department of Public Safety where applicable



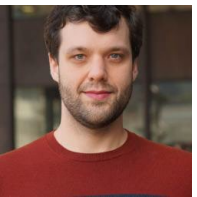
# TIER SYSTEM AND REFERENCE POINTS

- Establishes a tier system to assess stocks based on available information
  - Tier 1: salmon stocks with escapement goals and stock-specific harvests
  - Tier 2: salmon stocks managed as a complex, with specific salmon stocks as indicator stocks
  - Tier 3: salmon stocks with no reliable estimates of escapement
- Defines acceptable biological catch (ABC), annual catch limit (ACL), overfishing limit (OFL), minimum stock size threshold (MSST), maximum fishery mortality threshold (MFMT)



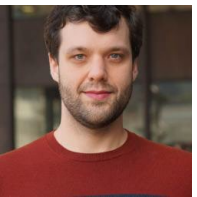
# REFERENCE POINTS CONTINUED

- Maximum Sustainable Yield (MSY)
  - $MSY = \max(0, \text{run size} - \text{escapement goal})$
  - Maximum catch (when run size and escapement are unknown)
    - Not EEZ specific
- Optimum Yield (OY)
  - The OY range for the Cook Inlet EEZ salmon fishery is specified as the range between the average of the three lowest years of total estimated EEZ salmon harvest and the three highest years of total estimated EEZ salmon harvest from 1999 to 2021.



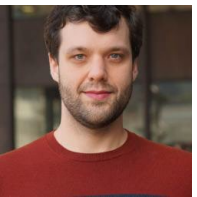
# ANNUAL MANAGEMENT CYCLE

- NMFS develops and presents the Stock Assessment and Fishery Evaluation to the SSC, AP, and Council. **Expected in February.**
  - SSC recommends OFL, ABC, ACL, MFMT, and MSST
  - Council recommends the total allowable catch (TAC)
- NMFS publishes proposed harvest specifications in *Federal Register*
- NMFS considers comments and any new information
- NMFS publishes final harvest specifications in *Federal Register* before commercial fishing begins



# TAC SETTING FOR COMMERCIAL FISHING

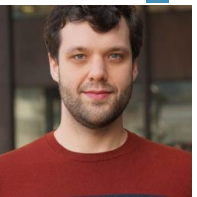
- TAC is the number of fish that may be caught
- TAC set for each salmon species
  - Considers contribution of component stocks (eg. Kenai, Kasilof, and other sockeye)
- TAC must be less than or equal to ABC set by SSC
- May be reduced from ABC to account for
  - weak salmon stocks, bycatch considerations, management uncertainty, ecosystem requirements, as well as social and economic considerations



# OTHER FMP MANAGEMENT MEASURE CATEGORIES

- Rebuilding plans
- Accountability measures (inseason management and post-season review)
- Bag and possession limits
- Bycatch management
- De Minimis fishing provisions
- Federal permits
- Gear restrictions
- Time and area restrictions
- Inseason management

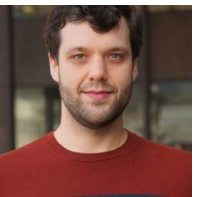
Monitoring, recordkeeping, and reporting measures





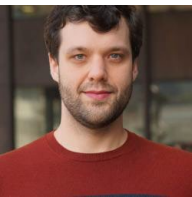
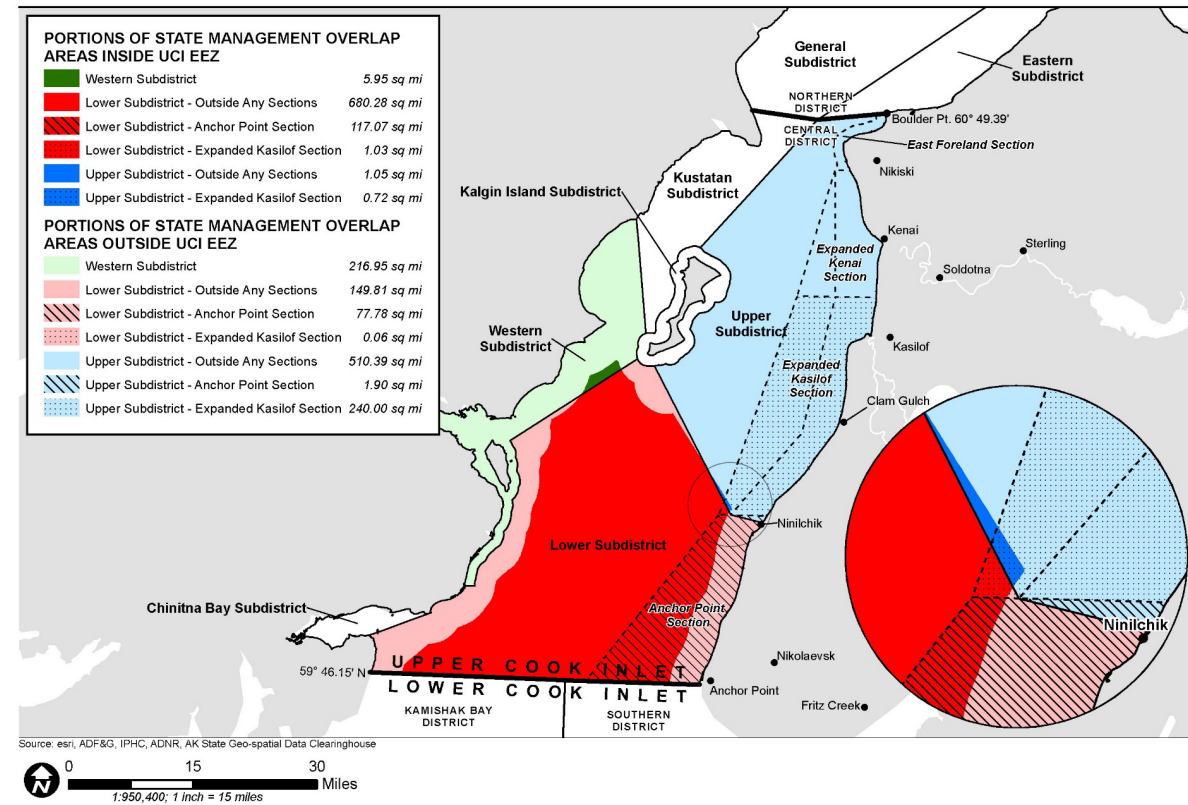
# PROPOSED RULE

- Federal regulations that would implement the FMP amendment.



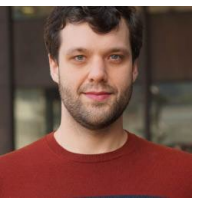
# MANAGEMENT OF COMMERCIAL FISHING

- Opens on the third Monday in June or June 19, whichever is later.
- Fishing periods Mondays & Thursdays, 7am to 7pm.
- All UCI EEZ waters open. (dark red area)



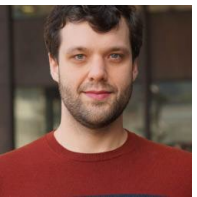
# MANAGEMENT OF COMMERCIAL FISHING

- NMFS would monitor the commercial fishery daily
- NMFS has no “emergency order” authority, all actions must be published in the *Federal Register* and consistent with regulations (takes 1-4 days)
- NMFS would close the EEZ to commercial fishing when:
  1. a TAC amount may be exceeded by another EEZ opening
    - mixed stock fishery, weak stock management
  2. information indicates continued fishing may lead to overfishing (e.g., run failure)
  3. if neither 1 or 2, then on August 15



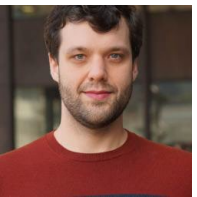
# SPECIFIC INPUT REQUESTED

- NMFS requests feedback on the proposed August 15 closure date.
- Impacts of an earlier or later closure date on:
  - Salmon stocks
  - Fishery participants
  - Ecosystem
  - Other?



# MANAGEMENT OF COMMERCIAL FISHING

- If fewer fish return than expected, NMFS may close early
- If more fish return than expected:
  - Fishing can continue up to the TAC amounts
  - If there is time, NMFS may be able to adjust the TAC (could not exceed ABC)
    - Must consider impacts to other stocks and fishery participants
- NMFS may reopen the fishery after closing it, if TAC amounts support it
  - Only within the regular season (June 19 – Aug. 15)



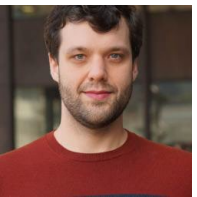
# COMMERCIAL FISHING VESSEL REQUIREMENTS

- Salmon Federal Fisheries Permit (free)
- Federal Logbook\* (set start and end position/time, catch, discards)
  - Submitted electronically to NMFS at delivery
- Vessel monitoring system (tracks GPS position of vessel)
- CFEC S03H permit still required to land salmon in AK

\* would fulfill MSA Standardized Bycatch Reporting Method (SBRM) requirement

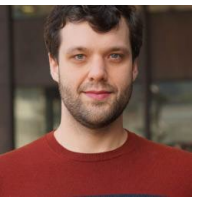
# LEGAL COMMERCIAL FISHING GEAR

- Intended to allow existing drift gillnet gear
- Max of 200 fathoms in length (dual or stacked CFEC permits not req'd)
- Max of 6 inch mesh, 45 meshes deep
- Buoys marked with SFFP number
- Must float
- Not anchored



# COMMERCIAL FISHING BYCATCH RETENTION

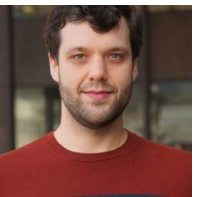
- Groundfish bycatch may be retained
- Subject to “Maximum Retainable Amounts” (MRAs)
  - GOA “Aggregated amount of non-groundfish species” as basis species
  - Total weight of all salmon used for calculation
- Would require a Federal groundfish FFP
- Other applicable State requirements (CFEC misc. finfish card)





# COMMERCIAL FISHING PROHIBITIONS

- The following would be prohibited:
  - Commercial fishing in State and EEZ waters on the same calendar day
  - Beginning a fishing trip with salmon already onboard a vessel
  - Having non-commercial caught salmon onboard
  - Landing or transferring fish in the EEZ
  - Conducting other fishing while drift gillnetting in the EEZ
  - Processing salmon at sea



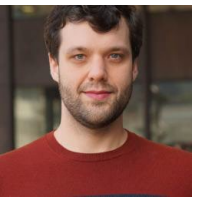
# PROCESSOR REQUIREMENTS

- Report through eLandings by noon of the following day\*
  - Use existing stat areas with EEZ identifier
- Salmon Federal Processor Permit (free)
- Registered Salmon Receiver Permit (free)
  - for catcher/sellers, fish transporters, and other non-processors receiving deliveries

\*Would fulfill SBRM requirement

# SALTWATER RECREATIONAL FISHING

- Open year round, less than 0.01% of historical EEZ harvests
- All UCI EEZ waters open
- Bag limits for Chinook salmon:
  - From April 1 to August 31, 1 per day, 1 in possession of any size.
  - From September 1 to March 31, 2 per day, 2 in possession of any size.
- Bag limits for other salmon: 6 per day, 6 in possession, only 3 per day, 3 in possession may be coho (silver) salmon.



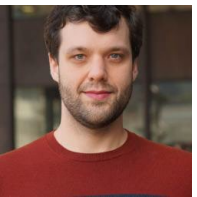
# SALTWATER RECREATIONAL FISHING

- Anglers may not combine State and EEZ limits
- NMFS may prohibit retention of one or more salmon species
- Harvest informed by:
  - creel surveys\*
  - statewide harvest survey\*
  - charter logbooks\*

\*Would fulfill SBRM requirement

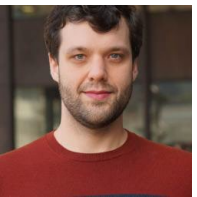
# SALTWATER RECREATIONAL FISHING

- Limited to hook and line gear, two hooks per line
- May not mutilate to prevent species identification
- Fish not released with a minimum of injury added to bag limit



## NEXT STEPS

- Comment period closes on 12/18/23 - [LINK](#)
- Finalize and publish 2024 Stock Assessment and Fishery Evaluation
- Recommend harvest specifications at February 2024 Council meeting
- Respond to public comments, make any required changes, publish final rule no later than May 1, 2024
- Conduct outreach
- Begin Federal management of the Cook Inlet EEZ



# Thank you



Radio Kenai

Doug Duncan  
[Doug.Duncan@noaa.gov](mailto:Doug.Duncan@noaa.gov)

