



## Cook Inlet Salmon Committee

### REPORT

December 4, 2018 8:00 AM – 5:00 PM

Aspen-Spruce Room, Hilton, Anchorage, AK

*The Committee met in order to begin the process of developing specific management measures necessary to fulfill MSA provisions in amending the Salmon FMP.*

#### Committee Members in attendance:

John Jensen (Petersburg, Chair)  
Dan Anderson (Homer)  
Mark Casseri (Kasilof)

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

#### Others in attendance:

Jeff Anderson (USFWS)  
Jeff Berger (E&E Foods / Pacific Star)  
Brianna Blackburn (Mat-Su Boro)  
\*Forrest Bowers (ADF&G)  
Karla Bush (ADF&G)  
Hope Casseri (fisherman)  
Catherine Cassidy (fisherman)  
\*Bob Clark (ADF&G)  
\*Curry Cunningham (NMFS)  
Julianne Curry (Icicle Seafoods)  
Doug Duncan (NMFS)  
Diana Evans (NPFMC)  
\*Gretchen Harrington (NMFS)  
James Hasbrouk (ADF&G)  
Georgeanna Heaverley (Cook Inletkeeper)  
Wes Humbyrd (fisherman)  
Kurt Iverson (NMFS)  
Jeff Kegnert (ASMI)

David Martin (UCIDA/CIFF)  
Aaron Martin (USFWS)  
Roland Maw (fisherman)  
Heather McCarty (McCarty and Assoc)  
John McCombs (CIFF)  
Alicia Miller (NMFS)  
Andrew Munro (ADF&G)  
Matt Oxford (UCIDA)  
Greg Risdahl (OSM-FWS)  
Audrey Salmon (UCIDA)  
Bob Shavelson (Cook Inletkeeper)  
\*Lauren Smoker (NOAA General Counsel)  
Bill Templin (ADF&G)  
Dyer Van Devere (fisherman)  
Teague Vanek (fisherman)  
\*Jordan Watson (NMFS)  
Brent Western (fisherman)  
David Witherell (NPFMC)

\*member of the Working Group

The Cook Inlet Salmon Committee is a stakeholder committee created by the Council to assist in the identification of management measures needed to amend the Council's Salmon FMP Committee to include the EEZ waters of Cook Inlet in the FMP. The appointment of members to the Committee occurred in June 2018 and designation of Council member John Jensen as Chairman occurred in October 2018. This was the first meeting of the Committee and it began with a call to order by Chairman Jensen, introductions by all in attendance, and confirmation of the meeting agenda as provided by staff.

## Council Committee Operations

Council staff Jim Armstrong provided a brief presentation on the history of the Salmon FMP amendment action leading up to the Committee meeting. He then presented an overview of Council operations, putting into context the Council's obligation to the MSA and the jurisdictional limitations of the FMP. He also covered the process for actions that are being considered by the Council from proposal to implementation, the function of Council advisory bodies including ad hoc committees, and the scope of work and operating guidelines for this Committee. Jim emphasized the value of involvement of the public in all aspects of the Council process. He also pointed out that the discussion paper serves as a resource for helping the Committee develop management measures, and that it provides candidate measures developed by the interagency working group.

## Discussions and Management Measure Recommendations

MSA § 303(a) Requirements for contents of FMPs - discussion

Alternatives overview - discussion

Gretchen Harrington presented an overview of the discussion paper focusing on how its structure maps to specific MSA required provisions needed for amending the FMP. She went through Table ES-1 which summarizes each of the provisions and points to the document sections where candidate measures and other information developed by staff are provided. Out of necessity, in differentiating the information provided in Table ES-1, Gretchen described the alternatives currently identified by the Council.

The Committee discussed issues as Gretchen proceeded with her overview. Among the concerns members of the Committee voiced during this agenda item were:

1. The adequacy of the recent EFH omnibus amendment with regard to salmon habitat.  
Gretchen indicated that the next EFH 5-year review may include a more comprehensive evaluation of non-MSA fisheries and their impacts on salmon habitat.
2. How fishery operations in State and Federal waters as well as their respective management systems will interact.  
Gretchen pointed out that that is one of the primary challenges involved in the current amendment process.

**Recommendation: Alternative 2 (cooperative management with the State of Alaska) is the Committee's preferred alternative** and future development of management measures by the Committee will focus on that alternative.

Written public comments that were provided by representatives of UCIDA and CIFF and posted to the Council's [online agenda](#) were read to the Committee under this agenda item.

Escapement and Surplus escapement - discussion

As the Committee moved into this agenda item, some Committee members objected to the presentation of Appendix 1 stating that the MSA requires that it first be vetted by the SSC. It was pointed out that this was an informational presentation, that it was being provided because it is relevant to stakeholder comments about over-escapement of salmon, that the SSC will review all analyses at initial review, that nothing in the MSA requires an analysis to be review by the SSC before a Council committee, and that the meeting agenda had already been confirmed.

Dr Curry Cunningham provided a presentation on alternative stock-recruitment models for estimating management reference points ( $S_{MSY}$  and  $MSY$ ) and hypothesis testing of the degree to which overcompensation is evident from the Kenai and Kasilof river data, using well-established statistical methodologies that are generally applicable to salmon populations. Dr Cunningham indicated that the best model fits to published spawner-recruit data and reference point estimates for both rivers were consistent with the most recent Alaska Department of Fish and Game escapement goal evaluation for the region (Erickson et al. 2017). With respect to overcompensation, Dr. Cunningham indicated that the Kenai River data supported a compensatory, or Beverton-Holt type relationship with little potential for overcompensation, while the relationship in the Kasilof River was less obvious, but generally did not support the overcompensation hypothesis.

There was extensive Committee and audience discussion on this topic. Some members of the Committee objected to escapement based analyses in general and urged movement toward alternative methods, however, no scientifically viable alternative methods were identified. The timeframe for the data inputs was discussed and it was pointed out that although 2010 was the terminal year in the analysis, this was the brood year, meaning that the analysis included salmon returns through 2017. There were comments about other environmental factors that could contribute to variation in numbers of recruits including diminishing habitat quantity and quality. Curry pointed out that his analyses were an attempt to see if a convincing relationship was apparent from spawner recruit data only, and that other factors were very likely to also play a role.

#### Status Determination Criteria – Comm. recommendations requested

Forrest Bowers, Bob Clark, and Andrew Munro presented on the information from Section 2.5.2 of the discussion paper for status determination criteria (SDC) under Alternative 2, Federal and State cooperative management. Forrest provided an overview of the conceptual framework and Bob reviewed three tiers and how the minimum stock size threshold (MSST) and maximum fishing mortality threshold (MFMT) would be specified, stating that methods were drawn from the approach used for the East Area in the Salmon FMP. Additionally, Bob reviewed the challenges in managing salmon as compared to groundfish under NMFS's National Standard 1 guidelines. The tables provided in the discussion paper for example stocks in each of the tiers envisioned under Alternative 2 were reviewed by the Committee. Staff clarified that the tiers are defined based on the level of information available for each stock and that salmon stocks would be placed in tiers annually during the stock status review process.

Committee and public discussion under this agenda item revealed concern about the need to accurately differentiate state water vs federal water salmon catches. It was pointed out that the existing state statistical area boundaries do not align with the State-Federal boundary and thus the current differentiation methods are estimates. The discussion paper proposes several methods to begin to collect data on salmon catch in the EEZ in section 2.9.

A discussion of “underfished” began under this agenda item. This was a concept that several members of the Committee and audience considered to be addressed in MSA under the concept of maximum sustainable yield (MSY). Gretchen read the MSA's National Standard 1 and definition of optimum yield (OY) to the group pointing out that the primary obligation is to prevent overfishing, and that the concept of OY as fulfilled by managing toward MSY considers reductions as necessary by relevant economic, social, or ecological factors.

Forrest pointed out that the Alaska Board of Fisheries is obligated to comply with National Standards for fisheries involving a federal component, such as the Bering Sea crab fisheries. The appeal process for identifying non-compliance by the State with the MSA was discussed and it was pointed out that for the Bering Sea crab fisheries, the crab FMP has an appeals process and sets up a Crab Interim Action

Committee that addresses these issues. Section 2.10 provides the proposed appeals process for Cook Inlet that is similar to the process in the current Salmon FMP for the East Area.

Dr. Jordan Watson, Dr. Curry Cunningham, and Jim Armstrong reviewed SDC under Alternative 3. Jordan provided an overview of the differences between Alternatives 2 and 3, pointing out that the essential difference in yield as well as MSST, MFMT calculation is the need for a term that expresses the proportion of catch that occurs in Federal waters. Jordan pointed out that public comment on tidal drift in Cook Inlet is very helpful for evaluating the spatial extent of driftnetting in and out of the different jurisdictions.

Jim Armstrong reviewed portions of documents section 2.5 and 2.7 that describe the process by which harvest limits would be specified under Alternative 3, Federal management. He pointed out that a major challenge for this alternative is the availability and timing of state-provided data. Scenarios in which timing does not allow for preparation of a salmon SAFE and review by the SSC would constrain harvest. Additionally, there is no federal mechanism for in-season collection of data and so harvest would only be informed by post-season run estimates.

Lauren Smoker gave a brief description of the legal history of the case, specifically highlighting that the purview of the current process is to identify management alternatives for the EEZ waters only, and that Federal jurisdiction does not extend to coastal State waters or inland waters under the MSA. Lauren also explained the exclusive economic zone and how it is set at 3 miles from the baseline.

**Recommendation: Schedule one to two additional Committee meetings prior to the April Council meeting for review of Committee-developed alternatives to the methods described in Section 2.5.2 of the discussion paper.** Some of these approaches may include indexes, CPUE, and historic catch. There was also interest in Committee review of Pacific Council management approaches for salmon.

Standardized Bycatch Reporting Methodology and Record keeping and Reporting– Comm. recommendations requested

Gretchen summarized the information provided in section 2.8 of the discussion paper and the Committee discussed the methods provided. If retention of groundfish species were to occur, fishery participants would need to have a Federal Fisheries Permit. The Committee pointed out that the driftnet fishery is very clean with groundfish bycatch occurring very rarely, however, *it was also recommended that a future update to the discussion paper include a list of the groundfish species recognized in the Council's Gulf of Alaska Groundfish FMP.*

**Recommendation: eLandings and prohibit retention of groundfish**

Fishery Information Statement– Comm. recommendations requested

Gretchen reviewed the purpose of the FIS as provided in Chapter 4 of the discussion paper. She did not review the contents of the Chapter.

Discussion included the difference between the FIS, which is a standing characterization and the required analysis of economic impacts and impacts to communities. The challenges of 2018 in Cook Inlet were discussed including the loss of revenue, departure of participants, fear of the future by participants dependent on the fishery, permit buy-backs, and the extent of the communities involved.

**Recommendation: Provide more information in a future version of the FIS emphasizing the impacts to human communities of the recent decline in harvest, and safety-at-sea concerns under the current harvest structure.**

### Additional Information

Gretchen reviewed several of the other sections provided in the discussion paper including those addressing the Endangered Species Act, Marine Mammal Protection Act, Essential Fish Habitat, and invasive species. She also pointed out that the Council will need to make a determination as to the type of NEPA analysis that will occur, whether it should be an Environmental Assessment or Environmental Impact Statement.

There was discussion by the Committee regarding pike and elodea control. There was general support on the Committee for expanding the extent of the EFH analysis in the next 5-year EFH review.

Some Committee members repeated their objection to the information in Appendix 1 to the discussion paper. Council staff agreed to include this position in the report, but stated that it would not be presented as a recommendation or a reflection of Committee consensus.

Chairman Jensen stated that he and the Council Chairman will discuss the addition of a processor representative to the Committee.

No recommendations were made

**Next Committee Meeting: As stated above, the Committee would like to conduct one to two more meetings prior to the April Council meeting in order to further develop its recommendations on status determination criteria.**

**Chairman Jensen adjourned the Committee at 4:45 PM.**