

North Pacific Fishery Management Council

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B1 Executive Director's Report

October 2019

Action Memo

Back in Homer after 36 years

According to our records, the Council has not met in Homer since July 1983, when Clem Tillion was serving his last meeting as Council chairman. At that meeting, the Council discussed the next steps for managing the overcapitalized halibut fishery, following NOAAs disapproval of a 3-year moratorium on new entrants based on what the Council thought to be unreasonable rationale [NOAA had concluded that "the proposed moratorium would have interfered with some fundamental social and economic freedoms, especially those that relate to fishing traditions off Alaska, failed to solve economic problems of the industry, and created economic efficiencies" FR 48(128) 30409]. At that meeting, the Council also reviewed applications for foreign permits for operation of Japanese trawler and a Taiwanese mothership, discussed salmon troll fishery landings pursuant to its Salmon FMP, took final action to approve a framework procedure for setting season dates for the Tanner crab fishery, and increased the GOA pollock OY by 40,000 tons.

New Council Members

We have two new council members who were recently appointed to 3-year terms.

Cora Campbell - Ms. Campbell is president and chief executive officer of Silver Bay Seafoods LLC, a fishermen-owned Alaska seafood processing company. Ms. Campbell has experience in harvesting, processing, and managing Alaska's fisheries resources. Her fisheries career started in Petersburg Alaska, where she grew up fishing with her family. She became active in fisheries policy and has served on numerous boards and committees, including the NPFMC Advisory Panel, United Fishermen of Alaska, the Alaska Seafood Marketing Institute, and the Exxon Valdez Oil Spill Trustee Council. She served as policy advisor to two Alaska governors on fisheries, wildlife, climate change, natural resources, seafood marketing, and Arctic development. Ms. Campbell is former Commissioner of the Alaska Department of Fish and Game and previously represented the State of Alaska on the North Pacific Council (2010-2014).

Nicole Kimball - Ms. Kimball is the vice-president of the Pacific Seafood Processors Association, a non-profit trade association comprised of motherships and shore-based seafood processors across Alaska. Prior to this, she served as Federal Fisheries Coordinator for the Alaska Department of Fish and Game, where she represented the state in regional, national, and international fisheries venues, and served as the alternate to the Commissioner on the North Pacific Council (2012-2016). Before this Nicole worked as a fisheries analyst for the Council for 12 years. Nicole received a BS in natural resource management at the University of Maine, and a master's in environmental policy and renewable resource management from Tufts University. Nicole currently serves on the board of the Alaska Sea Life Center, the Maritime Works Leadership Council, the Alaska Sea Grant Advisory Committee, and as Vice-Chair of the Alaska Seafood Marketing Institute's Communications Committee.

Staff Changes

Ms. Kate Haapala has been hired to replace the fishery analyst position vacated by Dr. Elizabeth Figus. Kate is an interdisciplinary social scientist specializing in environmental policy. Kate is currently finishing up her Ph.D. at Purdue University with a degree in environmental policy focusing on human dimensions of natural resource management. Her dissertation project examines how catch share programs include social equity considerations into their designs, including in the Western Alaska CDQ Program and the halibut and sablefish IFQ program. Prior to pursuing her Ph.D., she was an executive administrator for a Fortune 100 company. Welcome aboard Kate!

We are Moving!

The Council staff office has been located in the Old Federal Building since the early 1980s. Since that time, GSA rental rates for the Federal Building have increased far above current rates for private office space. Additionally, security measures have made it more difficult for the public to enter the building, and the number of staff has increased such that staff offices are scattered around the Federal building. To address these issues, I recently signed a lease for new office space, which will encompass the entire 4th floor of the office building located at 1007 West 3rd Avenue. This is the same building that houses the offices of the North Pacific Research Board, the Alaska Ocean Observing System, and Alaska Sea Grant. We hope to be able to move in by the end of the year.

Plan Team Nominations

The Alaska Fisheries Science Center has nominated Dr. Marysia Szymkowiak to replace Dr. Dan Lew on the GOA Groundfish Plan Team. Dr. Szymkowiak is a social scientist at the AFSC, and on a variety of management issues in the North Pacific. She has expertise working directly with fishers and fishing communities and also conducts research on individual fishing quota (IFQ) fisheries and markets, new entry and diversification strategies for fishers, and the use of qualitative and mixed methods. A nomination letter and CV are attached. The SSC will provide a recommendation on this nomination during the week.

IT / Communications Update

<u>Outreach/engagement</u> - The Council has contracted with a graphic design agency to produce fliers and posters for our Introduction to the Council process. These posters have been drafted for use not only for a Council meeting but will also be appropriate for FishExpo, AFN, etc.

<u>Agenda Platform</u> - Since the agenda platform debuted, we have made some additions including a search function. The utility of the search function is that it not only searches by title of agenda but also can search within the PDF attachments. There are a variety of filters for each type of search, including public comment searches. Additionally, every meeting, including the committee meetings, are part of the agenda platform. This process allows both for a historical record of meetings and also allows a public comment space for each meeting. The committee meetings, as well as plan team meetings, can also be included in the search functions.

<u>Digital Records</u> - Administrative staff have been actively working to digitize and archive all historical Council documents (including all briefing books since 1976, analyses, SAFES and other documents) as

well as all the audio recordings from Council meetings since 1977. Selecting and review of the records was the first step, along with cataloguing and preparation for digitizing. The process has included using temporary contractors in-house as well as contracting with outside vendors for the audio digitizing portion. All of these records will be available on request.

<u>Website redesign</u> - The last redesign of the Council website was in 2014, and since that time, technology, hardware, and accessibility have improved substantially. We are exploring more effective ways to showcase the Council's meetings, its programs, and its people. Two major activities have acted as a catalyst for npfmc.org redesign: the Council's implementation of the new electronic agenda, and NOAA Fisheries' redesign of their website.

The detailed archive for all meetings posted on the Council's electronic agenda platform (meetings.npfmc.org), allows the Council's webpage (npfmc.org) to focus on issue-based summaries of projects and fisheries. Thus, we no longer need the website to acting as a repository for Council meeting motions and documents. This should help newcomers to the site find information without being overwhelmed. Should a visitor want more detailed motions or minutes, there will be links to prepopulated search results of the Council's electronic agenda.

Another reason for the npfmc.org refresh is that the current Council website has many links and references to NMFS' website. Unfortunately, since NOAA Fisheries' site re-design, most of those links have broken and some of the material may not be available in the same format on the current site. Properly linked references and items can be built into the npmfc.org redesign.

<u>Social Media - The Council has not consistently used social media in the past for a variety of reasons.</u> Twitter was an initial test of all the social platforms and was intended to provide real-time updates on Council/AP/SSC meeting topics during three consecutive meetings. Despite staff efforts, we could not ensure the tweets arrived in real time, regardless of how a user's preferences were set. The pilot effort was put on hold and other sources of public notification (adobeconnect, flip chart in the hall) are used during meetings.

In June, the Council's Community Engagement Committee suggested reaching out via Facebook. Members of the staff's administrative team each created a professional profile. Accounts were quickly locked down and suspended by Facebook admins, despite using real photos and real noaa.gov email addresses. Although Facebook requested proof and was provided copies of the staff's real ID's, accounts remained blocked because of perceived fraudulent activity and for violating Facebook terms. Unless a staff member intended to use their personal account to develop the Council's Facebook page, there appears to be no option for outreach in this way. Federal social media contractors noted that the social platform has come under scrutiny in the past year and it is more difficult for government agencies to reach out via Facebook and some accounts have been shut down without warning. Staff will continue to explore other ways to engage via Facebook and other social platforms to best communicate and engage with the Council's audience.

Decksorting EFP Update

Following what has been done for previous October deck sorting EFP reports to the Council, the principle investigator John Gauvin will provide a summary of 2019 deck sorting activities including: participation level in the EFP, amount of groundfish harvested under the EFP rules and procedures, halibut catch, and mortality rates. The report will include performance comparisons to other years covering different EFP catch handling and observer sampling protocols.

Alaska Mariculture Task Force

Alaska has over 30,000 miles of coastline with clean, pristine, nutrient-rich waters, and over 50% of the seafood harvested in the U.S. is harvested off our coast. The potential for mariculture to provide benefits and opportunities in coastal fishing communities in Alaska is significant. Mariculture also offers the potential to provide vitality and resiliency to communities facing future threats from declining fish stocks, ocean acidification, climate change and sea otter predation. The challenge is turning the vast potential for mariculture benefits and opportunities into a reality.

A subset of stakeholders met with then-Governor Walker three years ago to present the vision of mariculture and its potential to provide benefits and opportunities for Alaskans. The Alaska Mariculture Task Force was established by Administrative Order (AO), and in 2018 delivered a comprehensive plan to develop a viable and sustainable mariculture industry producing shellfish and aquatic plants for the long-term benefit of the economy, environment, and communities of Alaska. In 2019 the new Governor Dunleavy's administration agreed to maintain the work of the Task Force to help plan for implementation of the plan. You can download the plan here: https://www.afdf.org/projects/current-projects/alaska-mariculture-initiative/ Representatives from the Task Force are on hand to provide a brief report on the status of the plan and implementation.

Gulf Watch Alaska Briefing

Dr. Mandy Lindeberg, of NMFS AFSC Auke Bay Laboratory and the Program Lead for the Gulf Watch Alaska (https://gulfwatchalaska.org/) long-term ecosystem monitoring program, will present a brief overview of this anticipated 20 year program, funded by the *Exxon Valdez* Oil Spill Trustee Council and comprising 28 principal investigators. The program focuses on three components: 1) Environmental Drivers (physical and biological oceanography), 2) Pelagic Ecosystem (predators and prey), and 3) Nearshore Ecosystem (intertidal communities and predators). Gulf Watch Alaska supports various "legacy" sampling programs with time series that are key to understanding Gulf of Alaska ecosystem response to environmental variability and how this affects recovery of resources injured during the T/V *Exxon Valdez* oil spill. Gulf Watch Alaska works in close collaboration with NOAA Fisheries, the NSF funded Northern Gulf of Alaska Long-term Ecological Research site, the Prince William Sound Herring Research and Monitoring program, and coastal communities, among others, to expand the broader impacts of this one-of-a-kind annual monitoring program.

Warming Waters and Salmon

Inletkeeper has studied the interface between warming temperatures and salmon streams in the Cook Inlet and Bristol Bay watershed. High water temperatures create stress in cold-water fish, making them more vulnerable to pollution, predation and disease. Findings show instream water temperatures track closely with air temperatures, which have been increasing. Inletkeeper Science Director Sue Mauger is available to provide a short presentation on her salmon & climate and thermal refugia work.

Unusual Mortality Event – Ice Seals

On 12 September, NOAA Fisheries declared an Unusual Mortality Event (UME) for bearded, ringed, and spotted seals in the Bering and Chukchi Seas. Since June 1 2018, there have been reports of 282 dead seals, which nearly 5 times the average number of reported strandings. Reports of strandings primarily

occurred from June through September, each year, and all ages of ice seals were reported. Samples have been collected from stranded seals to help determine the species, and for evidence of harmful algal blooms or other cause of death. Results are pending.

An UME is a stranding event that is unexpected, involves a significant die-off, or demands an immediate response. NOAA Fisheries determined that the seal die-off met the first criterion. Declaration of an UME will bring more focus, expertise, and resources to help the investigation.

Alaska Natives living along the Bering, Chukchi, and Beaufort coasts are highly reliant upon ice seals to maintain their nutrition and subsistence culture. Local communities provided valuable information to document sick and dead ice seals, leading to the UME declaration. The public can report dead, injured, or sick marine mammals by calling NOAA's <u>Alaska Marine Mammal Stranding Network</u> at (877) 925-7773.

Legislative Update

H.R. 3697 - "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act"

On July 11, Congressmen Young (Alaska) and Van Drew (New Jersey) introduced a Magnuson-Stevens Act reauthorization bill (H.R. 3697), which is the same bill that was passed by the House of Representatives last year (H.R. 200). The H.R. 3697 bill can be accessed here: https://www.congress.gov/bill/116th-congress/house-bill/3697/text

For reference, the Council's prior comments on HR 200 can be found here: https://static1.squarespace.com/static/56c65ea3f2b77e3a78d3441e/t/5ac27e4a8a922dfd6530b483/152269 5754219/040218 NPFMCCommentltrYoung HR200 HR2079.pdf

The Council Coordination Committee comments on H.R. 200 can be found here: https://static1.squarespace.com/static/56c65ea3f2b77e3a78d3441e/t/5b2aa3d888251b1c3d0b6a3c/152952 1112329/060818 CCC CongressmanYoung.pdf

H.R. 1979 "The Driftnet Modernization and Bycatch Reduction Act"

On March 28, Representative Ted Lieu (California) introduced the Driftnet Modernization and Bycatch Reduction Act. This bill addresses certain driftnet fishing (gillnets that drift with ocean currents). The use of large-scale drift gillnets with a total length of 2.5 kilometers or more has already been prohibited in the United States. The bill expands the definition of large-scale driftnet fishing to prohibit the use of gillnets with a mesh size of 14 inches or greater. This expanded prohibition does not apply within the U.S. exclusive economic zone for five years. The bill would require the Department of Commerce to conduct a transition program to facilitate the phase out of large-scale driftnet fishing and to promote the adoption of alternative fishing practices that minimize the incidental catch of living marine resources. Commerce must award grants to program participants.

This bill appears to have no immediate impact on fisheries Management in the North Pacific. Gillnets (including setnet and driftnet) are not authorized gear types for use for fisheries in the North Pacific EEZ, with minor exceptions (CFR 600.725). The exceptions are for commercial salmon fisheries which operate primarily in State waters (and in 3 small designated areas of the EEZ), and other commercial fisheries managed by the State of Alaska which occur entirely in State waters (e.g., Pacific herring gillnet fisheries). In all cases, gillnet mesh is regulated by the target species and area (the maximum allowed in the States is 8" stretched mesh) and gillnet length is regulated as well (maximum of 150 fathoms, which equates to about 0.274 kilometers). To date, the EEZ off Alaska has not been suitable habitat for billfish,

tunas, or large commercially marketed shark species, so no commercial driftnet or pelagic longline fisheries have been prosecuted for these species in the area.

H.R. 2236 "The Forage Fish Conservation Act"

In June, the Council reviewed the "Forage Fish Conservation Act" which was introduced in April to the US House of Representatives by Rep. Debbie Dingell (Michigan) and Rep. Brian Mast (Florida). The Bill is posted here: https://www.congress.gov/116/bills/hr2236/BILLS-116hr2236ih.pdf. Essentially, this bill would amend MSA to create a new definition for forage fish, require assessment and management considerations for forage fish, and limit new fisheries from developing until ecological importance is evaluated.

The Council reviewed provisions of this bill in June, and a Council comment letter on the bill was sent to Senator Maria Cantwell at the request of her staff. https://www.npfmc.org/wp-content/PDFdocuments/CM/2019/062819/062819 ForageFishCommentLtr.pdf

<u>Council Comments Requested</u>: Comments on H.R. 1979 and 2236 have recently been requested by Mr. Rob Bishop of the U.S. House of Representative Committee on Natural Resources. The Legislative Committee met on Wednesday, October 2 to review these bills and provide recommendations. I intend to have a draft comment letter for Council review prior to the end of the Council meeting. The Legislative Committee Agenda can be found here: https://meetings.npfmc.org/Meeting/Details/923

Electronic Monitoring Workshops

NOAA Fisheries will be hosting two electronic monitoring workshops, on November 13-14, 2019 in Portsmouth, NH and tentatively scheduled on Feb 12-13, 2020 in Seattle, WA. NMFS is looking to attract diverse participation, including fisheries that may have less familiarity with electronic monitoring. There will be some travel funding support. More information can be found here: https://www.fisheries.noaa.gov/national/fisheries-observers/save-date-3rd-national-electronic-monitoring-workshop-series

Save the Date

Plans are underway for Alaska SeaLife Center's Marine Gala which is scheduled for February 8, 2020, at the Dena'ina Center. I have reserved one table (10 seats) for the North Pacific Council. Please let me know if you are interested in attending.

NMFS Requests for Council Review

<u>Carry-Over and Phase-in Provisions</u> - NMFS has requested the Councils and their SSCs review a draft Technical Memorandum titled "National Standard 1 Technical Guidance for Designing, Evaluating, and Implementing Carry-over and Phase-in Provisions within ABC Control Rules". When finalized, the draft tech memo is meant to support the implementation of carry-over and phase-in provisions, help Councils and NOAA understand what factors to consider when deciding whether or not to implement carry-over and phase-in, and provide examples of how these tools have been used in the past. This draft tech memo is part of a series of products being developed by the NS1 Working Group to support decision-making on key management issues related to the guidelines. Comments are due January 15, 2020. I have scheduled this issue for Council and SSC review at the December meeting.

EM Data Retention - At the CCC meeting in May, NMFS proposed a framework for data retention in electronic monitoring (EM) programs whereby the fishing industry contracts with a service provider(s) to store imagery and associated information. NMFS recognizes that data storage and retention is an important component and cost driver to EM programs, so they are providing the Councils with an opportunity to review a draft Procedural Directive on this issue. Comments are due by December 31, 2019. Additionally, later this year, NMFS will be issuing a Federal Register notice that will propose a new retention schedule for EM data and associated information under the Federal Records Act. The Fishery Monitoring Advisory Committee will be reviewing the draft Procedural Directive and provide comments to the Council in their report under agenda item C3.

Modernizing Recreational Fisheries - The NMFS Office of Science and Technology has developed a draft Report to Congress as required in Section 201 of the Modernizing Recreational Fisheries Management Act of 2018. This draft Report addresses improvements in data collection by state and nongovernmental organizations to facilitate greater incorporation of that data, and provides recommendations for facilitating greater incorporation of these data sources. NMFS is directed to produce this report "in consultation with the SSCs of the Councils and the Marine Fisheries Commissions." Thus, NMFS is seeking SSC, Council, and Commission review and feedback on the draft Report to Congress. Comments are due by December 31, 2019. I was not planning to ask the SSC to review the draft report, as the SSC does not review any assessments based on recreational data. However, I plan to discuss the report with ADF&G staff and provide any recommendations for comments as part of the B-1 report in December.

<u>Social Impact Assessment Guide</u> -- NMFS has requested staff input on a draft document, "A Practitioner's Guide to Fisheries Social Impact Assessment." This not an update to the official NMFS Social Impact Assessment Guidelines, but rather it will be a NOAA Tech Memo to provide some detailed practical advice about collecting and using appropriate data for an SIA. Our staff, with assistance from Dr. Mike downs, will be providing written comments on the document by the December 2 deadline.

Recent Council activities

- On June 18-19, the 30th session of the U.S./Russia bilateral Intergovernmental Consultative Committee on Fisheries (ICC) was held in Seattle, Washington. I attended the meeting as the Council's representative, along with Mr. Tweit, Ms. Baker and other members of the Bering Sea Fisheries Advisory Board (BSFAB). The 'Protocol', or meeting summary, is attached. Mr. Tweit may wish to provide additional comment.
- On June 26-27, Mr. Tweit attended a national workshop on Electronic Monitoring Video Data Management in Seattle, to discuss commonalities and distinctions across the regions about how EM programs handle data, address technical and policy constraints, and how EM program design choices affect cost, data availability and usability.
- On August 7th, Mr. Tweit presented at the NMFS National Cooperative Research Working Group annual meeting in Kodiak, AK, on the Council, Council research priorities, and Council support for getting stakeholders and communities in Alaska involved in cooperative research, with a particularly focus on electronic monitoring.

Recent Staff activities

• On July 9-10, Ms. Schmidt attended the NOAA Grants Workshop in San Diego, CA. Of note, NOAA Grants expect to move away from Grants Online in the next two years, and this will have

- a significant impact as all our award application, management, reporting, and other grant tools are held through Grants Online.
- On July 18, Dr. Stram gave a presentation on Alaska fisheries and U.S. Federal fishery management to a group from Brazil, organized by the Alaska Seafood Marketing Institute.
- On July 20-28, Anna Henry joined Dr. Mike Downs for in fieldwork for Halibut ABM in Dutch Harbor and Akutan.
- Ms. Evans and Mr. MacLean attended the CCC Habitat Workgroup Workshop in Portland, OR
 on August 20-22. The purpose of the workshop was to develop and evaluate opportunities to
 improve the assessment of potential impacts of non-fishing activities on Essential Fish Habitat.
- On September 20, Dr. Stram and other staff participated in the Halibut ABM Workshop held by webinar and in person at the AFSC.

Committee Meetings

The <u>Trawl EM Committee</u> met August 21-22 in Portland, OR. You will receive a report of the Committee meeting under Agenda Item D-1.

The <u>Fishery Monitoring and Advisory Committee</u> (FMAC) met in Seattle on September 23-24. You will receive a report of the Committee meeting under Agenda Item C-3.

The <u>Cook Inlet Salmon Committee</u> will meet Monday, September 30 at the Best Western. A report from the meeting will be discussed during Agenda Item D-5.

The <u>Community Engagement Committee</u> will meet on Tuesday, October 1 in the Harbor Room. A report from the meeting will be discussed under Agenda Item E-1.

The <u>Legislative Committee</u> will meet on Wednesday, October 2, from 3-5 pm in the Harbor Room to discuss comments on the Driftnet Act and the Forage Fish Conservation Act.

Events this week

This is a very busy Council meeting, with events scheduled most every evening!

On Monday evening, from 5:30-7 pm, there will be an outreach meeting to informally discuss progress on Federal management of the salmon fishery in the EEZ of Cook Inlet. All persons interested in this topic are encouraged to attend and participate. The event will take place in the AP meeting room at the Best Western.

On <u>Tuesday evening</u>, from 5:30-7 pm, the Council is hosting its first informal "Introduction to the Council Process" seminar to provide information to the public on the council process, how they can effectively participate in the process, and provide an opportunity for them to ask questions of the staff. The Community Engagement Committee had suggested that we hold these informal presentations when we meet in coastal communities to help new people understand and participate in the process. The event will take place in the AP meeting room at the Best Western.

Also on <u>Tuesday evening</u>, from 5:30-7:30, acoustics expert Michael Stocker will discuss our current scientific understanding of the effects of seismic air gun testing on the marine ecosystem, including known and potential effects on plankton, fish and whales. This presentation is open to the public and will be held in the Quarter Deck at Land's End.

On Wednesday evening, from 5:30-7 pm, NMFS is hosting a recreational halibut fishing roundtable discussion, and all persons interested in this topic are encouraged to attend and participate. The event will take place in the AP meeting room at the Best Western.

Also on Wednesday evening, from 5:30 – 7 pm, Captain Pat McBride, a local Homer fisherman, will be giving a slideshow talk titled "From Wheelhouse to Wheelchair", documenting photographs and stories of his 30 years spent fishing for sablefish on the F/V Judi B out in the Aleutian Islands. The talk will be given at the Quarter Deck at the Land's End resort. This is open to the public and a cash bar will be available.

On <u>Thursday evening</u> beginning at 6 pm, there will be an industry reception at the Land's End Chart Room hosted by a number of charter and commercial fishing industry associations, processing companies, and other marine associations (see <u>attached</u> flyer).

On <u>Friday and Saturday evenings from 5:30-6:30 pm</u>, Mr. Jim Herbert is hosting a tour of the Homer Harbor and an opportunity to visit vessels from different sectors. To be part of the tour, meet with the guy wearing a lime green vest outside of the Salty Dawg at 5:30. Dress appropriately for the weather. A flyer for the event is <u>attached</u>.

On <u>Sunday from 3-5pm</u>, the Council will be in **Executive Session** to discuss the GOA groundfish Plan Team nomination, review a draft proposal for a new SOPP and Council Operations Handbook, and discuss other administrative matters.

On <u>Sunday evening</u> from 5 – 8pm, there will be an "Alive not Dead!" party at the Veerhusen residence in Homer to honor local and State legend Clem Tillion, and the many other people that have contributed to fisheries management and the successful Council process. Shuttles to and from the party will be available from Land's End. A flyer for the event is <u>attached</u>.

Other Logistics

Before we start the week, I just wanted to alert you of a few details with respect to meeting logistics:

- Because the AP is meeting 6 miles away at the Best Western, we may need to take a few short stand-downs so we can get the AP vice-chair to provide the AP reports on issues from Thursday through Saturday. Staff will be communicating with the AP vice-chairs to try to minimize these delays, but we may try to have time certain (tentatively 8am) AP reports on several of the day's issues at once, especially on Friday and Saturday.
- All Council and SSC lunches will be catered as there are very few restaurants open in October near the Land's End hotel. The hotel's restaurant will be open to the public. The AP can take advantage of the several very good restaurants within walking distance of the Best Western. A list of restaurants open in Homer is attached.
- Council lunches will be served downstairs in the Harbor Room, which is limited in size, so you may want to bring your plate back to the Council room to eat.