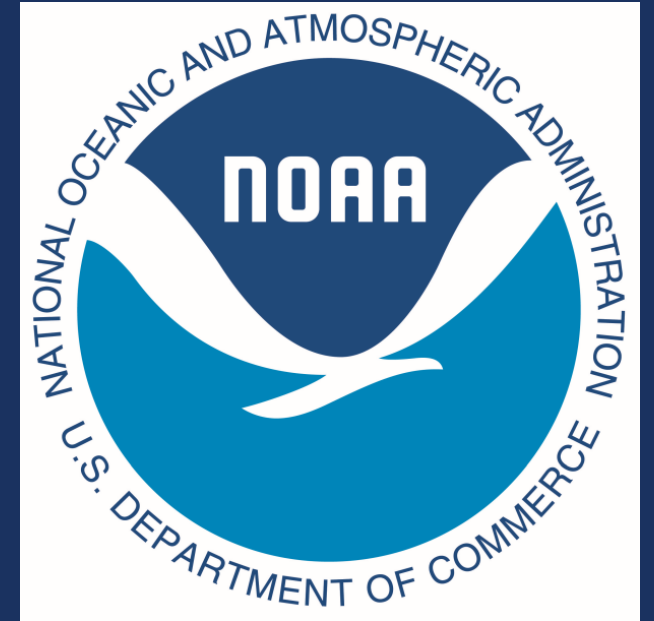


COOK INLET SALMON FMP AMENDMENT: FINAL ACTION

DOUG DUNCAN, NMFS AKRO – 12/7/2020

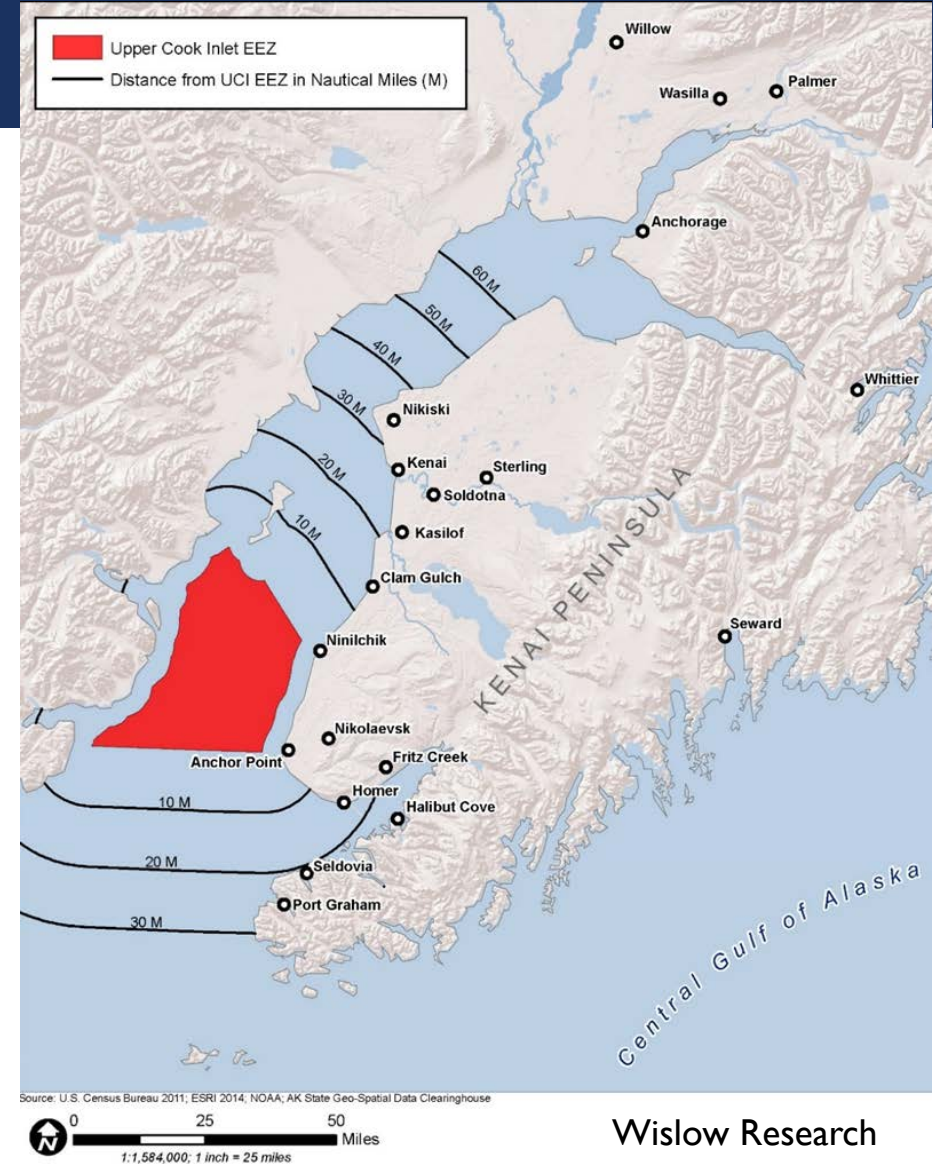


Patrick Dixon Fine Art Photography



ACTION

- Amend the Salmon FMP and Federal regulations to include the upper Cook Inlet EEZ commercial drift gillnet salmon fishery
- Council Final Action
- Action memo
- Public Review Draft analysis
- Public comment



ADDITIONS TO THE DOCUMENT (PG. 5)

- Description and analysis of Alternative 4
- Appendix from ADF&G analyzing Alternative 4
- Criteria for annual EEZ closure under Alternative 3
- Status Determination Criteria (SDC) and Optimum Yield (OY) clarifications for Alternative 2 in response to SSC comments
- Minor clarifications and technical corrections



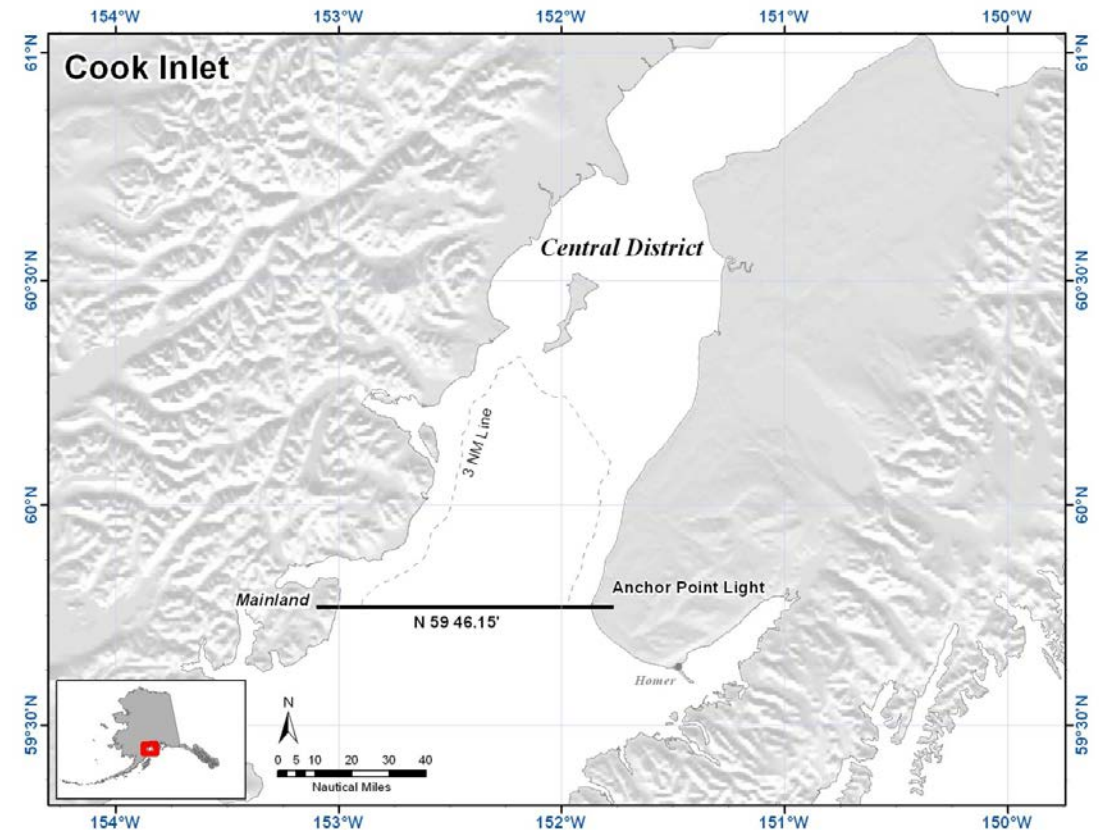
PURPOSE AND NEED (2.1, PG. 60)

*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. 61)

- **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.**



ALTERNATIVE I – NO ACTION / STATUS QUO (2.3, PG. 62)

- No changes to existing management of the fishery (excluded from the FMP, management deferred to the State)
- No longer legal given the 9th circuit decision



ALTERNATIVE 2 – DELEGATED MANAGEMENT (2.4, PG. 68)

- Establishes process to delegate management to State with defined roles and responsibilities
- Annual Council process, Salmon Plan Team (SDC, ACL, SAFE report)
- The State carries out inseason management
- Process for Federal oversight and review of State management
- Applicable only to the EEZ



ALTERNATIVE 2 – MANAGEMENT MEASURES DELEGATED TO THE STATE

- Escapement Goals
- Fishing Seasons
- Closed Waters
- Management Area, District, Subdistrict
- Legal Gear
- Inseason Management
- Limited Entry Permits
- Recordkeeping and Reporting
- Other

(2.4.3, pg. 73)



ALTERNATIVE 2 – OPTIONS AND ELEMENTS

If the Council selects Alternative 2, it will need to specify:

- Monitoring, recordkeeping, and reporting (2.4.8, pg. 82)
 - Federal Fisheries Permit (FFP), Federal Logbook, Fish ticket or eLandings reporting – *OR* – additional measures
 - Full retention of groundfish – *OR* – No retention of groundfish

- $\frac{3}{4}$ majority Council vote required to delegate management



ALTERNATIVE 3 – FEDERAL MANAGEMENT (2.5, PG. 90)

- Management by NMFS, including inseason management
- Annual Council process, Salmon Plan Team (SDC, ACL, SAFE report)
- EEZ Total Allowable Catch (TAC) set by Council
- EEZ harvest reduced if State harvests increase
- Annual EEZ fishery expected, but EEZ could be closed to address conservation or management concerns (2.5.3, pg. 93)



ALTERNATIVE 3 – OPTIONS AND ELEMENTS

If the Council selects Alternative 3, it will need to specify:

- Monitoring, recordkeeping, and reporting (2.5.7, pg. 98)
 - FFP, Federal Logbook, VMS, eLandings reporting – *OR* – additional measures
 - Full retention of groundfish – *OR* – no retention of groundfish
- Fishing season (pg. 100)
 - Consistent with State – *OR* – independent Federal salmon season



ALTERNATIVE 3 – OPTIONS AND ELEMENTS

- Fishing periods (pg. 100)
 - Concurrent with State fisheries* – OR – non-concurrent with adjacent State fisheries
- Closed Areas (pg. 101)
 - Adopt State closed areas – OR – Federal closed areas – OR – no closed areas
- Management Area, District, Subdistrict, Section, and Stat Areas (pg. 101)
 - Use State areas with EEZ reference – OR – Adopt Federal areas

*Would require additional monitoring measures and coordination with the State



ALTERNATIVE 3 – OPTIONS AND ELEMENTS

- Legal gear (pg. 102)
 - Consistent with State – *OR* – define configuration
- Limited entry (pg. 103)
 - FFP to participate – *OR* – FFP and intent to develop a limited entry program



ALTERNATIVE 4 – COOK INLET EEZ CLOSED TO COMMERCIAL SALMON FISHING (2.6, PG. 104)

- Would apply West Area prohibition on commercial fishing to the Cook Inlet EEZ
- Cook Inlet EEZ closed to commercial salmon fishing
- Commercial salmon fishing would continue in State waters where State management processes continue without Federal involvement



ALTERNATIVE COMPARISON (PG. 8-15)

	Alternative 1 Status Quo	Alternative 2 Delegated Mgmt.	Alternative 3 NMFS Mgmt.	Alternative 4 EEZ Closure
Annual Council Process?	No	Yes	Yes	No
Inseason Managers	ADFG	ADFG	NMFS	n/a
State/EEZ catch apportionment	BoF	BoF, within MSA & FMP criteria	Responsive to State management	n/a
CFEC Permit Req'd?	Yes	Yes	Yes, if landing in SoA	n/a
Fishing across EEZ boundary?	Yes	Yes	No	No



ENVIRONMENTAL ASSESSMENT (3, PG. 115)

- No significant impacts expected to the affected environment:
 - Alaska salmon stocks (3.1, pg. 116)
 - ESA listed salmon stocks (3.2, pg. 142)
 - Marine mammals (3.3, pg. 143)
 - Seabirds (3.4, pg. 160)
 - Habitat (3.5, pg. 163)
 - Cumulative effects (3.6, pg. 165)



REGULATORY IMPACT REVIEW (4)

- Aside from edits for clarity or data cleanup, no changes made to:
 - Fishing communities historical/existing conditions information in Section 4.5.5.
 - Community engagement indices information in Section 14 (Appendix).
- Analysis of alternatives
 - Alternative 1, 2, and 3 analyses remain largely unchanged.
 - Alternative 4 analysis is new.



IMPACTS OF ALTERNATIVE I (PG. 276)

- 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)



IMPACTS OF ALTERNATIVE 2 (PG. 276)

- Annual Council process
- 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, the Council would request the State to take remedial measures
- Requests for Federal review and oversight
- Participants need an FFP and logbook



IMPACTS OF ALTERNATIVE 3 (PG. 277)

- Annual Council process
- Forecast based TACs set conservatively to account for increased uncertainty
- EEZ closed when a TAC is reached
- Possible annual EEZ closure
- Likely lower harvest levels for the UCI drift gillnet fleet on average, increases in State waters salmon harvests
- Participants need an FFP, logbook, and VMS



IMPACTS OF ALTERNATIVE 4 (PG. 278)

- No commercial fishing in the Cook Inlet EEZ
 - EEZ harvests summarized in 4.5.2.3 (pg. 190), EEZ revenue in Table 4-32 (pg. 279)
- Salmon potentially available to all State water fisheries
- Reduced drift gillnet fleet harvest, increases to other groups
- Potentially some reduction in overall Cook Inlet salmon harvest
- Impacts dependent on amount of compensatory effort and State management response



IMPACTS OF ALTERNATIVE 4

- Communities affected differentially by:
 - Location relative to the EEZ (vessel run time, where effort and moorage concentrates)
 - Engagement and dependency on the salmon drift gillnet fishery through local ownership and/or operation of vessels, permits, processors, and support services businesses.
- Most vulnerable communities to adverse impacts would be Kasilof, Kenai, Nikiski, Nikolaevsk, Ninilchik, and Soldotna, based on the above factors and relative dependency on estimated EEZ revenue at risk.
- While the Homer fleet is more diversified than the fleets of these communities, in absolute terms the Homer fleet has more revenue at risk than the fleets of other communities.



IMPACTS OF ALTERNATIVE 4

- Community outcomes depend on adaptive responses of individuals and entities engaged in the fishery, as well as those of the State, and are not quantifiable.
- Impacts in a community also shaped by demographic and socioeconomic attributes of the relevant communities (e.g. relatively large and economically diversified communities may experience different outcomes than other communities).



IMPACTS OF ALTERNATIVE 4

- Communities with other salmon user groups may benefit, but it is not possible to estimate the magnitude of those potential benefits or their distribution.
- These impacts, were they to occur, would likely be distributed across a relatively wide geography and among multiple communities.
- Some communities may have simultaneous positive and negative impacts. (e.g., Kenai and Kasilof, both of which have residents and business enterprises engaged in the commercial set net, sport, and personal use salmon fisheries in addition to the UCI salmon drift gillnet fishery).



NATIONAL STANDARDS AND NET BENEFIT

- The Council did not select a Preliminary Preferred Alternative
- Preliminary discussion of Net Benefit to the Nation (4.10, pg. 305)
- MSA National Standard discussion (5.1, pg. 308)



QUESTIONS?

- **Workgroup staff available for questions** – Gretchen Harrington (NMFS), Marcus Hartley (Northern Economics), Jim Armstrong (Council Staff), Lauren Smoker (NOAA GC), Mike Downs (Wislow Research)



Thank you!



Radio Kenai

Doug Duncan
Doug.Duncan@noaa.gov

