

**Salmon Amendment Working Group**  
**comments on**  
**Stakeholder SDC Proposal**  
**March 22, 2019**

At the March 6, 2019 meeting of the Cook Inlet Salmon Committee, Committee member Erik Huebsch presented a proposal titled “West Area Cook Inlet” that he and other Committee members intended as a draft Committee recommendation on the MSA requirement for FMPs to include status determination criteria for stocks in the fishery. Based on discussion among working group members, several aspects of the proposal need to be addressed in order to move it closer to fulfilling MSA requirements.

*The workgroup has preliminarily identified several aspects of the proposal that may benefit from further development. The aspects listed below are the workgroup’s initial draft thoughts that may be supplemented by the workgroup as the proposal develops.*

1. *Descriptions of the West Area and the Cook Inlet Management Area.* The proposal includes a description of the West Area as well as a description of the Cook Inlet Management Area. The proposal describes the West Area as “the area off the coast of Alaska west of the longitude of Cape Suckling, including the Gulf of Alaska, Bering Sea, Chukchi Sea, and the Beaufort Sea” This proposed description would bring into the Salmon FMP the Prince William Sound Area and the Alaska Peninsula Area, two areas that are currently excluded from the FMP and are not going to be addressed with the Salmon FMP amendment for the Cook Inlet Area. Because the Salmon FMP amendment currently being developed by the Council is intended to address solely the Cook Inlet Area, and a separate FMP amendment will address the Prince William Sound Area and the Alaska Peninsula Area at a future date, the workgroup suggests that the proposal be modified to remove any description of the West Area and instead focus on the description of the Cook Inlet Management Area.

The proposal describes the Cook Inlet Management Area as “comprised of all marine waters west of the longitude of Cape Fairfield and north of the latitude of Cape Douglas, and includes all benthic, estuarine and freshwater habitats necessary to salmon for spawning, breeding, feeding, or growth to maturity.” The proposal’s description of the Cook Inlet Management Area is visually displayed in the map provided on the first page of the proposal. The map illustrates that the proposal would greatly expand the Cook Inlet Area from its long-standing description in the Salmon FMP prior to Amendment 12 by including additional EEZ area as well as State marine and freshwater areas.

Most of the EEZ area included in the proposal’s description is already in the FMP and directly managed by the Council and NMFS. The FMP amendment under development would bring that portion of the EEZ north of a line at 59°46.15’ N (or Anchor Point line for simplicity) back into the FMP, and the alternatives under consideration would either delegate management of the EEZ area north of the Anchor Point line to the State of Alaska, or apply Federal management to the EEZ area north of the Anchor Point line. The FMP prohibits commercial fishing in Federal waters south of the Anchor Point line. Is it the intent of the stakeholder proposal to include the EEZ waters south of the Anchor Point line so that a fishery can occur in Federal waters south of

the Anchor Point line and that management of a fishery in those EEZ waters can be delegated to the State?

The proposed Cook Inlet Management Area also would include State marine and freshwater areas within the FMP and under Federal management. Prior to Amendment 12, the FMP applied to the entire EEZ off the coast of Alaska, which included the EEZ off of Cook Inlet. The pre-Amendment 12 FMP prohibited commercial fishing in the EEZ west of the longitude of Cape Suckling, but had an exception from this prohibition for commercial net fishing in the EEZ north of the Anchor Point line. The pre-Amendment 12 Salmon FMP did not include State waters because Federal management authority under the Salmon FMP is limited to fishery activities in EEZ waters off the coast of Alaska. The basis for the scope of Federal management authority under the Salmon FMP is described in the current [discussion paper](#) and was directly addressed in a NOAA GC [letter to the Council in April 2018](#).

The workgroup understands that the committee holds a different opinion on the scope of the FMP amendment but notes that SDC for Cook Inlet salmon can be developed without the inclusion of State marine and freshwater areas in the FMP.

2. On page 2, the proposal refers to the FMP's management objectives. Please clarify which management objectives it is referring to.
3. On page 3, the proposal refers to "abundance-based management utilizing CPUE's (Catch per Unit of Effort) to achieve the level of harvest and escapement required to meet NS1" but it does not explain how CPUE measures abundance, how CPUE would be estimated, or how CPUE would be used for management.
4. The current proposal includes much background on the history and approach to setting escapement goals, but these are only a small part of status determination criteria (SDC). The actual statuses in the "status determination criteria" are terms like overfishing and overfished, used by the Council and NMFS to annually determine the status of the stocks. The definitions of these terms thus become the "determination criteria." The proposal says, "There are currently no overfished stocks in the UCI management area." but there is no description of how this conclusion was made. Building off of the above comment about status criteria, the authors have an opportunity here to illustrate how they arrived at several of their conclusions (similar to the example provided in the discussion paper).
5. Overfished is determined using an equation for minimum stock size threshold (MSST) and overfishing is determined using an equation for maximum fishing mortality threshold (MFMT) - the proposal does not address these or contain an expression of how these would be calculated. SDC must meet the requirements of the National Standard 1 Guidelines, available at <https://www.federalregister.gov/documents/2016/10/18/2016-24500/magnuson-stevens-act-provisions-national-standard-guidelines>. The equations provided in the discussion paper for things like MSST and MFMT are NMFS's proposed approach to defining the SDCs as required by MSA / NS1. In many cases, you may be able to make use of the same equations, or slightly modified versions. A text description / example is provided here for the West Coast [https://www.westcoast.fisheries.noaa.gov/fisheries/salmon\\_steelhead/faqs\\_2018\\_status\\_of\\_salmo](https://www.westcoast.fisheries.noaa.gov/fisheries/salmon_steelhead/faqs_2018_status_of_salmo)

[n\\_stocks.html](#), but for the proposal, the text versions will need to be associated with mathematical definitions as well.

6. GHLS need to be in terms of numbers of fish for salmon. Additionally, GHLS are determined by the State and not through mechanisms in the FMP. GHLS are limits on catch, and fisheries are closed to prevent exceeding the GHL. The Federal equivalent is called a total allowable catch (TAC), defined as the annual catch target for a stock or stock complex, derived from the Acceptable Biological Catch (ABC) by considering social and economic factors and management uncertainty (i.e., uncertainty in the ability of managers to constrain catch so the ACL is not exceeded, and uncertainty in quantifying the true catch amount).
7. There may be some confusion associated with the term GHL as used in the proposal. When State-managed groundfish fisheries use the term “GHL,” this is the State’s equivalent to a TAC, which is essentially an upper bound catch limit. In the proposal, the term “GHL” is being used as a sort of lower bound. To avoid ambiguity or confusion, a different term may be helpful.
8. Harvest rates - How can these be calculated as a ratio of catch/run size if run size is unknown?
9. Much of the proposal seems to describe the status quo, including support of the science-based approach currently used by ADF&G. It would be helpful to see more clearly articulated sections that break apart the historical descriptions and the new proposals. The tables are a useful step in this direction
10. In some Federal fisheries, OY may be drastically reduced on account of ecological / ecosystem factors. For example, in the Bering Sea pollock fishery, the 2018 ABC was 2.6 million tonnes and the Bmsy was 2.3 million tonnes but the 2018 TAC was only 1.3 million tonnes. Thus, in the proposal sentence, “...a GHL described as a minimum exploitation rate of 40% will be the proxy to achieve OY until an MSY escapement goal can be established.” some rewording may be necessary. OY does not strictly refer to optimum “economic” yield, but can lead to harvests well below what might be possible for a given stock. So some of the sentences that provide a rigidly prescriptive definition of OY may need to be softened a bit to acknowledge that OY has to account for things like weak stock management and other ecosystem considerations.
11. Harvest Rates for Upper Cook Inlet Stocks Table -- The proposal is not clear on what data was used to derive the proposed harvest rates. Without data, the harvest rates may be arbitrary. Also, there is no analysis of the impacts of harvesting up to 85% of a salmon stock in the commercial fishery or the impacts of harvesting up to 60% of the escapement in the Kenai River Chinook. There is no analysis of whether harvesting at these rates will cause overfishing or cause a stock to become overfished. Preventing overfishing is the primary goal of National Standard 1.