

MEMORANDUM

TO: Council and AP Members

FROM: Chris Oliver *CO*
Executive Director

DATE: December 1, 2010

SUBJECT: Salmon FMP Discussion Paper

ESTIMATED TIME
2 HOURS

ACTION REQUIRED

Review discussion paper and provide further direction.

BACKGROUND

Staff has prepared a discussion paper on the status of the Council's *FMP for the Salmon Fisheries in the United States Exclusive Economic Zone (EEZ) off the Coast of Alaska* with extensive input from the National Marine Fisheries Service and the Alaska Department of Fish & Game. Though the Salmon FMP has been amended nine times, a comprehensive consideration of the management strategy, scope of coverage, or subsequent fisheries data has not occurred since 1990. In addition, State fisheries policies and Federal and international laws affecting Alaska salmon have since changed, and these changes are not reflected in the current Salmon FMP. For example, the reauthorized Magnuson-Stevens Act (MSA) and the National Standard 1 guidelines (NS1) now require, in most instances, Annual Catch Limits (ACL) and accountability measures (AM) for target species managed under an FMP. This discussion paper focuses on the following areas:

- Possible options for the Council's consideration of the future scope of its Salmon FMP:
 1. Maintain the existing geographic scope of the FMP;
 2. Repeal the FMP entirely;
 3. Maintain the FMP in the East Area EEZ only; or
 4. Modify the FMP to specifically exclude three historical net commercial salmon fishing areas in West Area EEZ from the FMP.
- Possible Federal legislation to amend the MSA to affirmatively authorize State regulation of Alaska salmon fishing in the EEZ in the absence of an FMP.
- Satisfying MSA and NS1 guidelines using the State's salmon management program in areas where the Salmon FMP applies.
- Exempting the stocks managed under an international fishery agreement from the ACL/AM requirements for Chinook salmon harvests under the Pacific Salmon Treaty in the East Area EEZ.
- Obtain regulatory clarification from NMFS that Alaska salmon fisheries will not be subject to the ACL/AM requirements of the MSA and the NS1 guidelines.
- Updating the Salmon FMP to meet the MSA required provisions in section 303(a) for an FMP.