

Cook Inlet Fishery Management Plan Amendment 16

Informational Meeting

January 8, 2024

Summary

Attendees

- **Salamatof Tribe;** Chris Monfor - Chairman, Curtis McCubbins, Charmaine Lundy, Eric Morrison, Kate Schadle, Sharon Williford, Kaarlo Wik, Bernice Crandall
- **NOAA, National Marine Fisheries Service;** Amilee Wilson, Tribal Liaison, Gretchen Harrington, Assistant Regional Administrator, Abby Jahn, Fisheries Management Specialist, Doug Shaftel, Fisheries Management Specialist

Welcome and Introductions (all)

NMFS provided information about how to navigate the virtual meeting platform. NMFS staff and Salamatof Tribal representatives introduced themselves.

Update on Cook Inlet Salmon FMP A16/rulemaking (NMFS)

NMFS provided a status update on the development of Amendment 16 to the Salmon Federal Management Plan and the associated implementing regulations. The update included NMFS' effort to respond to public comments on the proposed rule, an upcoming public presentation on the Stock Assessment and Fishery Evaluation report and opportunities for input on the same, and timing of publication of the final rule (on or before May 1, 2024) and subsequent outreach events in the planning stages.

Salamatof Tribe

- **United Cook Inlet Drift Association litigation**
 - United Fishermen are represented on the Board of Fish and have good access to commercial fisheries representation. The tribes are not represented at all in regard to subsistence. Can NMFS keep us informed of what UF is saying?
 - Commercial fishermen have attorneys and we do not despite the fact it has tribal impacts. We are discriminated against in response to dealing with this. Can we seek the help of federal attorneys, should we take our own legal action?
 - Please be mindful of this power imbalance between tribes and other stakeholders with more of a voice in the process.
 - To have our resources tied up through litigation without a say in the litigation is where we have an issue. We recommend coming together as tribes and maybe raise our concerns in court.
 - Within the court process the position of native people has been neglected.

- **Request for subsistence fishery/tribal set-aside**
 - We request that NMFS include a tribal subsistence fishery as a part of Amendment 16.
 - Primarily, subsistence fishing has been on the beach. We would have to move out to marine waters.
 - We want a partnership to manage subsistence fisheries. Tribes don't have full subsistence rights with the State. This leaves tribes vulnerable.
 - Existing salmon fisheries can only supply a small amount of salmon to our people.
 - Other users have access to more salmon in different fisheries.

- **Insufficient notice and opportunity for Tribal input**
 - We request more time to allow for feedback from tribes, including time for organizing.
 - We request that NMFS inform the other tribes you are meeting with tomorrow that there is a need for the tribes to bond together.
 - Organizing the tribes of Cook Inlet is no different from getting different countries together.
 - We are native people and this is our land. We want a voice and we deserve a voice.
 - We believe NMFS' heart is in the right place.

NMFS

- NMFS cannot provide legal advice to tribes, but we can help guide you through the process of requesting a subsistence fishery.
- NMFS understands the importance of access to salmon for regional tribes.
- NMFS must comply with the court deadline and lacks sufficient time during the rulemaking for Amendment 16 to create a subsistence fishery. Amendment 16 must be implemented by May 1, 2024.
- Amendment 16 does not foreclose the opportunity to create a subsistence fishery.
- Once Amendment 16 is approved, it is adaptive management and the North Pacific Fishery Management Council can consider adding an additional FMP amendment for a subsistence fishery in the EEZ.
- If permitted under the Magnuson Stevens Act, there can be another amendment for subsistence fishery. The Council could decide to take it up or NMFS could recommend that the Council take it up.
- NMFS could work with a tribe or group of tribes on what a subsistence fishery could look like.
- Because NMFS's jurisdiction only extends to the EEZ, any subsistence set-aside would be limited to the EEZ.

- NMFS needs to learn more about what the tribes are contemplating for a subsistence fishery; for example, what gear, what timing, how to manage?
- Halibut subsistence fishery is under the Halibut Act, a different federal law.
- NMFS acknowledges that the Tribe is concerned with the erosion of indigenous rights, way of life and the comparison of tribal limits to sports limits. It's important to work with tribes to see what we can do for a subsistence tribal set-aside in the EEZ. As we move through this, we will learn together. What can we create to fit into this fishery?
- NMFS did reach out with invitations to tribal partners earlier this year and did not receive a significant response.

Next Steps

- NMFS will set up a meeting with other interested Cook Inlet tribes.
- NMFS is currently responding to comments. In addition, all public comments are publicly available at [Regulations.gov](https://www.regulations.gov).

Meeting Adjourned 12:18pm