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NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Legislation Details (With Text)

File #:	FMP 17-006 **Version:** 1	**Name:**	
Type:	Fishery Management Plan	**Status:**	Action Item
File created:	8/15/2017	**In control:**	North Pacific Council
On agenda:	10/2/2017	**Final action:**	
Title:	Salmon FMP Amendment - Expanded discussion paper		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. C8 Salmon FMP Revisions (Expanded Discussion Paper), 2. C8 Public Comment, 3. Listen to Live Broadcast of Outreach Meeting (Hyperlink), 4. Committee handout for Outreach meeting (Hyperlink), 5. HANDOUT: C8 Table for Salmon FMP Outreach mtg, 6. MEETING SUMMARY: Salmon Outreach, 7. MOTION: C8, 8. C8 Public Testimony Sheet, 9. Mat-Su Borough Public Testimony Handout		

Date	Ver.	Action By	Action	Result
10/2/2017	1	North Pacific Council		

Dan Hull, Chairman
David Witherell, Executive Director

SUBJECT:
Salmon FMP Amendment - *Expanded* discussion paper

STAFF CONTACT: Jim Armstrong

ACTION REQUIRED:
Review *Expanded* Discussion Paper on “Revisions to the Fishery Management Plan for the Salmon Fisheries in the EEZ off Alaska”.

BACKGROUND:
In 2012, the Council revised the Salmon FMP through Amendment 12, to reflect its policy for managing salmon fisheries and also to comply with the re-authorized Magnuson-Stevens Act. Among other things, Amendment 12 specifically excluded three traditional net commercial salmon fishing areas and the sport fishery from the FMP. This was done in recognition of the State of Alaska as the appropriate authority for managing salmon fisheries given the State’s existing infrastructure and expertise. State management of salmon fisheries is based on inseason adjustment of effort by emergency order and time-area closures to achieve escapement goals or abundance levels on the spawning grounds.

Following implementation of Amendment 12, Cook Inlet commercial salmon fishermen and seafood processors filed a lawsuit in Federal district court challenging Amendment 12. The Ninth Circuit Court of Appeals concluded that Amendment 12 was contrary to law to the extent that it removed Cook Inlet Area from the FMP. Because the Ninth Circuit’s decision is now final, the FMP must be amended to bring it into compliance with the Magnuson-Stevens Act, and other applicable law. The Council and NMFS must amend the FMP to include the three traditional net fishing areas in the fishery management unit and manage the commercial salmon fisheries that occur in the EEZ waters of these three areas.

In April 2017, the Council developed preliminary alternatives for amending the FMP. These include: (1) an

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alternative to delegate specific management measures to the State to use existing State salmon management to the extent possible and (2) an alternative that would federally manage the fisheries occurring within the EEZ portion of these areas. The Council also directed staff to develop a range of options for the conservation and management requirements under 303(a) of the Magnuson-Stevens Act and other related Magnuson-Stevens Act provisions.

The expanded discussion paper (attached) provided for Council review at its October 2017 meeting includes a preliminary discussion of the options for each alternative. The options developed for the Magnuson-Stevens Act requirements are summarized in Table ES-1-1 of the attached discussion paper and are addressed in further detail in Chapter 2 of the same discussion paper. To further develop these options, the Council may consider forming a stakeholder workgroup. Public input on the formation of a workgroup will be gathered at an evening outreach meeting Thursday, October 7 from 5:30 - 6:30 pm.

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