



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

November 5, 2024

Traditional Chief Gary Harrison, Chairman
Chickaloon Village Traditional Council
PO Box 1105
Chickaloon, Alaska 99674

Dear Mr. Harrison:

Thank you for the additional information regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

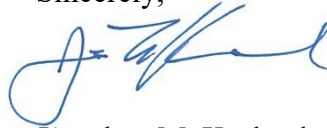
Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Kurland', with a stylized flourish at the end.

Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit² • Individual tribal member permit²
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods ³ * Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery. ⁴
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS

¹ Chickaloon Village Traditional Council letter dated 6/26/24. "Having access to a Tribal harvest, Tribal salmon fisheries, or an Indigenous set-aside in the Cook Inlet would provide for our vulnerable Tribal citizens and contribute to the overall food security for our community."

² Chickaloon Village Traditional Council letter dated 10/4/24. "The Tribal fishery would have two parts: a Community Harvest component and a Tribal Citizen component. For the Community Harvest portion of the fishery, "Tribes as entities may apply for and [shall] receive a community harvest permit". Thus, the Tribes themselves will be participating in the fishery. For the Tribal member component, "Tribal citizens, as individuals, can apply for and receive a" TSF permit from the Tribe if they are a citizens of the Tribe."

³ Chickaloon Village Traditional Council letter dated 10/4/24. "It is the will of the Tribes that the TSF have no openers or periods. This will ensure TSF permit holders will be able to engage in the fishery when fish are present."

⁴ Chickaloon Village Traditional Council letter dated 6/26/24. "Chickaloon Native Village has consulted with NOAA NMFS several times in the last 12 months regarding the Cook Inlet Exclusive Economic Zone (EEZ) and each time we have asked for an Indigenous set-aside and the development of a new opportunity for Tribal fishery harvest in the federal waters of the EEZ."

		<ul style="list-style-type: none"> Set-aside a portion of the TAC for the tribal salmon fishery⁵ Option 2: No annual or seasonal limit ^{6**}
Which vessels can be used?	No limitations	No limitations
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.⁷ Monetary exchange⁸
Input into management	<ul style="list-style-type: none"> Public comment on Council consideration of Cook Inlet EEZ Area issues Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> Public comment on Council consideration of Cook Inlet EEZ Area issues Public comment on NMFS rulemaking Issue tribal permits Tribal consultation Tribal co-management agreement with input into⁹: <ul style="list-style-type: none"> TAC setting Developing regulations Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.

⁵ Chickaloon Village Traditional Council letter dated 10/4/24. *“In the event the Cook Inlet Tribes are allocated a portion of the TAC for the TSF, such an allocation will need to be fair, just, and satisfy Tribal needs. Such an allocation would be managed by the Tribes in cooperation with each other.”*

⁶ Chickaloon Village Traditional Council letter dated 10/4/24. *“Under our proposal, a TSF would have two types of permits. The first would be similar to the community harvest permits for halibut and would have no daily limit. These permits would be held by Tribes. The second would be an individual Tribal Citizen permit similar to the SHARC program and would also have no daily limit.”*

⁷ Chickaloon Village Traditional Council letter dated 10/4/24. *“Once caught, fish would be used to provide for the customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.”*

⁸ Chickaloon Village Traditional Council letter dated 10/4/24. *“Additionally, we asked that “Tribal and individual permit holders be able to engage in the customary trade of salmon caught in the TSF through monetary exchange equivalent to the costs of engaging in the TSF.” We also asked that “the Tribe hold the authority to determine the costs of engaging in the TSF.””*

⁹ Chickaloon Village Traditional Council letter dated 10/4/24. *“Tribal co-management would be ideal for other aspects of the fishery - setting total allowable catch (TAC), creating regulations, and conducting research. Such a partnership is desired and could be memorialized in a co-management agreement.”*

Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.
Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. ¹⁰
How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery. ^{11, 12}
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

¹⁰ Chickaloon Village Traditional Council letter dated 10/4/24. *"We ask that gear related restrictions for the TSF be no more restrictive than the restrictions placed on commercial fishermen engaging in the Cook Inlet commercial salmon fishery."*

¹¹ Chickaloon Village Traditional Council letter dated 10/4/24. *"As was discussed in our initial letter, we ask that the reporting burden placed on TSF permit holders be no more burdensome than reporting requirements placed on other salmon fishers engaging in [similar fishing in] the Cook Inlet EEZ salmon fishery."*

¹² Chickaloon Village Traditional Council letter dated 10/4/24. *"If other fishermen are using similar gear, are using eLandings to report their catch, our Tribe would be open to doing so as well."*



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

November 5, 2024

Bernadine Atchison, Tribal Council Chair
Kenaitze Indian Tribe
P.O. Box 988
Kenai, Alaska 99611

Dear Ms. Atchison:

Thank you for the additional information regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,



Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit² • Individual tribal member permit³
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods ⁴ * Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery. ⁵
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS

¹ Kenaitze Indian Tribe letter dated 4/2/24. "We ask that eligibility for this fishery be afforded to all interested federally recognized Tribes, listed pursuant to the 1994 Tribal List Act, in the Cook Inlet Region of Alaska."

² Kenaitze Indian Tribe letter dated 4/2/24. "...the Tribe may then designate a person or several people to fish this community harvest permit."

³ Kenaitze Indian Tribe letter dated 4/2/24. "Under this certificate [SHARC], Tribal members are subject to gear restrictions and daily limits, however no seasonal limits are imposed on SHARC holders. We ask that a similar certificate be included in the Cook Inlet EEZ TSF."

⁴ Kenaitze Indian Tribe letter dated 7/30/24. "Kenaitze's preference is that the TSF have no openers or periods to ensure TSF permit holders will be able to engage in the fishery when fish are present."

⁵ Kenaitze Indian Tribe letter dated 4/2/24. "We the Kenaitze Indian Tribe formally ask that a Tribal Salmon Fishery (TSF) be established in Cook Inlet waters under federal management."

		<ul style="list-style-type: none"> Set-aside a portion of the TAC for the tribal salmon fishery⁶ Option 2: No annual or seasonal limit ^{7**}
Which vessels can be used?	No limitations	No limitations ⁸
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.⁹ Monetary exchange⁹
Input into management	<ul style="list-style-type: none"> Public comment on Council consideration of Cook Inlet EEZ Area issues Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> Public comment on Council consideration of Cook Inlet EEZ Area issues Public comment on NMFS rulemaking Issue tribal permits¹ Tribal consultation Tribal co-management agreement with input into¹⁰: <ul style="list-style-type: none"> TAC setting Developing regulations Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.
Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.

⁶ Kenaitze Indian Tribe letter dated 7/30/24. "In the event the Cook Inlet Tribes are allocated a portion of the TAC for the TSF, such an allocation will need to be fair, just, and satisfy Tribal needs. Such an allocation would be managed by the Tribes in cooperation with each other."

⁷ Kenaitze Indian Tribe letter dated 4/2/24. "We ask that ... no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

⁸ Kenaitze Indian Tribe letter dated 4/2/24. "We do not seek to limit the types of vessels and gear to be used, we seek only to ensure that vessels used for commercial fishing are not foreclosed or restricted from being used in the TSF."

⁹ Kenaitze Indian Tribe letter dated 4/2/24. "We ask that TSF Tribal and individual permit holders be able to engage in the customary trade of salmon caught in the TSF through monetary exchange equivalent to the costs of engaging in the TSF. We ask that the Tribe hold the authority to determine the costs of engaging in the TSF."

¹⁰ Kenaitze Indian Tribe letter dated 7/30/24. "Tribal co-management would be ideal for other aspects of the fishery - setting total allowable catch (TAC), creating regulations, and conducting research. Such a partnership is desired and could be memorialized in a co-management agreement."

Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. ¹¹
How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery. ^{12, 13}
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

¹¹ Kenaitze Indian Tribe letter dated 4/2/24. *"We ask that gear related restrictions for the TSF be no more restrictive than the restrictions placed on commercial fishermen engaging in the Cook Inlet commercial salmon fishery."*

¹² Kenaitze Indian Tribe letter dated 4/2/24. *"We ask that any reporting burden placed on TSF permit holders be no more burdensome than reporting requirements placed on other salmon fishers engaging in the Cook Inlet EEZ salmon fishery."*

¹³ Kenaitze Indian Tribe letter dated 7/30/24. *"If other fishermen are using similar gear, are using eLandings to report their catch, Kenaitze would also consider doing so-provided that Tribal fishermen are not required to report more information or more frequently than other fishermen engaged in similar EEZ fishing."*



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

November 5, 2024

Alfred Tellman, President
Knik Tribe
PO Box 871565
Wasilla, Alaska 99687

Dear Mr. Tellman:

This letter follows up on your request for tribal consultation regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,

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Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit² • Individual tribal member permit³
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods* Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery. ⁴
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS <ul style="list-style-type: none"> • Set-aside a portion of the TAC for the tribal salmon fishery

¹Knik Tribe letter dated 3/29/24. "We ask that eligibility for this fishery be afforded to all interested federally recognized Tribes, listed pursuant to the 1994 Tribal List Act, in the Cook Inlet Region of Alaska."

² Knik Tribe letter dated 3/29/24. "Under the Part 300.65 halibut fishery, Tribes as entities may apply for and receive a community harvest permit. Once a community harvest permit is issued to the Tribe, the Tribe may then designate a person or several people to fish this community harvest permit. This permit limits the gear the Tribes designee's may fish but does not set an annual limit.⁵ We ask that a similar permit be included in the Cook Inlet TSF and that no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

³ Knik Tribe letter dated 3/29/24. "Additionally under the part 300.65 permitting program Tribal members, as individuals, can apply for and receive a Subsistence Halibut Registration Certificate (SHARC). Under this certificate, Tribal members are subject to gear restrictions and daily limits, however no seasonal limits are imposed on SHARC holders. We ask that a similar certificate be included in the Cook Inlet EEZ TSF."

⁴ Knik Tribe letter dated 3/29/24. "We the KT formally ask that a TSF be established in Cook Inlet waters under federal management."

		Option 2: No annual or seasonal limit ^{5**}
Which vessels can be used?	No limitations	No limitations ⁶
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> • Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.⁷ • Monetary exchange⁸
Input into management	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking • Issue tribal permits • Tribal consultation • Tribal co-management agreement with input into: <ul style="list-style-type: none"> • TAC setting • Developing regulations • Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.
Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.
Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. ⁹

⁵ Knik Tribe letter dated 3/29/24. "We ask that ... no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

⁶ Knik Tribe letter dated 3/29/24. "We do not seek to limit the types of vessels and gear to be used, we seek only to ensure that vessels used for commercial fishing are not foreclosed or restricted from being used in the TSF."

⁷ Knik Tribe letter dated 3/29/24. "The ability to harvest salmon for the indigenous peoples of Cook Inlet is vital to our continued existence."

⁸ Knik Tribe letter dated 3/29/24. "We ask that TSF Tribal and individual permit holders be able to engage in the customary trade of salmon caught in the TSF through monetary exchange equivalent to the costs of engaging in the TSF. We ask that the Tribe hold the authority to determine the costs of engaging in the TSF."

⁹ Knik Tribe letter dated 3/29/24. "We ask that gear related restrictions for the TSF "be no more restrictive than the restrictions placed on commercial fishermen engaging in the Cook Inlet commercial salmon fishery."

How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery. ¹⁰
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

¹⁰ Knik Tribe letter dated 3/29/24. "We ask that any reporting burden placed on TSF permit holders be no more burdensome than reporting requirements placed on other salmon fishers engaging in the Cook Inlet EEZ salmon fishery."



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November 5, 2024

Aaron Leggett, President
Native Village of Eklutna
26339 Eklutna Village Rd.
Chugiak, Alaska 99567

Dear Mr. Leggett:

This letter follows up on your request for tribal consultation regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,



Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit² • Individual tribal member permit³
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods* Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery. ⁴
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS <ul style="list-style-type: none"> • Set-aside a portion of the TAC for the tribal salmon fishery

¹ Native Village of Eklutna letter dated 4/1/24. "We ask that eligibility for this fishery be afforded to all interested federally recognized Tribes, listed pursuant to the 1994 Tribal List Act, in the Cook Inlet Region of Alaska."

² Native Village of Eklutna letter dated 4/1/24. "Under the Part 300.65 halibut fishery, Tribes as entities may apply for and receive a community harvest permit. Once a community harvest permit is issued to the Tribe, the Tribe may then designate a person or several people to fish this community harvest permit. This permit limits the gear the Tribes designee's may fish but does not set an annual limit.⁵ We ask that a similar permit be included in the Cook Inlet TSF and that no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

³ Native Village of Eklutna letter dated 4/1/24. "Additionally under the part 300.65 permitting program Tribal members, as individuals, can apply for and receive a Subsistence Halibut Registration Certificate (SHARC). Under this certificate, Tribal members are subject to gear restrictions and daily limits, however no seasonal limits are imposed on SHARC holders. We ask that a similar certificate be included in the Cook Inlet EEZ TSF."

⁴ Native Village of Eklutna letter dated 4/1/24. "The Native Village of Eklutna stands with the Cook Inlet Tribes in formally asking that a Tribal Salmon Fishery (TSF) be established in Cook Inlet waters under federal management."

		Option 2: No annual or seasonal limit ^{5**}
Which vessels can be used?	No limitations	No limitations ⁶
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> • Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.⁷ • Monetary exchange⁸
Input into management	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking • Issue tribal permits • Tribal consultation • Tribal co-management agreement with input into:⁹ <ul style="list-style-type: none"> • TAC setting • Developing regulations • Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.
Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.

⁵ Native Village of Eklutna letter dated 4/1/24. "We ask that ... no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

⁶ Native Village of Eklutna letter dated 4/1/24. "We do not seek to limit the types of vessels and gear to be used, we seek only to ensure that vessels used for commercial fishing are not foreclosed or restricted from being used in the TSF."

⁷ Native Village of Eklutna letter dated 4/1/24. "The Native Village of Eklutna has relied on salmon for cultural and traditional sustenance since time immemorial."

⁸ Native Village of Eklutna letter dated 4/1/24. "We ask that TSF Tribal and individual permit holders be able to engage in the customary trade of salmon caught in the TSF through monetary exchange equivalent to the costs of engaging in the TSF. We ask that the Tribe hold the authority to determine the costs of engaging in the TSF."

⁹ Native Village of Eklutna letter dated 4/1/24. "Reports on management research would follow formats to be agreed on under likely grants to be developed with co-management."

Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. ¹⁰
How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery. ¹¹
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

¹⁰ Native Village of Eklutna letter dated 4/1/24. "We ask that gear related restrictions for the TSF "be no more restrictive than the restrictions placed on commercial fishermen engaging in the Cook Inlet commercial salmon fishery."

¹¹ Native Village of Eklutna letter dated 4/1/24. "We ask that any reporting burden placed on TSF permit holders be no more burdensome than reporting requirements placed on other salmon fishers engaging in the Cook Inlet EEZ salmon fishery."



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

November 5, 2024

Ivan Z. Encelewski, Executive Director
Ninilchik Traditional Council
PO Box 39070
Ninilchik, Alaska 99639

Dear Mr. Encelewski:

Thank you for the additional information regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Kurland', with a stylized flourish at the end.

Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit² • Individual tribal member permit³
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods ⁴ * Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery. ⁵
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS <ul style="list-style-type: none"> • Set-aside a portion of the TAC for the tribal salmon fishery⁶

¹ Ninilchik Traditional Council letter dated 3/25/24. "We ask that eligibility for this fishery be afforded to all interested federally recognized Tribes, listed pursuant to the 1994 Tribal List Act, in the Cook Inlet Region of Alaska."

² Ninilchik Traditional Council letter dated 3/25/24. "...the Tribe may then designate a person or several people to fish this community harvest permit."

³ Ninilchik Traditional Council letter dated 3/25/24. "Under this certificate [SHARC], Tribal members are subject to gear restrictions and daily limits, however no seasonal limits are imposed on SHARC holders. We ask that a similar certificate be included in the Cook Inlet EEZ TSF."

⁴ Ninilchik Traditional Council letter dated 7/26/24. "It is the will of the Tribe that the TSF have no openers or periods."

⁵ Ninilchik Traditional Council letter dated 3/25/24. "We the Ninilchik Village Tribe formally ask that a TSF be established in Cook Inlet waters under federal management."

⁶ Ninilchik Traditional Council letter dated 7/26/24. "In the event the Cook Inlet Tribes are allocated a portion of the TAC for the TSF, such an allocation will need to be fair, just, and satisfy Tribal needs. Such an allocation would be managed by the Tribes in cooperation with each other."

		Option 2: No annual or seasonal limit ^{7**}
Which vessels can be used?	No limitations	No limitations ⁸
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> • Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.⁹ • Monetary exchange¹⁰
Input into management	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking • Issue tribal permits • Tribal consultation • Tribal co-management agreement with input into¹¹: <ul style="list-style-type: none"> • TAC setting • Developing regulations • Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.
Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.

⁷ Ninilchik Traditional Council letter dated 3/25/24. "We ask that ... no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

⁸ Ninilchik Traditional Council letter dated 3/25/24. "We do not seek to limit the types of vessels and gear to be used, we seek only to ensure that vessels used for commercial fishing are not foreclosed or restricted from being used in the TSF."

⁹ Ninilchik Traditional Council letter dated 3/25/24. "Once caught, fish would be used to provide for the customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe."

¹⁰ Ninilchik Traditional Council letter dated 3/25/24. "We ask that TSF Tribal and individual permit holders be able to engage in the customary trade of salmon caught in the TSF through monetary exchange equivalent to the costs of engaging in the TSF. We ask that the Tribe hold the authority to determine the costs of engaging in the TSF."

¹¹ Ninilchik Traditional Council letter dated 3/25/24. "Tribal co-management would be ideal for other aspects of the fishery - setting total allowable catch (TAC), creating regulations, and conducting research. Such a partnership is desired and could be memorialized in a co-management agreement."

Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. ¹²
How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery. ^{13, 14}
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

¹² Ninilchik Traditional Council letter dated 7/26/24. “We ask that gear related restrictions for the TSF “be no more restrictive than the restrictions placed on commercial fishermen engaging in the Cook Inlet commercial salmon fishery.”

¹³ Ninilchik Traditional Council letter dated 3/25/24. “We ask that any reporting burden placed on TSF permit holders be no more burdensome than reporting requirements placed on other salmon fishers engaging in the Cook Inlet EEZ salmon fishery.”

¹⁴ Ninilchik Traditional Council letter dated 7/26/24. “If other fishermen are using similar gear, are using eLandings to report their catch, our Tribe would be open to doing so as well.”



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

November 5, 2024

Eric Morrison, Executive Director
Salamatof Tribe
PO Box 1425
Kenai, Alaska 99611 12

Dear Mr. Morrison:

Thank you for the additional information regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Kurland', with a stylized flourish at the end.

Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit • Individual tribal member permit
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods * Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery.
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS <ul style="list-style-type: none"> • Set-aside a portion of the TAC for the tribal salmon fishery Option 2: No annual or seasonal limit**
Which vessels can be used?	No limitations	No limitations
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> • Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe. • Monetary exchange
Input into management	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking • Issue tribal permits • Tribal consultation

¹ Salamatof Tribe letter dated 7/12/24. "I support the Cook Inlet Tribes' effort to work cohesively to bring forward a united voice in the effort to establish a subsistence fishery in the EEZ zone"

		<ul style="list-style-type: none"> • Tribal co-management agreement with input into: <ul style="list-style-type: none"> • TAC setting • Developing regulations • Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.
Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.
Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. Setnet gear ^{2***}
How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery.
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

***While set net gear could be considered, this potential fishery would occur in EEZ waters 3 miles or more offshore.

² Salamatof Tribe letter dated 6/12/24. "Please keep in mind that that traditional method for subsistence fishing in the Cook Inlet has been beach or stream set net fishing."



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

November 5, 2024

Crystal Collier, President/CEO
Seldovia Village Tribe
PO Drawer L
Seldovia, Alaska 99663

Dear Ms. Collier:

This letter follows up on your request for tribal consultation regarding a potential Cook Inlet EEZ Area Tribal salmon fishery (TSF). We have prepared the enclosed table summarizing requested and potential TSF management measures. For reference, we have also included current management measures for the Cook Inlet EEZ Area commercial salmon fishery to provide examples of management measures that could be applicable to a TSF.

To help develop this proposal, the National Marine Fisheries Service (NMFS) has identified and included potential management measures to meet Magnuson-Stevens Act requirements for federally managed fisheries. Most importantly, these would include closure authority for a potential TSF to prevent exceeding annual catch limits and prevent overfishing, just as we have closure authority for the commercial and recreational fisheries in the EEZ. From NMFS's perspective, the most viable scenario would be for a portion of the overall Cook Inlet EEZ total allowable catch limit (TAC) for each salmon species to be set aside for the TSF. NMFS would only expect to close the TSF if its total cumulative catch of all TSF participants exceeded a TAC set aside amount. This approach would not apply daily, seasonal, or annual limits to individual TSF participants or permit holders, consistent with management measures for the Cook Inlet EEZ Area commercial fishery. As noted in your letter, several Cook Inlet sockeye salmon stocks are currently abundant. However, Chinook salmon stocks as well as some other salmon stocks originating from northern Cook Inlet that are harvested in the Cook Inlet EEZ Area are at lower levels of abundance and may require management as described above. Per the Magnuson-Stevens Act, NMFS must also identify a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery. For the TSF, using the same logbook that the commercial fishery uses could satisfy the SBRM requirement.

Any additional information you can provide regarding how much salmon tribes expect to harvest, and when the harvest would occur, would help better develop the proposal. NMFS understands that a TSF would likely be significantly smaller than the commercial salmon fishery in the Cook Inlet EEZ Area, but more specificity is important to fully outline management measures. Similarly, any additional specific details on your preferred management measures provided below would help strengthen the proposal.



Once you are satisfied with your proposal, NMFS suggests that your Tribe, along with all other interested tribes, present it to the North Pacific Fishery Management Council (Council) at their April 2025 meeting. NMFS can continue to provide consultation on proposal elements in preparation for introducing it to the Council. The Council could decide to initiate analysis of the TSF at any regularly scheduled meeting. The length of time from the Council initiating analysis to making a final recommendation to the Secretary of Commerce can vary depending on the scope, complexity, and controversy of an action. At a minimum, the Council generally takes at least a year to make a recommendation. NMFS would then need to implement the TSF through rulemaking because there are currently no federal regulations for a TSF. Developing proposed and final rules takes approximately one year, although complex or controversial actions may take longer. By introducing a proposal no later than June of 2025, it could be possible to develop and implement a TSF by the 2027 or 2028 salmon fishing season. By completing development of this proposal as quickly as possible there is the best chance to move this issue forward in a timely manner.

Thank you very much for your continued engagement on this topic, we look forward to continuing to work with you on this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Kurland', with a stylized flourish at the end.

Jonathan M. Kurland
Regional Administrator

Current and potential Cook Inlet EEZ salmon fishery management measures
text in bold are additional potential management measures identified by NMFS

	Existing Cook Inlet EEZ commercial salmon fishery management measures	Possible Cook Inlet EEZ tribal salmon fishery management measures
Who can fish?	Persons with a Salmon Federal Fisheries Permit from NMFS and a State Commercial Fisheries Entry Commission limited entry Permit required to land fish in Alaska	Persons issued a permit from a federally recognized Cook Inlet region tribe ¹ <ul style="list-style-type: none"> • Community harvest permit² • Individual tribal member permit³
Who is eligible to obtain a permit?	Any US citizen	Criteria determined by each eligible tribe for each permit type
When can they fish?	June 20 to July 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm July 16 to July 31 <ul style="list-style-type: none"> • Thu 7am-7pm Aug 1 to Aug 15 <ul style="list-style-type: none"> • Mon & Thu 7am-7pm 	Option 1: Fishing allowed any time salmon are present, no fixed periods* Option 2: Same as commercial season
Where can they fish?	All upper Cook Inlet EEZ waters	Same as the commercial fishery. ⁴
How much can they catch?	No daily limit, up to Total Allowable Catch set by NMFS	Option 1: No daily limit, up to Total Allowable Catch set by NMFS <ul style="list-style-type: none"> • Set-aside a portion of the TAC for the tribal salmon fishery

¹Seldovia Village Tribe letter dated 5/28/24. "We ask that eligibility for this fishery be afforded to all interested federally recognized Tribes, listed pursuant to the 1994 Tribal List Act, in the Cook Inlet Region of Alaska."

² Seldovia Village Tribe letter dated 5/28/24. "Under the Part 300.65 halibut fishery, Tribes as entities may apply for and receive a community harvest permit. Once a community harvest permit is issued to the Tribe, the Tribe may then designate a person or several people to fish this community harvest permit. This permit limits the gear the Tribes designee's may fish but does not set an annual limit.⁵ We ask that a similar permit be included in the Cook Inlet TSF and that no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

³ Seldovia Village Tribe letter dated 5/28/24. "Additionally under the part 300.65 permitting program Tribal members, as individuals, can apply for and receive a Subsistence Halibut Registration Certificate (SHARC). Under this certificate, Tribal members are subject to gear restrictions and daily limits, however no seasonal limits are imposed on SHARC holders. We ask that a similar certificate be included in the Cook Inlet EEZ TSF."

⁴ Seldovia Village Tribe letter dated 5/28/24. "We the Seldovia Village Tribe formally ask that a Tribal Salmon Fishery (TSF) be established in Cook Inlet waters under federal management."

		Option 2: No annual or seasonal limit ^{5**}
Which vessels can be used?	No limitations	No limitations ⁶
Allowable use of fish	Sell commercially Retain for personal consumption	<ul style="list-style-type: none"> • Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.⁷ • Monetary exchange⁸
Input into management	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking 	<ul style="list-style-type: none"> • Public comment on Council consideration of Cook Inlet EEZ Area issues • Public comment on NMFS rulemaking • Issue tribal permits • Tribal consultation • Tribal co-management agreement with input into: <ul style="list-style-type: none"> • TAC setting • Developing regulations • Research
Can groundfish bycatch be retained?	Yes, with a Federal Fisheries Permit for groundfish	Same as the commercial fishery.
Fishing in both State and EEZ waters?	No fishing State and EEZ waters on the same day.	Same as the commercial fishery.
Legal gear	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches.	Same as the commercial fishery. ⁹

⁵ Seldovia Village Tribe letter dated 5/28/24. "We ask that ... no annual limit on Tribal harvests be imposed on Tribal TSF permit holders."

⁶ Seldovia Village Tribe letter dated 5/28/24. "We do not seek to limit the types of vessels and gear to be used, we seek only to ensure that vessels used for commercial fishing are not foreclosed or restricted from being used in the TSF."

⁷ Seldovia Village Tribe letter dated 5/28/24. "Salmon has played an important role in the survival of the Seldovia people for many generations."

⁸ Seldovia Village Tribe letter dated 5/28/24. "We ask that TSF Tribal and individual permit holders be able to engage in the customary trade of salmon caught in the TSF through monetary exchange equivalent to the costs of engaging in the TSF. We ask that the Tribe hold the authority to determine the costs of engaging in the TSF."

⁹ Seldovia Village Tribe letter dated 5/28/24. "We ask that gear related restrictions for the TSF "be no more restrictive than the restrictions placed on commercial fishermen engaging in the Cook Inlet commercial salmon fishery."

How are vessel locations monitored?	Vessel Monitoring System (tracks vessel position)	Same as the commercial fishery.
How are catch amounts reported?	eLandings (Federal fish ticket)	Same as the commercial fishery. ¹⁰
How are marine mammal and seabird interactions monitored?	Self reporting	Same as the commercial fishery.
Standardized bycatch reporting methodology	Logbook	Same as the commercial fishery.
Accountability measures (required to prevent exceeding annual catch limits)	TAC, Fishery closure	Same as the commercial fishery.

*Allowing fishing any time salmon are present significantly complicates salmon management and fishery monitoring and enforcement. The impact of salmon fisheries on each stock is typically carefully controlled by when a fishery is open. More information is needed to consider which stocks would be harvested by a TSF.

**Limits on individual harvesters may not be required, but NMFS must be able to close the fishery if warranted to avoid exceeding a TAC.

¹⁰ Seldovia Village Tribe letter dated 5/28/24. "We ask that any reporting burden placed on TSF permit holders be no more burdensome than reporting requirements placed on other salmon fishers engaging in the Cook Inlet EEZ salmon fishery."