



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

February 24, 2025

Debra Call  
Sam Schimmel  
Tikahtnu Inter-Tribal Fish Commission  
15910 Sterling Highway  
Ninilchik, Alaska 99639

Dear Ms. Call and Mr. Schimmel:

Thank you for your letter dated February 18, 2025 proposing that the Tikahtnu Inter-Tribal Fish Commission (Commission) co-present its Cook Inlet Tribal Salmon Fishery (TSF) proposal at the April 2025 North Pacific Fishery Management Council (Council) meeting on behalf of its federally recognized member tribes (Chickaloon Native Village, Native Village of Eklutna, Kenaitze Indian Tribe, Knik Tribe, Ninilchik Village Tribe, Salamatof Tribe, and Seldovia Village Tribe).

NMFS is willing to assist the Commission with presentation of the proposal in the following ways. First, NMFS can provide an update to the Council under its agency report to the Council at the beginning of the meeting. This will serve to inform the Council of NMFS's work with the Commission's member tribes and the Commission's intent to present its proposal. Then, the Commission would present its proposal during the portion of the meeting referred to as "staff tasking." Staff tasking is the last agenda item of the Council meeting and is when the Council may decide to initiate a new action in response to a fishery proposal that is brought to them.

During the Commission's presentation, NMFS staff can provide an introduction, action history, consultation summary, and procedural/technical discussion of the potential issues and next steps. The Commission would be responsible for presenting its proposal and describing its reasons for requesting specific management measures, as well as answering questions from Council members.

In advance of the Council meeting, NMFS staff can provide additional feedback and guidance to the Commission on what it may want to consider in developing and presenting the proposal. As you refine your proposal, please consider the enclosed revised summary table we provided in previous letters, which includes questions that the Commission may need to answer. Including in the proposal answers to anticipated questions will help the Council decide whether to initiate action.



We remain uncertain about the request for no fixed-period fishing, and would urge that the proposal include an option in which the tribal fishing period matches the commercial fishing period. Our concern is that without a fixed fishing period it would be very difficult to ensure no overfishing, monitor catch and effort, and provide for enforcement. For fishery management actions, the Council is required to analyze and consider multiple potential options for required management measures, so in this case a Council analysis could consider a tribal subsistence fishery both with and without a fixed fishing period. Furthermore, it is possible that, through the analytical process, solutions to NMFS's concerns could be developed.

Should the Council decide to further explore the proposal, it would likely to do so by requesting a discussion paper, which is the first step of their analytical process. It is also possible that the Council could request that the Commission conduct additional development or revisions to the proposal and bring it back to the Council at a later time. Regardless, NMFS staff will continue to work with the Commission on this important topic.

Thank you again for your continued engagement.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Kurland', is positioned above the printed name.

Jonathan M. Kurland  
Regional Administrator

Enclosure

**Potential Cook Inlet EEZ tribal salmon fishery management measures<sup>1</sup>**

	<b>Possible Cook Inlet EEZ tribal salmon fishery management measures</b>	<b>Likely questions and potential future Council decision points</b>
<b>Who can fish?</b>	<p>Persons issued a permit from a federally recognized Cook Inlet region tribe<sup>2</sup></p> <ul style="list-style-type: none"> <li>• Community harvest permit<sup>3</sup></li> <li>• Individual tribal member permit<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Would there be a limit on the number of each permit type issued?</li> <li>• If there is a limit, would each Tribe be allocated a certain number of permits to issue, or could any tribe issue as many permits as they wanted up to a total limit?</li> <li>• How many permits do you think might be issued?</li> <li>• Would permits be issued every year, or once someone has a permit, would it be valid indefinitely?</li> <li>• Could a permit holder lease or transfer permits to other tribal members or even non-tribal members?</li> </ul>
<b>Who is eligible to obtain a permit?</b>	Criteria determined by each eligible tribe for each permit type	<ul style="list-style-type: none"> <li>• What are the criteria tribes would use to issue permits? <ul style="list-style-type: none"> <li>○ Tribal membership?</li> <li>○ Fishing history?</li> <li>○ Ability to harvest?</li> <li>○ Use of fish? (subsistence, cultural, or commercial)</li> <li>○ Other?</li> </ul> </li> </ul>

<sup>1</sup> Adapted from information in the February 18, 2025 Tikahtnu Inter-Tribal Fish Commission letter.

<sup>2</sup> 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."*

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

<sup>4</sup> 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."*

<b>When can they fish?</b>	<p>Option 1: Fishing allowed any time salmon are present, no fixed periods<sup>5</sup> *</p> <p>Option 2: Same as commercial season</p> <ul style="list-style-type: none"> <li>• June 20 to July 15 - Mon &amp; Thu 7am-7pm</li> <li>• July 16 to July 31 - Thu 7am-7pm</li> <li>• Aug 1 to Aug 15 - Mon &amp; Thu 7am-7pm</li> </ul>	<ul style="list-style-type: none"> <li>• If Option 1 was selected, would the TSF want to fish outside of the June 19 to August 15 season?</li> <li>• If Option 1 was selected, would TSF participants consider a requirement to mark fish (remove fin(s))</li> <li>• Would the TSF consider an option to fish only on days the Cook Inlet EEZ Area is not open to commercial fishing?</li> </ul>
<b>How much can they catch?</b>	<p>Option 1: No daily limit, up to Total Allowable Catch set by NMFS</p> <ul style="list-style-type: none"> <li>• Set-aside a portion of the TAC for the tribal salmon fishery<sup>6</sup></li> </ul> <p>Option 2: No annual or seasonal limit<sup>7**</sup></p>	<ul style="list-style-type: none"> <li>• If Option 1 is acceptable, suggest removing Option 2.</li> <li>• If Option 1 is selected, what percentage of the TAC or amount of fish would the TSF need or want?</li> <li>• If Option 1 is selected, would each participating tribe be allocated a percentage of the TSF TAC, or could a single tribe potentially harvest all of the TSF TAC?</li> <li>• If Option 1 is selected and the TSF cannot harvest all of their TAC, would you propose a mechanism to reallocate it back to the commercial fishery if specific criteria are met?</li> <li>• If option 2 is selection, how would NMFS prevent overfishing?</li> </ul>
<b>Allowable use of fish</b>	<ul style="list-style-type: none"> <li>• Customary, traditional, cultural, nutritional, Tribal, and food security needs of the Tribe.<sup>8</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Could you clarify if and how monetary exchange would differ from commercial fishing?</li> </ul>

<sup>5</sup> Ninilchik Traditional Council letter dated 7/26/24 *"It is the will of the Tribe that the TSF have no openers or periods."*

<sup>6</sup> 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."*

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

<sup>8</sup> 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."*

	<ul style="list-style-type: none"> <li>• Monetary exchange<sup>9</sup></li> </ul>	<ul style="list-style-type: none"> <li>• What are the criteria, considerations, and limits tribes may consider when determining the cost of engaging in the TSF?</li> </ul>
<b>Input into management</b>	<ul style="list-style-type: none"> <li>• Public comment on Council consideration of Cook Inlet EEZ Area issues</li> <li>• Public comment on NMFS rulemaking</li> <li>• Tribal consultation</li> <li>• Tribal co-management agreement with input into<sup>10</sup>:               <ul style="list-style-type: none"> <li>• TAC setting</li> <li>• Developing regulations</li> <li>• Research</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Could you please provide additional description and specificity of how you want a co-management agreement to function?</li> </ul>
Management measures consistent with the Cook Inlet EEZ Area commercial fishery. (few questions expected)		
<b>Where can they fish?</b>	All Cook Inlet EEZ Area waters <sup>11</sup>	
<b>Which vessels can be used?</b>	No limitations <sup>12</sup>	
<b>Can groundfish bycatch be retained?</b>	Yes, with a Federal Fisheries Permit for groundfish	
<b>Fishing in both State and EEZ waters?</b>	No fishing State and EEZ waters on the same day.	

<sup>9</sup> 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.”

<sup>10</sup> 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.”

<sup>11</sup> 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.”

<sup>12</sup> 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.”

<b>Legal gear</b>	Gillnets 200 fathoms in length, 45 meshes deep, mesh no greater than 6 inches. <sup>13</sup>	
<b>How are vessel locations monitored?</b>	Vessel Monitoring System	
<b>How are catch amounts reported?</b>	eLandings (Federal fish ticket) <sup>14, 15</sup>	
<b>How are marine mammal and seabird interactions monitored?</b>	Self reporting	
<b>Standardized bycatch reporting methodology</b>	Logbook	
<b>Accountability measures (required to prevent exceeding annual catch limits)</b>	TAC, Fishery closure	

\*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.

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<sup>13</sup> 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."*

<sup>14</sup> 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."*

<sup>15</sup> 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."*