



Tikahtnu Inter-Tribal Fish Commission

Tikahtnu Inter-Tribal Fish Commission
P.O. Box 39070
Ninilchik, Alaska, 99639
Phone: 907-690-2263

March 22, 2025

To: Regional Administrator Jon Kurland: jon.kurland@noaa.gov
Assistant Regional Administrator Gretchen Harrington: gretchen.harrington@noaa.gov
Supervisory Fishery Management Specialist Doug Duncan: doug.duncan@noaa.gov
Supervisory Fishery Management Specialist Richard Brenner: richard.brenner@noaa.gov
Tribal Liaison Amilee Wilson: amilee.wilson@noaa.gov

From: Tikahtnu Inter-Tribal Fish Commission via:
Tikahtnu Inter-Tribal Fish Commission Co-Chair Debra Call
Tikahtnu Inter-Tribal Fish Commission Co-Chair Samuel Schimmel

Re: Follow up to March 4th, 2025, working session and April 2025 NPFMC Meeting

Dear Mr. Kurland, Ms. Harrington, Mr. Duncan, Mr. Brenner, and Ms. Wilson,

This is an official communication on behalf of the Tikahtnu Inter-Tribal Fish Commission and its Member Tribes: the federally recognized Tribes of Chickaloon Native Village, Native Village of Eklutna, Kenaitze Indian Tribe, Knik Tribe, Ninilchik Village Tribe, Salamatof Tribe, and Seldovia Village Tribe. Representatives of each Tribal Government formally approved this communication at the March 21, 2025, meeting of the Tikahtnu Inter-Tribal Fish Commission.

The Tikahtnu Inter-Tribal Fish Commission (TIFC) is an inter-tribal body established under the sovereign authority of its Member Tribes. Each Member Tribe is federally recognized and has authorized the TIFC's work through legally enacted Tribal resolutions.

Created under the framework of Tribal sovereignty, the TIFC operates with delegated Tribal authority to secure and protect Tribal access to fisheries, influence fishery management, and advance Tribal co-stewardship. To be clear, the TIFC is empowered to speak on behalf of its Member Tribes on fishery matters.

Thank you for participating in the March 4, 2025, working session to discuss the establishment of a Tribal Salmon Fishery (TSF) within the Cook Inlet Exclusive Economic Zone (CI EEZ).

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The TIFC greatly appreciates the National Marine Fisheries Service's (NMFS) continued dedication to maintaining a meaningful Government-to-Government relationship with the TIFC.

Following our working session, several points are worth reiterating:

- The Tribes are unified and have jointly adopted a management plan for a TSF in the CI EEZ.
- The adopted management plan was originally proposed by NMFS.
- The Tribes have made one minor change (no fixed periods on fishing) to the plan presented by NMFS.¹
- NMFS has been informed of the Tribes' adoption of this management plan.
- The adopted management plan, now the official policy of the TIFC Member Tribes, is attached for reference.

Additionally, the working session highlighted several key realities:

- NMFS maintains its commitment to Government-to-Government relations but appears unable to expedite the process necessary to implement a TSF.
- Progress on a proposal is impossible without the initiation of a discussion paper through the NPFMC process.
- At this time a discussion paper through the NPFMC is required to move forward the implementation of a TSF and uphold the Government-to-Government trust responsibility.

Given these circumstances, TIFC believes it is now crucial for NMFS to formally introduce a motion at the April meeting of the NPFMC. This motion should propose initiating a discussion paper focused on establishing the TSF. Advancing with a discussion paper at this juncture is critical and mutually beneficial to efforts of both NMFS and the TIFC.

In light of these developments we ask one simple thing:

- Dr. Kurland, as the NMFS representative on the NPFMC, introduce a motion, at the April 2025 NPFMC meeting, to initiate a discussion paper specifically on how a TSF can be implemented into regulation for the CI EEZ.

We acknowledge and thank NMFS for collaborating with us to reach this stage. Although the opportunity for meaningful joint presentation at the April meeting is impossible, taking immediate action through the proposed discussion paper is essential for all parties involved. We look forward to working with NMFS and the NPFMC staff tasked with the discussion paper. We believe there is still an opportunity for a fair and just solution in this matter. We look forward to your response, please direct any response to Debra Call (CookInletFishers@gmail.com) and Samuel Schimmel (SamuelUschimmel@gmail.com).

¹ See Note 1.

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Sincerely,

Debra L. Call 2025-03-26

Co-Chair Debra Call

Samuel Schimmel 2025-03-26

Co-Chair Samuel Schimmel

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ATTACHMENT I

Tikahtnu Inter-Tribal Fish Commission



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.

ALASKA REGION – <https://www.fisheries.noaa.gov/region/alaska>



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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

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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."

Note 1: The Tribes adopt this entire proposal save for the suggestion that Tribal Fishing would be limited to the commercial season and openers. The Tribes propose that Tribal fishing be allowed 24 hours a day during the time that salmon are present. (I.e. if salmon are present in the CI EEZ from June 1st - August 15 then Tribal fishing could occur any day and any time during that time period).

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		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."

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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."

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Audit trail

Details

FILE NAME	TIFC Cosultation Follow up on 3.4.25 Meeting - 3/26/25, 2:55 PM
STATUS	<div><div></div>Signed</div>
STATUS TIMESTAMP	2025/03/26 18:57:20 UTC

Activity

<div><div></div><div>SENT</div></div>	<div>samueluschimmel@gmail.com sent a signature request to:</div> <div><div></div><div><ul style="list-style-type: none">Debra L. Call (cookinletfishers@gmail.com)Samuel Schimmel (samueluschimmel@gmail.com)</div></div>
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The email address indicated above for each signer may be associated with a Google account, and may either be the primary email address or secondary email address associated with that account.