UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

August 28, 2026

The State of Alaska
Juneau, AK 99811

To the State of Alaska:

Thank you for your letter requesting a fishery resource disaster determination pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for the 2025 Upper Cook Inlet East Side Setnet salmon fishery. I am responding on behalf of the Secretary of Commerce as a follow-up to our acknowledgment letter dated May 4, 2026, which confirmed receipt of your request.

Following our review of the information, we have completed our evaluation and are writing to provide the Secretary's determination. The 2025 Upper Cook Inlet East Side Setnet salmon fishery is considered ineligible for a fishery resource disaster determination. The impacts to this fishery over the past decade have become reasonably predictable and foreseeable resource conditions, and therefore the situation no longer meets the definition of a fishery resource disaster, as described below.

The following requirements must be met in order for the Secretary to make a positive fishery resource disaster determination: 1) the cause for a *fishery resource disaster* must be an *allowable cause* under the MSA, and 2) there must be an *economic or subsistence impact* stemming from the fishery resource disaster that supports a determination of a fishery resource disaster under MSA Section 312a.

The MSA requires we consider the average revenue for the most recent 5 years when no disaster has occurred for the economic impact evaluation. For fishery resource disaster requests where disasters have been determined by the Secretary in multiple years, the National Marine Fisheries Service (NMFS) averages the revenue losses for the most recent 5 years where no fishery resource disasters occurred, up to the 10th year prior to the year of the requested disaster determination. If there are fewer than 5 years within the last 10 years without a disaster, it is not possible to calculate the average of the most recent 5 years, and NMFS cannot evaluate the economic impact of the fishery disaster. This is because, in these circumstances, the situation no longer meets the definition[1] of a fishery resource disaster, as the impacts to the fishery are considered reasonably predictable and/or foreseeable.

For the requested 2025 Upper Cook Inlet East Side Setnet salmon fishery disaster determination, the applicable 10-year period is 2015 through 2024. Within that period, there are fewer than 5

[1] A fishery resource disaster is defined by the MSA as "an unexpected, large decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear, for a substantial period of time, and results in significant revenue loss or negative subsistence impact due to an allowable cause," but does not include "reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance, or reductions in fishing opportunities resulting from conservation and management measures taken pursuant to the MSA." MSA 312a(a)(1)(C).

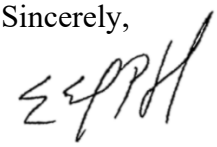
years in which no fishery resource disaster occurred. As a result, NMFS is unable to calculate the required baseline average from the most recent 5 non-disaster years.

Thus, based on our review of your request, your request is ineligible for a fishery resource disaster determination. However, if you have additional information that addresses the issues described above, please submit it to our Alaska Region Point of Contact, Stephanie Warpinski, at stephanie.warpinski@noaa.gov. The State of Alaska has up to 1 year from the date of this letter to submit all information required to deem a fishery resource disaster request complete under MSA Section 312a.

Please note that eligible businesses and other entities may be able to access other loan/funding programs through other federal relief programs (e.g., Small Business Administration loans). Programs within the Department of Commerce (e.g., Economic Development Administration grants) may also be available.

If you have any further questions, please contact Kelly Denit, Director of NMFS' Office of Sustainable Fisheries, at kelly.denit@noaa.gov.

Sincerely,



Eugenio Piñeiro Soler
Assistant Administrator
for Fisheries