CITY OF HOMER
HOMER, ALASKA

RESOLUTION 21-091

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
DIRECTING THE CITY ATTORNEY TO FILE AN AMICUS BRIEF IN THE
UNITED COOK INLET DRIFT ASSOCIATION AND COOK INLET
FISHERMEN’S FUND v NATIONAL MARINE FISHERIES SERVICE AND
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, ET AL.,
3:21-cv-00255-JMK LITIGATION

WHEREAS, On November 25, 2020, the Homer City Council adopted Resolution 20-127
(attached) which strongly opposed the North Pacific Fishery Management Council’s Alternative
4 to the Public Review Draft Environmental Assessment/Regulatory Impact Review for
Proposed Amendment XX to the Fishery Management Plan for the Salmon Fisheries in the EEZ
off Alaska (Salmon FMP); and

WHEREAS, The waters of the Cook Inlet commercial drift gillnet fishery are the closest
fishing grounds to Homer and participants in the fishery live in Homer, moor their vessels in
the Homer Harbor, and are constituents of Homer’s marine trade businesses; and

WHEREAS, The fishing waters of the Cook Inlet commercial salmon drift gillnet fishery
include state and federal waters, with fishing in state waters managed by the Alaska
Department of Fish and Game Division of Commercial Fisheries and federal waters managed
by the National Oceanic and Atmospheric Administration National Marine Fisheries Service
(NOAA Fisheries) within the United States Exclusive Economic Zone (EEZ), defined as waters
3 nautical miles to 200 miles offshore of Alaska and other coastal states); and

WHEREAS, On November 2, 2021, NOAA Fisheries issued a final rule in the Federal
Register to implement Amendment 14 to the Salmon FMP that prohibits commercial salmon
fishing in the federal waters of Cook Inlet; and

WHEREAS, In 2014 the Homer City Council voiced opposition to restrictions on the Cook
Inlet Fishing District 1 (Resolution 14-019(A)) (attached), which is roughly equivalent to the area
of the EEZ, citing widespread and deleterious effects to local and regional economies; and

WHEREAS, The Homer City Council has consistently advocated for science-based
fisheries management decisions that are equitable across fishery users and sustainable for
continued human benefit into the future; and
WHEREAS, prohibiting commercial salmon fishing in the federal waters of Cook Inlet effectively eliminates the economic viability of the fishery and viability of local seafood processors; and

WHEREAS, The Homer City Council recognizes that the commercial salmon drift gillnet fleet, like other fisheries users, is a critical component of Homer, positively contributing to the City’s local history, culture, and economy.

NOW, THEREFORE BE IT RESOLVED that the City Council of Homer, Alaska, hereby directs the City Attorney to file an amicus brief in the United Cook Inlet Drift Association v National Marine Fisheries Service and National Oceanic and Atmospheric Administration, et al., 3:21-cv-00255-JMK litigation.

PASSED AND ADOPTED by the Homer City Council this 13th day of December, 2021.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Attorney Fees Account# 100-0100-5210