

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Mayor/Aderhold

4 **RESOLUTION 21-091**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
7 DIRECTING THE CITY ATTORNEY TO FILE AN AMICUS BRIEF IN THE
8 UNITED COOK INLET DRIFT ASSOCIATION AND COOK INLET
9 FISHERMEN'S FUND v NATIONAL MARINE FISHERIES SERVICE AND
10 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, ET AL.,
11 3:21-cv-00255-JMK LITIGATION
12

13 WHEREAS, On November 25, 2020, the Homer City Council adopted Resolution 20-127
14 (attached) which strongly opposed the North Pacific Fishery Management Council's Alternative
15 4 to the Public Review Draft Environmental Assessment/Regulatory Impact Review for
16 Proposed Amendment XX to the *Fishery Management Plan for the Salmon Fisheries in the EEZ*
17 *off Alaska* (Salmon FMP); and
18

19 WHEREAS, The waters of the Cook Inlet commercial drift gillnet fishery are the closest
20 fishing grounds to Homer and participants in the fishery live in Homer, moor their vessels in
21 the Homer Harbor, and are constituents of Homer's marine trade businesses; and
22

23 WHEREAS, The fishing waters of the Cook Inlet commercial salmon drift gillnet fishery
24 include state and federal waters, with fishing in state waters managed by the Alaska
25 Department of Fish and Game Division of Commercial Fisheries and federal waters managed
26 by the National Oceanic and Atmospheric Administration National Marine Fisheries Service
27 (NOAA Fisheries) within the United States Exclusive Economic Zone (EEZ), defined as waters
28 3 nautical miles to 200 miles offshore of Alaska and other coastal states); and
29

30 WHEREAS, On November 2, 2021, NOAA Fisheries issued a final rule in the Federal
31 Register to implement Amendment 14 to the Salmon FMP that prohibits commercial salmon
32 fishing in the federal waters of Cook Inlet; and
33

34 WHEREAS, In 2014 the Homer City Council voiced opposition to restrictions on the Cook
35 Inlet Fishing District 1 (Resolution 14-019(A)) (attached), which is roughly equivalent to the area
36 of the EEZ, citing widespread and deleterious effects to local and regional economies; and
37

38 WHEREAS, The Homer City Council has consistently advocated for science-based
39 fisheries management decisions that are equitable across fishery users and sustainable for
40 continued human benefit into the future; and
41

42 WHEREAS, prohibiting commercial salmon fishing in the federal waters of Cook Inlet
43 effectively eliminates the economic viability of the fishery and viability of local seafood
44 processors; and

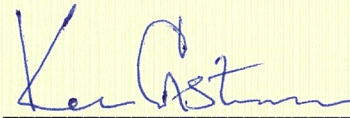
45
46 WHEREAS, The Homer City Council recognizes that the commercial salmon drift gillnet
47 fleet, like other fisheries users, is a critical component of Homer, positively contributing to the
48 City's local history, culture, and economy.

49
50 NOW, THEREFORE BE IT RESOLVED that the City Council of Homer, Alaska, hereby
51 directs the City Attorney to file an amicus brief in the United Cook Inlet Drift Association v
52 National Marine Fisheries Service and National Oceanic and Atmospheric Administration, et
53 al., 3:21-cv-00255-JMK litigation.

54
55 PASSED AND ADOPTED by the Homer City Council this 13th day of December, 2021.

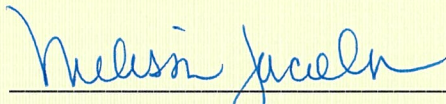
56
57

CITY OF HOMER



KEN CASTNER, MAYOR

58
59
60
61
62 ATTEST:

63
64 

65
66 MELISSA JACOBSEN, MMC, CITY CLERK

67
68 Fiscal Note: Attorney Fees Account# 100-0100-5210

