

MEMORANDUM

To: Phil Zavadil, City Manager

Cc: Jacob Mercurief, Mayor

From: Mateo Paz-Soldan

Date: June 22, 2022

Re: Results of June 2022 NPFMC Meeting

The following is a summary of the fishery issues of interest to Saint Paul that took place at the recent meeting of North Pacific Fishery Management Council (NPFMC or Council).

The link to the June NPFMC newsletter is attached below:

<https://www.npfmc.org/june-2022-newsletter/>

1. Meetings with NMFS Administrator and Regional Administrator:

As part of a group of Alaska Fishing Community (AFC) representatives, I met on behalf of the City of Saint Paul, with the new NMFS Administrator, Janet Coit, as well as the new NMFS Regional Administrator, John Kurland. Accompanying the group was Zack Penny of the Nez Perce people who is an advisor to NOAA Administrator Rick Spinrad on Native American issues. Representing AFC were myself for the City of Saint Paul, Heather McCarty for CBSFA, Linda Behnken for ALFA, Jamie Goen for ABSC, and Melanie Brown for Salmon State.

It was an excellent discussion about ways in which the NPFMC process could be improved, broadening representation of underrepresented stakeholders, reducing bycatch, achieving equity in conservation efforts of fisheries such as salmon, crab, and halibut, and revising the guidelines to the Magnuson-Stevens Act national standards.

On this latter point, I raised ways in which national standards 2 (best science), 4 (equity in allocations), 6 (variations and contingencies), 8 (community participation), and 9 (bycatch reduction), could be improved with updates to the guidelines to provide tools for dependent fishermen and communities to incorporate LKTK under NS2, provide better

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protections for Alaska Natives under NS4, adapt to climate change under NS6, provide for sustained community participation under NS8, and reduce bycatch under NS9.

We also discussed the needs for additional funding under Section 312, fishery disaster determinations, as well as ensuring more diverse representation in the regional councils through the authority vested in the Secretary by way of Section 302.

Coit was very responsive to these suggestions, although she did note that her team had to be realistic as to what was achievable during the remainder of the Biden Administration and that she may only be able to focus on updates to NS8 guidelines to further protect communities. We responded that while we understood the political constraints, even the mention of aspirational goals by political leaders had a positive effect on the council process, such as the proposal for two Native seats on the NPFMC, and we encouraged them to “think big” during the remainder of the Biden Administration’s term.

Concerning NPFMC representation, Ms. Coit noted that the Secretary of Commerce gave great deference to state gubernatorial nominations.

The meeting at ALFA’s offices was followed by a dinner at Linda Behnken’s home where discussion about the earlier topics was held in an informal setting.

During her time in Sitka, Ms. Coit met with various stakeholder groups and also addressed the NPFMC publicly, where she reminded it of this Administration’s priorities regarding climate change, bycatch reduction, community sustainability, and the need for indigenous representation. She stated NMFS’ support for two additional Native seats on the NPFMC. Her reminders were particularly poignant given the contentiousness surrounding the desperate state of the Western Alaska river system salmon fisheries and dependent communities, and the anger directed at the pollock and trawl fisheries over salmon bycatch.

I will not summarize the discussion over salmon since it does not directly concern Saint Paul (see link to newsletter attached above with summarizes this topic), but there are similarities in the issues and arguments this fishery faces as compared to the halibut and crab fisheries.

2. Snow Crab Rebuilding Plan:

The big topic for Saint Paul at the recent Council meeting was the status of the Snow Crab Rebuilding Plan. As an overfished fishery under Section 304 of the MSA, snow crab rebuilding must follow specific requirements regarding timing, equity in conservation efforts, and accounting for community dependence. Both CBSFA and the City worked closely with ABSC and other industry stakeholders, and presented written comments ahead of the meeting, see City written comments:

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<https://meetings.npfmc.org/CommentReview/DownloadFile?p=d3bddaf3-8be8-4955-8ce2-d188b1c6b6f7.pdf&fileName=St%20Paul%20re%20BSS%20Rebuilding.pdf>

The City and CBSFA also testified on this matter before the SSC, the AP, and the Council. Their testimonies focused on the need to include alternatives that allowed for a directed fishery (see **attached CSP Snow Crab Testimony**). Saint Paul also testified about the need to consider habitat protection areas and gear modifications in both the directed and bycatch fisheries.

The SSC had an important discussion about Saint Paul's dependence on snow crab and its minutes were responsive to Saint Paul's testimony regarding the need to account for community dependence as the Council considered rebuilding options (see extract below and the SSC minutes -- pages 16 to 18 -- in the attached link).

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=cde47489-20ab-40d2-9f40-9ce1978451d7.pdf&fileName=SSC%20Report%20June%202022%20DRAFT.pdf>

“With regards to the Ecological and Socio-economic Profile (ESP) for snow crab, the SSC highlights previous requests to ESP analysts and Plan Teams to carefully consider the addition of social and community indicators in appropriate documents to meet requirements of National Standard 2. This is especially important for this stock in the context of upcoming rebuilding analyses and will be critical to track changes during rebuilding to account for the needs of affected communities and to ensure a fair and equitable distribution of rebuilding benefits and costs. **The SSC highlights in particular the cascading effects of the snow crab collapse on communities that strongly depend on the resource, such as St. Paul.**”

At the meeting, the Council ended up adopting draft alternatives for analysis to establish a rebuilding plan for snow crab, see attached NPFMC Snow Crab Motion.

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=c3915515-4042-4076-9a74-64b8f00eb746.pdf&fileName=C3%20Motion%20-%20EBS%20snow%20crab%20rebuilding.pdf>

This motion included an alternative allowing for a directed snow crab fishery. In order to get there, the Council may have to extend the rebuilding plan beyond 10 years and make additional cuts in bycatch in order to provide more for a directed fishery.

The initial review of the analysis has been scheduled for the December 2022 meeting. In addition, the NPFMC requested input from stakeholders at the October 2022 meeting on ways to reduce fishing mortality of snow crab.

3. Relief from Regional Landing Requirements:

This topic was not on the NPFMC agenda, however a meeting was held with Steve Minor for Peter Pan Seafoods regarding that company's ongoing interest in requesting relief

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from regional landing requirements during the upcoming 2022-23 snow crab season. CBSFA representatives were present as well.

The basic motivations for requesting this relief are the high prices assessed on Peter Pan's northern region quota custom processed at the Trident Plant on Saint Paul which make it unprofitable for Peter Pan. Peter Pan's idea is to provide compensation to Saint Paul equivalent to lost fisheries taxes in exchange for its northern region restrictions being waived and allowed to be processed at the Peter Pan plant in the southern region community of King Cove.

Saint Paul team representatives responded that in their opinion such relief is available only in the event of a natural or man-made situation preventing delivery of crab into the Saint Paul Harbor, and not to be used for reasons of economic convenience.

From a practical perspective, the team responded that crab industry stakeholders as a whole were suffering from the low snow crab TACs and that if an exemption/waiver was made for one northern region PQS holder, it would be difficult to limit the scope of the waiver to other northern region PQS holders. Finally, the Saint Paul team noted that it was still possible that the snow crab TAC and market could see improvement in the 2022-23 season thereby making the need for relief unnecessary.

No further actions were discussed, although Peter Pan indicated it may raise the issue at the NPFMC as part of the upcoming review of Crab Rationalization Program.

4. Bairdi Spend Plan:

During the 10 day NPFMC meeting various hallway meetings were held with ADF&G, ABSC, and other crab industry stakeholders, to discuss the bases for a possible Bairdi Disaster Spend Plan formula. The face to face discussions were important in helping to establish the boundaries of what a Spend Plan might look like and the recommendations that should be made to ADF&G.

Consensus on the boundaries of the spend plan was reached after the Council meeting concluded and communicated to ADF&G.

5. Vessel Caps in the Halibut IFQ Fishery:

The Saint Paul team met with NMFS, ADF&G and NPFMC members and staff representatives to discuss action for rulemaking to address raising the vessel caps. These caps, which were designed to prevent consolidation in the fishery, have been constraining in recent years. This is due to several factors including: the fact that there are fewer harvesting vessels as a result of declines in the halibut stock during the last decade; halibut fishermen have retired which has further reduced harvesting capacity; and, for this year there has actually been an increase in the halibut FCEY, but fewer fishers to harvest it. Unaddressed, the current situation may lead halibut quota to remain stranded

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or unfished -- at a time when the community needs the revenues derived from the halibut resource more than ever from an economic perspective.

At the April meeting, the NPFMC tasked the Halibut IFQ Committee with discussing the issue and presenting recommendations to the NPFMC. CBSFA submitted written comments on the matter ahead of the meeting:

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=46aabcb7-82aa-49cb-a8ba-90ddcdd72a39.pdf&fileName=CBSFA%20Comment%20Letter%20Area%204%20Vessel%20Cap.pdf>

After receiving the IFQ Committee recommendations and public testimony, the NPFMC adopted a motion asking for an analysis with alternatives for raising the Area 4 halibut vessel use cap by 4, 5, or 6%, or an area 4 vessel cap equal to 150% of the coastwide vessel cap. All options would allow Saint Paul to comfortably harvest the annual halibut FCEY in area 4. The action is to be reviewed within 3 to 6 years to determine if it works, see NPFMC Motion on Vessel Caps:

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=2b8ebb4c-cea6-48a0-aed0-0c8ec2ff1354.pdf&fileName=D2%20Council%20Motion%20-%20Area%204%20vessel%20cap.pdf>

Since the final rule will not be in place in time for the 2023 season, the analysis will evaluate options for extending the current emergency rule that is in place to cover the fishery in 2023.

6. Pribilof Islands Marine Ecosystem Initiative:

The NPFMC received a report on the status of the St Paul Tribe's application for a sanctuary nomination for PRIME under the Sanctuary Act. The presenters discussing how the Sanctuary Act works, were from the Pacific Division in Hawaii, see presentation in link below:

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=9c43189e-3d58-4002-8a32-8be52427f12f.pdf&fileName=PPT%20B9%20Natl%20Marine%20Sanctuary.pdf>

The presenters indicated that the nomination had been accepted and that PRIME was now in "Inventory" subject to further determinations and actions.

Public comments were also made by representatives for the St Paul Tribe and the At Sea Processors Association. Needless to say there were many questions from Council members on how the nomination process works, what the next steps are, and how fisheries management policies under PRIME as a sanctuary intersected with NMFS and the NPFMC's authority. There were also questions about how the nomination is

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impacted by opposition from the City of Saint George and the St. George Traditional Council.

7. NPFMC Committees and Processes:

At this meeting, the NPFMC spent much time discussing possible modifications to its processes, including:

- a) reducing the number of yearly meetings to be held;
- b) how long AP seats are to be held, expectations regarding behavior, and the addition of a Tribal seat;
- c) ensuring remote access for stakeholders in remote communities; and,
- d) the timing of harvest specifications.

The idea is to improve NPFMC efficiency, save costs by using virtual platforms where possible, and reduce the political divisiveness at the AP.

In addition, the NPFMC will be expanding the number of appointments at the Community Engagement Committee (CEC), where Saint Paul is represented through the Tribe, to include representatives of the Northern Bering Sea/Bering Straits and the Alaska Peninsula/Aleutian Islands regions.

All for now.