



CITY OF SAINT PAUL

ALASKA

December 2, 2022

Simon Kinneen, Chairman
David Witherell, Executive Director
Drs. Sherri Dressel and Franz Mueter, Co-Chairs Scientific and Statistical Committee
North Pacific Fishery Management Council
1007 West Third St, Suite 400
Anchorage, Alaska 99501

*Re: Agenda Items -- C1 RKCSA Emergency Rule Request; C2 Snow Crab Rebuilding;
and D2 Crab Conservation Workplan*

Dear Chairman Kinneen and Council/SSC Members:

The City of Saint Paul Island, Alaska, (the City) is a mostly Unangan (Aleut) community of approximately 400 residents. Saint Paul's economy and its fisheries-related infrastructure is largely dependent on the revenues, businesses, services, and taxes associated with snow/opilio crab (and to a lesser extent Bristol Bay Red King Crab/BBRKC and bairdi/tanner crab) landings in the harbor and the processing of this resource at the Trident Seafoods plant.

Saint Paul's Dependence on Crab:

Historically, crab landings and processing have accounted for approximately 85% of the revenues entering the community. The City currently receives a 3.5% sales tax on crab with a northern region designation delivered to, and processed by, floating processors within three nautical miles of Saint Paul Island, as well as inside the harbor for processing at the shore-side Trident plant. In addition, the City generates revenues from a 2% sales tax on non-regionalized crab shares and also receives sales taxes on fuel and supplies sold in the community. Saint Paul Island also derives revenues and jobs from the crab fishery due to the activities of the local shore-based processor, and service support for the crab harvesting vessels calling at Saint Paul Island. Finally, the processing activity associated with the crab fishery underpins the economically, socially, and culturally important local halibut fishery.

However, the economic viability of our unique community is now in jeopardy due to the collapse and closure of the snow crab stocks and the closure for the past two years of the BBRKC fishery. Based on current projections, the City is expected to experience drops in direct city tax revenues, from \$3.3 million in 2021 to \$503,856 in 2022 to \$0 in 2023, resulting from the loss of crab not being delivered to Saint Paul Island for processing and the associated taxes. The State of Alaska will be sharing with the communities their share of fishery taxes (3% is assessed by the State of which half is shared with the City) later in 2022, which will attenuate the impacts. This amount

is roughly projected to be \$1,590,848. In 2023, these will drop to about \$200,000. The City will basically be kept afloat in near term by the taxes shared by the State of Alaska.

Over the mid to long term, should the closure of the crab stocks persist, it will impact municipal services, the City's ability to pay debts and obligations, and its ability to finance or provide local matches to future harbor and other infrastructure projects, necessary to maintain Saint Paul Island's participation in the Bering Sea fisheries.

Given the above, grim, scenario the City urges the Council, ADF&G, and fishery managers to undertake immediate actions to protect and rebuild the Bering Sea's crab fisheries. In 2000, the Council implemented a snow crab rebuilding plan that included: 1) changes to the harvest strategy, 2) bycatch control measures, and 3) habitat protection measures. This rebuilding plan was successful in rebuilding the snow crab fishery by 2011 while maintaining a directed snow crab fishery that allowed Saint Paul's economy to survive during the 2000's. Although circumstances today may be different, the City urges the Council to evaluate its own efforts twenty two years ago for useful precedents on measures that could be adopted at this juncture.

Agenda Item C1 RKCSA Emergency Rule Request:

The City agrees with the Emergency Rule request submitted by Alaska Bering Sea Crabbers (ABSC) to close the Red King Crab Savings Area (RKCSA) and Red King Crab Savings Subarea (RKCSS) to all fishing gears from January 1, 2023 to June 30, 2023 to protect BBRKC and their habitat during this period of historically low crab abundance. This action, while limited in duration per the requirements of Section 305 of the MSA, could be the basis for initiating a regulatory amendment through the regular rulemaking process to close the savings area and subarea to some or all gear types.

Going forward, as part of a longer-term action, the City believes that the Council must take all possible steps to protect BBRKC and their habitat from fishing impacts in an area that is important to the stock at a critical period of its life cycle, as well as to help the stock rebuild and produce optimum yield over the long-term. These steps should include: 1) prohibition of pelagic trawl, pot and hook-and-line fisheries in the Red King Crab Savings Area and Subarea; 2) further encouragement of all sectors to implement voluntary measures in the 2023 season to reduce mortality and discards; and 3) continued research on gear modifications, soak times, handling practices, and interactions with pelagic trawl gear.

Agenda Item C2: Snow Crab Rebuilding:

The City urges the North Pacific Fisheries Management Council (NPFMC or Council) to adopt Alternative 2, Option 2 in the current snow crab rebuilding package, which would allow for a small annual snow crab fishery during the rebuilding process, subject to State of Alaska crab harvest rules. This would provide the community the opportunity to survive economically and remain hopeful about its future. The City would like to point out that depending on prices and other economic factors, small fisheries can be profitable enough to sustain industry participants and dependent communities.

Importantly, Alternative 2, Option 2 is also responsive to the provisions of MSA national standards 4 (equity in allocations and consideration of Native rights) and 8 (sustained community participation), as well as Section 304(e) of the Magnuson Stevens Act which requires consideration of the “needs of fishing communities” such as Saint Paul and allocations of “both overfishing restrictions and recovery benefits fairly and equitably among sectors of the fishery” while action is considered and taken to rebuild the affected crab fisheries. Clearly, if other sectors are allowed up to 4.35 million animals in bycatch through prohibited species catch limits while the snow crab stock is at low levels, then the directed crab fishery and communities that benefit from this fishery should be allowed at least that same amount.

Going forward the rebuilding plan should include comprehensive and meaningful rebuilding measures such as bycatch control measures and habitat protections, especially while the stock is at such critical low levels and to protect the recent small signal of recruitment. Concerning specific bycatch measures, bycatch throughout the stock’s range should be counted toward PSC limits, (both inside and outside COBLZ as the analysis shows that a significant portion of the snow crab range is outside the COBLZ).

Concerning habitat protections, the Council should consider protections around the Pribilof Islands and parts of the shelf, at least until stocks show strong recovery and reach more sustainable levels as well as aligning the Pribilof Island Habitat Conservation Zone (PIHCZ) with ADF&G’s Homeplate closure. Both closed areas are designed to protect crab and their habitat, and should be consistent.

Comments on the Draft EA Snow Crab Rebuilding Analysis:

Concerning the draft Environmental Assessment for the Snow Crab Rebuilding Plan-Initial Review Analysis, the City believes the analysis would benefit from additional information on the following:

- 1) In Section 1, the recitation of relevant laws, statutes, and guidance for this action, there is no mention of the equity and environmental justice considerations concerning underserved communities and Alaska Native populations that are involved in the action. Many of the communities profiled as highly dependent on snow crab are Alaska Native or have large Alaska Native populations. This action, and the equity considerations regarding the use of the snow crab resource between directed and non-target users has National Standard 4, 8, and 9 implications, and involves White House executive decrees and guidance from the Council on Environmental Quality (CEQ) and the Environmental Protection Agency. The trust doctrine requiring the federal government to provide for the well-being of tribal nations and members is also relevant to this action.
- 2) Section 3.2.2 (page 37), discusses implementation of the snow crab rebuilding plan implemented in 2000 in response to the first snow crab collapse, which included three components to improve the status of the stock: 1) harvest strategy, 2) bycatch control measures, and 3) habitat protection measures. This rebuilding plan was partially successful by 2011. There is no information in the analysis on what exactly the harvest

strategy, and bycatch control and habitat protection measures were in 2000. The Council, the stakeholders, and the public would benefit from greater information on the specifics of these successful measures in order to guide action in the current rebuilding effort.

- 3) Section 3.6.2.2 (page 79), the analysis would benefit from greater information on LKTK for snow crab as well as data on subsistence and current reliance by residents of crab dependent communities on snow crab. On Saint Paul Island such reliance is important in the diets of residents. The City suggests that this information be sought through outreach to tribal entities for each of the identified crab dependent communities.
- 4) Section 3.6.3.2 (page 92 and onwards) the analysis would benefit from a standardization in the presentation of community information to allow the Council to make a better comparison and evaluation of the levels of community dependence on the snow crab resource. In addition, to the extent that confidentiality issues do not trump further disclosure of information, it would be important to compare crab dependence versus overall fisheries dependence for each community. This will provide the Council with a more accurate picture of snow crab dependence by each community. For example, some communities have wholesale gross revenues and associated values of crab fishery included in the analysis. Saint Paul's section does not. While this is likely tied to confidentiality reasons, it makes it more difficult to properly assess impacts and dependence, as well as the most responsive rebuilding plan going forward.

D2: Crab Conservation Workplan:

The City agrees with ADF&G's Crab Conservation Workplan and believes the Council and ADF&G should take action to implement the various measures proposed in it. Given the dire situation of several of Alaska's crab stocks it should proceed with these proposed measures while scientists and managers continue to gather further information.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jacob Mercurief". The signature is written in a cursive, flowing style.

Jacob Mercurief
Mayor