



## MEMORANDUM

**To:** Phil Zavadil, City Manager

**Cc:** Jacob Mercurief, Mayor  
Simeon Swetzof, Fisheries Advisor

**From:** Mateo Paz-Soldan

**Date:** October 22, 2020

**Re:** Results of NPFMC Meetings in October 2020

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The following is a summary of the fishery issues of interest to Saint Paul that took place during virtual meetings of the North Pacific Fishery Management Council (NPFMC or Council) from September 28 to October 14, 2020. The October 2020 meeting was held virtually via Adobeconnect. The Saint Paul team was constituted by Jeff Kaufman, Ray Melovidov, and Heather McCarty for CBSFA; Lauren Divine for the St Paul Tribe; and myself for the City of Saint Paul.

The link to the October NPFMC newsletter is attached:

<https://www.npfmc.org/october-2020-newsletter/>

1. **Halibut Abundance-Based Management:**

The main issue of concern for Saint Paul at this meeting was halibut ABM. This action is focused on tying halibut bycatch/PSC limits to abundance levels, thereby creating the conditions for an equitable sharing of the burdens of conversation among directed halibut fishermen and PSC users.

The SSC, the AP, and NPFMC met and considered various ABM related issues including:

- i) the results of the ABM working group's modeling efforts and how closely the results responded to the Council's objectives;
- ii) a review of the stakeholder alternatives;
- iii) proposals to manage halibut PSC through a look-up table system, implement a performance standard, and establish a compensatory mechanism through the CDQ program at low levels of abundance; and,

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iv) the Social Impact Assessment (SIA) on halibut community dependency.

The Saint Paul team testified before all three bodies. CBSFA's testimony, which was based on CBSFA's extensive written comments, focused on the modeling effort, the stakeholder alternatives, and the Look-Up Table approach (**see attached CBSFA 10-20 ABM Comments**); the Tribe's comments were focused on cultural and social dependence (**see attached Tribe ABM 10-20 Comments**); and the City's comments were focused on the legal boundaries of the action including potentially relevant Native American laws and treaty obligations (**see attached CSP ABM 10-20 Comments**).

Back in January, the first ABM motion was based on the alternative presented by the directed halibut fishermen and simplified the ABM action by removing the freezer longliner and TLAS alternatives/components from the action. This motion also had removed use of the secondary index (the NMFS trawl survey) from the analysis, and added a new element to protect halibut stocks at low levels of abundance. The idea behind these changes was to simplify the analysis by focusing on the sector generating the greatest amount of bycatch (60%), the A80 sector. Plus, it was considered that bycatch in the TLAS sector (which accounts for 20% of halibut mortality) and the freezer longline sector (minimal mortality) would be reduced by forthcoming action to rationalize cod in the Bering Sea. This first ABM motion came back to the Council at the October meeting in the form of a preliminary draft environmental impact statement (DEIS).

The second January motion contained 3 approaches to be evaluated in a Discussion Paper to establish PSC limits for the A80 sector. The first was a proposal for a 3x3 look-up table using the two indices (setline survey and trawl survey), which is included as an idea in the original ABM analysis, to determine low, medium, and high breakpoints for abundance. The next two approaches were derived from the A80 proposal and asked for: i) evaluation of a Performance Standard to create incentives to reduce halibut PSC to the extent practicable, and ii) adjusting the halibut PSC limit downwards in years of low abundance in area 4CDE (less than 1 million lbs) by reducing by a rate of 50 MT of halibut for every 100,000 lbs below 1 million lbs in area 4CDE. For each metric ton reduction, 1000 net pounds of halibut in area 4CDE would be allocated to the CDQ groups. This motion came back to the Council at the October meeting as a Discussion Paper on proposed ABM approaches.

To determine a way forward, Saint Paul representatives met the State of Alaska members of the Council ahead of the meeting. In those discussions, the State indicated that it was potentially pivoting into a new direction for managing PSC using look-up tables. Responding to this feedback, the Saint Paul team and other members of the Alaska Fishing Communities coalition worked at the AP to develop a motion that would allow the Council to head in a new direction and address the various problems with the ABM action. The AP Motion which was introduced and defended by Jeff Kauffman, addressed the critiques of the modeling effort and prior ABM action, proposed changes to the

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Purpose & Needs statement, but also provided ideas on the Look-Up Table concept and the performance standard option (see attached AP ABM 10-20 Motion).

## 2. ABM Results and Next Steps:

Ultimately, the Council ended up unanimously adopting a motion that embraced the Look-Up Table concept (see attached NPFMC ABM Motion 10-20). The motion provides for analysis by Staff of 3 new alternatives based on the old stakeholder recommendations, but using a Look-Up Table concept to manage halibut PSC limits. The look up table alternatives use two indices (the IPHC setline survey and the NMFS Trawl Survey) to cover the full age and size range of Pacific halibut in the area.

The Council also amended the Purpose & Needs Statement to reflect the action's focus on A80 bycatch and clarified the Council's limited legal authority to manage the directed halibut stocks, which is the IPHC's prerogative. Given the widespread critique of the results of the Working Group's modeling efforts, the complexity of the ABM model, and its limited benefits to the spawning stock biomass and to the directed halibut fisheries, the Council also dropped further work on the model. In adopting the Look-Up Table concept, the Council noted that this would be a "simpler tool" for the public to understand in the Council's future management of halibut PSC.

The overall results of this action are potentially positive for Saint Paul. First of all, the new Council motion removes many of the scientific and legal uncertainties of the previous action and addresses straight on many of the criticisms of it by the A80 sector. In addition, the range of numbers adopted by the Council for consideration in the Look-Up Table alternatives are within ranges that could meet the objectives of directed halibut fishermen. Finally, various options for analysis, were included such as a performance standard option which may provide incentives for further bycatch reductions and an improvement of bycatch reduction technologies and efforts by the A80 sector. Other options were included that are designed to 'soften' the transition year to year between the various ranges in the look-up tables, thereby providing predictability and stability to the A80 sector.

The SSC agreed with the City's comments regarding the SIA and the need to address MSA National Standard 4 guidelines regarding treaties and laws pertaining to Native Americans that might be in play as the 17 of the Bering Sea halibut dependent communities identified in the SIA, including Saint Paul, were majority Alaska Native. It is expected that the updated version of the SIA to be presented in April 2021 will include this legal guidance.

At Staff Tasking, the Council discussed a possible schedule for future action. Going forward, the Council intends to bring back a Preliminary ABM draft for review at the April 2021 meeting with final action potentially at the October 2021 meeting. Given

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NMFS notice, comment, and publication requirements, full implementation of the ABM action would not take place until January 2023.

### 3. **Alaska Fishing Communities Coalition:**

The efforts by Saint Paul representatives since January to develop and strengthen the Alaskan Fishing Communities (AFC) Coalition have paid off. Over 110 comments in support of ABM were submitted at this meeting and it clearly had an impact on the Alaskan Council members. The coalition met several times ahead of the Council meeting to develop common positions and advocate for similar goals. The statewide scope of the coalition was effective in impressing upon the State the importance of ABM as well as in countering the pressure from the A80 sector.

The AFC Communications Working Group recently presented a one-pager which describes AFC and its objectives, and which should be helpful in outreach with the media as well as state, federal, and congressional offices (**see attached AFC 1 Pager**).

### 4. **December 2020 Meeting:**

Looking ahead to December, the Saint Paul team and the broader AFC coalition may weigh in on the setting of BSAI Groundfish Harvest Specifications. The groundfish specs recommendations are presented at the October meeting and finalized in December. The thinking is that with Final Action on ABM not occurring until at least late 2021, it may make sense to pursue an approach that balances allocations of groundfish to species that generate less halibut PSC. In addition to any possible immediate benefits, this would be a way to keep pressure on the Council and the groundfish fisheries for action on ABM.

### 5. **Russian Military Activity in the EEZ:**

An issue of great concern to the fishing industry and the Council at the October meeting was the Russian military activity that took place in the US EEZ in August and which resulted in Russian vessels and air force jets harassing US fishing industry vessels and forcing them to leave the fishing grounds. One of the incidents took place 70 miles west of the Pribilofs. Both the Coast Guard and the State Department representatives briefed the Council of the events which is part of a military exercise called Ocean Shield, which is a multi-fleet, multi-service Russian military exercise that has occurred annually for the past two years. This year's exercise took place in the Bering Sea and the Arctic regions, is a signal of the growing importance of the Arctic Ocean's resources to global powers, and is likely to be a 'new normal' in the Bering Sea/Arctic.

The Coast Guard noted that the U.S. fishing fleet is not required to depart from legal fishing grounds in the U.S. EEZ at the direction of a foreign military. However, safety of life at sea is paramount and it is the responsibility of the mariner with firsthand situational awareness to make the appropriate decisions. This response was unsatisfactory to most of the industry which believes the US armed forces need to be

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more pro-active in informing the fleet of threats to their safety as well monitoring military activity in US waters. Going forward, mariners were advised to use the HYDROPAC process to provide information on military maneuvers and navigational warnings about persons in distress, or objects and events that pose an immediate hazard to navigation. The Council thanked the Coast Guard for its briefing and recommended that the Coast Guard consider additional ways to improve communication with vessels and communities in the future.

All for now.