



CITY OF SAINT PAUL

ALASKA

CITY OF SAINT PAUL TESTIMONY RE SNOW CRAB REBUILDING

June 2022

Good Morning, Mr Chair, members of the Council. My name is Mateo Paz-Soldan, I am testifying on behalf of the City of Saint Paul Island.

St Paul is a mostly Unangan (Aleut) community of approximately 400 residents that depends on the fishery and marine resources that are in the surrounding waters of the Bering Sea.

Its economy is largely dependent on the revenues, businesses, services, and taxes associated with snow crab landings in the harbor and the processing of this resource at the Trident Seafoods plant.

On average, crab landings and processing as a whole account for approximately 85% of the revenues entering the community. The City derives sales taxes from snow crab delivered to the Trident Plant and floating processors within 3 nautical miles of Saint Paul Island, as well as deliveries inside the harbor for processing at the shore-side Trident plant, and the associated jobs and service support.

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. 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. Finally, Saint Paul Island derives revenue and jobs from the crab fishery due to the activities of the Trident Plant and service support for the crab harvesting vessels calling at Saint Paul Island.

Saint Paul is a unique, historic community that sits in the middle of the nation's richest fisheries and yet its very existence, dependence on these resources, is in question. The irony.

This background information segways into my comment, which is focused on the community-dependence aspects of fishery rebuilding plans. My comment to you to today is centered not so much on the science of the crab resource, but on the science of the social, cultural, and anthropological components of this action.

Both Section 304 of the MSA and the NS1 guidelines provide some guidance.

They basically state, and I am paraphrasing here, that a fishery rebuilding plan shall among other things take into account the needs of fishing communities.

In addition, 304 states that such plans shall allocate overfishing restrictions and recovery benefits fairly among sectors of the fishery. The sectors in this fishery are directed fishermen, PSC users, and dependent communities.

These considerations are of course embedded in National Standard 4, Equity in Allocations, and National Standard 8, providing for sustained participation of fishery-dependent communities.

As a Native community with a Tribal Government, environmental justice considerations under NEPA and the Council on Environmental Quality, also apply. This guidance calls for the *consideration of the high and adverse impacts on Indian tribes of an action beyond a more general consideration of potentially high and adverse impacts to minority populations*. While this consideration does not preclude action, it does heighten agency attention to alternatives, mitigation strategies, and preferences expressed by the affected community or population.”

In this case, St Paul is asking for a crab rebuilding framework that allows, if at all possible, for a directed fishery. There are no other sources of revenues for the community to keep the lights on and to provide basic municipal services.

Section 312 fishery disaster assistance might be of some help, but it has a whole of set of unrealistic and onerous strings attached.

First of all 312 assistance is limited to whatever appropriations are made available by Congress. This is usually an iffy proposition.

Moreover disaster determinations are not multiyear actions. You get your fix once and that's it, regardless of how many years the disaster lasts.

In addition, there is a 25% local match requirement on 312 funding. How is a low-income community with no source of revenues, supposed to come up with a 25% match?

Finally, NMFS guidance doesn't allow disaster funds to be used to cover municipal revenues derived from fishery taxes. Disaster funds must have a specific purpose related to restoring the affected fishery.

I went through all this regarding 312 to make the point that until we have better national legislation that is truly responsive to climate change and to fishery disasters, and to the realities of how these affect vulnerable communities, we're going to need a fishery to keep the community afloat.

These realities remind me of the 2 hour conversation we had on ACLIM the other night. About the need for flexibility, responsiveness, and creative-thinking with our existing fisheries toolkit. Yes this toolkit is limited, but we have to look at it again, and see how we can repurpose it for the challenges that are hitting us now.

The City of Saint Paul asks that you to keep these legal considerations in mind as you weigh the proper range of alternatives for a snow crab rebuilding plan.

Finally, we support the comments made previously by ABSC on the importance of keeping a directed fishery open even at low levels, as well as the need to revisit and update bycatch limits and habitat protections. These habitat protections should be reflective of where the snow crab stock is located and should be sensitive to key stages of its life cycle.

Thank you.

Notes:

Fisheries Rebuilding Requirements --

(A) specify a time period for rebuilding the fishery that shall—

(i) be as short as possible, taking into account the status and biology of any overfished stocks of fish, the needs of fishing communities, recommendations by international organizations in which the United States participates, and the interaction of the overfished stock of fish within the marine ecosystem; and

(ii) not exceed 10 years, except in cases where the biology of the stock of fish, other environmental conditions, or management measures under an international agreement in which the United States participates dictate otherwise;

(B) allocate both overfishing restrictions and recovery benefits fairly and equitably among sectors of the fishery; and

(C) for fisheries managed under an international agreement, reflect traditional participation in the fishery, relative to other nations, by fishermen of the United States.

SEC. 312. TRANSITION TO SUSTAINABLE FISHERIES

(a) FISHERIES DISASTER RELIEF.—

16 U.S.C. 1861a MSA § 312, 16 U.S.C. 1861a

(1) At the discretion of the Secretary or at the request of the Governor of an affected State or a fishing community, the Secretary shall determine whether there is a commercial fishery failure due to a fishery resource disaster as a result of—

(A) natural causes; (B) man-made causes beyond the control of fishery managers to mitigate through conservation and management measures, including regulatory restrictions (including those imposed as a result of judicial action) imposed to protect human health or the marine environment; or (C) undetermined causes.

(2) Upon the determination under paragraph (1) that there is a commercial fishery failure, the Secretary is authorized to make sums available to be used by the affected State, fishing community, or by the Secretary in cooperation with the affected State or fishing community for assessing the economic and social effects of the commercial fishery failure, or any activity that the Secretary determines is appropriate to restore the fishery or prevent a similar failure in the future and to assist a fishing community affected by such failure. Before making funds available for an activity authorized under this section, the Secretary

shall make a determination that such activity will not expand the size or scope of the commercial fishery failure in that fishery or into other fisheries or other geographic regions.

(3) The Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

(4) There are authorized to be appropriated to the Secretary such sums as are necessary for each of the fiscal years 2007 through 2013.
