



# CITY OF SAINT PAUL

ALASKA

## RESOLUTION 24-01

### **A RESOLUTION OF THE CITY COUNCIL OF SAINT PAUL ISLAND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING TITLED “HALIBUT USERS COALITION ASSISTANCE AND COST AGREEMENT” (MOU) AND APPROVING A FINANCIAL CONTRIBUTION OF \$100 TO A COALITION DEFENSE FUND PROPOSED BY SAID MOU**

**WHEREAS**, on December 2021, the North Pacific Fishery Management Council (NPFMC) recommended, and the National Marine Fisheries Service (NMFS) proposed, Amendment 123 (A-123) which links the halibut PSC limit for the Amendment 80 (A-80) commercial groundfish trawl fleet in the BSAI groundfish fisheries to halibut abundance thereby intending to minimize halibut PSC to the extent practicable while achieving optimum yield in the BSAI groundfish fisheries on a continuing basis; and

**WHEREAS**, by providing incentives for the A-80 fleet to minimize halibut mortality at all times, A-123 could in turn result in additional harvest opportunities in the directed commercial halibut fisheries, helping to provide for the sustained participation of halibut dependent communities such as Saint Paul Island, and allowing for a fair and equitable allocation of the resource; and

**WHEREAS**, based on a review of the scientific information and consideration of the revised National Standard guidelines, the NPFMC and NMFS determined that reducing halibut PSC with declining halibut abundance provides conservation benefits, as defined by the Magnuson-Stevens Act; and

**WHEREAS**, in addition to the benefits of A-123 to conservation of the halibut resource, the halibut fishery is vital to Saint Paul Island’s local economy, working families and crews, its social fabric and well-being, and local subsistence users and beneficiaries; and

**WHEREAS**, in order to maximize the benefits of the halibut fishery to Saint Paul Island, the City of Saint Paul (City) has invested and indebted itself heavily to build infrastructure that supports the community’s local halibut fishermen and families including the Small Boat Harbor which cost a total of \$16 million and for which the City is making annual amortized payments on \$1.6 million to fulfill local match requirements; and

**WHEREAS**, the A-123 Final Rule was published on November 23, 2023, subsequent to which on December 19, 2023, the Groundfish Forum (GFF) in representation of the A-80 groundfish trawl sector filed a lawsuit in the United States District Court for the District of Alaska requesting that the Court vacate NMFS’ decision approving A-123 and remanding it to NMFS to address serious errors; and

**WHEREAS**, in recognition of the importance of the halibut fishery to Saint Paul Island, the City has since 2015 and earlier played an important role at the NPFMC to reduce halibut PSC limits and establish a framework for abundance-based management of the halibut resource that is equitable among users through development of A-123; and

**WHEREAS**, a coalition of directed halibut users (the Coalition) including the City who depend on the halibut resource consider it vitally important that A-123 be upheld in any litigation; and

**WHEREAS**, the Coalition agrees that defense of A-123 will require a high level of cooperation, technical work, and legal representation; and

**WHEREAS**, the Coalition agrees that the most cost effective and efficient route to obtain technical and legal support to protect their mutual interests is to share costs; and

**WHEREAS**, the Coalition has developed a Memorandum of Understanding titled “Halibut Users Coalition Assistance and Cost Agreement” (MOU) that establishes how Coalition efforts will be coordinated, the duties of the various Coalition Members, how the cost share will be structured, and other terms and conditions; and

**WHEREAS**, the Coalition has selected the Central Bering Sea Fishermen’s Association (CBSFA), the CDQ group for Saint Paul Island, to serve as its primary financial representative, receiving and holding funds contributed by Coalition Members for the legal defense of A-123.

**NOW THEREFORE BE IT RESOLVED THAT** the City Council of the City of Saint Paul approves Resolution 24-01 and approves a contribution of \$100 to the legal defense fund proposed in the MOU.

**PASSED AND ADOPTED BY APPROVAL OF THE COUNCIL OF THE CITY OF SAINT PAUL THIS 18<sup>th</sup> DAY OF JANUARY 2024 BY \_\_IN FAVOR\_\_ OPPOSED AND \_\_ABSTAIN.**

ATTEST:

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Jacob N. Mercurief, Mayor

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Audrey Wegeleben, City Clerk