

## MEMORANDUM

**To: Phil Zavadil, City Manager**

**Cc: Jacob Merculief, Mayor**

**From: Mateo Paz-Soldan**

**Date: April 17, 2023**

**Re: Results of April 2023 NPFMC Meeting**

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The following is a summary of the fishery issues of interest to Saint Paul that took place at the April 2023 meeting of North Pacific Fishery Management Council (NPFMC or Council). Saint Paul representatives physically present at the meetings included Heather McCarty for CBSFA and myself for the City of Saint Paul (the Team).

The link to the April 2023 NPFMC newsletter is attached below:

<https://www.npfmc.org/april-2023-newsletter/>

### **1. Meetings with Alaska Department of Fish & Game and NMFS:**

Ahead of the Council meeting, the Team met with ADF&G representatives and other Alaska stakeholders to discuss the State's and Saint Paul's respective positions on various NPFMC agenda items. Among the items discussed of interest to Saint Paul were:

- State position on LKTKS Protocol and Onramps;
- Status of Bairdi, Snow, and BBRKC Spend Plans; and,
- Impacts of the changes to Section 312 fishery disaster determinations on Crab Spend Plans currently being developed.

At the meeting, I reported on recent communications with NMFS in DC regarding the implementation of the new fisheries disaster provisions, in particular the sections allowing direct payments to communities for lost fisheries municipal revenues. Notwithstanding congressional intent, NMFS DC had indicated that these new provisions may not be applicable since the disaster requests for snow and BBRKC had come BEFORE the new provisions were adopted by Congress. In subsequent meetings with the ADF&G Commissioner, Doug-Vincent Lang, I suggested the possibility of a letter by the congressional delegation and the State of Alaska insisting on the applicability of the new provisions. The State seemed agreeable to this idea.

### **2. Meetings with Staff to Senator Murkowski:**

Senator Murkowski's fisheries staffer, Matt Robinson, was present at the NPFMC meetings. He met with various stakeholders including the CDQ group organizations. I provided him with an update of the exchanges around the implementation of the new fishery disaster provisions and noted that congressional help, by way of a letter, to NMFS DC may be required.

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### 3. Meeting with Representative Peltola:

Representative Peltola was present during part of the meetings. She held a well-attended Listening Session in which numerous representatives from the North Pacific fisheries spoke of their issues and concerns. During the Session, she reached out to subsistence, recreational, CDQ, Native, and trawl fishing interests. The overall sense of the public was that the Session was successful and provided for a very useful exchange of ideas.

In addition, a group of halibut users, including City and CBSFA representatives, met with her the following day at her offices to discuss the status of halibut ABM implementation, the overall position of the groundfish sector and in particular the A-80 sector, potential litigation, and potential support by the congressional offices for the action taken by the State of Alaska and the NPFMC in adopting the ABM Alternative. Her office seemed agreeable to such support at the appropriate moment.

On behalf of the City I also asked whether her office intended to provide comments on the proposed updates to the guidelines of National Standards 4, 8, and 9. Her office indicated it planned to weigh in on these, when the Advanced Notice of Proposed Rulemaking (ANPR) was published sometime in June/July of this year.

### 4. LKTKS Protocol and Onramps:

At this meeting, the SSC, the AP, and the Council reviewed the work developed by the LKTKS (Local Knowledge Traditional Knowledge Subsistence) Taskforce over the course of several years, which includes a LKTKS Protocol containing guidelines for Council evaluation of LKTKS science in its processes as well as proposed LKTKS onramps for incorporation of this type of science and information. Simeon Swetzof was a member of this taskforce and I participated on it as well.

The importance of this agenda item is that it provides communities such as Saint Paul with additional tools and avenues for pursuing and implementing fisheries management measures that take into account the community's input and interest, and is responsive to National Standards 2, 4, 6, and 8.

The City and CBSFA testified before all three bodies on this matter (**see St Paul 4-2023 Testimony attached**) in support of the LKTKS Taskforce's work and proposed timeline. There was broad Alaska Native and tribal support for this work and the Council ended up adopting a motion that provides for release of the materials for a 50 day public comment and review period.

The LKTK Taskforce will subsequently have an additional meeting to incorporate public comment after which the Council is scheduled to take final action on the LKTK materials at the October 2023 meeting.

See Council LKTKS Motion:

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=5b9cb499-5698-4986-addc-b7abf4c09f9e.pdf&fileName=D2%20MOTION%20-%20DRAFT.pdf>

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## 5. Annual Community Engagement and Participation Overview:

At this meeting, the SSC reviewed and provided feedback on the ACEPO report which provides social and economic information for North Pacific communities that are dependent and substantially engaged in the North Pacific groundfish and crab fisheries.

The City and CBSFA provided testimony on this matter inquiring about how Saint Paul's high level of engagement in the crab fishery would be measured going forward. This engagement or dependence is important to the community even though the crab fisheries it most depends on may be closed for several years (**See St Paul 4-2023 Testimony attached**).

In addition, the City and CBSFA discussed the importance of CBSFA's groundfish, in particular pollock, allocations to the community members and the programs that CBSFA supports. In this regard, and in light of the closure of the crab stocks and decline of the halibut resource, the Saint Paul Team noted that Saint Paul was in a sense "highly engaged" in the pollock fishery for its survival, and yet the ACEPO did not properly capture this dependence.

Partially in response to Saint Paul's comments, the SSC's minutes recommended that future versions of the ACEPO report include a characterization of smaller communities' involvement in the fisheries including those that have not maintained fisheries participation over time (relevant to crab dependence) as well as information regarding the benefits of the CDQ Program on communities. These improvements will help provide a more accurate picture of Saint Paul's fisheries dependence and better inform the Council regarding the potential impacts of its decisions on the community.

See pages 12 and 13 of SSC Minutes:

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=dc730cc2-3d06-4e5d-a009-74fd04abe216.pdf&fileName=SSC%20Report%20DRAFT.pdf>

## 6. Area 4 Vessel Use Caps:

In 2020, 2021, and 2022 the Council undertook Emergency Action to waive halibut IFQ vessel use caps in the Bering Sea/Area 4 in order to respond to the COVID-19 Pandemic and prevent its further spread among crews and vulnerable communities. February's action by the Council extends the interim Vessel Cap waiver measures benefitting Area 4 fishermen for 5 years, through 2027.

However, the Council will also be developing a longer-term action to provide the Area 4 halibut IFQ fishermen with the tools and flexibility necessary to respond to fluctuations in the fisheries and harvesting capacity, while protecting the fishery from overconsolidation and retaining the small boat fleets that are vital to the health of dependent communities. This action could include a series of thresholds and triggers at which vessel caps could be waived or their use limited depending on factors such as the size of the Bering Sea halibut FCEY, available harvesting and processing capacity, or a return of pandemic conditions.

The Council has not yet determined when it will start action on the longerterm fix, but Saint Paul and other halibut stakeholders have urged the process to begin this year, 2023, in order to give the

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Council, the public, and NMFS time to consider the action and develop and finalize a corresponding rulemaking package before the end of 2027.

CBSFA representatives testified on this matter at Staff Tasking urging the Council to start analysis of a longer-term fix as soon as possible this year.

## **7. Tribal Representation on Advisory Panel:**

Mr. Shawaan Jackson-Gamble participated at his first AP meeting in his capacity as the newly designated Alaska Native Tribal Seat. Mr. Jackson's candidacy to this 3 year term position was supported by a number of tribal and Native interests, including CBSFA, the Saint Paul Tribe, and the City of Saint Paul.

Mr. Jackson's participation was very positive and his presence on the AP has led to a perceptible shift in the tone and dynamic around the table. Since the AP and the Council were dealing with contentious issues surrounding efforts to reduce chum salmon bycatch and there was great participation from upstream interior Alaska tribes and communities, Mr. Jackson, in addition to Ms. Johnson, were able to contribute positively to the discussions that arose around stakeholder testimony.

The creation of this seat responds in part to pressure from the public, Council stakeholders, communities and tribal entities for greater inclusion and representation of tribal representatives in the Council's fisheries-management process. The Alaska Fishing Communities coalition, in which Saint Paul has played an outsized role, weighed heavily in support of Mr. Jackson's nomination.

All for now.