

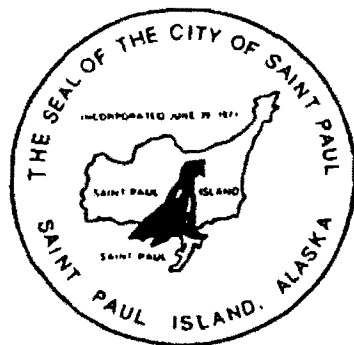
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KTC

Snow Crab

Disaster

160pp (S)



## CITY OF SAINT PAUL

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September 16, 2003

The Honorable Don Evans  
Secretary of Commerce  
U.S. Department of Commerce  
14th Street and Constitution Avenue, N.W.  
Washington, D.C. 20230

Dear Mr. Secretary:

The City of Saint Paul of the Pribilof Island Community of St. Paul Island, Alaska, petitions for a year 2003 determination, pursuant to Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1861a (2000) (hereafter "the Magnuson-Stevens Act"), that a commercial fishery failure in the Bering Sea crab fishery has occurred due to a fishery resource disaster. The Section 312 determination requested hereby would be a continuation of the Secretary's 312 determinations made on May 11, 2000, November 29, 2001, and November 13, 2002 (announced on January 17, 2003).

The Bering Sea snow crab fishery, which was the subject of the year 2000, 2001 and 2002 commercial fishery failure determinations, has continued in a state of severe decline. The National Marine Fisheries Service ("NMFS") trawl surveys for year 2002 determined that the stocks had not recovered to any significant extent, and in fact depreciated, with the result that the State of Alaska, which manages the crab fishery, significantly lowered the Guideline Harvest Level ("GHL") for the fishery for 2003. The 2003 total GHL was 25.61 million pounds (23.69 million pounds general fishery GHL), a drop of some 17% from the 2002 total GHL of 30.82 million pounds, (28.51 million pounds available to general fishery), after having made an 86% reduction from 1999 to 2000 (the first year of the crab disaster), and an additional reduction for 2001.<sup>1</sup> The Alaska Department of Fish and Game ("ADF&G") reports a harvest of 24.9 million pounds, an 87% decrease from the 1999 harvest level of 196 million pounds, based on in-season reports.<sup>2</sup>

<sup>1</sup> See Pages 1, 6 of ADF&G Memorandums of April 3, 2003 and February 25, 2002, attached as Attachment 1.

<sup>2</sup> See Table 1, Page 5 of ADF&G Memorandum of April 3, 2003, attached as Attachment 1, and the November 29, 2001 NMFS/NOAA Determination of a Commercial Fishery Failure Affecting the 2001 Bering Sea Snow Crab (*Chionoecetes Opilio*) Fishery, Attachment 2. Also attached as part of Attachment 2 are the November 13, 2002 (announced January 17, 2003) and May 11, 2000 determinations.

The fourth year of the collapse of the crab stocks has intensified the economic and social impacts on affected fishing communities such as St. Paul. Massive efforts are underway at local, regional and national levels to rationalize the fishery, diversify the economic base of severely affected fishing communities like St. Paul, and fashion alternative management solutions to encourage restoration of the stocks. A 312 determination would authorize the Secretary, through additional appropriations, to continue the work commenced under the May 11, 2000, November 29, 2001, and November 13, 2002, (announced on January 17, 2003) fisheries disaster determinations, including the assessment of the economic and social effects of the commercial fishery failure, and the efforts of industry, NMFS, and the North Pacific Fishery Management Council ("NPFMC") to restore the fishery and assist the fishing communities affected by the failure.

I. **A fishery resource disaster in the Bering Sea snow crab resource continues to exist in 2003.**

Consistent with the determinations made in 2000 and 2001, on November 13, 2002, Assistant Administrator William T. Hogarth determined that:

... the situation that was the basis for commercial fishery failure determinations in May 2000 and November 2001 continued in 2002 to constitute a commercial fishery failure under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act.<sup>3</sup>

An analysis of NMFS' 2002 summer bottom trawl survey of the Eastern Bering Sea found a decrease in all categories of Bering Sea Snow Crab, including a 67% decrease in large females from the figures of 2001.<sup>4</sup> The text of the executive summary shows that the only non-negative news is that the minimum stock size threshold (MSST) is not small enough to close the fishery:

<u>Snow crab</u> ( <i>C. opilio</i> )	All districts combined.
Large males:	76.1 million crabs; 2% decrease.
Pre-recruits:	248.0 million crabs; 12% decrease.
Large Females:	500.7 million crabs; 67% decrease.
Status:	Apparent recruitment that led to increased biomass in each of the past two years has dissipated. Precipitous decrease in large female abundance may reflect the uncertainty of recent estimates as well since estimates have been dominated by a small number of tows. Lack of recruitment to female reproductive stock is evidenced by the increasing

<sup>3</sup> NMFS/NOAA Determination of a Commercial Fishery Failure Affecting the 2002 Bering Sea snow crab fishery, Attachment 2 (announced on January 17, 2003).

<sup>4</sup> Alaska Fisheries Science Center, NMFS, U.S. Dept. of Commerce, AFSC Processed Report 2002-05, at pages 17-20 (Dec. 2002) (hereinafter "AFSC Report"). The AFSC Report, with charts and graphs comparing snow crab abundance, estimated from past and present NMFS trawl surveys, and summarizing crab density by tow from the 2002 trawl survey, is attached as Attachment 3.

prevalence of old shelled crab. Small males and females also declining. Reproductive population estimate that slightly exceed MSST in 2001 is below the MSST in 2002 and the stock is considered to be in the over fished level of abundance but is above 50% MSST. Under the current rebuilding plan and harvest strategy the fishery would be closed if the stock fell below 50% MSST.

GHL: 25.61 million pounds (11,716 t). Fishery is currently scheduled to open January 15, 2003.<sup>5</sup>

Even for the category with the lowest level of decrease in MSST levels, NMFS still estimates the total abundance of large males to be 76.1 million crabs, 55% below the twenty-year average of 167.6 million crabs.<sup>6</sup> The 2002 spawning biomass estimate was only 313.3 million pounds, 32% below the MSST of 460.8 million pounds. In addition, the new biomass estimate is 66% below the "rebuilt" stock level.<sup>7</sup> The fisheries disaster is a long-term problem: it is projected that there is only a 50% probability that the Bering Sea snow crab stock will rebuild within ten years.<sup>8</sup>

The reduction in female biomass is particularly alarming. As mentioned previously, the biomass of large females was reduced by some 67%, from 1,524.5 million crabs for 2001 to 500.7 million crabs in 2002. The drop in small females was similarly alarming; some 62% from 468.5 million crabs to 177 million crabs.<sup>9</sup> The overall drop in female biomass was 66% (from 1,992.9 million crabs to 677.7 million crabs).

Similarly, the drop in small males was dramatic; 67.7%, from 1509.7 million crabs to 487.3 million crabs. Overall, for all snow crabs, the total reduction was 61.4%, from 3,861.3 million crabs to 1,489.2 million crabs.

Significantly, the snow crab stock continues to suffer from greatly reduced levels of juvenile pre-recruits, large males and very large males, which industry experts projected to be the primary cause of the collapse of the crab stocks. See Natural Resources Consultants (NRC), Economic Impact of Bering Sea Crab Stock Disaster on St. Paul and the Need for Fisheries Diversification in Years 2000 and Beyond, at pages

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<sup>5</sup> See Executive Summary at p. 2 of AFSC Processed Report 2002-05, Attachment 3.

<sup>6</sup> See Table 5, p. 18, Attachment 3.

<sup>7</sup> According to the rebuilding plan adopted by the NPFMC in June 2000, the stocks will not be reconsidered "rebuilt" until the spawning biomass is above 921.6 million pounds for two consecutive years. NPFMC, 2000 Crab SAFE, Executive Summary at page 3, attached as Attachment 4.

<sup>8</sup> See Amendment 14 to the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs, Attachment 4.

<sup>9</sup> The information in this and the next paragraph can be found at Attachment 3, C. Opilio summary at pp. 17-20, most succinctly at the chart on p. 18.

5-6 (Dec. 1999).<sup>10</sup> See also Attachment 3, *C. opilio* summary pp. 17-20. The outlook for the stocks, summarized from the results of the 2002 Eastern Bering Sea Trawl Survey, is succinctly stated: "Expected recruitment of crabs to mature size groups apparently failed."<sup>11</sup>

The cause of the collapse of the Bering Sea crab stocks remains undetermined. NMFS' best available scientific information continues to suggest that the decline in the stocks is due to natural and environmental factors and not to fisheries management policies. See 66 Fed. Reg. 742, 742-46 (Jan. 4, 2001) (discussing NMFS' approval of the Snow Crab Rebuilding Plan, Amendment 14 to the Fisheries Management Plan for Bering Sea/Aleutian Islands King and Tanner Crab).

**II. A commercial fishery failure in the Bering Sea snow crab resource due to the fishery resource disaster continues to exist in 2003.**

The State of Alaska harvest strategy for the depressed crab stocks in the year 2003 set the GHL for snow crab at 25.61 million pounds, a drop of some 5.2 million pounds from the 2002 GHL (-17%), and a 87% reduction from the 1999 harvest level of 196 million pounds.<sup>12</sup> Significantly, the GHL for 2003 was 2.9 million pounds lower than the GHL for 2000, the year in which a commercial fishery failure resource disaster was first determined.<sup>13</sup> The 2003 harvest lasted a mere 10 days, as opposed to 21 days in 2002.<sup>14</sup>

Because of the 87% reduction in the total GHL from 1999 to 2003, from 196 to 25.61 million pounds, (the general fishery GHL declined 87.3% from 186.2 to 23.7 million pounds), the year 2003 commercial snow crab fishery continued the trend of low crab prices. At an average ex vessel price of \$1.83 per pound, the estimated 2003 snow crab fishery value was less than \$47 million. This compares to an overall fishery value in excess of \$58 million in 2000, and over \$177 million in 1999.<sup>15</sup>

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<sup>10</sup> A copy of the NRC Report, including the summary of NMFS' chief Bering Sea crab biologist, Dr. Jerry Reeves, is attached as Attachment 5. The NRC report was prepared for the City of St. Paul in support of the City's January 31, 2000 request to the Secretary for a determination of a commercial fisheries failure resource disaster in 2000. The Report contains additional information on the development of the fisheries and the St. Paul economy.

<sup>11</sup> AFSC Report, Attachment 3, at page 20.

<sup>12</sup> Management of the snow crab resource, including the development of harvest strategies, is delegated to the State of Alaska by the Fisheries Management Plan for Bering Sea/Aleutian Islands King and Tanner Crab Fisheries (the "FMP"), with oversight by NMFS and the NPFMC.

<sup>13</sup> November 29, 2001 NMFS/NOAA Determination of a Commercial Fishery Failure Affecting the 2001 Bering Sea snow crab fishery, Attachment 2 at p. 1.

<sup>14</sup> 2003 ADF&G Report at P. 5, Attachment 1.

<sup>15</sup> See ADF&G Report at P. 3, Attachment 1, and ADF&G June 11, 2003 Memorandum citing Commercial Operators Annual Report, attached as Attachment 6. See also April 2001 Report to NPFMC, Attachment

III. **St. Paul remains the most affected fishing community in the year 2003 snow crab commercial fishery resource disaster.**

NPFMC's Snow Crab Rebuilding Plan recognizes St. Paul as the coastal community "most effected by the low stock sizes of snow crab."<sup>16</sup> St. Paul is a fisheries-based community, located in the middle of the crab grounds and within 65 miles of 55% of the U.S. commercial fisheries. Since 1995, St. Paul Harbor has been the primary crab processing location in the Bering Sea and the number two fishing port in Alaska in generating sales and fish tax revenues for the State of Alaska. In 1998 and 1999, crab deliveries to St. Paul Harbor exceeded 40% of the total harvest.

St. Paul's economy is almost entirely dependent on the crab resource. Crab landings and processing accounted for 85% of the cash entering the community in 1999. The City receives a 3% sales tax on crab delivered to and processed by floating processors within three nautical miles of the Island and a 3% sales tax on crab delivered inside the Harbor for processing. St. Paul also receives half of the fisheries revenues that the State receives as a 3% - 5% tax on vessels fishing outside and inside of the harbor. In addition, the City receives sales tax on fuel and supplies sold in the Harbor, and derives revenue and jobs from the crab fishery in-harbor processors and service support to the crab vessels calling on St. Paul.<sup>17</sup>

The total loss in revenues to the City, based on the fisheries collapse in 2000, 2001, 2002 and 2003, as compared to 1999, was 85%, 83%, 77% and 81%, respectively -- an average decline over those four years of 82%.<sup>18</sup> In two major areas of City revenues, the City suffered losses of at least three-quarters of the 1999 level of revenues. The City lost 85%, 81%, 87% and 89% of onshore processor revenues in 2000, 2001, 2002 and 2003, respectively, as compared to 1999.<sup>19</sup> Similarly, for the third highest source of City revenues (harbor services), the City suffered a revenue decline of 90%, 82%, 74% and 82%, in the last four years, respectively, as compared to 1999.<sup>20</sup> Not surprisingly, revenue declines in offshore processing (second highest source of City

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7. The dramatic decline in the catch history 1990-2001, in which the 1999 benchmark harvest is significantly below the recent highs of 1991 - 1993, is illustrated in the chart attached to that Report.

<sup>16</sup> The finding is made as part of the NPFMC's examination of the importance of the fishery resource to fishing communities, mandated under National Standard 8 of the Magnuson-Stevens Act.

<sup>17</sup> The development of St. Paul's crab dependent economy and a forecast for the future of the economy, in light of the collapse of the crab stocks, is discussed in the NRC Report, Attachment 5 hereto.

<sup>18</sup> The percentage figures cited in this paragraph and the accompanying chart are rounded to the nearest percentage point. The significant reduction in revenues is shown in the chart, "City of St. Paul Revenue Impacts, Opilio Crab Fishery Collapse, 1999, 2000, 2001, 2002 and 2003 Activity," attached as Attachment 8.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

revenues) ranged from 64% - 92%, and revenues from fuel distributors declined from 62% - 85%.<sup>21</sup>

Those losses can be summarized as follows (rounded to the nearest thousandth dollar and percentage point).<sup>22</sup>

Revenue Source	1999	2000	2001	2002	2003	00 - 03 avg vs 99	Revenue Decline 1999 v. 2000	Revenue Decline 1999 v. 2001	Revenue Decline 1999 v. 2002	Revenue Decline 1999 v. 2003
Onshore Processors	1,706	254	320	214	185	(244) - 86%	- 85%	- 81%	- 87%	- 89%
Offshore Processors	1,011	157	84	367	294	(226) - 78%	- 84%	- 92%	- 64%	- 71%
Fuel Distributors	85	11	31	33	22	(24) - 72%	- 87%	- 64%	- 62%	- 74%
Harbor Services	760	78	137	200	134	(137) - 82%	- 90%	- 82%	- 74%	- 82%
Local Businesses	75	28	63	63	44	(50) - 33%	- 62%	- 16%	- 16%	- 42%
<b>Grand Totals</b>	<b>3,637</b>	<b>528</b>	<b>635</b>	<b>841</b>	<b>679</b>	<b>(671) - 82%</b>	<b>- 85%</b>	<b>- 83%</b>	<b>- 77%</b>	<b>- 81%</b>

The revenue loss was directly felt by the Island's 500 native Aleut inhabitants through loss of jobs, loss of community health and safety services, loss of the community day care facilities, and curtailment in air passenger, air cargo, bypass mail and surface cargo (marine shipping) services to the mainland. As reported in the Wall Street Journal,

St. Paul has been thrown into crisis. Layoffs are mounting, a food bank has opened and an exodus from the island has begun that could cripple one of the last intact native communities in the U.S. . . . Particularly hard hit has been the mainstay of the community, the town government of St. Paul, which has axed about half of its 90 workers. A day-care center for city workers was closed, killing five jobs, as was a town-run dental clinic, wiping out two more jobs and islanders' only access to dental care.

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[With protein supplies on the island dwindling, the native Aleuts of St. Paul are turning to subsistence hunting of seal,] "the island's last source of sustenance if all else fails."

<sup>21</sup> *Id.*

<sup>22</sup> Chart created from data in Attachment 8. These figures do not include other revenue sources which are not dependent on the condition of the Opilio crab harvests.

On This Alaska Island, Survival Is More Than Just a TV Game - - - A Cutback in Crabbing Quotas Leaves St. Paul Scrambling To Save its Way of Life, THE WALL STREET JOURNAL, Jan. 15, 2001, attached as Attachment 9. The irony that St. Paul would be looking to subsistence hunting of the fur seal as a source of sustenance underscores the severe impact of the collapse of the crab stocks on St. Paul's crab dependent economy.<sup>23</sup>

As of the date of this letter, the City officially has 43.5 employees. The population of the Island is currently some 535 residents, as some people have moved off the Island due to lack of work and opportunities. The departure particularly hurts the long term viability of the Island as many of those leaving are educated, skilled, and young. Strengthening of basic infrastructure that will expand the fisheries-based economy is crucial to retaining the younger generation and ensuring the long-term vitality of the Island.

**IV. A determination of a commercial fishery resource disaster in 2003 is needed to provide assistance under the guidelines of Magnuson-Stevens Section 312.**

Section 312(a) of the Magnuson-Stevens Act authorizes the Secretary to exercise discretion in determining 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; or
- c. undetermined causes.

Such a determination would authorize the Secretary to provide funds appropriated for the purpose,

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

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<sup>23</sup> The Pribilof Island communities of St. Paul and St. George were federal reservations from 1869 to 1983 on which the U.S. Government administered the operation of the lucrative fur seal harvest. The economy of St. Paul depended entirely on the Fur Seal Program. Commercial fishing was not allowed to take place on the Pribilof Islands nor was construction of a harbor. Economic transition from government controlled fur sealing operations begin with the Fur Seal Act Amendments of 1983, and was accomplished through the development of the St. Paul Harbor, completed in 1990. However, by 1990, the important ground fish fisheries such as cod and pollock were fully developed, with processing operations in Dutch Harbor/Unalaska and Akutan. Thus St. Paul found itself shut out of the ground fish fisheries. The St. Paul Harbor was able to attract the crab industry, due to its proximity to the crab grounds. St. Paul therefore developed from a government controlled economy dependent on fur seal to an independent fisheries-based economy dependent on a single species - Opilio crab.

similar failure in the future and to assist a fishing community affected by such failure.

As discussed in sections I through III above, the elements necessary for a commercial fishery failure resource disaster are present in the continuing collapse of the Bering Sea snow crab resource. Significant efforts at national, regional, and community levels currently underway to address the fisheries resource disaster in the crab fisheries need to be continued into the future. A determination that the snow crab fishery resource disaster continues in 2003 will make this possible.

At the national level, additional funding is needed for research regarding the biology of snow crab and crab habitat to assist the fisheries managers in developing responsive management measures.<sup>24</sup> The NPFMC is engaged in efforts to address the need for restoration of the stocks and overcapitalization of the fishery through a crab rationalization plan.<sup>25</sup> Also underway is NMFS' implementation of the first stage of the BSAI Fishing Capacity Reduction Program, whose goal is to reduce fishing overcapitalization in the crab fisheries by a license and vessel buyback program.

At a regional and community level, the State of Alaska is administering the 2000 Opilio Disaster Project with funds appropriated for "emergency expenses for fisheries disaster relief . . . for the Pribilof Islands and East Aleutian area of the Bering Sea."<sup>26</sup> The City of Saint Paul is using its share of the disaster relief funds on three complementary water projects to increase the available water supply to allow multispecies processing on St. Paul Island for increased economic stability resulting from reduced dependence on crab processing.

First, a draft study of the sole source island aquifer was completed to determine the reliable amount of water available to the community from the existing domestic water wells and quantify the amount of water ultimately available. That draft has been

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<sup>24</sup> See 66 Fed. Reg. 742, 742-46 (Jan. 4, 2001) (addressing public comments to the Snow Crab Rebuilding Plan and noting NMFS' need for additional scientific research, when funding is available).

<sup>25</sup> St. Paul has been an active participant of the Crab Rationalization Committee appointed by the NPFMC to assist in the development of proposed options for a rationalization of the BSAI crab fisheries. St. Paul supports the Committee proposal for a fair and equitable quota-based program of a "three pie" ITQ allocation to harvesters and processors including the requirement that live crab deliveries be to processors in specific regions within Alaska in accordance with regency requirements and historic delivery rates. The NPFMC unanimously adopted a "three pie" crab rationalization program in June of 2002 that protects harvesters, processors, and communities, as well as recognizing the participation of skippers in the fishery and the need for resource conservation. Since then the Council has approved all trailing amendments and unanimously reaffirmed its approval of the plan. Enactment of the Plan through Congressional legislation is expected in 2003.

<sup>26</sup> The affected fishing communities in the Pribilof Islands and the East Aleutian Islands agreed among themselves to an appropriate division of the funds. The State of Alaska, through the Department of Community and Economic Development, is administering a community grant program which approves eligible projects consistent with Section 312 requirements that the funding be used to assist in the restoration of the fishery or prevention of a similar failures in the future.



submitted to the City of Saint Paul, NOAA, USCG and other interested parties for review. The report will be finalized in August of this year after analysis of water level records from this summer, and review comments have been received from interested parties.

Second, a new water tank will soon be constructed. Processing demand is greater than the city water storage and supply capacity. A new water storage tank to provide adequate water for processing with retained storage for fire fighting is proposed to meet existing and future demand. The expanded water storage and capacity will allow for various economic diversification activities including expansion of the local fleet into IFQ halibut and cod harvesting as well as expansion of St. Paul's on-shore facilities into multi-species processing. The City anticipates contract construction of the new water tank within the year.

Third, the City is working to improve the quality of water distribution to the harbor through replacement of failing sections of the old harbor water line with a new, larger line to increase the volume of water to the harbor. Currently water distribution to the harbor is through a 12" gravity water main installed in 1992 with backup supply through the original 8" main that reduces to 4" galvanized at the harbor. Design has been completed for replacement of the remaining 600 feet of 4" galvanized line and replacing it with 600 feet of new 12" main. This will supply loop feed reliability and additional fire flow capacity to the harbor and nearby commercial areas of the community. The project is scheduled for construction later this summer after NOAA finishes the contaminated soils removal in the immediate area of the water line.

While these water projects will help solidify some of the infrastructure on St. Paul Island, additional steps are very much needed to allow St. Paul to diversify its fisheries-based economy beyond crab. With the problems of recapitalization and stock abundance in a number of different fisheries, the time is right to actually realign the fishery to make sense, both commercially and from a resource management perspective.

The City, in partnership with the Central Bering Sea Fishermen's Association (CBSFA), the local CDQ fishermen's association, remains engaged in negotiations with processing companies to locate a processor in the St. Paul Harbor that would allow for multispecies processing, which is necessary to diversify the island's economy.

Successful completion of these negotiations will finally allow a locally owned and/or operated shore-based facility to be operated in the middle of one of the world's richest groundfish fisheries, and relieve St. Paul's dependence on crab.<sup>27</sup> This, in turn, will provide the harvesting component of the commercial fishing industry an opportunity to harvest pollock, cod and other groundfish and deliver to a shore-based processor

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<sup>27</sup> As discussed in the NRC Report (Attachment 5), St. Paul was precluded from entering the ground fish fisheries at the time of their development. By the time the St. Paul Harbor opened in 1990, the domestic industry was fully developed. With the collapse of the crab resource, St. Paul's survival depends on its ability to diversify fisheries. NRC Report at pages 2-5; 16-19.

close to the resource. The result is that value-added products can be made, there is an increase in efficiency, a decrease in costs and an increase in safety.

In the meantime, additional harbor improvements and infrastructure are needed, however, to allow a multispecies processor to moor and operate its fish processing plant in the St. Paul Harbor.<sup>28</sup> The ongoing federal Harbor Improvement Project is expanding the St. Paul Harbor to allow for safe access and elimination of the overtopping of the breakwater. Additional infrastructure upgrades required include the deepening of the berthing site at the breakwater and reconstruction/improvement of the City outfall in order to provide an adequate seafood disposal system.

St. Paul points out that an important part of the Section 312 analysis is the manner in which the valuable St. Paul Harbor can be used, through the development of multi-species processing on St. Paul, to the benefit of the fishing community, the fishing industry, including the fishermen, resource management, and international trade and export. With the temporal and spatial dispersal of the pollock fishery resulting from the Steller sea lion protective measures, the diversification of the St. Paul Harbor is a critical component of an economic and environmental management program.

#### V. Conclusion.

A determination of a commercial fisheries resource disaster in the Bering Sea snow crab resource in 2003 is needed to authorize funding to continue the programs that have been commenced to address the collapse of the Bering Sea crab stocks. The need for a Section 312 determination of a commercial fisheries failure is particularly acute for St. Paul Island, the fishing community most severely affected by the collapse of the crab stocks into the fourth year.

The City of Saint Paul requests that it be recognized as an affected fishing community under Section 312(a) of the Magnuson-Stevens Act and that the Secretary make the determination that (1) a fishery resource disaster has occurred in the Bering Sea snow crab stocks due to natural conditions; and (2) the collapse of the Bering Sea snow crab in 2003 has resulted in a commercial fishery failure due to a fishery resource disaster.

Thank you for your attention to this matter.

Sincerely,



Simeon Swetzof, Jr.  
Mayor



John R. Mercurief  
City Manager

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<sup>28</sup> See NRC Report at pages 19-22, Attachment 5.

Enclosures

cc: William T. Hogarth, Assistant Administrator for Fisheries, NOAA  
Senator Ted Stevens  
Senator Lisa Murkowski  
Congressman Don Young  
Governor Frank Murkowski  
Office of the Governor of the State of Alaska, Washington, D.C.

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