



CITY OF ADAK, ALASKA

VIA ELECTRONIC DELIVERY

September 27, 2021

Simon Kinneen
Chairman
North Pacific Fisheries Management Council
604 W. 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

RE: C-4 BSAI Pacific Cod Trawl CV LAPP; Final Action

Dear Chairman Kinneen:

In conjunction with the Adak Community Development Corporation and other community stakeholders we have advocated and supported protections for creating an environment that allows shoreside cod processing in Adak and the Aleutian Island management area for well over 10 years. We were hopeful with the implementation of Amendment 113 we could, and did, have the stable environment necessary to allow the Adak plant to operate. Regrettably, the Court's decision regarding Amendment 113 dealt a significant setback to the community.

The City has reviewed the draft for final review of the aforementioned program. The city, representing the community of Adak, has concerns regarding the program and wishes to address them in these comments. Of note, our City Council passed a resolution, which is attached, requesting specific alternatives to some items of the proposed program.

First, the City requests the NPFMC select, under Element 6, option 6.2 instead of 6.1 as selected in the June 2021 meeting. Simply put, while Option 6.1 explicitly requires delivery, the mechanics of implementation, we believe, are flawed and inherently will be a logistical nightmare. As we saw during the years Amendment 113 was in effect, versus 2020 when it was not in effect, expecting the harvesters to solely manage how the deliveries will be addressed will be chaotic at minimum. Under 6.2, the harvesters that have business plans involving AI shoreside delivery will be a part of a cooperative and subscribe to the requirements therein, versus likely having harvesters under 6.1 that want nothing to do with delivering to Adak nor Atka.

Second, the City requests the Aleutian Islands (AI) set-aside for delivery to an AI shoreplant be an amount equivalent to 5,000 for metric tons, through the appropriate calculations that ultimately are used to make final allocations. AI stakeholders have continuously provided the reasoning for why this

amount is important, even though Adak's history has shown higher amounts in the past. 5,000 metric tons, or roughly 11,000,000 pounds, is but a piece of what it takes to operate one or more shoreplants in the AI. However, it is a critical piece that allows other resources, including the state-water pacific cod, golden king crab, halibut, sablefish and other species to be harvested and processed in the AI. Without that critical piece, a fraction of what other entities and communities land, we will continue to see any future operator struggle, notwithstanding any other environmental challenge that may or may not arise.

In addition, the City is somewhat confused with the implementation of Suboption 6.2.2. As we have mentioned in the past, our intent and obligation, by providing notification to NMFS, is to inform the agency that processing will occur during the next season in order to activate the set-aside. If it intent of suboption 6.2.2 is understood, this "quota" is held by NMFS, subject to the annual transfer to whomever the City of Adak, if it provided notice, identified in the letter, which would be the plant operator if it is commencing operations in the upcoming season. If we are to identify a backup option, for example due to an unforeseen in-season emergency, and NMFS wants us to designate a community entity, we would likely designate the Adak Community Development Corporation based on our past actions. Under current regulations the City has and currently designates Adak Community Development Corporation as the eligible entity for purposes of the BSAI Crab Program as well as the Community Quota Entity Program. Without additional clarification we cannot support nor object to suboption 6.2.2.

Another option in regard to suboption 6.2.2 is to provide the AI communities a mechanism similar to delivery exemption availability under the Western Aleutian Golden King Crab program. The city has experience in working with stakeholders to sign agreements necessary to take advantage of this when the plant in Adak has not operated. While the affected stakeholders want to deliver to Adak and our economy suffers when deliveries do not occur in Adak, it is a tool to not strand resource when emergencies arise.

In summary, without correction to this lack of access of pacific cod from federal waters, the AI communities will continue to be negatively impacted. This is a critical time to address the effects of other management programs that have been implemented for a long time but contributed to the negative economic effects we now are faced. Without action, these effects become permanent. We hope that resolution can be made during this meeting to provide final relief and create a long-term sustainable program and operating environment.

Thank you for consideration of our comments.

Sincerely,



Layton J. Lockett
City Manager

enc. Attachment A: Adak City Council Resolution 2021-009