

Testimony of Ernest Weiss
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Before the
Senate Committee on Commerce, Science, and Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard
Hearing on
“Marine Sanctuaries: Fisheries, Access, the Environment and Maritime Heritage”
June 27, 2017

Chairman Sullivan, Ranking Member, Members of the Subcommittee, thank you for the opportunity to participate in this hearing on Marine Sanctuaries: Fisheries, Access, the Environment and Maritime Heritage. For the record, my name is Ernest Weiss and I am employed as the Natural Resources Director for the Aleutians East Borough, in southwest Alaska. Our Borough rests on the Alaska Peninsula, the easternmost Aleutian Islands and the Shumagin Islands. Our southern coast opens to the western Gulf of Alaska, and our northern shore is on Bristol Bay and the Bering Sea. Our six communities of King Cove, Cold Bay, Sand Point, Akutan, False Pass and Nelson Lagoon are dependent on access to the abundant marine resources, including subsistence and commercial fishing, and our native Aleut people claim good stewardship of this region for thousands of years. There are roads in our communities, but there are no roads connecting our communities to each other or to the rest of Alaska. All travel is by air or by sea.

Our local fishermen work on these waters nearly all year round. Right now the emphasis is on sockeye salmon, and later pink salmon along with other salmon will hopefully fill the nets. But over the year the local fleet will gear up for cod, halibut, crab, pollock and whatever other fishery presents itself. These local fishermen and other boats that deliver to our shore-based fish processing plants support state and local taxes and keep the local economies moving. The local people, dependent on these waters for generations, have become regular participants in the fishery management processes – the Alaska Board of Fisheries meetings for State-waters fisheries and the North Pacific Fishery Management Council meetings for fisheries in the exclusive economic zone (EEZ) off the State of Alaska. Both of these management bodies utilize a rigorous science-based approach, with ample opportunities for public input.

The North Pacific Fishery Management Council (NPFMC) does an excellent job of protecting our fisheries and marine environment using an ecosystem based management approach. Working with the National Marine Fisheries Service (NMFS), the Council has put in place substantial protections in the waters off Alaska that provide over half of the Nation’s seafood products. Over 95% (277,100 nm²) of the Aleutian Islands Management Area is closed to bottom trawl to minimize impacts on the benthic environment and essential fish habitat. Steller sea lion protection measures prohibit trawling in some areas and all marine traffic in other areas. In the Arctic, 148,393 nm² in the Chukchi and Beaufort Sea are closed to all fishing, at least until better scientific data is available. There are closures to all bottom contact gear in place to protect coral gardens and other closures to trawl and bottom trawl gear to protect crab and rockfish habitat. The dynamic Council process in the North Pacific is working to great success.

There are currently no National Marine Sanctuaries in Alaska, nor, I would argue, any need for Sanctuaries, based on the work of NMFS and the NPFMC. However, the final rule published in the

Federal Register on June 13, 2014 to re-establish the Sanctuary Nomination Process opened the door for new sanctuary nominations. In theory, the Sanctuary Nomination process seems logical. The nomination process mandates the ‘community-based development of a nomination’, and we support that concept – that any nomination should start with the local community. However, we feel there is a problem with the Sanctuary Nomination process definition of a ‘community’. The Final Rule states:

‘Communities may submit applications to have NOAA consider nominations of areas of the marine and Great Lakes environments as national marine sanctuaries. *Communities, in this context, are defined as a collection of interested individuals or groups* (e.g., a friends of group, a chamber of commerce); local, tribal, state, or national agencies; elected officials; or topic-based stakeholder groups, at the local, regional or national level (e.g., a local chapter of an environmental organization, a regionally-based fishing group, a national-level recreation or tourism organization, academia or science-based group, or an industry association).’

In the Sanctuary Nomination Process, ‘communities’ does not necessarily mean local communities. So anyone can nominate a National Marine Sanctuary, but we believe that *local communities* that are adjacent to the proposed sanctuary with the potential to be the most impacted should be the main drivers of any new sanctuary nomination or designation. The Aleutians East Borough got involved in the nomination process 6 months after the Final Rule was published, when in December 2014 a sanctuary was nominated that actually would have engulfed our entire region.

The Aleutian Island National Marine Sanctuary (AINMS) was proposed December 22, 2014 by Public Employees for Environmental Responsibility based in Washington DC. This massive proposed sanctuary of 554,000 nm², larger than the land mass of the State of Alaska, would have encompassed all of the Aleutian, Pribilof and Shumagin Islands, all of Bristol Bay and most of the Alaska Peninsula. The Aleutians East Borough was not contacted prior to the proposal, however the Qagan Tayagungin Tribe of Sand Point responded to a request for support by the Alaska Inter-Tribal Council, one week prior to the proposal submission, in staunch opposition. When the proposal was made public, letters and resolutions in opposition to the AINMS came pouring in from local groups and communities, including the King Cove Agdaagux Tribe, the City of Unalaska, the Marine Conservation Alliance, the Akutan Corporation, the City of Adak and the Aleutians East Borough.

The ridiculous overreach of the proposed sanctuary made it easy for groups to oppose, and in the end, the process worked. On January 23rd, 2015 the Office of Marine Sanctuaries responded that the AINMS proposal was ‘not sufficient’. And the opposition continued to be heard. In March 2015 the Southwest Alaska Municipal Conference opposed the AINMS in SWAMC Resolution 15-02, and the 2015 Alaska Legislature passed Legislative Resolve 6, sponsored by the District 37 Representative Bryce Edgmon:

‘BE IT RESOLVED that the Alaska State Legislature is vehemently opposed to the nomination by the Washington, D.C., based Public Employees for Environmental Responsibility, or any similar nomination, for the creation of an Aleutian Islands National Marine Sanctuary.’

On October 1st, 2016, a much smaller sanctuary, less than 3000 nm², was proposed by the City of St George. The proposed St. George Unangan Heritage National Marine Sanctuary would create a sanctuary 30 miles seaward from the island of St. George, one of the Pribilof Islands, except towards St.

Paul Island to the north, where the boundary would only extend 20 miles. The proposed sanctuary would also include a buffer zone around the St. George Harbor, to allow for development and commerce there.

Besides the City of St. George, other local entities have had mixed reactions to the proposed sanctuary around St. George. The St. George Traditional Council had neither supported nor opposed the proposal as of late last year. Other local groups have voiced opposition. The Aleutian Pribilof Island Community Development Association, the Community Development Quota (CDQ) group representing communities including St. George opposes the proposed sanctuary. Also the St. George Tanaq Corporation and the Aleutian Pribilof Islands Association both oppose the proposal. The Alaska Federation of Natives passed Resolution 16-23 at their October 2016 annual conference in more generic terms:

‘NOW THEREFORE BE IT RESOLVED by the delegates of the 2016 AFN Annual Convention that AFN opposes the creation of any National Marine Sanctuary or Marine National Monument that jeopardizes the economic health and vitality of one or more rural communities reliant on commercial and/or subsistence fisheries in Alaska.

BE IT FURTHER RESOLVED that the delegates mandate tribal consultation and engagement with Alaska Native individuals and organizations that may be impacted prior to designating Marine National Monuments and Sanctuaries in Alaska.’

The Aleutians East Borough remains neutral to the proposed St. George sanctuary. And while it was submitted by a local group, it appears the proposed sanctuary is not supported by a majority of local residents in the region. On January 27th, 2017 NOAA announced the addition of the St. George Unangan Heritage National Marine Sanctuary to the inventory of nominations for consideration. As part of an outreach effort at the 2017 SWAMC conference in March, William Douros, West Coast Regional Director of National Marine Sanctuaries, and Pat Pletnikoff, Mayor of City of St. George tried to assure members attending the Conference that a St. George Sanctuary would not negatively impact the harbor expansion or local fisheries.

The process to nominate and ultimately designate national marine sanctuaries is a public process that necessarily includes local stakeholders and the regional fishery management councils – that is a good thing. However, the process would be strengthened by requiring initial involvement in proposal submission by local community groups that would be most impacted, closest to the proposed sanctuary. Regional fishery management councils must be consulted prior to designation, but in the North Pacific, the local fishery management council is the right management authority in place, already doing the work of a sanctuary. The North Pacific Fishery Management Council is supported by the local communities, and the Council utilizes an effective ecosystem based process to protect and conserve the marine environment, while providing research and educational opportunities.

The Aleutians East Borough understands that National Marine Sanctuaries have National significance, not just of concern to local communities. But again, we believe the Council is the appropriate body in place to address not only the National significance criteria, but also any management considerations. We feel the waters of the North Pacific are already well protected, and we view future sanctuary designation protections as needlessly permanent and static, and potentially harmful to the local economies.

Thank you for your consideration. I am happy to answer any questions you may have.