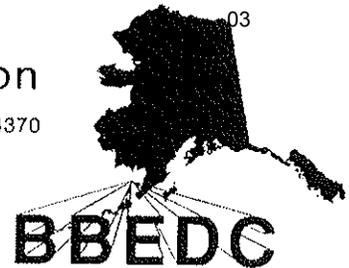


# Bristol Bay Economic Development Corporation

P.O. Box 1464 • Dillingham, Alaska 99576 • (907) 842-4370 • Fax (907) 842-4336 • 1-800-478-4370



February 12, 2010

Doug Mecum  
Acting Administrator  
Alaska Region, NMFS  
PO Box 21668  
Juneau, AK 99802

Via email to: [salmonbycatcheis@noaa.gov](mailto:salmonbycatcheis@noaa.gov)

Dear Mr. Mecum,

We're writing to comment on the Bering Sea Chinook Salmon Bycatch Management Final EIS. First, we want to commend the agency and the Council for a very thorough and well-written document. It clearly meets the standards necessary to support approval by the Secretary of the Council's final action based on the best available information. We urge the agency to move expeditiously on the amendment package and final approval by the Secretary at the appropriate time.

After considerable reflection, BBEDC specifically supports the NPMFC final action (Alternative 5). While we continue to have reservations about the incentive plan process, the adoption of the performance standard significantly improves on PPA 1 and addresses many of the concerns we raised concerning PPA1 in our comments on the DEIS and in public testimony.

With the performance standard, 47,591 will be the effective cap for 5-6 of every 7 years. A sector broaching its share of the performance standard once in seven years may happen, but even the second time will be done only under extreme duress, as the next time results in a permanent, lower cap share for that sector. This will be nearly as effective in changing behavior as a hard cap at the 47,591 level.

The remaining question is whether the incentive plans will be more effective than the 2008 enhanced rolling hot spot program in reducing bycatch at lower encounter levels. While some version of the RHS program will survive in both the IPAs currently under development, we reserve judgment on this topic.

Regarding our Comment 2-37, where we advocate third party audits of the incentive plans and analysis of their effectiveness relative to the problem statement and ICA criteria, the response notes that the EIS deals with caps and that the IPAs are not analyzed. The response doesn't address the substance of the SSC's comments or those that we raised. As the Council did not require third party evaluation, it apparently becomes the responsibility of the Council staff, if so directed, and the public.

We request that the Council consider tasking staff to review the reports each year and provide a critique of whether and to what extent the IPAs addresses the Council's objectives, and that the public have an opportunity to comment. We'd appreciate agency support of that initiative.

We'd also like to see test fishing in RHS closures to provide ground-truthing to that important component of the IPAs. That would probably require an experimental fishing permit so that the bycatch doesn't count against the performance standard, or a voluntary agreement by the sectors to set aside a reserve to test the closed areas. The Council can't require the coops to do that, but could make it known they'd look favorably on an experimental fishing permit with a limit on Chinook.

It's our opinion, based on a number of years of studying industry Chinook bycatch reduction efforts, that Incentive Plans, such as the revised SIPP, will be most effective in mid-level encounter years, and that at low and very low encounter levels, the RHS system will have to be sufficiently robust to simply close areas with higher encounter rates. The 'insurance' effect is not going to be sufficient. Whether the proposals contain sufficient teeth will be an important test of the meeting the Council's intent.

The other plan under development, referred to as the 'exploding RHS,' shows some promise, but is still in the early stages of development. We note that the agency response to our [Comment 10-79](#) states that the 2003-07 analytical timeframe includes the period with the VRHS in place, but the EIS ignores that major changes were made for 2008 that in our opinion made it much more effective (increased closure area authority, rolling A season average for trigger rate, A season fixed closure, etc.). The Council is going to have to pay more attention to the nuts and bolts of the RHS system to be able to evaluate the effectiveness of the IPAs.

We appreciate this opportunity to provide final comment, and again wish to commend you and your staff for all the hard work that went into this analysis. Please don't hesitate to call me or my staff if our comments aren't clear.

Sincerely,



H. Robin Samuelsen, Jr.  
President/CEO