



February 23, 2009

Mr. Robert D. Mecum  
Acting Administrator  
National Marine Fisheries Service  
Alaska Regional Office  
P.O. Box 21668  
Juneau, AK 99802

Dear Mr. Mecum:

On behalf of the Pacific Seafood Processors Association (PSPA) I am submitting these comments on the Draft Environmental Impact Statement/Regulatory Impact Review/Initial Regulatory Flexibility Analysis for Bering Sea Chinook Salmon Bycatch Management, dated December 2008 (“DEIS”).

PSPA represents the on-shore processors and motherships involved in the pollock fishery. These companies and their thousands of employees rely on the Bering Sea pollock fishery for their economic livelihood.

PSPA recognizes the cultural and economic value of Chinook salmon to all Alaskans, as well as the very important role of subsistence in the fabric of Alaskan life and the importance of salmon in satisfying subsistence needs. We recognize and respect that subsistence users have a special relationship with, and dependence

upon, marine resources, and that Chinook salmon occupy a particularly important place in the cultural heritage of Native peoples.

PSPA also recognizes the importance of minimizing and reducing Chinook salmon bycatch. We have invested resources in an ongoing effort to do so. Indeed, the pollock fishery has a long history of working to reduce the incidental bycatch of Chinook salmon. Since 1996 bycatch reduction measures have included combinations of triggered time and area closures along with a rolling closure system that has been refined annually and we believe has been demonstrated to contribute to the avoidance of tens of thousands of Chinook salmon. The Voluntary Rolling Hotspot System (VRHS) is now formalized through Amendment 84 to the BSAI Groundfish FMP. Additionally for the past 5 years the pollock industry has worked to develop an effective salmon “excluder” device now in use on some vessels and undergoing research and testing on others

While we recognize the need to reduce Chinook bycatch, and have supported measures used to date, we are concerned that the most likely result of the Council’s Alternatives 2-4 would be to cause severe economic harm to those whose livelihoods depend on the pollock fishery, including western Alaskans, while providing little to no measurable benefit to Chinook salmon or subsistence users.

While the analysis in the DEIS clearly suggests the possibility of little to no measurable benefit resulting from Alternatives 2-4, we believe the DEIS, overall, is woefully inadequate in its analysis. The following are just a few examples of areas where we believe the DEIS is lacking in content and/or accuracy.

First, the DEIS fails to clearly identify the wide array of factors likely impacting Western Alaska Chinook runs and where bycatch in the pollock fishery likely ranks among those factors and impacts. Such analysis is necessary to avoid unfounded assumptions about the need for drastic measures aimed at bycatch reduction (that could have enormous negative impacts on the pollock fishery) and unrealistic expectations about potential benefits to Chinook stocks. The Chinook salmon returns to western Alaska are highly variable and unpredictable. Bycatch of Chinook and other salmon in the pollock fishery is also highly variable and unpredictable. While much is not known, Council actions, particularly those that may bring enormous negative economic impacts, must be based on the best available information of all factors that may be at play and a realistic analysis of likely costs and benefits.

One example of a factor that the DEIS fails to address is the impacts of the salmon disease, ichthyophonus. Information collected over the past decade indicates a strong negative impact on Chinook salmon from ichthyophonus,

including potential negative impacts on the resource itself illustrated by the research of Dr. Richard Kocan. When determining negative impacts on western Alaskan Chinook salmon, some weighting of bycatch relative to other possible causes must be included.

Additionally, the DEIS relies on outdated wholesale values as the indicator of the value of the investment at risk in the pollock industry and ignores employment in the industry and support sectors, fuel costs, government benefits, and so on. The analysis uses out of date wholesale values when current values are available.

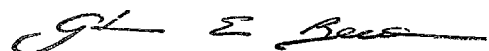
A surprising claim in the economic analysis is that Alaska residents (which would include CDQ investments) have less than 1% ownership of vessels that harvest pollock. There is no listing of what that investment is. There is no inventory of companies and/or vessels that have Alaskan and/or CDQ investment. We believe that a thorough review of Alaskan and CDQ investment in the pollock industry would show that Alaskans have more than a 30% stake in the this fishery.

PSPA requested an extension of the public comment period on the DEIS. While we appreciate that a brief extension of the comment period was granted, the time allowed for comment has been inadequate for us to review, and in some cases hire the technical expertise required to review and analyze the many complex issues involved in this document.

At this time, PSPA has no position on any alternative described in the document. We strongly believe the analyses of Alternatives 2-4 in the DEIS dramatically underestimate the potential economic harm they would cause the pollock industry, while overestimating potential benefits to the Chinook salmon resource and subsistence users. We are very concerned that the combination of these errors creates false expectations of any positive results this action may produce.

The issue is not a matter of accepting a hard cap; we can see the pressure on the council to take that step and know that it is a likely action that our member companies must prepare for. The real issue is what can be expected to result from a hard cap set at an arbitrary level. The analysis predicts some of the potential costs and benefits. The predicted costs, while sorely underestimated, are enormous and would include the loss of thousands of jobs. The estimated benefits are not measurably predictable. This DEIS needs a great deal of additional work before being finalized.

In addition to these comments we would like to associate ourselves with and support the comments submitted by George Maninna on our behalf.



Glenn Reed  
President  
Pacific Seafood Processors Association