



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

May 19, 2010

Mr. Chris Oliver, Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Chris,

We have approved Amendment 91 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. This amendment will establish new measures to minimize Chinook salmon bycatch, to the extent practicable, in the Bering Sea pollock fishery. A proposed rule to implement Amendment 91 was published in the *Federal Register* on March 23, 2010 (75 FR 14016), with a comment period that ended on May 7, 2010. We will summarize the nature of public comments on Amendment 91 and the proposed rule, and we will consult with the North Pacific Fishery Management Council (Council) on any changes to the proposed rule at its June 2010 meeting in Sitka, Alaska.

We share the Council's concern about Chinook salmon bycatch in the Bering Sea pollock fishery. Under Amendment 91, National Marine Fisheries Service (NMFS) will monitor and independently evaluate all salmon bycatch by each vessel in the pollock fishery through a census, 100 percent observer coverage, and an expanded biological sampling program. The economic data collection program the Council and NMFS are developing is designed to evaluate how an incentive plan agreement influences a vessel's operational decisions to avoid Chinook salmon bycatch.

Amendment 91 is a highly innovative program to minimize Chinook salmon bycatch in the Bering Sea pollock fishery. However, there is an inherent uncertainty over how effective this novel approach will be in minimizing bycatch over all years and at all levels of Chinook salmon and pollock abundance. We believe that implementation of Amendment 91 should result in a greater reduction of Chinook salmon bycatch over time than the prohibited species catch limits and performance standard. NMFS will be monitoring the bycatch closely during the season and if information becomes available to indicate that Amendment 91 is not providing the expected Chinook salmon savings, NMFS will work with the Council to take additional actions to minimize Chinook salmon bycatch to the extent practicable.

Sincerely,

for Robert D. Meun
James W. Balsiger, Ph.D.
Administrator, Alaska Region

