

**Bristol Bay Economic Development Corporation (BBEDC)**

**Comments on Draft criteria for handling regulatory change due to coastal erosion impacts on set gillnet operations**

January 15, 2016.

Note: **bold underline language is new suggested language.** [BRACKETED, CAPITALIZED, AND UNDERLINED LANGUAGE IS DELETED]

a. **Criteria for Board consideration of proposals that seeks relief from coastal erosion, deposition, or land accretion of set net sites.** [THE PROPOSAL] –

*i. is related to coastal erosion*

**COMMENT:** Although deposition and land accretion is related to coastal erosion, BBEDC believes that these changes to the set net site should be specifically included in this set of criteria. This criterion should also be modified to include "...land that accretes through natural or artificial causes contiguous to the leasehold...". BBEDC also believes that any changes to the set net site through artificial causes should be scrutinized as to the cause of the artificial change and the intent of the perpetrator.

*ii. [IDENTIFIEDS THE] contains a description of the historical use of the site.*

*[iii. INDICATES INVOLVEMENT OF OTHERS]*

**COMMENT:** BBEDC believes that even if there is no impact to surrounding fishers or others, there could be a problem with erosion or deposition that affects only one site. That leaseholder should be able to seek relief under these criteria. However, the proposer should articulate how he/she will benefit from the adoption of the proposal and whom it would negatively affect.

**This criterion is ambiguous. We really don't know what this means.**

*iv. would not impact escapement.*

**COMMENT:** BBEDC believes that this is not needed. Escapement is the primary management objective and whether or not a set net site is fished, legally or illegally, does not affect the primary management objective. ADF&G will manage for escapement no matter what relief is or is not granted by the Board.

*v. will not increase the number of historic legal set net sites in the immediate area [LEGALLY FISHED].*

*vi. will not adversely affect those who have historically fished this area.*

**COMMENT:** BBEDC believes that this criterion would eliminate nearly all the proposals that seek relief because the requested relief will no doubt have some impact on either neighboring set net fishers or drift fishers. We suggest that the Board, under this criterion, considers the degree or the severity that the requested relief affects others who have historically fished in the area.

*vii. results in a historical fairness.*

**BBEDC believes that this is the ultimate goal of the criteria but not a criterion in itself. This probably belongs in a preamble to the criterion or included in a purpose statement. Alternatively, the Board may want to consider historical harvests as a method to get to the "fairness" issue.**