



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

*National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668*

**ITEM C-1(f)
APRIL 2005**

March 14, 2005

Edgar Blatchford, Commissioner
Department of Commerce, Community,
and Economic Development
P.O. Box 110807
Juneau, Alaska 99811-0807

Dear Mr. Blatchford:

Thank you for providing the National Marine Fisheries Service (NMFS) a copy of the State of Alaska's (State) initial recommendations for Community Development Quota (CDQ) allocations for the 2005 allocations of Eastern Aleutian Islands (EAI) golden king crab and Adak red king crab and the 2006-2008 allocations of groundfish, prohibited species, halibut, and crab. We have two comments about the format of the State's initial allocation recommendations that must be addressed by the State before it provides the CDQ groups the second opportunity to comment on the allocation recommendations and before the State submits final recommendations to NMFS.

Groundfish Quota Categories: Several of the groundfish quota categories in the State's table of initial allocation recommendations are not consistent with the quota categories that exist for the Bering Sea and Aleutian Islands (BSAI) groundfish fisheries. The correct quota categories for northern rockfish, shorttraker rockfish, and rougheye rockfish are: (1) northern rockfish (BSAI), (2) shorttraker rockfish (BSAI), and (3) rougheye rockfish (BSAI). These rockfish quota categories no longer include combined species or separate areas for the Bering Sea and Aleutian Islands. We also note that for Pacific Ocean Perch (POP), the EAI POP quota category is separate from the Bering Sea POP quota category. Finally, the State included percentage allocation recommendations for "other species." Under 50 CFR 679.31(f)(2)(i), this quota category is not allocated among the CDQ groups, therefore, the State should not recommend percentage allocations for "other species." Attached is Table 1 from the final rule for the 2005 annual specifications for allocations of groundfish in the Bering Sea and Aleutian Islands management area (70 FR 8979; February 24, 2005). This table shows all of the current groundfish quota categories. Please submit your allocation recommendations using these quota categories, with the exception of "other species" and squid.

2005 Allocations versus 2006-2008 Allocations: NMFS intends to issue two separate initial administrative determinations (IADs): one for the 2005 allocations of EAI golden king crab and Adak red king crab and a second for the 2006-2008 allocations of groundfish, prohibited species, halibut, and crab (including EAI golden king crab and Adak red king crab). We will issue two IADs because these are separate allocation processes. The 2005 crab allocations are a supplement to the current 2003-2005 Community Development Plans (CDPs) as a result of the crab rationalization program. The 2006-2008 allocations are based on a new CDP and allocation cycle. In addition, if the two allocation processes were combined, any appeals on the 2006-2008

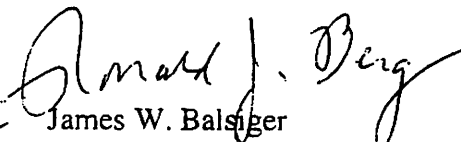


CDQ allocations would likely prevent final agency action on the 2005 crab allocations in time for the CDQ groups to harvest the two new crab CDQ allocations in 2005. Separate IADs and separate appeals processes will provide the possibility of final agency action on the two new crab allocations for 2005 in time for the CDQ groups to harvest their EAI golden king crab CDQ when the season starts, which may be as early as August 15, 2005. However, we note that final agency action on the 2005 crab allocations prior to August 15, 2005, would require that NMFS issue an IAD approving the State's recommendations and that no appeals of this IAD are filed.

The State has two options for submitting its percentage allocation recommendations and rationale to NMFS. Our preference is that the State submit these recommendations and rationale in two separate documents to facilitate our preparation of two separate IADs and to simplify the administrative record that NMFS must submit to the Office of Administrative Appeals if a CDQ group appeals either one of the IADs. However, if the State chooses to submit a single document for both allocation recommendations, it must clearly identify the percentage allocation recommendations for EAI golden king crab and Adak red king crab in 2005 separately from the percentage allocation recommendations for groundfish, prohibited species, halibut, and crab in 2006-2008. If the same rationale applies to the 2005 allocation recommendations for EAI golden king crab and Adak red king crab and the 2006-2008 allocation recommendations for these two crab species, then the State must specifically state this.

Please contact Sally Bibb at (907) 586-7389 if you have any further questions about these recommendations.

Sincerely,


For James W. Balsiger
Administrator, Alaska Region

cc: Cashen, DCCED
CDQ groups

TABLE 1.—2005 AND 2006 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), ANL CDQ RESERVE ALLOCATION OF GROUND FISH IN THE BSAI.¹
 [Amounts are in metric tons]

Species	Area	2005					2006				
		OFL	ABC	TAC	ITAC ²	CDQ ³	OFL	ABC	TAC	ITAC ²	CDQ ³
Pollock ⁴	BS ²	2,100,000	1,960,000	1,478,500	1,330,650	147,850	1,944,000	1,617,000	1,487,756	1,338,980	148,776
	AI ²	39,100	29,400	19,000	17,100	1,900	39,100	29,400	19,000	17,100	1,900
	Bogoslof	39,600	2,570	10	10		39,600	2,570	10	10	
Pacific cod	BSAI	265,000	206,000	206,000	175,100	15,450	226,000	195,000	195,000	165,750	14,625
Sablefish ⁵	BS	2,950	2,440	2,440	2,013	336	2,690	2,310	2,310	982	87
	AI	3,170	2,620	2,620	2,129	442	2,880	2,480	2,480	527	47
Alka mackerel	BSAI	147,000	124,000	63,000	53,550	4,725	127,000	107,000	63,000	53,550	4,725
	EAI/BS		24,550	7,500	6,375	563		21,190	7,500	6,375	563
	CAI		52,830	35,500	30,175	2,663		45,580	35,500	30,175	2,663
	WAI		46,620	20,000	17,000	1,500		40,230	20,000	17,000	1,500
Yellowfin sole	BSAI	148,000	124,000	90,686	77,083	6,801	133,000	114,000	90,000	76,500	6,750
Rock sole	BSAI	157,000	132,000	41,500	35,275	3,113	145,000	122,000	42,000	35,700	3,150
Greenland turbot	BSAI	19,200	3,930	3,500	2,975	263	11,100	3,600	3,500	2,975	263
	BS		2,720	2,700	2,295	203		2,500	2,500	2,125	188
	AI		1,210	800	680	60		1,100	1,000	850	75
Arrowtooth flounder	BSAI	132,000	108,000	12,000	10,200	900	103,000	88,400	12,000	10,200	900
Flathead sole	BSAI	70,200	58,500	19,500	16,575	1,463	56,100	48,400	20,000	17,000	1,500
Other flatfish ⁶	BSAI	28,500	21,400	3,500	2,975	263	28,500	21,400	3,000	2,550	225
Alaska plaice	BSAI	237,000	189,000	8,000	6,800	600	115,000	109,000	10,000	8,500	750
Pacific ocean perch	BSAI	17,300	14,600	12,600	10,710	945	17,408	14,600	12,600	10,710	945
	BS		2,920	1,400	1,190	105		2,920	1,400	1,190	105
	EAI		3,210	3,080	2,618	231		3,210	3,080	2,618	231
	CAI		3,165	3,035	2,580	228		3,165	3,035	2,580	228
	WAI		5,305	5,085	4,322	381		5,305	5,085	4,322	381
Northern rockfish	BSAI	9,810	8,260	5,000	4,250	375	9,480	8,040	5,000	4,250	375
Shortraker rockfish	BSAI	794	596	596	507	45	794	596	596	507	45
Rougheye rockfish	BSAI	298	223	223	190	17	298	223	223	190	17
Other rockfish ⁷	BSAI	1,870	1,400	1,050	893	79	1,870	1,400	1,050	893	79
	BS		810	460	391	35		810	460	391	35
	AI		590	590	502	44		590	590	502	44
Squid	BSAI	2,620	1,970	1,275	1,084		2,620	1,970	1,275	1,084	
Other species ⁸	BSAI	87,920	53,860	29,000	24,650	2,175	87,920	57,870	29,200	24,820	2,190
Total		3,509,332	3,044,769	2,000,000	1,774,719	186,608	3,093,360	2,547,259	2,000,000	1,772,778	187,350

¹ These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea (BS) subarea includes the Bogoslof District.

² Except for pollock and the portion of the sablefish TAC allocated to hook-and-line and pot gear, 15 percent of each TAC is put into a reserve. The ITAC for each species is the remainder of the TAC after the subtraction of these reserves.

³ Except for pollock, squid and the hook-and-line or pot gear allocation of sablefish, one half of the amount of the TACs placed in reserve, or 7.5 percent of the TACs, is designated as a CDQ reserve for use by CDQ participants (see §§ 679.20(b)(1)(iii) and 679.31).

⁴ Under § 679.20(a)(5)(i)(A)(7), the annual Bering Sea pollock TAC after subtraction for the CDQ directed fishing allowance—10 percent and the ICA—3.35 percent, is further allocated by sector for a directed pollock fishery as follows: inshore—50 percent; catcher/processor—40 percent; and motherships—10 percent. Under regulations that would be effective with the final rule implementing Amendment 82, the annual AI pollock TAC, after first subtracting for the CDQ directed fishing allowance—10 percent and second the ICA—2,000 mt, would be allocated to the Aleut Corporation for a directed pollock fishery.

⁵ Twenty percent of the sablefish TAC allocated to hook-and-line gear or pot gear and 7.5 percent of the sablefish TAC allocated to trawl gear is reserved for use by CDQ participants (see § 679.20(b)(1)(iii)).

⁶ "Other flatfish" includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder and Alaska plaice.

⁷ "Other rockfish" includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern, shortraker, and rougheye rockfish.

⁸ "Other species" includes sculpins, sharks, skates and octopus. Forage fish, as defined at § 679.2, are not included in the "other species" category.