



DEPARTMENT OF  
**COMMERCE**  
COMMUNITY AND  
ECONOMIC DEVELOPMENT  
Office of the Commissioner

*Sarah Palin, Governor*  
*Emil Notti, Commissioner*

January 19, 2007

Robert D. Mecum, Acting Administrator  
Alaska Region  
U.S. Department of Commerce  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, AK 99802-1668

Dear Mr. Mecum:

Thank you for your letter received on January 4, 2007 requesting a determination about new authority and responsibilities conferred by amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Your question involves the State's legal authority to conduct allocation adjustments as provided in section 305(i)(1)(H) of the MSA regarding the decennial review and adjustment of entity allocations.

The State does not have legal authority to adjust allocations of groundfish, halibut, and crab among the CDQ groups. Therefore, the State cannot undertake the allocation adjustment responsibilities provided in section 305(i)(1)(H) of the MSA.

The State would like to continue working cooperatively with the National Marine Fisheries Service on issues affecting the CDQ program and I look forward to meeting with you in the future. Please contact Greg Cashen, CDQ Program Manager, at 907-269-7959 with any questions you may have.

Sincerely,

  
Emil Notti  
Commissioner

cc: CDQ Groups  
Sally Bibb, NMFS  
Nicole Kimball, NPFMC