

§ 679.31 *CDQ and PSQ reserves, allocations, and transfers*

(a) *CDQ and PSQ reserves.*

(1) Groundfish CDQ reserves. See § 679.20(b)(1)(ii).

(2) Halibut CDQ reserve.

(i) NMFS will annually withhold from the IFQ allocation the proportions of the halibut catch limit that are specified in paragraph (a)(2)(ii) of this section for use as a CDQ reserve.

(ii) The proportions of the halibut catch limit annually withheld for the halibut CDQ program, exclusive of issued QS, are as follows for each IPHC regulatory area (see Figure 15 to this part):

(A) Area 4B. In IPHC regulatory area 4B, 20 percent of the annual halibut quota shall be **apportioned to a CDQ reserve.**

(B) Area 4C. In IPHC regulatory area 4C, 50 percent of the **annual** halibut quota shall be **apportioned to a CDQ reserve.**

(C) Area 4D. In IPHC regulatory area 4D, 30 percent of the annual halibut quota shall be **apportioned to a CDQ reserve.**

(D) Area 4E. In IPHC regulatory area 4E, 100 percent of the **annual** halibut quota shall be **apportioned to a CDQ reserve.** A fishing trip limit of 10,000 lb (4.54 mt) applies to halibut CDQ harvested through September 1.

(3) Crab CDQ reserves.

Crab CDQ reserves for crab species governed by the Crab Rationalization Program are specified at § 680.40(a)(1) **of this chapter.** For Norton Sound red king crab, 7.5 percent of the guideline harvest level specified by the State of Alaska is allocated to the crab CDQ reserve.

(4) PSQ reserve.

(See § 679.21(e)(3)(i)(A) and (e)(4)(i)(A).)

(b) *Allocations of CDQ and PSQ among the CDQ groups*

(1) Annual allocations of groundfish, halibut, and crab CDQ reserves among the CDQ groups.

The CDQ reserves in paragraphs (a)(1) through (a)(3) of this section and § 679.20(b)(1)(ii) shall be allocated among the CDQ groups based on the CDQ

percentage allocations required under 16 U.S.C. 1855(i)(1)(C), unless modified under 16 U.S.C. 1855(i)(1)(H). A portion of the groundfish CDQ reserves will be allocated according to paragraph (b)(2) of this section.

(2) Annual allocations of nontarget groundfish species among the CDQ groups.

Seven-tenths of one percent of each of the annual TACs allocated as groundfish CDQ reserves under § 679.20(b)(1)(ii)(C) and (D), with the exception of the trawl gear sablefish CDQ reserves, shall be allocated among the CDQ groups by the panel established in section 305(i)(1)(G) of the Magnuson-Stevens Act.

(3) Annual allocations of PSQ reserves among the CDQ groups.

The annual PSQ reserves shall be allocated among the CDQ groups based on the percentage allocations approved by NMFS on August 8, 2005. These percentage allocations are described and listed in a notice published in the *Federal Register* on August 31, 2006 (71 FR 51804).

(c) *Transfers.*

CDQ groups may request that NMFS transfer CDQ or PSQ from one group to another group by each group submitting a completed transfer request as described in § 679.5(n)(1). NMFS will approve the transfer request if the CDQ group transferring quota to another CDQ group has sufficient quota available for transfer. If NMFS approves the request, NMFS will make the requested transfer(s) by decreasing the account balance of the CDQ group from which the CDQ or PSQ species is transferred and by increasing the account balance of the CDQ group receiving the transferred CDQ or PSQ species. The PSQ will be transferred as of the date NMFS approves the transfer request and is effective only for the remainder of the calendar year in which the transfer occurs.