



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

1315 East-West Highway
Silver Spring, MD 20910

1504-13-1-02-10-08
Snow Crab Transfer
2-22-05
IP

THE DIRECTOR

FEB 22 2005

The Honorable Simeon Swetzof
Mayor, City of Saint Paul
P.O. Box 901
Saint Paul Island, Alaska 99660

Dear Mayor Swetzof:

This letter is to follow up on your request to Secretary Evans for continuation of a commercial fishery failure that was previously determined for the Bering Sea snow crab fishery.

The National Marine Fisheries Service (NMFS) determined on February 10, 2005, that the situation that was the basis for commercial fishery failure determinations in May 2000, November 2001, and October 2002, continued in 2003 and 2004 to constitute a commercial fishery failure under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act. While your initial request was for a determination that the commercial failure continued in 2003, the NMFS Alaska Region evaluated the data for 2004 as well, and determined that the commercial fishery failure continued in both 2003 and 2004.

Although this action may clear the way for assistance, the actual award of assistance to address the continuing commercial fishery failure depends on an appropriation from the Congress for this purpose. Furthermore, if Federal funds are provided, the Federal share of the cost of any activity cannot exceed 75 percent.

I appreciate your interest in this important issue.

Sincerely,

William T. Hogarth, Ph.D.

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THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

