APICDA
Haginaa Kidul · Helping to Grow

Aleutian Pribilof Island Community Development Association

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December 7, 2009

Mr. Doug Mecum
Acting Assistant Administrator, Alaska Region
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

Mr. Emil Notti
Commissioner, Alaska Department of Community and Economical Development
P.O. Box 110800
Juneau, AK 99811-0800

Dear Mr. Mecum and Commissioner Notti:

Aleutian Pribilof Island Community Development Corporation (APICDA) submits this letter to the national Marine Fisheries Service and the State of Alaska as our 2008 annual statement of compliance, as required in Section 305(i)(1)(E)(v) of the Magnuson-Stevens Fishery Conservation and Management Act (the "MSA").

Section 305(i)(1)(E)(v) of the MSA states:

(v) ANNUAL STATEMENT OF COMPLIANCE. –Each year the entity, following approval by its board of directors and signed by its chief executive officer, shall submit a written statement to the Secretary and the State of Alaska that summarizes the purpose for which it made investments under clauses' (iii) and (iv) during the preceding year.

Sections 305 (i) (1) (E) (iii) and (iv) of the MSA state:

(iii) OTHER INVESTMENTS. – The entity may make up to 20 percent of its annual investments in any combination of the following:

(I) For projects that are not fishery-related and that are located in its region.

(II) On a pooled or joint investment basis with one or more other entities participating in the program for projects that are not fishery-related and that are located in one or more of their regions.

(III) For matching Federal or State grants for projects or programs in its member villages without regard to any limitation on the Federal or State share, or restriction on the sources of any non-Federal or non-State matching funds, of any grant program under any other provision of law.

(iv) FISHERY-RELATED INVESTMENTS.- The entity shall make the remainder percent of its annual investments in fisheries-related projects or for other purposes consistent with the practices of the entity prior to March 1, 2006.

Please be advised that APICDA made investments in 2007 consistent with the provisions of Section 305(i)(1)(E)(iii) and (iv) of the MSA.

The attached APICDA Resolution 09-06 indicates approval of this statement by APICDA's Board of Directors.

Please contact me if you have any questions.

Sincerely,

Larry Cotter, CEO

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RESOLUTION NO. 09 – 6

Confirming the Aleutian Pribilof Island Community Development Association's (APICDA's) Compliance with Provisions of the Magnuson –Stevens Fishery Conservation and Management Act During Calendar Year 2008.

WHEREAS, APICDA is formed as a non-profit corporation under the laws of the State of Alaska and is the management organization for the member communities of Akutan, Atka, False Pass, Nelson Lagoon, Nikolski, and St. George under the Western Alaska Community Development Quota (CDQ) Program; and

WHEREAS, APICDA's member communities are eligible to participate in the CDQ program; and

WHEREAS, Section 305(i) (1)(E)(v) of the Magnuson-Steven Fishery Conservation and Management Act of 2006 (Hereinafter "MSA") states that "...each year the entity, following approval by its board of directors and signed by its chief executive officer, shall submit a written statement to the Secretary and the State of Alaska that summarizes the purpose for which it made investments under the clauses (iii) and (iv) during the preceding year..."; and

WHEREAS, clauses (iii) and(iv) of Section 305(i)(1)(E) of the MSA provide that a CDQ entity may make, subject to certain restrictions, up to 20% of its annual investments in non-fishery related projects, and the remaining 80% in fishery-related projects, or for purposes consistent with its practices prior to March 1, 2006; and

WHEREAS, APICDA has received a request from the Administration of the Alaska Region, National Marine Fishery Service (NMFS) that it confirm to NMFS and the State of Alaska that it has complied with the restrictions on CDQ investments established in Section 305(i)(1)(E) during calendar year 2008.

NOW, THEREFORE, BE IT RESOLVED that the APICDA Board of Directors having been advised of the investment activities of APICDA during 2008 and after reviewing the proposed letter of the APICDA CEO to Doug Mecum, Acting Assistant Administrator, Alaska Region, and Commissioner Emil Notti, confirms in all respects the information provided in the letter and APICDA's compliance with the restrictions on CDQ investments established in Section 305(i)(1)(E) of the MSA for calendar year 2008.

CERTIFICATION

The undersigned hereby certify that this Resolution 09-6 passed this 5th day of December, by a vote of 7 for and 0 against.

Gilda M. Shellikoff
Gilda Shellikoff, Chair

Justine V. Gundersen
Justine Gundersen, Secretary