Yukon Delta Fisheries Development Association

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April 14, 2010

Dr. James Balsiger
Administrator, Alaska Region
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

Mr. Emil Notti
Commissioner
P.O. Box 110800
Juneau, AK 99811-0800

Dear Doctor Balsiger and Commissioner Notti:

Yukon Delta Fisheries Development Association ("YDFDA") submits this letter to the National Marine Fisheries Service and the State of Alaska as our 2009 annual statement of compliance, as required in section 305(i)(1)(E)(v) of Magnuson-Stevens Fishery Conservation and Management Act ("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 purposes for which it made investments under clauses (iii) and (iv) during the preceding year.

Section 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 source 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.

There are no state or federal regulations that interpret these sections of the MSA or provide guidance as to the definition of terms contained therein, most particularly the term "investments". Nor are there any state or federal regulations regarding the form or content of the required statement including whether it requires any supporting information. Therefore, in the absence of other guidance, we make this statement defining an "investment" as expenditures made with the objective of future financial returns, whether or not those endeavors yield gains or losses.

Please be advised that YDFDA only made investments in 2009 consistent with the provisions of 305(i)(1)(E)(iv) of the MSA.

Please see attached YDFDA Resolution 2010-03 showing approval of this statement by YDFDA's Board of Directors.

Thank you very much and please call if you have any questions.

YUKON DELTA FISHERIES DEVELOPMENT ASSOCIATION

Sincerely,

Ragnar O. Alstrom

Ragnar Alstrom, Executive Director

"(A) IN GENERAL.-There is established the western Alaska community development quota program in order-"i to provide eligible western Alaska villages with the opportunity to participate and invest in fisheries in the Bering Sea and Aleutian Islands Management Area;

"(ii) to support economic development in western Alaska;

"(iii) to alleviate poverty and provide economic and social benefits for residents of western Alaska; and

"(iv) to achieve sustainable and diversified local economies in western Alaska.

RESOLUTION NUMBER 2010-03
OF
YUKON DELTA FISHERIES DEVELOPMENT ASSOCIATION

At a meeting of the Board of Directors ("Board") of Yukon Delta Fisheries Development Association ("YDFDA") on April 11, 2010, where at all times a quorum was present and voting, the Board adopted the following resolutions:

WHEREAS: YDFDA is required to submit an annual statement of compliance, as required in section 305(i)(1)(E)(v) of the Magnuson-Stevens Fishery Conservation and Management Act to the National Marine Fisheries Service and the State of Alaska; and

WHEREAS: such a statement of compliance is necessary to establish that YDFDA did not make more than 20% of its annual investments in non-fishery related projects; and

WHEREAS: in 2009 YDFDA did not make any non-fishery related investments.

NOW, THEREFORE, IT IS HEREBY RESOLVED: that the attached letter to National Marine Fisheries Service submitted as our 2009 Annual Statement of Compliance is hereby approved and adopted by the Board.

Voting For 11, Voting No 0, absent 2.

DATED: April 12, 2010.

YUKON DELTA FISHERIES
DEVELOPMENT ASSOCIATION

Frank Alstrom, Chairman

Matilda Oktoyak, Secretary