



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

November 5, 2010

Stephanie Madsen
At-Sea Processors Association
P.O. Box 32817
Juneau, Alaska 99803

Re: Approval of Entity Application and Incentive Plan Agreement

Dear Ms. Madsen:

We have reviewed two applications you submitted under regulations at 50 CFR part 679 for management of Chinook salmon bycatch in the Bering Sea pollock fishery. This letter contains my determinations about (1) the application for approval of the CP Salmon Corporation as an entity to receive transferable Chinook salmon prohibited species catch (PSC) allocations, and (2) the application for approval of the Chinook Salmon Bycatch Reduction Plan and Agreement (IPA).

A completed application for approval of the CP Salmon Corporation as an entity to receive transferable Chinook salmon PSC allocations was received by the deadline of October 1, 2010. The members of this entity represent all catcher vessels and all but four catcher/processors eligible to harvest pollock in the American Fisheries Act (AFA) catcher/processor sector. All of the members of this entity also are participants in the proposed IPA.

With respect to the proposed IPA:

- A completed application was submitted in compliance with § 679.21(f)(12)(iii)(A), and was received by the deadline of October 1, 2010.
- The IPA complies with the minimum participation requirements in § 679.21(f)(12)(i)(A) because participants in the IPA represent a sufficient number of catcher vessels and catcher/processors in the AFA catcher/processor sector to represent more than 9 percent of the pollock quota as defined under § 679.21(f)(12)(i)(A).
- The IPA complies with the minimum participation requirements in § 679.21(f)(12)(i)(B) because the participants collectively represent two or more corporations, partnerships, or individuals who own AFA permitted vessels and are not affiliated, as affiliation is defined for purposes of AFA entities in § 679.2.
- All participants in the IPA also are members of the CP Salmon Corporation.



- The IPA contains the information required in § 679.21(f)(12)(iii)(B), including a written description of the incentive measures required in § 679.21(f)(12)(iii)(B)(3).

Based on these findings, I approve the CP Salmon Corporation as the entity eligible to receive and manage transferable Chinook salmon PSC allocations on behalf of the catcher vessels and catcher/processors that are members of this entity. In addition, I approve the Chinook Salmon Bycatch Reduction Plan and Agreement as it is described in the application and attachments received on October 1, 2010, and the minor additions submitted to NMFS through October 21, 2010. This IPA is effective on January 1, 2011, and does not have an expiration date. We have assigned this IPA the identification number 2. A copy of this IPA is posted on the NMFS Alaska Region website at alaskafisheries.noaa.gov. You will receive a separate letter from NMFS providing additional information about online access to the CP Salmon Corporation's Chinook salmon PSC allocation account to check account balances and to make transfers.

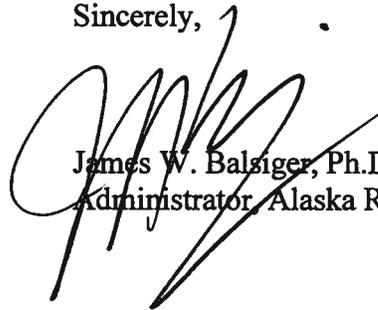
Additional information is provided below about the four AFA catcher/processors that are not members of the CP Salmon Corporation or participants in the IPA and about the six Western Alaska Community Development Quota (CDQ) Program groups whose representatives signed the proposed IPA.

AFA catcher/processors: Four catcher/processors permitted to participate in the AFA catcher/processor sector are not members of the CP Salmon Corporation or the IPA. Under regulations at § 679.21(f)(4)(i), if these vessels are not added to the CP Salmon Corporation and the IPA by December 1, 2010, the number of Chinook salmon attributed to these vessels in columns E and F of Table 47a to part 679 will be added to the 2011 opt-out allocation and any bycatch of Chinook salmon by these vessels while directed fishing for pollock in the Bering Sea will accrue against the opt-out allocation. Under Table 47a to part 679, the *American Enterprise* (AFA permit # 2760), *Endurance* (AFA permit # 3360), and *U.S. Enterprise* (AFA permit # 3004) are attributed zero percent of the catcher/processor sector's allocation of pollock and Chinook salmon, so no Chinook salmon will be added to the opt-out allocation for these vessels. The *Ocean Peace* (AFA permit # 2134) is attributed 0.50 percent of the catcher/processor sector's allocation of pollock and Chinook salmon. Therefore, if the *Ocean Peace* does not join the CP Salmon Corporation and IPA by December 1, 2010, 33 Chinook salmon in the A-season and 8 Chinook salmon in the B-season will be allocated to the 2011 opt-out allocation of Chinook salmon.

CDQ groups: The proposed IPA also includes signatures from representatives of the six CDQ groups. However, as required under § 679.21(f)(12)(ii)(C), for a CDQ group to be a member of an IPA, the CDQ group must sign the IPA and list each vessel that is a member of that IPA and will be harvesting Bering Sea pollock CDQ on behalf of that CDQ group. Because the IPA does not indicate which participating vessels will be fishing on behalf of each of the CDQ groups that have signed the IPA, the CDQ groups cannot, at this time, be approved as participants in this IPA. The list of vessels participating in this IPA that will be fishing on behalf of each CDQ group in 2011 may be added to the IPA by December 1, 2010. If this information is not added to the IPA by December 1, 2010, the CDQ groups will fish under the opt-out allocation of Chinook salmon in 2011.

If you have questions about approval of the IPA, please contact Sally Bibb at (907) 586-7389 or sally.bibb@noaa.gov, or Gretchen Harrington at (907)-586-7445 or gretchen.harrington@noaa.gov. If you have questions about the management of the Chinook salmon PSC allocations, please contact Josh Keaton at (907) 586-7519 or josh.keaton@noaa.gov, or Mary Furuness at (907) 586-7447 or mary.furuness@noaa.gov.

Sincerely,



James W. Balsiger, Ph.D.
Administrator, Alaska Region

cc: CDQ group representatives