

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 03/18/2014

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Simon Szykman

FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 03/13/2014

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201403-0648-002

AGENCY ICR TRACKING NUMBER:

TITLE: Alaska Community Quota Entity (CQE) Program

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0648-0665

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 02/29/2016

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	203	1,908	683
New	203	1,908	683
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE: Terms of the previous clearance remain in effect.

OMB Authorizing Official: Dominic J. Mancini
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Application for a Non-profit Corporation to be Designated as a Community Quota	NA	Application for a Non-Profit Corporation to be Designated as a Community Quota Entity	
Application for Transfer of QS/IFQ to or from a CQE	NA	Application to transfer QS to or from a CQE	
Application for a CQE to Receive a Non-trawl Groundfish LLP License	NA	Application for a CQE to receive a Non-Trawl Groundfish LLP license	
Community Quota Entity (CQE) Annual Report			50 CFR 679.4
CQE LLP Authorization letter			50 CFR 679.4
Application for Community Charter Halibut Permit (CCHP)	NA	Application for community or military charter halibut permit	
Application for Transfer Between IFQ and GAF by CQE, Respondent	NA	Application for transfer between IFQ and GAF	
Appln for CQE Transfer IFQ to cmtty resident Respondent	NA	Application to transfer IFQ from CQE to eligible community resident	

**JUSTIFICATION FOR CHANGE
ALASKA COMMUNITY QUOTA ENTITY (CQE) PROGRAM
OMB CONTROL NO. 0648-0665**

JUSTIFICATION: This change request is necessary to modify a transfer application by removing unneeded questions and notary from the form.

Management of and regulations for Pacific halibut (*Hippoglossus stenolepis*) in Alaska are developed on the international, Federal, and state levels by the International Pacific Halibut Commission (IPHC), the North Pacific Fishery Management Council (Council), NOAA National Marine Fisheries Service (NMFS), and the State of Alaska's Department of Fish and Game (ADF&G). The IPHC and NMFS manage fishing for Pacific halibut through regulations established under authority of the Northern Pacific Halibut Act of 1982 (Halibut Act, 16 U.S.C. 773c).

NMFS implemented a catch sharing plan (CSP) for the Pacific halibut guided sport charter and individual fishing quota (IFQ) commercial fisheries in waters of IPHC Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska). Regulations that implement this collection-of-information are found at 50 CFR part 300.60 through .66 and at 50 CFR 679.5. To provide flexibility for individual commercial and guided sport fishery participants, the CSP authorized annual transfers of commercial halibut quota to qualified guided sport halibut business owners for harvest in the guided sport fishery.

This application for transfer is revised by reformatting and revising instructions for greater clarity, removing the requirement for notary because it is not necessary, and removing a question whether the fees for the transferor and transferee were paid which also is not necessary because this information is available through other data submission.

Application for Transfer between IFQ and GAF (Guided Angler Fish) by a Community Quota Entity (CQE)

The Application for Transfer between IFQ and GAF by a CQE is used to transfer annual IPHC Area 2C or 3A commercial IFQ held by a CQE for use as GAF by a community resident holding one or more charter halibut permits for areas 2C or 3A.

Application for Transfer Between IFQ and GAF by a CQE

Attachments

- Copy of IFQ permit (s)
- Valid Charter Halibut Permit
- Power of Attorney (if applicable)

Identification of proposed transferor

- Name and NMFS Person ID of Transferor
- Name of Community represented by the CQE
- Permanent Business Mailing Address and Temporary Business Mailing Address
- Business Telephone No. and Business Fax No
- Business E-mail address (if available)

Identification of proposed transferee

- Name and NMFS Person ID of Transferee

Name of Community represented by the CQE
Permanent Business Mailing Address and Temporary Business Mailing Address
Business Telephone No. and Business Fax No
Business E-mail address (if available)

Identification of IFQ and/or GAF To be Transferred

IFQ Permit Number
IPHC Area
Charter Halibut Permit Number
GAF Permit Number (only required when GAF is returning to the IFQ permit holder)
Number of GAF

Certification of proposed transferor

Signature and printed name of transferor (or authorized agent) and date signed
If an agent, attach authorization

Certification of proposed transferee

Signature and printed name of transferee (or authorized agent) and date signed
If an agent, attach authorization

The applications for transfer of GAF are available on the NMFS Alaska Region website at <http://alaskafisheries.noaa.gov/ram/default.htm>. The applications may be submitted by mail, fax, or by hand delivery. Electronic submittals other than facsimile will not be accepted.

Note: Although the notary was itemized in the list of elements of the initial analysis, the cost of notary was not included in the total costs. This change request therefore removes the notary as a requirement, but since it wasn't counted originally in the burden or cost, no change will occur to currently approved burden or cost.

PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/Subagency	OMB Control Number _____ - _____	
<i>Enter only items that change</i>		
	Current record	New record
Agency form number (s)		
Annual reporting and recordkeeping hour burden		
Number of respondents		
Total annual responses		
Percent of these responses collected electronically	%	%
Total annual hours		
Difference		
Explanation of difference		
Program change		
Adjustment		
Annual reporting and recordkeeping cost burden (in thousands of dollars)		
Total annualized Capital/Startup costs		
Total annual costs (O&M)		
Total annualized cost requested		
Difference		
Explanation of difference		
Program change		
Adjustment		
Other changes**		
Signature of Senior Official or designee:	Date:	For OIRA Use _____ _____

** This form cannot be used to extend an expiration date.

CHARTER HALIBUT LIMITED ACCESS	APPLICATION FOR TRANSFER (LEASE) Between Individual Fishing Quota(IFQ) And Guided Angler Fish(GAF) COMMUNITY QUOTA ENTITY	U.S. Dept. of Commerce/NOAA National Marine Fisheries Service (NMFS) Restricted Access Management (RAM) P.O. Box 21668 Juneau, AK 99802-1668 (800) 304-4846 toll free / 586-7202 in Juneau (907) 586-7354 fax	
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This form is only used if a Community Quota Entity (CQE) is the proposed transferor (“seller”) or the proposed transferee (“buyer”) of the IFQ. This application form is for use in transferring International Pacific Halibut Commission (IPHC) Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska) commercial halibut individual fishing quota (IFQ) for use as guided angler fish (GAF) by persons holding charter halibut permits for areas 2C or 3A.

- NMFS will not approve any Application for Transfer between IFQ and GAF before annual IFQ is issued.
- NMFS will not approve any Application for Transfer between IFQ and GAF one month prior to the close of the commercial IFQ fishing season.
- Applicants may use this form to return unused GAF to the CQE from which it was obtained. NMFS will accept Applications to return GAF to IFQ from August 1 to August 31st only. NMFS will automatically return all unused GAF to the IFQ permit holder on or about 15 calendar days prior to the closing of the commercial halibut fishing season.
- The IFQ permit holder, including the CQE, is responsible for all cost recovery fees resulting from the GAF harvested as a result of this transfer. NMFS will return unused GAF to the IFQ permit holder from which they were obtained; no fees will be assessed for any unused GAF.

ATTACHMENTS
<p>Use this block to determine which forms and other information must be included with your transfer. Please check each applicable box below to ensure that your application is complete and can be processed in a timely manner.</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Completed Application <input type="checkbox"/> Copy of IFQ permit(s) enclosed <input type="checkbox"/> Valid Charter Halibut Permit (Transferee receiving GAF must have a valid Charter Halibut Permit) <input type="checkbox"/> Power of Attorney (if applicable) </p>

BLOCK A – IDENTIFICATION OF PROPOSED TRANSFEROR (“LESSOR”)

1. Name:		2. NMFS Person ID:	
3. Name of Community represented by the CQE:			
4. Permanent Business Mailing Address:		5. Temporary Business Mailing Address (see instructions):	
6. Business Telephone No.:		7. Business Fax No.:	8. E-mail address (if available):

BLOCK B – IDENTIFICATION OF PROPOSED TRANSFEREE (“LESSEE”)

1. Name:		2. NMFS Person ID:	
3. Name of Community represented by the CQE :			
4. Indicate whether or not you intend to begin or end your charter halibut fishing trip in the community listed in Block A above: <input type="checkbox"/> YES. IT IS my intent to begin or end the charter halibut fishing trip with the GAF resulting from this transfer in the community represented by the CQE listed in Block A . <input type="checkbox"/> NO. IT IS NOT my intent to begin or end the charter halibut fishing trip with the GAF resulting from this transfer in the community represented by the CQE listed in Block A .			
5. Permanent Business Mailing Address:		6. Temporary Business Mailing Address (see instructions):	
7. Business Telephone No.:		8. Business Fax No.:	9. E-mail Address (if available):

BLOCK C -- IDENTIFICATION OF IFQ AND/OR GAF TO BE TRANSFERRED

IFQ Permit Number	IPHC Area	CHP Number	GAF Permit Number	Number of GAF

BLOCK D – CERTIFICATION OF TRANSFEROR

Under penalty of perjury, I certify by my signature below that I have examined the information and the claims provided on this application and, to the best of my knowledge and belief, the information presented here is true, correct, and complete.

1. Signature of Transferor:

2. Date:

3. Printed Name of Transferor: *(If authorized representative, attach authorization)*

BLOCK E – CERTIFICATION OF TRANSFEREE

Under penalty of perjury, I certify by my signature below that I have examined the information and the claims provided on this application and, to the best of my knowledge and belief, the information presented here is true, correct, and complete.

1. Signature of Transferee:

2. Date:

3. Printed Name of Transferee: *(If authorized representative, attach authorization)*

Instructions
APPLICATION FOR TRANSFER (LEASE)
BETWEEN IFQ AND GAF - COMMUNITY QUOTA ENTITY (CQE)

GENERAL INFORMATION

This form is only used if a Community Quota Entity (CQE) is the proposed transferor (“seller”) or the proposed transferee (“buyer”) of the IFQ; if not, a different form must be used. This application form is for use in transferring International Pacific Halibut Commission (IPHC) Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska) commercial halibut individual fishing quota (IFQ) for use as guided angler fish (GAF) by persons holding charter halibut permits for areas 2C or 3A. This application must be signed by a representative of the community for whom the CQE holds the IFQ.

The application must be signed by a representative of the community for whom the CQE holds the IFQ. The IFQ Program provides opportunities for small communities located on the coast of the Gulf of Alaska to hold, and to fish, quota share (QS) and IFQ. Such communities are represented by CQEs, who must use a special application form to provide for transfers of QS/IFQ to and from (and between) CQEs.

This application may only be used to apply for a transfer of IFQ for the current halibut fishing year. NMFS will notify the transferor and transferee once the application has been received and approved. A transfer is not effective until approved by NMFS.

This application cannot be processed or approved unless both parties to the proposed transfer have met all the requirements and conditions of the IFQ Program, including (as appropriate):

- ◆ The transferee requesting GAF must hold a valid Charter Halibut Permit (this includes community charter halibut permit or military charter halibut permit).
- ◆ The CQE has completed and filed with NMFS the required annual report at 50 CFR 679.5(l)(8)
- ◆ A Transfer of IFQ to GAF will not be approved if it would cause the parties to exceed the use limits in 50 CFR 300.65(c)(5)(i)(G)(3) or 50 CFR 679.42(e) or (f).
- ◆ Neither party to the transfer has any outstanding fines, civil penalties or other payments due and owing, or outstanding permit sanctions.
- ◆ Payment of all outstanding fees to NMFS

NOTE: Unused GAF will be returned to the IFQ permit holder from which they were obtained; no fees will be assessed for any unused GAF. The IFQ permit holder, including the CQE, is responsible for all cost recovery fees resulting from the GAF harvested as a result of this transfer. The GAF cost recovery fees will be charged at the same percentage rate as the commercial IFQ fees. GAF fees will be calculated using a standard price established for IPHC areas 2C and 3A using annual commercial IFQ values provided by annually by IFQ Registered Buyers. This standard value may not be challenged (i.e. actual values may not be substituted).

ADDITIONALLY

Print information in the application legibly in ink or type information. Complete the entire application, including all attachments; failure to do so could result in delays in the processing of your application. Retain a copy of completed application for your records.

Do not wait until right before an opening to apply for your permit, as you may not receive it on time. Please **allow up to ten working days** for a transfer application to be reviewed, processed, and approved; the parties will be notified upon approval or disapproval of the transfer.

Submit the completed application:

By mail to: **Alaska Region, National Marine Fisheries Service (NMFS)
Restricted Access Management (RAM)
P.O. Box 21668
Juneau, AK 99802-1668**

By fax to RAM at: **907-586-7354**

Or by courier to: **NMFS Alaska Region
Attn: RAM
Federal Building
709 W. 9th Street, Suite 713
Juneau, Alaska 99801**

Items will be sent to you by first class mail, unless you provide alternate instructions and include a prepaid mailer with appropriate postage or corporate account number for express delivery.

If you have any questions, or if you need any assistance in completing the application, please contact RAM as follows:

**Telephone (toll Free): 1-800-304-4846 (press "2")
Telephone (Juneau): 907-586-7202**

E-Mail Address: RAM.Alaska@noaa.gov

Web Site: <https://alaskafisheries.noaa.gov>

An application submitted and signed by an authorized representative for a party to the transfer will not be processed unless clear and unambiguous certification of the agent's authority to do so is provided.

COMPLETING THE APPLICATION

BLOCK A – IDENTIFICATION OF PROPOSED TRANSFEROR

1. Legibly print or type the full name of the CQE proposing to transfer the IFQ
2. Enter the NMFS Person ID
3. If the proposed transferor is a CQE, enter the name of the community on whose behalf the CQE is applying.
4. Enter the permanent business mailing address.
5. If appropriate, enter the temporary business mailing address (the address to which the transfer documentation should be sent, if different from the permanent address).
- 6-8. Enter business telephone number, business fax number, and e-mail address (if available).

BLOCK B – IDENTIFICATION OF THE PROPOSED TRANSFEREE

1. Legibly print or type the name of the party proposing to receive by transfer the QS/IFQ.
2. Enter the NMFS Person ID
3. If the proposed transferee is a community member, enter the name of the community.
4. Indicate whether or not it is the transferee's intent to begin or end the charter halibut fishing trip in the community named in Block A.
If YES, the normal GAF use caps apply.
If NO, relaxed GAF use caps apply.
5. Enter the permanent business mailing address.
6. If appropriate, enter the temporary business mailing address (the address to which the transfer documentation should be sent, if different from the permanent address).
- 7-9. Enter business telephone number, business fax number, and e-mail address (if available).

BLOCK C -- IDENTIFICATION OF IFQ AND/OR GAF TO BE TRANSFERRED

- ◆ Enter the IFQ permit number of the 2C or 3A halibut CQE quota share holder
- ◆ Enter the International Pacific Halibut (IPHC) management area for the IFQ permit
- ◆ Enter the Charter Halibut Permit number of the transferee requesting a guided angler fish (GAF)
- ◆ Enter the GAF Permit number, if applicable, for a transfer of GAF back to the IFQ permit holder
- ◆ Enter the number of GAF requested in this transfer, expressed as number of fish not pounds of fish.

BLOCKS D AND E – CERTIFICATION OF TRANSFEROR AND TRANSFEREE

Print name, sign, and enter date of signature of both the transferor and transferee. Note, that if an authorized representative is completing the form, full authorization must be **attached**.

PUBLIC REPORTING BURDEN STATEMENT

Public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form please note the following: 1) Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act as amended in 2006. Responses are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.