

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 11/15/2013

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 11/15/2013

ACTION REQUESTED: Revision of a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201311-0648-008

AGENCY ICR TRACKING NUMBER:

TITLE: Pacific Coast Groundfish Trawl Rationalization Program Permit and License Information Collection

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0648-0620

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: 11/30/2016

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	1,965	656	17,342
New	3,650	640	12,474
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	434	-14	-4,409
Change due to Agency Adjustment	1,251	-2	-459
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

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
QS Permit Renewal (and application after QS transfer)	NA, NA, NA	QS permit account renewal, Trawl Rationalization Quota Share Permit Renewal , Trawl Rationalization Quota Share Permit Application	
First Receiver Site License Initial Issuance/Renewal	NA	First Receiver Site License Application	
MS Renewal	NA	Mothership Limited Entry Permit Renewal	
MS Transfer	NA	Change of vessel registration owner or permit owner application	
Catcher/Processor Co-op Permit	NA	Catcher/Processor Co-op Permit Application	
Mothership Co-op Permit Application	NA	Pacific Coast Groundfish Mothership Cooperative Permit Application	
Material change to Coop			50 CFR 660.25
Mothership Withdrawal/Mutual Exception			50 CFR 660.25
Ownership interest: renewals	NA	Trawl Identification of Ownership Interest	
Ownership interest form - new entrants	NA	Trawl Identification of Interest	
Vessel Account Registrastion/Activation/Renewal (initial and ongoing) and NEW account registration (ongoing)	NA, NA, NA	Trawl Rationalization Vessel Account Renewal Form, Vessel Account Activation Form, Vessel Account Renewal - paper	
Quota Share Account Registration			50 CFR 660.25
Quota Share/Quota Pounds transfer from QS account to vessel account	NA	Quota Pounds Transfer	50 CFR 660.25
Quota Pounds Transfer from Vessel Account to Vessel Account (same permittee)	NA	QS transfer	50 CFR 660.25
Transfer (severability) of Mothership/Catcher Vessel (MS/CV)Endorsement and whiting catch history assignment (CHA)	NA	Change in registration of a mothership/catcher vessel endorsement and catch history assignment - application	
Quota Share Transfer (Trading)	NA	Quota Pounds Transfer from Vessel Account to Vessel Account	

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
PACIFIC COAST GROUND FISH TRAWL RATIONALIZATION PROGRAM
PERMIT AND LICENSE INFORMATION COLLECTION
OMB CONTROL NO. 0648-0620**

INTRODUCTION

This is a resubmission of the revision to this information collection related to Final Rule 0648-BD31. There were no changes based on comments, but two of the forms which contain the small business definition have been revised, as the Small Business Administration has revised some of its definitions.

Public comment was also been solicited for all aspects of the program, both through the proposed rule and by outreach to stakeholders; therefore we are also requesting a 3-year extension.

The [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA), 16 U.S.C. 1801 *et seq.*, authorizes the Fishery Management Councils to prepare and amend fishery management plans (FMP) for any fishery in waters under its jurisdiction. The National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) manages the groundfish fishery in the 3-200 mile zone off of the coasts of Washington, Oregon and California. In 1993, the Council, under Amendment 6 (50 CFR 660 Subpart G), implemented a limited entry program for the groundfish fishery.

The Pacific Fishery Management Council (Council) began developing a trawl rationalization program, a catch share program, for the Pacific coast groundfish limited entry trawl fishery in 2003. The trawl rationalization program (program) was intended to increase net economic benefit to the nation; and to provide participants with: 1) economic stability in the fishery, 2) full utilization of the trawl sector allocation, 3) improved safety, product quality and value, 4) increased accuracy and 5) mitigated or decreased environmental impacts than occurred under previous fishing practices and regimes.

The Council established the trawl rationalization program through two amendments to the Pacific Coast Groundfish FMP: 1) Amendment 20, which addresses the program, and 2) Amendment 21, which addresses the intersector allocation. Amendment 20 developed the structure and management details of the trawl rationalization program, while Amendment 21 allocated groundfish stocks between the trawl and non-trawl fisheries, and within trawl fisheries. The Council took final action on Amendment 20 at their November 2008 meeting, with subsequent related actions at the March 2009, April 2009, June 2009, November 2009 and April 2010 meetings. The Council took final action on Amendment 21 at their April 2009 meeting, with trailing actions at the March 2010 meeting.

NMFS implemented the program in January 2011 as a limited access privilege program (LAPP) under the MSA as reauthorized in 2007. A LAPP is considered a grant of permission to the holder of the limited access privilege to participate in the program. The privilege may be revoked, limited or modified by the Secretary of Commerce at any time. In other words, under this program, catch shares are a conditional privilege to harvest a specified amount of fish. NMFS issued permits, as described below, for this conditional privilege.

The trawl rationalization program is composed of three sectors, as follows: 1) the shorebased individual fishing quota (IFQ) sector, 2) the at-sea whiting mothership (MS) sector, and 3) the at-sea whiting catcher/processor (C/P) sector. The shorebased IFQ sector consists of quota share (QS) permit owners, catcher vessels that are registered to limited entry trawl permits, have vessel accounts, and fish for quota pounds (QP), and first receiver site license holders who receive the shorebased IFQ landings. The at-sea trawl fleets catch and process Pacific whiting (whiting) with midwater trawl gear. In the MS sector, mothership catcher vessels harvest the whiting and deliver the catch to large MS vessels where it is sorted and processed at-sea. One or more MS coops may form and/or vessels may choose to fish in a non-cooperative fishery. For both the coop and non-coop fishery, vessels pool their harvest together. In the C/P sector, C/P vessels catch and process whiting at-sea under a single C/P coop.

In the shorebased IFQ sector, there is 100% observer coverage on vessels, 100% catch monitor coverage at the landing site, and every pound landed or discarded is debited from a vessel account. QS permit owners hold percentages of QS for each of 30 species groups, and received initial QS percentages as a result of the history of fishing on their limited entry trawl permits - or in the case of Pacific whiting first receiver QS permit owners, as a result of whiting historically landed to their facilities. Each year, based on the shorebased IFQ sector allocation, NMFS allocates quota pounds (QP) to QS accounts in proportion to each QS owner's QS percentages. QPs are expressed as a whole pound, while QS percentages are expressed to the thousandth of a percentage (0.001%). The QS permit/account is like an investment or savings account - QS permit owners hold QS percentages and are allocated pounds, but the pounds must be transferred to a vessel account before they can be fished. A vessel account is like a checking account, where the QP can be "spent", or used to offset IFQ catch (landed or discarded). The QS permit owner must use their QS account in order to transfer QPs to a vessel account, and the recipient vessel account must accept the transfer through their vessel account.

Any participant who owns a vessel registered to a trawl limited entry permit can request a vessel account; they do not also need to be QS permit owners. Likewise, many QS permit owners may not own a vessel. Vessels fishing in the shorebased IFQ program must have an observer on board, land all IFQ catch to a first receiver site license holder, and cover all IFQ landings and discards with QP in their vessel account. Vessel owners may obtain QP from any QS permit/account or from any other vessel account. When the IFQ landings are delivered to a site with a first receiver site license (FRSL), a catch monitor is present to observe the offload and sorting activities at the dock. Catch is recorded and entered independently by both the first receiver (FR) and the catch monitor, and the reports are compared in the vessel account. The observer also submits an independent report estimating the bycatch discards, or the fish that were thrown back into the ocean off of the vessel. In this way, all fish that were caught in a net are counted against the vessel account, and vessel owners must obtain QP to cover all catch. Vessels that incur a deficit cannot fish in the IFQ program until the deficit is cured, and the deficit must be cured within 30 days to avoid a violation.

In order to comply with the MSA, NMFS tracks the ownership interest of all entities who own a QS permit/account or a vessel account. QS permit owners are held to set accumulation and control limits, both at the initial allocation stage and during the operation of the program, and vessel owners must comply with vessel limits for each account. These ownership and control limits were adopted by the Council as part of Amendment 20.

In the at-sea whiting sectors of the trawl rationalization program, under Council provisions, NMFS did not make an allocation of catch shares to the individual vessels in the single C/P sector cooperative. Instead, the C/P coop receives a total allocation of Pacific whiting and other non-whiting groundfish species, and organizes independently as a cooperative to harvest the allocation. In contrast, the mothership catcher vessels (MS/CV) in the mothership sector were allocated catch shares of whiting, called catch history assignments (CHA), which were attributed to qualifying limited entry trawl permits based on MS/CV at-sea whiting delivery history in the qualifying years. These limited entry trawl permits were issued an MS/CV endorsement and individual catch history assignment, expressed as a percentage. MS/CV-endorsed limited entry permit owners may choose to participate in the coop or non-coop fishery. The whiting associated with the CHA on the MS/CV-endorsed limited entry permit is caught by catcher vessels registered to trawl limited entry permits, and landed at-sea to vessels registered to MS permits. As with the shorebased IFQ sector, NMFS tracks the ownership interest of all entities who own an MS/CV-endorsed trawl limited entry permit or MS permit.

NMFS implemented the trawl rationalization program through two initial sets of rulemakings. NMFS published the initial issuance portion of the final rule 0648-AY68 on October 1, 2010 (75 FR 60868). This rule restructured and clarified the Pacific coast groundfish regulations to more closely track the organization of the management measures that establish the allocations and procedures set forth under Amendment 21 for initial issuance of permits, endorsements, quota shares, and catch history assignments under the IFQ and coop programs. NMFS published the program components portion of the final rule 0648-AY68 on December 15, 2010 (75 FR 78344) to implement the key components of the trawl rationalization program for the start of the 2011 fishery, including: IFQ gear switching, observer programs, retention requirements, equipment requirements, catch monitors, catch weighing requirements, coop permits, coop agreement requirements, first receiver site licenses, quota share (QS) accounts, vessel accounts, further tracking and monitoring components, and economic data collection requirements. Most of the information collections under OMB Control No. 0648-0620 stemmed from this rulemaking.

Since the initial implementation of the trawl rationalization program in January 2011, the Council and NMFS have been addressing implementation issues as they develop, and trailing actions and subsequent rulemakings have revised or added to the program. NMFS published the program improvement and enhancement (PIE) 1 final rule on December 1, 2011 (76 FR 74725). This rulemaking included an FMP amendment to further revise Amendment 21 (Amendment 21-1). Regulatory revisions included: the Pacific halibut trawl bycatch mortality limit; clarification that Amendment 21 supersedes limited entry/open access allocations for certain groundfish species; revisions to the observer coverage requirement while a vessel is in port and before the offload is complete; revisions to the electronic fish ticket reporting requirements; revisions to the first receiver site license requirement; further clarification on moving between limited entry and open access fisheries; a process for end-of-the-year vessel account reconciliation; and an exemption from processing at sea for qualified participants in the Shorebased IFQ Program.

With the PIE I rulemaking, NMFS requested a revision to OMB Control No. 0648-0620, which was approved without change on December 2, 2011. The collection revision included a change to the definition of a first receiver under the IFQ program, and therefore a change to the pool of applicants, and updated the application requirements for first receiver site license holders to exclude the unnecessary request for a site inspection. NMFS removed account managers from

QS and vessel accounts/applications, and clarified regulations to explain what would constitute a change in ownership for QS permit and vessel account owners. In addition, a new provision allowed permit owners to request a change in the registration of the MS/CV endorsement and associated CHA from one trawl limited entry permit to another (called severability in Council Documents) and clarified MS/CV-endorsed permit combinations, which resulted in a new collection to document these registration changes. This new provision also affected the MS coop permit application collection, because a permit owner could now have multiple, distinct MS/CV endorsements and associated CHA amounts registered to one trawl limited entry permit, and must obligate each separately. The updated form provided a new space for applicants to designate the specific MS/CV endorsements and associated CHA amounts separately.

NMFS requested a non-substantive change to OMB Control No. 0648-0620, which was approved without change on February 15, 2012 and did not align or result from any rulemakings. The collection was changed to include a required form for vessel account registration, in contrast to the previously optional form. This helped to standardize the information NMFS received from new vessel account applicants. The non-substantive change also added a small business certification section to the existing trawl ownership interest form and first receiver site license form, in order to assist with Regulatory Impact Reviews (RIR)/Initial Regulatory Flexibility Analysis (IRFA) for the trawl rationalization program.

Two additional rulemakings, referred to as Reconsideration of Allocation of Whiting (RAW), Rules 1 and 2 (RAW 1 and RAW 2, respectively), were the outcome of a lawsuit, *Pacific Dawn v. Bryson*, No. C10-4829 TEH (N.D. Cal.) (*Pacific Dawn*), which challenged the initial allocations of whiting under the trawl rationalization program. NMFS published the RAW 1 final rule on August 1, 2012 (77 FR 45508). This was a temporary, emergency action rule which delayed transfers of QS between QS permits/accounts, and delayed the change in the registration of the MS/CV endorsements and associated CHAs from one trawl limited entry permit to another (severability). The rule also delayed divestiture requirements, and modified issuance provisions for QP for the beginning of the 2013 fishing year to preserve NMFS' ability to deposit the appropriate final amounts into IFQ accounts based on any recalculation of QS allocations. The emergency action rule was extended on January 17, 2013 (78 FR 3848).

NMFS published the RAW 2 final rule on March 28, 2013 (78 FR 18879). After reviewing the entire record, including the Council's record and comments received on the proposed rule (78 FR 72), NMFS determined that the existing initial whiting allocations provided for a fair and equitable allocation and were consistent with the Magnuson-Stevens Act, the groundfish fishery management plan, the court's order in *Pacific Dawn*, and other applicable law. The final rule did not make any changes to initial allocations, but did revise several provisions of the trawl rationalization program and supersede regulatory delays and/or revisions established through temporary emergency action and extension. Changes in the final rule included: transfer of QS or individual bycatch quota (IBQ) (except for widow rockfish QS) between QS permit holders in the shorebased IFQ fishery beginning January 1, 2014; a requirement that QS permit holders in the shorebased IFQ fishery holding QS or IBQ in excess of the accumulation limits divest themselves of excess QS (except for widow rockfish QS) or IBQ by November 30, 2015; limited entry trawl permit holders in the MS fishery to request a change (or transfer) of MS/CV-endorsement and CHA beginning September 1, 2014; a requirement that MS/CV-endorsed trawl limited entry permit owners divest themselves of ownership in permits in excess of the accumulation limits by August 31, 2016; and extension of the divestiture period delay and

moratorium on transfer of widow rockfish QS in the shorebased IFQ fishery indefinitely. These rulemakings did not affect or change the previously approved collections under OMB Control No. 0648-0620, but instead further delayed QS transfer and change of registration for MS/CV endorsement and associated catch history assignment.

JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

As described above, the trawl rationalization program was implemented in January 2011 and continues to operate consistent with regulations given at 50 CFR 660. Since that time, the Council and NMFS have been addressing implementation issues as they arise, through the public Council process. The Council took final action to refine the program at its April 2012 meeting, resulting in a second program improvement and enhancement (PIE 2) rulemaking, proposed rule 0648-BD31. This rule supplements the previous trawl rationalization rulemakings, and proposes to include the following items (under the rationale of each header) that are related to this information collection, OMB Control No. 0648-0620:

IMPLEMENTATION OF ORIGINAL PROGRAM

- Quota share (QS) permit application and QS transfer regulations,

INCREASING FLEXIBILITY OR EFFICIENCY

- Clarify exemptions for lenders from control rules,
- Eliminate double filing of co-op reports (November and March),
- Revise first receiver site license requirements, including site inspection and expiration date,
- Remove end of the year ban on QP transfers between vessel accounts,

MINOR REVISIONS/CLARIFICATIONS

- Clarify that the processor obligation could be to more than one MS permit,

For further discussion of how the components of the proposed rule 0648-BD31 affect the program and associated collections, please see the answer to Question 15.

NMFS is requesting a revision of a previously approved information collection, OMB Control No. 0648-0620. Many of the collection items are not affected by the proposed rule and simply need to be extended. Other collection items, such as QS transfers, were always included in the collection burden estimate and in the regulations, but were not fully developed under the initial program. The collection of information under OMB Control No. 0648-0620 is important to implementation success of the program as designed in regulation, and is important in evaluating that success. This collection of information allows new entrants to participate in the program, and allows for NMFS to track program participants, participant contact information, the transfer of catch shares, and the ownership interest information necessary to monitor compliance with accumulation limits.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Each collection item below is numbered, and the number corresponds to the burden estimate table under Question 12.

(1) QS Permit/Account Application Form

This form will be submitted on paper, by mail, one time, by new QS permit applicants who want to own QS in the shorebased IFQ fishery. The applicant will also be required to submit a trawl identification of ownership interest form, which is described separately (see (10)). For each approved application, NMFS will mail a QS permit with zero QS% for each species, and will establish an associated QS account (also with zero QS% for each species). Current QS permit owners were allocated percentages of each IFQ species groups, but new entrants will receive zero QS% on their permits and in their QS accounts and will need to obtain QS percentages from other existing QS permit owners by transferring QS percentages through the QS account. As explained below, QS percentage transfers can occur at any time between January 1 and November 30 in a given year, and NMFS expects, on average, to have about **10** new applicants each year. The purpose for the information collection is to gather name and contact information for new entities, include the name and contact information on the physical QS permit, and to verify that the entity is eligible to own a QS permit as outlined in regulation and as certified on their application.

(2) QS Permit/Account Renewal - Online

This prefilled form will be submitted online once each year by current QS permit owners who wish to renew their QS permit for the following year. The QS permit owner will be required to make any changes necessary to their contact information. The purpose of the renewal is to maintain current QS permit owner contact information and ownership interest information. The ownership interest form for renewals is listed separately (see (11)).

There are currently 138 QS permit owners, and new applicants cannot apply for a permit until 2014. NMFS expects, on average, to have about 10 new applicants each year, so for the three-year lifecycle of this information collection (if approved), NMFS expects an average of **148** QS permit renewals over each of three years. Since these permits and the quota pounds allocated to renewed permits have high value, NMFS expects all QS permit owners to have significant incentive to renew during the renewal period (October 1-November 30, online only). During the first two renewal cycles since NMFS issued QS permits (renewals for 2012 and 2013), all 138 QS permit owners renewed online during the renewal period. For the purposes of the burden estimate, NMFS listed the number of respondents renewing online during the renewal period to be 147 each year, and the number renewing by paper outside of the renewal period to be 1 (see collection 3). Although we expect all QS permit owners to renew online in order to receive their QP allocation for the year, we wanted to build in the possibility that, especially with new QS permit entrants, we might not always see 100% of the renewals submitted on time (see collection 3).

(3) QS Permit/Account Renewal Form

Each year QS permit owners are responsible for renewing their QS permit and account online through their QS account during the renewal period, October 1 – November 30 (see (2)). The online account renewal portal was set up to service the majority of renewals during the renewal period, and does not appear in accounts outside of the renewal period. Those permit owners who do not renew their QS permit during the renewal period will have their account inactivated by NMFS at the end of the calendar year, and NMFS will not issue QP or IBQ pounds to the inactive QS account associated with the non-renewed QS permit for that year. Additionally, as part of the proposed rule 0648-BD31, QS permit owners with non-renewed permits/accounts would not be able to transfer their QS percentages.

NMFS proposes to allow QS permit owners who did not renew their QS permit/account during the online period (October 1- November 30) to renew by paper, using the QS permit/account renewal form. Although QS permit owners who renew their permits outside of the online renewal period will not be issued any QP to their QS account for the remainder of the calendar year, submitting this paper application form would reactivate their QS account and allow them to transfer QS percentages once their permit is renewed. Because NMFS anticipates so few renewals outside of the renewal period, and because there is a high cost associated with creating an online renewal option outside of the renewal period, a paper form is a simple alternative.

This QS permit/account renewal form will be submitted on paper, by mail, one time, by QS permit renewal applicants who failed to renew on time, but who want the ability to transfer QS percentages. NMFS estimates that at most, only **one** QS permit owner will complete this form per year because the QP allocated to renewed permit owners has such high value, and because NMFS has seen such high compliance with QS permit renewals in the past (see collection 2). The QS permit owner would also be required to submit a trawl identification of ownership interest form, which is described separately (see collection 11). The purpose for the information collection is the same as the online renewal (see collection 2): to maintain current QS permit owner contact information and ownership interest information.

(4) QS Transfer

QS permit owners own QS percentages (divisible to the thousandth of a percentage, 0.001%) for 30 IFQ species groups. Initially, these percentages were not transferrable, in order to allow the participants a few years to gain greater understanding and confidence with the new program. Beginning in January 2014, QS permit owners will have the opportunity to permanently transfer those QS percentages to other QS permit owners (either existing owners or new entrants) from January 1 to November 30 each year through their QS account, with the exception of widow rockfish QS, for which QS transfers have been postponed indefinitely. QS transfers must be initiated by the transferor, and accepted by the transferee to be finalized. QP associated with QS% being transferred will not be part of a QS transfer. QS transfers are completely separate from QP transfers. QS can only be transferred between QS accounts, and not to vessel accounts, while QP can only be transferred from QS accounts to vessel accounts, and between vessel accounts.

NMFS allocates QP throughout the year, and will allocate QP based on the QS percentages listed on a renewed QS permit. For example, if a QS permit owner started the year with 3.000% of a

certain species, and transferred 1.000% to another QS permit owner in that year, he would continue to be allocated QP based on the 3.000% until the start of the following year. Essentially, QS permit owners can transfer QS at any time and as many times and in as many increments as they want between January 1 and November 30. Whatever remains in their QS account on November 30 at midnight will be printed on their renewed permit for the following year. NMFS will allocate QP for the remainder of the following year based on the QS percentages given on the QS permit.

NMFS estimates that the QS transfer function will be used an average of three times per year by each QS permit owner who wishes to permanently transfer some or all of their QS percentages to another QS owner (average of 148 QS permit owners x 3 QS transfers = **444** responses per year). The transfer of QS percentages is not currently allowed, so it is difficult to estimate how many QS owners will transfer their QS. NMFS expects that the majority of QS owners may not make any QS transfers (at least initially) while they wait for the market and pricing to stabilize and further refine their business strategies; but that others may get out of the fishery entirely and sell all of their QS percentages to other current or new QS permit owners. Other QS permit owners may have multiple permits and may choose to consolidate their holdings in a single permit/account. Also, NMFS anticipates initial changes of QS percentages between participants from the northwest and southwest coasts who may own QS for species that are not caught in their area. While there may be some initial unpredictability, the QS transfers will likely become more patterned after a few years.

To initiate a QS transfer, the user will log in to the QS account associated with their QS permit, preview their current QS percent ownership, select the species and amount of QS% to transfer, indicate the nature of the transaction (i.e. cash sale, barter), provide the overall cost for the transaction, and select the QS permit/account to transfer to, up to the accumulation limits of the receiving QS permit/account. The cost information collected helps NMFS to understand the nature of the QS% sale and relative price information. The burden estimate in Question 12 includes both the time for the transferor to initiate the transfer, and the time for the receiving party to review and accept the QS transfer in their QS account. Through the internal business rules for programming being implemented with the proposed rule 0648-BD31, and after discussions with the NMFS Southwest Regional Office and members of industry, NMFS plans to program the QS percentage transfer functionality in online QS accounts so that QS permit owners could trade all species in a single transaction, reducing the burden for those participants who do wish to transfer more than one species in a single transaction.

The collection of this information is extremely important to both NMFS and the QS permit owners, and is a baseline for the success of the shorebased sector of program, since QS is a valuable asset and all pounds caught by vessels that are delivered to first receivers originate from the QS permit ownership and QP allocation to the QS permit/account. The QS permit owners will use current QS percent holdings of other QS permit owners to determine who they may be able to buy and sell quota from. QS permit owners will also need to be able to show lenders, brokers, and other stakeholders their current QS holdings for various purposes. The QS account will allow them to print a PDF of their current QS percentages for all species, but the permit will show the percentages to which NMFS is allocating QP. NMFS will current QS transfer information to track and confirm QS percentages for the shorebased IFQ fishery. The ability to transfer QS is an important component of the program, allowing NMFS to implement the program as intended by the Council and industry, and allowing for new entrants and a changing

fishery. The transfer of QS also allows for individual business flexibility and allows QS permit owners to shape their business strategies through a portfolio of QS. QS percent balances (but not transfer information) are displayed publicly on the Quota Share Account Balance tab of the [IFQ homepage](#). These balances are displayed publicly to provide transparency, information about the fishery, and for participants to locate QP – and soon, QS.

(5) QP Transfer from QS Account to Vessel Account

The QP transfer function from QS account to vessel account will be completed online approximately five times each year by QS permit owners who are moving QP from their QS account to a vessel account (average of 148 QS permit owners x 5 QP transfers = **740** responses per year). Because NMFS allocates pounds to QS accounts at different times throughout the calendar year, the QS permit owner must login to their QS account several times per year to move the QP to a vessel account. While some QS owners may wait until the spring when most QP has been allocated to the shorebased IFQ sector to transfer their QP to vessel accounts (decreasing the average number of transfers), others may make QP transfers to multiple vessels directly from their QS accounts (increasing the average number of transfers). NMFS estimates an average of five QP transfers from each QS account per year. Based on actual QP transfer activity in 2011 and 2012, NMFS estimates that each QS permit owner will average five transfers of QP from their QS account to a vessel account per year.

To initiate a QP transfer from a QS account, the user will log in to the QS account associated with their QS permit, preview their current available QP, enter the species and amount of QP to transfer (in pounds), indicate the nature of the transaction (i.e. cash sale, barter), provide the overall cost for the transaction, and select the vessel account to transfer to, up to the vessel limits of the receiving vessel account. The cost information collected helps NMFS to understand the nature of the QP sale and relative price information. The burden estimate in Question 12 also includes the time for the receiving party to review and accept the QP transfer in their vessel account. QP transfer functionality is an important accounting tool for both NMFS and industry. The QS account system provides accurate balances of QPs available for use (to transfer to a vessel account) in real time, and documents the initiation and acceptance of individual QP transfer transactions. Currently, users may print the transfer summary PDFs in their accounts to demonstrate a transfer has been made to brokers or receiving parties. QP balances (but not transfer information) in QS accounts are displayed publicly on the Quota Share Account Balance tab of the [IFQ homepage](#). These balances are displayed publicly to provide transparency, information about the fishery, and for participants to locate QP.

(6) Vessel Account Registration Request

This form will be submitted on paper, by mail, one time, by new vessel account applicants who own a vessel registered to a trawl limited entry permit, and want to harvest or hold QP in the shorebased IFQ fishery. The applicant will also be required to submit a trawl identification of ownership interest form, which is described separately (see (10)). For each approved vessel account registration request, NMFS will establish a vessel account with zero QP for each species, and the vessel owner will obtain QP from a QS permit owner's QS account or other vessel account. NMFS expects, on average, to have about **10** new applicants each year. That estimate is based on the number of new vessel account entrants we have seen each year since the start of the program in 2011. The purpose for the information collection is to gather name and contact

information for new entities, and to correctly establish the vessel name/number and vessel owner name on the account for correct catch accounting by first receivers, catch monitors and observers in the shorebased IFQ fishery.

(7) Vessel Account Renewal – Online

This prefilled form will be submitted online once each year by current vessel account owners who wish to renew their vessel account for the following year. The vessel account owner will be required to make any changes necessary to their contact information on the renewal form. The purpose of the renewal is to maintain current vessel owner contact information and ownership interest information. The ownership interest form for renewals is listed separately (see (11)).

There are currently 144 active, renewed vessel accounts, and new applicants may request a registration at any time (see (6)). NMFS expects, on average, to have about 10 new applicants each year, and therefore expects an average of 154 vessel account renewals over each of three years. Since these vessel owners that renew their accounts can fish in the shorebased IFQ fishery at the start of the year and may receive carryover of any surplus pounds from the previous year, NMFS expects vessel account owners to have significant incentive to renew during the renewal period (October 1-November 30, online only). For the purposes of the burden estimate, NMFS listed the number of respondents renewing online during the renewal period to be **152** each year, and the number renewing by paper outside of the renewal period to be 2 (see (8)).

(8) Vessel Account Renewal Form

Each year vessel account owners are responsible for renewing their vessel account online through their vessel account during the renewal period, October 1 – November 30 (see collection 7). The online account renewal portal was set up to service the majority of renewals during the renewal period, and does not appear in accounts outside of the renewal period. Those account owners who do not renew their vessel account during the renewal period will have their account inactivated by NMFS at the end of the calendar year, cannot fish in the shorebased IFQ fishery, cannot transfer QP (except in the case of a deficit), and will not be issued any carryover of surplus QP from the previous year, if eligible.

NMFS allows vessel account owners who did not renew their vessel account during the online period (October 1- November 30) to renew by paper, on the vessel account renewal form. Although vessel account owners who renew their accounts outside of the online renewal period are not issued any carryover of surplus QP from the previous year, submittal (and NMFS acceptance) of this paper renewal form would reactivate their account and allow them to fish in the shorebased IFQ fishery and transfer QP. Because NMFS anticipates so few renewals outside of the renewal period, and because there is a high cost associated with creating an online renewal option outside of the renewal period, a paper form is a simple alternative.

This vessel account renewal form will be submitted on paper, by mail, one time, by vessel account renewal applicants who failed to renew on time, but who want the ability to fish in the shorebased IFQ fishery and transfer QP. NMFS estimates that at most, only **two** vessel account owners will complete this form per year because we expect so many to renew on time online, and because we have seen such high compliance with vessel account renewals in the past. The vessel account owner would also be required to submit a trawl identification of ownership interest form,

which is described separately (see collection 11). The purpose for the information collection is the same as the online renewal (see collection 7): to maintain current vessel owner contact information and ownership interest information.

(9) QP Transfer from Vessel Account to Vessel Account

The QP transfer function allows vessel owner to transfer QPs online from their vessel account to another vessel account. Based on actual vessel account transfer activity in 2011 and 2012, NMFS estimates that vessel account owners will average 11 transfers of QP from their vessel account to another vessel account each year (average of 154 vessel account owners x 11 transfers of QP = **1,694** responses per year). Many vessel owners do not make any QP transfers to other vessel accounts during the year, but others, such as vessel accounts being used for risk pool and broker purposes, make many. To initiate a QP transfer from a vessel account, the user will login to their vessel account, preview their current available QP, enter the species and amount of QP to transfer (in pounds), indicate the nature of the transaction (i.e. cash sale, barter), provide the overall cost for the transaction, and select the vessel account to transfer to, up to the vessel limits of the receiving vessel account. The cost information collected helps NMFS to understand the nature of the QP sale and relative price information. The burden estimate in question 12 also includes the time for the receiving party to review and accept the QP transfer in their vessel account.

QP transfer functionality is an important accounting tool for both NMFS and industry. The vessel account system provides accurate balances of QPs available for use (to cover catch or to transfer) in real time, and documents the initiation and acceptance of individual QP transfer transactions. Currently, users may print the transfer summary PDFs in their accounts to demonstrate a transfer has been made to brokers or receiving parties. QP balances (but not transfer information) in vessel accounts are displayed publicly on the Vessel Account Balance tab of the [IFQ homepage](#). These balances are displayed publicly to provide transparency, information about the fishery, and for participants to locate QP.

(10) Trawl Identification of Ownership Interest Form: New Entrants

This form is identical to the form used under (11), trawl identification of ownership interest form: renewal, however new entrants will likely take longer to complete the form since it will not be prefilled for them, so we separated the collections. This form will be submitted on paper, by mail, one time, by an estimated **24** respondents each year, including:

- **10** new QS permit applicants (trawl identification of ownership form submitted with collection 1),
- **10** new vessel account registrants (trawl identification of ownership form submitted with collection 6),
- **One** applicant who plans to purchase an existing trawl limited entry permit with MS/CV endorsement/CHA (trawl identification of ownership form submitted with change in permit ownership form for the trawl limited entry permit, collected under OMB Control No. 0648-0203), or who owns a trawl permit and plans to purchase an existing MS/CV endorsement/CHA to register to their trawl permit (trawl identification of ownership form submitted with collection 17),
- **One** applicant who plans to purchase an existing MS permit (trawl identification of ownership form submitted with collection 15), and

- **Two** lenders (trawl identification of ownership form submitted with letter of intent to collateralize assets under the trawl rationalization program, and therefore be exempt from accumulation and control limits).

Please note that under the third bullet (a new applicant who plans to purchase the entire trawl permit with MS/CV endorsement/CHA or a current trawl permit owner who plans to purchase the MS/CV endorsement/CHA from another permit owner) we only estimated that one of those applicants would be a new entrant who had not already submitted an ownership interest form. NMFS expects that most MS/CV endorsement and associated CHA transfers/sales will be among existing MS/CV owners.

Additionally, please note under the last bullet that NMFS expects two lenders who are collateralizing assets for participants under the trawl rationalization program to submit an ownership interest form each year, in order to be exempt from the accumulation and control limits. This is a new clarification proposed under the PIE 2 rulemaking, 0648-BD31. The proposed regulations regarding lenders are described more fully under question 15.

The trawl identification of ownership interest form is collected from new entrants to verify their eligibility to participate in the program, to monitor compliance with accumulation and control limits, and to gather small business information to assist with regulatory impact reviews (RIR)/initial regulatory flexibility analysis (IRFA) for new rulemakings.

(11) Trawl Identification of Ownership Interest Form: Renewal

This form is identical to the form used under (10), trawl identification of ownership interest form: new entrants, however NMFS separated the collections because the forms are prefilled for renewals and take significantly less time to complete, on average. For renewals where there has been no change to the ownership interest, most applicants (QS permit and vessel account owners) will submit this form online without a notary, while some (MS/CV-endorsed limited entry permit owners, MS permit owners, lenders) will be sent a prefilled paper form and will notarize the form. In the future, NMFS will try to make ownership interest forms for renewals for all trawl rationalization participants available online. For any renewal where there was a change to the ownership interest, the participant will need to complete a new form and have it notarized. We have factored the average response time for all response types into our estimated time burden of five minutes: 1. no change, review online, no notary (~3 minutes for 300 of the 302 online renewals), 2. no change, review on paper, with notary (~10 minutes for 44 of the 46 paper renewals), and 3. with change, submit new paper form, with notary (~30 minutes for 4 total renewals) = $\{[(300 \text{ respondents} \times 3 \text{ minutes}) + (44 \text{ respondents} \times 10 \text{ minutes}) + (4 \text{ respondents} \times 30 \text{ minutes})] \div 348 \text{ total respondents}\} = 4.2 \text{ (4) minutes/respondent}$.

This form will be submitted as a part of the renewal application by an estimated **348** respondents each year, including:

- **148** QS permit owners (trawl identification of ownership form submitted with (2) or (3),
- **154** vessel account owners (trawl identification of ownership form submitted with (7) or (8),
- **36** MS/CV-endorsed limited entry permit owners (trawl identification of ownership form submitted with MS/CV-endorsed limited entry permit renewal, collected under OMB Control No. 0648-0203),

- **Six** MS permit owners (trawl identification of ownership form submitted with (14),
- **Four** lenders (trawl identification of ownership form submitted with letter of intent to have continued exemption from accumulation and control limits).

Please note under the third bullet that NMFS expects the number of MS/CV-endorsed limited entry permit owners to decrease over the upcoming years, as MS/CV endorsements/CHA are expected to be consolidated onto fewer trawl limited entry permits.

Additionally, please note under the last bullet that NMFS expects four lenders who are collateralizing assets for participants under the trawl rationalization program to submit an ownership interest form to continue their exclusion from the accumulation limits each year. This is a new clarification proposed under the PIE 2 rulemaking, 0648-BD31. The proposed regulations regarding lenders are described more fully under question 15.

The trawl identification of ownership interest form is collected during renewals to maintain verification of their eligibility to participate in the program, to monitor compliance with accumulation and control limits, and to gather small business information to assist with regulatory impact reviews (RIR)/initial regulatory flexibility analysis (IRFA) for new rulemakings.

(12) First Receiver Site License Application Form: New Entrants

This form is identical to the form used under (13), first receiver site license application form: re-registration; however, NMFS separated the collections because initial applicants have an increased burden estimate when compared to re-registering applicants. This form will be submitted on paper, by mail, one time by new first receiver applicants who want to receive shorebased IFQ landings from vessels with IFQ vessel accounts. NMFS estimates about **five** responses per year, based on new applications submitted during 2011-2013.

First receivers must have a separate license for each unique location where they want to take possession of IFQ landings. In addition to the application form, the applicant will also be required to submit an application fee, a copy of their current state buyer's license for the state in which the license will be held, and a catch monitor plan, which will be followed by a site visit. All of these application requirements are included in the burden estimate. The catch monitor plan is the most time-consuming component of the application, because it requires a write-up of the operations of the receiving facility, including information on offloading, sorting, weighing, and labeling catch, as well as information for catch monitor safety. NMFS provides guidelines and a template for the catch monitor plan to each applicant to ease some of the time burden. The catch monitor coordinator also visits the site to ensure that the catch monitor plan accurately represents the receiving process in the facility. After a site inspection, the applicant may be required to revise their CM plan.

The information on the first receiver site license application form is collected to gather name and contact information for new first receiver site license holders, and name and contact information at the physical site listed on the license in order to ensure that the name on the application matches the name on the fish tickets for accounting and enforcement purposes, and to register the name and contact information on the physical first receiver site license. The application fee is collected to cover costs associated with processing first receiver site licenses, as calculated in the

unit cost computation. The copy of the state buyer's license is collected in order to ensure that the first receiver is eligible to receive fish in that state, and is complying with state requirements. The catch monitor plan is required as part of the collection to ensure that every IFQ species is accurately sorted and counted to a vessel account under the IFQ program, and that the site follows proper safety procedures while a catch monitor is present. Essentially, the catch monitor plan allows NMFS to understand the layout, delivery process, and sorting procedures at the given site before the catch monitor arrives to work at the site, and helps NMFS determine the site safety and whether or not it is safe and suitable for the catch monitor to work in, as verified at the site inspection.

(13) First Receiver Site License Application Form: Re-Registration

This form is identical to the form used under (12), first receiver site license application form: new entrants, however NMFS separated the collections because the application process takes significantly less time to complete, on average, for re-registering applicants. This form will be submitted on paper, by mail, one time each year by each first receiver applicant who wants to re-register their existing first receiver site license in order to continue receiving shorebased IFQ landings from vessels with IFQ vessel accounts. NMFS estimates about **50** responses per year, based on re-registrations submitted during 2011-2013.

The re-registering applicant will also be required to submit an application fee, a copy of their current state buyer's license for the state in which the license will be held, and a catch monitor plan. *As proposed under the PIE 2 rulemaking, 0648-BD31, a site inspection will only be required once every three years in order to reduce the burden for re-registering applicants (previously required every year).* All of these application requirements are included in the burden estimate. For re-registering applicants, the catch monitor plan takes less time to submit (as compared to new entrants) because they have their plan from the previous year saved. The first receiver simply needs to update any information that has changed, and resubmit.

The information on the first receiver site license application form is collected to maintain name and contact information for new first receivers, and to be able to include the name and updated contact information on the physical first receiver site license. The application fee is collected to cover costs associated with processing first receiver site licenses, as calculated in the unit cost computation. The copy of the state buyer's license is collected in order to ensure that the first receiver is still eligible to receive fish in that state, and is complying with state requirements. The catch monitor plan is required as part of the collection to ensure that every IFQ species is accurately sorted and counted to a vessel account under the IFQ program, and that the site follows proper safety procedures while a catch monitor is present. Re-registering applicants must submit the CM plan each year to recertify that the plan is accurate, and in order to submit any changes to the operating procedures, if applicable.

(14) Mothership Permit Renewal Form

Each year MS permit owners are responsible for renewing their MS permit during the renewal period, October 1 – November 30. MS permit owners must submit the renewal application with the renewal fee and a completed trawl identification of ownership interest form (see 11), which is prefilled and sent to MS permit owners with their renewal package. MS permit owners do have the option to submit the renewal form and fee online (and mail the ownership interest form

separately), but most submit their renewal application on paper, by mail since they already have to submit the ownership interest form. There are **six** MS permit owners, and **no new** MS permits will be given since this is a limited entry permit. NMFS anticipates that all six will submit their renewal application each year, based on previous behavior and because of the high value of the permits and the business arrangements associated with the MS permits/vessels registered to the permits in the MS coop. This is a limited entry fishery, and no new MS permits/applications will be allowed. New entrants may become MS permit owners only by transfer (15).

The purpose for the information collection is to maintain current MS permit owner contact information and ownership interest information.

(15) Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form

If an MS permit owner would like to change the vessel registered to their MS permit, change the permit owner on their MS permit, or notify NMFS of a change in vessel owner of the vessel registered to their MS permit, they must submit the MS permit change of vessel registration, permit owner, or vessel owner application form on paper, by mail. This form can be submitted at any time during the calendar year. NMFS anticipates **three** MS transfers per year. Under the previously approved information collection for OMB Control No. 0648-0620, NMFS had MS permit owners complete the limited entry permit change of vessel registration, permit owner, or vessel owner form, which is part of the limited entry permit collection OMB Control No. 0648-0203. *Under this current revision request, NMFS has decided to create a separate form specific to MS permit owners in order to reduce confusion and clarify the process for MS permit owners.* If a new entrant obtains an MS permit, they must submit this form with a trawl identification of ownership interest form (11) to verify ownership of the permit.

The purpose for this collection of information is to gather accurate information about the MS permit ownership and the vessel registered to the permit. The form provides formal certification and documentation of the request and allows NMFS to review the request for compliance with permit regulations. Changes in permit or vessel ownership can be requested as many times as necessary during a calendar year. Up to two transfers of the vessel registered to the permit may be allowed during a calendar year; however, the second transfer must be back to the vessel originally registered to the permit in a given year.

(16) Mothership Cooperative Permit Application Form

The MS coop permit application form may be completed by one or more MS coops, or not at all if a coop doesn't organize in a given year. For the first three years of the program there has been a single coop with all MS/CV-endorsed limited entry permit owners given as members, with no non-coop fishery. For the purposes of this collection, NMFS estimates that there will be **one** coop completing this form per year. The MS coop permit application is completed by the coop manager, and is submitted on paper, by mail. A complete application includes the MS coop permit application form and a copy of the MS coop agreement. Additionally, the MS coop must provide an annual coop report. Through the application form, the MS coop identifies their members (MS/CV-endorsed limited entry permit owners), the individual CHAs associated with each MS/CV-endorsed permit and to which MS permit the CHAs are obligated, the total CHA for the coop, and the vessels that will harvest the whiting as part of the coop. The MS coop

agreement provides further detail about the terms and conditions agreed to by coop members, and how the allocation of whiting to the MS sector will be fished. The annual coop report details the status of the MS coop fishery during the prior year. *Submittal of the coop report has previously been a biannual requirement, but through the PIE 2 rulemaking, 0648-BD31, NMFS proposes to reduce this to a single annual report in order to reduce burden and duplication.*

This annual collection provides NMFS the information necessary to allocate whiting and bycatch to the MS sector. Whether there is a single coop, multiple coops, and/or a coop and non-coop fishery in a given year, the MS coop permit application provides the formal process to convey the structure of the at-sea MS sector, and therefore determines the allocation mechanism. The collection of information also assists NMFS in determining compliance with accumulation limits.

(17) Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form

Beginning in 2014, and as proposed in 0648-BD31, the MS/CV endorsement and CHA will be severable from a limited entry trawl permit, and eligible to be registered to any other limited entry trawl permit, up to the accumulation limits. If an MS/CV-endorsed limited entry permit owner would like to change the registration of the MS/CV endorsement and associated CHA to another limited entry trawl permit, they must submit the MS/CV-endorsement and CHA registration application form on paper, by mail. This form can be submitted during the registration period, September 1 – December 31 each year. If a new entrant obtains an MS/CV endorsement and CHA, they must submit this form with a trawl identification of ownership interest form (11) to verify ownership of the permit to which the endorsement and CHA will be registered. NMFS estimates six MS/CV-endorsement/CHA transfers per year.

The purpose for this collection of information is to allow the transfer of MS/CV endorsements and CHA among limited entry trawl permits, and to gather accurate information about MS/CV-endorsed permit ownership. The form provides formal certification and documentation of the request by the permit owner (transferor) and allows NMFS to review the request for compliance with the accumulation limits and with other permit regulations.

(18) Mutual Agreement Exception

A mutual agreement exception is an agreement that allows the owner of an MS/CV-endorsed limited entry permit to withdraw the permit's obligation of its CHA to a permitted MS processor, when mutually agreed to with the MS processor, and to obligate CHA to a different permitted MS processor. There is no form for this collection; instead the owner of the MS/CV-endorsed permit must submit a copy of the agreement to NMFS that includes the MS permit owner's acknowledgement of termination of the catcher vessel's obligation to the permitted MS vessel.

The purpose of this collection is to assist NMFS in tracking changes in the MS/CV-endorsed permit CHA obligations, which are important to monitoring the fishery. The CHA obligation process assists MS sector participants to clearly register their intent for the Pacific whiting season, and the mutual agreement exception provides flexibility to participants in order to change those obligations as needed. During the first three years of the program, NMFS has received two

to three mutual agreement exceptions per year, and estimates **three** per year for the purposes of the burden estimate.

(19) Mothership Withdrawal

If an MS permit withdraws from the fishery before Pacific whiting has been allocated to the MS sector, then any MS/CV-endorsed limited entry permit owner who has obligated CHA to that MS permit may elect to participate in the coop or non-coop fishery. There is no form for this collection; instead the MS permit owner shall provide written notification of its withdrawal to NMFS and all owners of MS/CV-endorsed permits with CHA obligated to the withdrawing MS permit. Additionally, the MS/CV-endorsed limited entry permit owners shall notify NMFS of their intent to participate in the coop or non-coop fishery with each CHA. For those continuing in the coop fishery, each MS/CV-endorsed limited entry permit owner shall provide to NMFS the new MS permit to which they will obligate each CHA for the Pacific whiting season.

The purpose of this collection is to assist NMFS in tracking changes in the MS/CV-endorsed permit CHA obligations if an MS permit were to withdraw. The obligations are important to monitoring the fishery. The CHA obligation process assists MS sector participants to clearly register their intent for the Pacific whiting season, and the MS withdrawal provides flexibility to participants in order to change those obligations as needed, if an MS were to withdraw. During the first three years of the program, NMFS has never encountered an MS withdrawal, but estimates **one** per year on the burden estimate table.

(20) Catcher/Processor Cooperative Permit Application Form

The C/P coop permit application form must be submitted by the single C/P coop each year (one form submitted each year), so NMFS expects **one** response per year. The C/P coop permit application is completed by the coop manager, and is submitted on paper, by mail. A complete application includes the C/P coop permit application form and a copy of the C/P coop agreement. Additionally, the C/P coop must provide an annual coop report. The C/P coop identifies their members (owners of CP endorsed permits) through the application form, and provides further detail about the terms and conditions that coop members have through the C/P coop agreement. The annual coop report details the status of the C/P coop fishery during the prior year. *Submittal of the coop report has previously been a biannual requirement, but through the PIE 2 rulemaking, 0648-BD31, NMFS proposes to reduce this to a single annual report in order to reduce burden and duplication.*

This annual collection provides NMFS the information necessary to allocate whiting and bycatch to the C/P sector, and allows for updated contact information to be printed on the permit. Failure to provide this information would require that NMFS to change the fishery from a coop based fishery to an IFQ fishery.

(21) Material Change

If there are any changes to a coop agreement, the coop manager of either an MS coop or a C/P coop must notify NMFS in writing of any material change to the coop agreement within seven calendar days of such changes. Within 30 calendar days, the designated coop manager must submit to NMFS a revised coop agreement with a letter that describes such changes. There is not

a form for this collection, and NMFS estimates **one** response per year. NMFS will review the material changes and provide a response letter to the coop manager that either accepts the changes as given, or does not accept the revised coop agreement. If the changes are not accepted, the letter from NMFS will explain why. The coop will be required to resubmit the coop agreement with further revisions that respond to NMFS' concerns. NMFS requires this notification because the coops serve to manage the harvest of whiting through a coop agreement with their members, and NMFS relies on the coops for effective management of the MS and C/P sectors. The coop agreement is the mechanism to effectively manage the fishing activities, including the monitoring and enforcement activities within the coop. Any changes must be provided to NMFS to ensure that the written agreement matches the practice of the coops.

NMFS has removed the transaction dispute request (previously included) from the collection. NMFS never created a transaction dispute request form or received any transaction disputes. For all catch data in vessel accounts, the data is reviewed by catch monitor program and observer program staff, and undergoes initial QA/QC. At the end of each year, catch data managers meet to review all of the IFQ vessel account catch data and correct inconsistencies/discrepancies. Each discrepancy is reviewed and documented. System errors are fixed, and managers will request that catch monitors, observers, and first receivers will update their data for any legitimate discrepancies found. Because landings must match with a paper fish ticket and taxes and buyback loans must be paid based on the amount of fish, there are not typically discrepancies with landings data that take more than a few days to fix. This item was included in the previous collection prior to a complete understanding by NMFS of how the catch data debiting would work, and is being removed since we have a separate QA/QC process that does not involve a written collection from the fishermen.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to question 10 of this supporting statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not intended to be disseminated directly to the public, results may be used in scientific, management, technical, or general informational publications. Should NMFS decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The collection items described below are numbered, and the number corresponds to the burden estimate table under question 12.

QS permit/account renewals (2) and vessel account renewals (7) will be done exclusively online during the renewal period, including the ownership interest form (for renewals, (11), which will be prefilled, displaying information collected last year. Those few QS permit and vessel account owners who do not renew online during the renewal period will lose some privileges, as described above, but will be able to renew by paper (3)and (8), respectively) at any point after the current renewal period, and before the following renewal period. As part of a paper renewal,

they would receive a prefilled ownership interest form displaying the information collected last year.

QS transfers (4), as well as QP transfers from a QS account to a vessel account (5), and QP transfers from a vessel account to a vessel account (9), will be made exclusively online. The online forms for users will show the user the amount of QS or QP that they currently have available to transfer, and the user must select how much and to whom they would like to transfer. There will be no paper option for any of these transfer types.

New QS permit/account applicants must submit an original, signed and notarized QS permit/account application form ((1) and trawl identification of ownership interest form (for new entrants, (10). The forms will be available in a fillable PDF format online, but must be signed and mailed.

New vessel account applicants must submit an original, signed vessel account registration request (6), and an original, signed and notarized trawl identification of ownership interest form (for new entrants, (10). The forms will be available in a fillable PDF format online, but must be signed and mailed.

Both new and re-registering first receiver site license applicants must submit an original, signed and notarized first receiver site license application form (12) and (13), respectively). The application must include a signed catch monitor plan, which most first receivers save in an electronic format on their computers and edit and resubmit each year. NMFS provides a fillable PDF format of the first receiver site license application form online, as well as a Word version of the catch monitor plan outline, but both must be signed and mailed.

MS permit owners may submit their MS permit renewal form (14) online with payment, but most will opt to mail their form in with a check, since they also must complete, sign, notarize and mail the trawl identification of ownership interest form (for renewals, (11), which will be prefilled, displaying information collected last year. In the future, NMFS hopes to use an online process for the MS renewal process, as is done with the online QS permit/account and vessel account renewal process, where both the renewal form and ownership interest information would be displayed and completed online. However, since the MS permit renewal information is currently housed in a different database than the QS permit/account and vessel account renewal information, this has not yet been possible.

MS permit owners must submit the signed and notarized MS permit change of vessel registration, permit owner, or vessel owner application form (15) by mail. Likewise, the mothership cooperative permit application form (16), the catcher-processor cooperative permit application form (20), and the change of MS/CV-endorsement and catch history assignment registration application form (17) must be signed, notarized, and mailed to NMFS. NMFS provides a fillable PDF format of these forms, but there will be no online options for submission. A material change (21) to a coop permit would edit a coop agreement, and would also need to be submitted by mail. Similarly, a mutual agreement exception (18) or mothership withdrawal (19) would be submitted as letters to NMFS.

4. Describe efforts to identify duplication.

This is a unique information collection and does not duplicate other collections. The trawl rationalization program was developed by the Pacific Fishery Management Council and is unique to the commercial Pacific coast trawl fisheries. The program was, and continues to be, reviewed in many public meetings and is subject to public comment. The program and associated information collection is specific to a section of the Pacific coast commercial fishing industry. The information collected is required to implement and administer the program.

Additionally, NMFS strives to share the information internally to avoid duplication. Various internal NMFS groups such as the office of law enforcement (OLE), the economic data collection (EDC) team, the observer program, the catch monitor program, etc. use the contact information collected by the Fisheries Permit Office as part of this collection, rather than collecting this information again.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Many of the respondents are small businesses. NMFS will provide prefilled forms for the following collections: (2) QS Permit/Account Renewal – Online, (7) Vessel Account Renewal – Online, (11) Trawl Identification of Ownership Interest Form: Renewal, and (14) Mothership Permit Renewal Form. These respondents will only need to certify that the current information is correct or make the applicable changes as necessary. Instant, online transfers of the following collections make access to and transfer of assets quick and simple for small businesses: (4) QS Transfer, (5) QP Transfer from QS Account to Vessel Account, and (9) QP Transfer from Vessel Account to Vessel Account.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

QS Permit/Account Application Form (1), QS Permit/Account Renewal - Online (2), QS Permit/Account Renewal Form (3), Vessel Account Registration Request (6), Vessel Account Renewal Form (7), Vessel Account Renewal – Online (8), Mothership Permit Renewal Form (14), First Receiver Site License Application Form: New Entrants (12), First Receiver Site License Application Form: Re-Registration (13)

Initial application information and annual renewal/re-registration information collection is necessary to confirm current address, contact and ownership information and to maintain accurate registrations of the permits/licenses and/or accounts. If the collection is not conducted or conducted less frequently, over time the permit information would become outdated. Often, permit and/or account owners will make a change to their entity name and forget to notify NMFS, and the initial registration and subsequent renewal period has become the time to update all of our records and maintain a high quality of data. Many line offices rely on the contact information that the Fisheries Permit Office collects as a part of registrations/renewals, and less accurate or less frequent information collection would negatively impact other offices. NMFS strives to make significant outreach efforts and a high quality data set is essential to ensuring communication and compliance. Additionally, in the case of the first receiver site license, if the collection was not conducted or conducted less frequently, it would hinder NMFS' ability to

effectively examine the safety of a site for a catch monitor, and know where IFQ landings would occur.

Trawl Identification of Ownership Interest Form: New Entrants (10), Trawl Identification of Ownership Interest Form: Renewal (11)

Ownership interest forms must be submitted as part of the initial registrations and subsequent renewals listed above, as well as with initial registrations and renewals of MS/CV-endorsed limited entry permits (both of which are part of a separate collection, OMB Control No. 0620-0203). The ownership interest information is collected to determine compliance with the accumulation limits. If NMFS was not able to conduct such collections, or to conduct such collections less frequently, NMFS would not be able to track changes in shareholders or shareholder ownership interest amounts over time, and participants would have less motivation to stay within the accumulation limits. The accumulation limits are provided to meet the legal mandate under MSA which requires that individuals and/or entities should not receive access to a disproportionate amount of the resource. It makes sense to collect this information in tandem with the annual renewals of permits/accounts because participants are accustomed to submitting information to NMFS at this time of year as part of renewals.

QS Transfer (4), QP Transfer from QS Account to Vessel Account (5), QP Transfer from Vessel Account to Vessel Account (9)

The transfer of assets (QS and QP) under the trawl rationalization program is important for business entities and the government. Collecting this information less frequently, by perhaps setting short periods during the year when these transfers could be made, would hinder the flexibility the shorebased trawl program was intended to create for business transactions. QS and vessel accounts function just like savings and checking accounts, and while these transfers are a collection of information by a Federal agency, they are also a necessary business function for fishing and purposes, just like the transfer of money between bank accounts. The QS/QP accounting system is critical to the execution of the fishery and the benefits of the trawl rationalization program cannot be realized without a real-time accounting system that allows for the transfer of QS and QP. Business owners need confirmation of transactions for their private business agreements, and NMFS needs the information to track in-season balances and compliance with regulations.

Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form (15), Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form (17)

Because permits and endorsements convey a conditional privilege given by NMFS, any transfer of such privilege to another permit owner or vessel owner must be formally registered with NMFS. Permit owner, vessel owner, vessel registration, and endorsement registration information is important in enforcing management regulations, providing authorized participants with notice of fishery information during the season, and providing analysts with high quality permit data.

Mothership Cooperative Permit Application Form (16), Catcher/Processor Cooperative Permit Application Form (20), Mutual Agreement Exception (18), Mothership Withdrawal (19),

Material Change (21)

The MS and C/P coops serve to manage the harvest of whiting through a coop agreement with all members, and NMFS relies on the coops for effective management of the at-sea sectors. The coop permits, and specifically the coop agreements that must be submitted with the coop permit applications, are the mechanism to effectively manage the fishing activities, including the monitoring and enforcement activities within the coop. Any changes must be provided to NMFS to ensure that the written agreement matches the practice of the coops. These collections are essential to managing the participants and any changes in the fishery. Any removal of these collections would result in an undocumented at-sea fishery, while any reduction of these collections would allow for a situation in which the information collected by NMFS may not match the practice in the coops.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

Not applicable to this collection.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A proposed rule 0648-BD31, program improvement and enhancement (PIE 2), was published coincident with the original submission of this request, for public comment on the information collection requirements. No comments were received on the proposed rule or on any of the other information collections on which comment was requested (comments were requested for all ICs). Comments solicited through additional outreach are below.

NMFS has contacted several persons outside the agency to obtain feedback about the collections in the proposed revision:

On May 24, 2013, NMFS contacted a representative from the MS sector to estimate the time spent on the MS coop permit application or any material changes. The MS representative estimated about four hours for either the MS coop permit application or any MS material change, based on the active time filling out the form, updating the agreement, and collecting signatures. This feedback was reflected in the annual burden estimate, under the MS coop permit application collection (16), and under the material change collection (21). A material change could be submitted for either an MS or C/P coop, so the material change collection burden estimate averages the response time for MS and C/P, as described in the key of the burden estimate table in Question 12.

On March 26, 2013 NMFS contacted two representatives from the shorebased IFQ sector, who are frequent QS and vessel account users, to ask for feedback on the proposed QS transfer process, as well as the time spent on QP/QS transfers. Separately, the representatives each

discussed the benefits that transferring QS for multiple species as a single online transaction would have for QS permit owners (as opposed to transferring each IFQ species separately), including reducing the burden of QS transfers and consistency with the familiar QP transfer function. Therefore NMFS has decided to replicate the QP transfer process and allow QS permit owners to transfer QS for multiple species in a single transaction, as described in Question 2. Both representatives agreed with the time burden estimates for QP and QS transfers as outlined in Question 12.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

Not applicable to this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Some of the information collected above is confidential under section 402(b) of the MSA. It is also confidential under [NOAA Administrative Order 216-100](#), Protection of Confidential Fisheries Statistics. All collections of phone numbers, fax numbers and email addresses are not released to the public. Transfer amount and price, tax identification number (TIN), date of birth (DOB), the names of individuals who have an ownership interest in an entity and the percentage of ownership, and cooperative agreements provided with coop permit applications are considered business confidential information. DOB is also protected under the Privacy Act. A statement of the confidentiality of this information is provided on each form.

The information collected is part of a Privacy Act System of Records (SORN), COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065). An updated SORN was submitted to DOC for review on May 30, 2013.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Not applicable to this collection.

12. Provide an estimate in hours of the burden of the collection of information.

Collection	Responsible Party	Number of Respondents (a)	Frequency of Responses Per Year (b)	Total Number of Responses Per Year (c) = (a*b)	Average Time Per Response (In Minutes) (d)	Annual Burden (In Hours) (e) = (c)*(d/60)
1. QS Permit/Account Application Form (a)(b)	New QS Permit Applicants	10	1	10	30	5
2. QS Permit/Account Renewal - Online (a)(d)	QS Permit Owners	147	1	147	10	24.50 (25)
3. QS Permit/Account Renewal Form (a)	QS Permit Owners	1	1	1	15	0.25 (1)
4. QS Transfer (d)(e)	QS Permit Owners	148	3	444	10	74
5. QP Transfer from QS Account to Vessel Account (d)(e)	QS Permit Owners	148	5	740	8	98.67 (99)
6. Vessel Account Registration Request (a)	New Vessel Account Applicants	10	1	10	15	2.50 (3)
7. Vessel Account Renewal - Online (a)(d)	Vessel Account Owners	152	1	152	10	25.33 (25)
8. Vessel Account Renewal Form (a)	Vessel Account Owners	2	1	2	15	0.50 (1)
9. QP Transfer from Vessel Account to Vessel Account (d)(e)	Vessel Account Owners	154	11	1,694	8	225.87 (226)
10. Trawl Identification of Ownership Interest Form: New Entrants	New QS Permit Applicants (10), New Vessel Account Applicants (10), New MS/CV-Endorsed Limited Entry Permit Owners (1), New MS Permit Owners (1), Lenders (2)	24	1	24	45	18
11. Trawl Identification of Ownership Interest Form: Renewal (c)	QS Permit Owners (148), Vessel Account Owners (154), MS/CV-Endorsed LEP Owners (36), MS Permit Owners (6), Lenders (4)	348	1	348	5	29
12. First Receiver Site License Application Form: New Entrants (f)	New First Receiver Site License Applicants	5	1	5	210	17.50 (18)
13. First Receiver Site License Application Form: Re-Registration (f)	First Receiver Site License Holders	50	1	50	110	91.67 (92)
14. Mothership Permit Renewal Form (c)	MS Permit Owners	6	1	6	20	2

15. Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form	MS Permit Owners	3	1	3	45	2.25 (2)
16. Mothership Cooperative Permit Application Form (g)	MS Coop Entity	1	1	1	240	4
17. Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form	MS/CV-Endorsed LEP Owners	6	1	6	45	4.50 (5)
18. Mutual Agreement Exception	MS/CV-Endorsed Limited Entry Permit Owners	3	1	3	60	3
19. Mothership Withdrawal	MS Permit Owners, MS/CV-Endorsed Limited Entry Permit Owners	1	1	1	120	2
20. Catcher/Processor Cooperative Permit Application Form (h)	C/P Coop Entity	1	1	1	120	2
21. Material Change (i)	MS Coop Entity, C/P Coop Entity	1	1	1	150	2.50 (3)
TOTALS		410 Unique Respondents		3,649* Responses		639**

KEY

- Paper form that is provided by NMFS

(a) - These collection types must be submitted with a trawl identification of ownership interest form, but the burden estimates do not include the estimate for the trawl identification of ownership interest form because it is listed separately.

(b) - This collection type includes new QS applicants and additional QS permit registrations required due to legal proceedings (i.e. death of a permit owner, permit conveyed to a beneficiary)

(c) - Online Optional

(d) - Online Only

(e) - Average time per response estimate includes the time required to initiate the transfer (transferor) and accept the transfer (transferee), as well as the time required to provide transaction price information.

(f) - Average time per response estimate includes the time required to prepare the catch monitor plan and the time for a designated contact person to be available for the site inspection. New applicants are required to have a site inspection before the license is issued. Re-registering FRSL sites are only required to have a site inspection once every three years.

(g) - Average time per response estimate includes the time required to complete the application form and submit supplemental documentation, including the mothership coop agreement and signatures from all coop members (36 total).

(h) - Average time per response estimate includes the time required to complete the application form and submit supplemental documentation, including the catcher/processor coop agreement and signatures from all coop members (10 total).

(i) - Average time per response estimate includes the time required to update the coop agreement and gather signatures from all coop members. We estimate that it would take the mothership coop about 4 hours on average, and the catcher processor coop about 1 hour on average. We estimate one material change per year total, and averaged the mothership and catcher processor time.

Note - The above time burden does not estimate the time required to report the dissolution of a cooperative. We anticipate that dissolution of a coop will be a very rare event, and if it occurs will require a short letter from the coop manager and/or members stating that the coop has dissolved as of a given date.

***Rounded up to 3,650 in ROCIS.**

****Rounded up to 640 in ROCIS.**

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

The total estimated annual cost burden to the respondents or record-keepers resulting from this collection is \$12,474. The cost burden estimate has decreased from the original estimate for this collection because NMFS included mailing and application fees for the initial implementation of the program in the original estimate.

Collection	Number of Respondents (a)	Frequency of Responses Per Year (b)	Total Number of Responses Per Year (c) = (a*b)	Mailing Costs to Respondent (d)	Copy Costs to Respondent (\$0.05/page) (e)	Notary Costs (if applicable) (f)	Application Fees (g)	Total Annual Cost Burden to Respondents (h) = (c) * (d+e+f+g)
1. QS Permit/Account Application Form	10	1	10	\$0.44	\$0.50	\$10.00	\$100.00	\$1,109.40
2. QS Permit/Account Renewal - Online	147	1	147	\$0.00	\$0.50	\$0.00	\$0.00	\$73.50
3. QS Permit/Account Renewal Form	1	1	1	\$0.44	\$0.50	\$10.00	\$0.00	\$10.94
4. QS Transfer	148	3	444	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5. QP Transfer from QS Account to Vessel Account	148	5	740	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6. Vessel Account Registration Request	10	1	10	\$0.44	\$0.40	\$10.00	\$0.00	\$108.40
7. Vessel Account Renewal - Online	152	1	152	\$0.00	\$0.50	\$0.00	\$0.00	\$76.00
8. Vessel Account Renewal Form	2	1	2	\$0.44	\$0.50	\$10.00	\$0.00	\$21.88
9. QP Transfer from Vessel Account to Vessel Account	154	11	1,694	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10. Trawl Identification of Ownership Interest Form: New Entrants	24	1	24	Included With Other Applicable Forms	Included With Other Applicable Forms	Included With Other Applicable Forms	Included With Other Applicable Forms	\$0.00
11. Trawl Identification of Ownership Interest Form: Renewal	348	1	348	Included With Other Applicable Forms	Included With Other Applicable Forms	Included With Other Applicable Forms	Included With Other Applicable Forms	\$0.00
12. First Receiver Site License Application Form: New Entrants	5	1	5	\$1.52	\$0.20	\$10.00	\$175.00	\$933.60
13. First Receiver Site License Application Form: Re-Registration	50	1	50	\$1.52	\$0.20	\$10.00	\$175.00	\$9,336.00
14. Mothership Permit Renewal Form	6	1	6	\$0.44	\$0.10	\$10.00	\$100.00	\$663.24

15. Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form	3	1	3	\$0.44	\$0.50	\$10.00	\$0.00	\$32.82
16. Mothership Cooperative Permit Application Form	1	1	1	\$1.52	\$3.00	\$10.00	\$0.00	\$14.52
17. Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form	6	1	6	\$0.44	\$0.25	\$10.00	\$0.00	\$64.14
18. Mutual Agreement Exception	3	1	3	\$1.52	\$1.50	\$0.00	\$0.00	\$9.06
19. Mothership Withdrawal	1	1	1	\$1.52	\$1.50	\$0.00	\$0.00	\$3.02
20. Catcher/Processor Cooperative Permit Application Form	1	1	1	\$1.52	\$2.50	\$10.00	\$0.00	\$14.02
21. Material Change	1	1	1	\$1.52	\$1.50	\$0.00	\$0.00	\$3.02
TOTAL REPORTING AND RECORD KEEPING COSTS								\$12,473.56 (\$12,474)

14. Provide estimates of annualized cost to the Federal government.

NMFS will charge application/renewal fees for certain collections (as outlined above under question 13, column f) to recover some administrative costs. In addition, NMFS will incur ongoing program costs related to the trawl rationalization program which includes staff time to: prepare application and renewal packages, review and process (enter data) incoming registration, transfer and renewal applications, prepare decision documents and permit documents, maintain and improve the IFQ accounting system (QS and vessel accounts), and respond to permit owners and vessel account owners about application, account, and program questions. The estimated net administrative cost accruing to the Federal government is approximately \$700,000.

15. Explain the reasons for any program changes or adjustments.

Program Changes: There are net decreases of 14 hours and \$4,409 in costs.

Quota share trading will begin in 2014, and this program change had an impact on the burden hour estimate for this collection, **adding 74 hours**. The implementation of QS trading will cause **no change to the cost burden (\$0)**, since QS trading will be completed online, with no fee associated.

Also, since implementation NMFS has never received a transaction dispute request for vessel account catch data and NMFS has removed this item from the collection, **decreasing the burden estimate by 10 hours** (see explanation for removal of this item at the end of Question 2), with **no associated cost decrease**.

Since NMFS was able to program online renewals and display the ownership interest form

securely online, as well as allow the viewers a process to accept or reject the current ownership interest form, the time burden estimate for renewals decreased from 93 hours to 29 hours **(decrease of 64 hours)**.

The QS permit renewal process each year is now estimated to take about 26 burden hours total (including the online renewals and any paper renewals), whereas the old estimate was 40 hours. This decrease in burden estimate is due to the fact that before implementation, NMFS was unsure of whether renewals could be programmed online. Because NMFS was able to program online QS permit/account renewals, the time burden estimate for this collection significantly decreased **(decreased by 14 hours)**.

There was previously a \$12,300 estimated cost burden for QS permit renewals due to an estimated \$100 renewal fee. NMFS decided not to collect a fee for renewals, which significantly decreased the cost. NMFS estimates only copy/printing costs for those QS permit owners who renew online (\$73.50 total), and mailing/copy/notary costs for an estimated one QS permit owner who might submit by paper renewal form per year (\$10.97) – notary cost would be for the associated ownership interest form. Time burden for the ownership interest form was calculated separately. This decreased the total cost estimate for renewals from \$12,300 to \$1,194 **(decrease of \$11,106)**.

As part of the previous estimate for first receiver site applications, NMFS included a cost burden of \$3,600. This was based on an estimated \$45 application fee for 80 applicants. For the revised cost burden, the application fee is actually \$175, for an estimated 5 new entrants and 50 re-registering applicants/year. This increased the total estimated cost burden (for new and re-registering FRSL applicants) by \$130 or a **\$7,150 total increase**.

The MS Cooperative Application cost has **decreased by \$226**, as NMFS decided not to charge a fee. The estimated cost for the C/P Coop Permit Application has also **decreased, by \$227** (from \$241 to \$14), because NMFS chose not to charge an application fee.

Adjustments: There was a net decrease of 2 hours, and a net decrease of \$459 in costs.

As part of the initial OMB Control No. 0648-0620 collection, the QS permit/application form for QS transferees and QS accounts totaled 19 hours for an estimated three QS permit owners who might have a court-ordered change in ownership prior to QS trading. This estimate was accurate for the process of changing QS permits, submitting thorough records and applications, and handling the transfer of QP from the old QS account. However, since the process will be much more streamlined once QS trading starts in 2014, the time burden estimate has changed to a total of five hours **(decrease of 14 hours)**, since the process has changed. QS permit applicants will submit the QS permit application and an ownership interest form (burden hours calculated separately), and NMFS will issue a QS permit with zero percent QS, and open a QS account for the new owner.

The time burden estimate for QP transfers from a QS account to a vessel account has increased since the initial collection estimates, from 45 to 99 hours **(increase of 54 hours)**. This is because NMFS must allocate quota pounds to QS accounts at more times throughout the year than previously expected, and QS permit owners are likely to transfer those pounds to vessel accounts each time that NMFS allocates them. There is no cost associated with these online transfers, and

no change from the previous cost burden estimate.

The time for the vessel account registration request estimate has decreased from 10 hours to three hours in this collection (**decrease of seven hours**), due to the simple nature of the form used to request a vessel account and an updated estimate of the number of requested vessel accounts. Only eight data fields and a signature are collected on the form, so whereas the previous time burden estimated 20 new accounts/year and 30 minutes to complete the form (10 hours), this estimate has decreased the estimate, based on actual new account request activity, to 10 new accounts/year and 15 minutes to complete the form (~three hours). Earlier NMFS estimated a cost burden of \$4.40, but as part of this updated collection, NMFS corrects that estimate to \$108.40 (**increase of \$104**), to include the notary cost for the associated ownership interest form. Time burden for the ownership interest form was calculated separately.

Because vessel account renewals were able to be programmed to be online, the time burden estimate for this item has decreased from 60 to 26 hours (including online and possible paper renewal forms), for a total **decrease of 34 hours**. NMFS estimates only copy/printing costs for those vessel account owners who renew online (\$76 total), and mailing/copy/notary costs for an estimated two vessel account owners who might submit by paper renewal form per year (\$21.88) – notary cost, added as a correct, would be for the associated ownership interest form. Time burden for the ownership interest form was calculated separately. This increased the total cost estimate from \$0 to \$97.88 (**increase of \$97.88**).

Because of efficient programming and using real QP transfer data, the time burden estimate for QP transfers from vessel accounts to vessel accounts decreased from 300 hours to 226 hours (**decrease of 74 hours**). The previous submission was written before QP transfers started, and before QP transfer data was reported to managers. Using the real data, and feedback from users, NMFS was able to more closely estimate the time burden. There is no cost associated with these online transfers, and **no change from the previous cost burden estimate**.

Before the trawl rationalization program was implemented, NMFS was unsure of the process for first receiver site license applications, catch monitor plans, and site inspections. After over two years since implementation, and with much experience processing first receiver site licenses, NMFS has updated the estimate for FRSLs to reflect a difference in the estimated time for new FRSL entrants versus re-registering FRSL applicants. NMFS has also updated the time per application to more accurately represent the time needed for writing the catch monitor plan and conducting the site inspection. These changes have increased the total time for first receiver site license applications from 40 hours to 110 hours (**increase of 70 hours**).

The time burden estimates for the following collections have not changed: MS Permit Renewal, MS Permit Change of Vessel Registration, Permit Owner, Vessel Owner, MS Coop Permit Application, Mutual Agreement Exception, and MS Withdrawal. The notary costs were also not included before. Similarly, the notary costs were not included for the MS Permit Change of Vessel Registration, Permit Owner, and Vessel Owner form previously. As part of this revised submission, NMFS estimates the cost for this collection to be \$32.82 (**increase of \$32.82**).

The time burden estimate for the C/P coop application has **decreased by two hours**, from four to two hours. The estimate was previously identical to MS coop application burden hour estimate of four hours, but because there are fewer C/P coop members than MS coop members (10:36), and

because the C/P coop application requires less information than the MS coop application, this burden estimate has been decreased.

The material change time burden estimate has decreased from six hours to three hours (**a decrease of three hours**). Either an MS coop or a C/P coop can submit a material change to their coop agreement. As part of the previous submission, NMFS estimated about three material changes per year from either an MS or C/P coop, at about two hours of burden time per response. NMFS now estimates one material change per year from either an MS or C/P coop, at an average of three hours per response (about four hours for an MS coop or one hour per C/P coop = average of two and a half hours, rounded to three). The increase to the estimated time per response was based on the number of signatures required for a material change, and the decrease in the number of responses per year was based on actual responses over the past two years.

There was an additional overall **8 hours' increase** due to changes in response numbers.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The results from this collection are not planned for statistical publication.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not applicable to this collection.

18. Explain each exception to the certification statement.

Not applicable to this collection.

COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable to this collection.

**CATCHER/PROCESSOR
COOPERATIVE PERMIT
APPLICATION FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply for a catcher/processor (C/P) cooperative permit. To be an eligible CP cooperative (coop) entity, a group of C/P-endorsed limited entry permit owners (coop members) must be a recognized entity under the laws of the United States or the laws of a State and represent all of the coop members. This application must be postmarked no later than March 31 of the year in which the coop intends to fish. A C/P cooperative permit is effective upon approval by NMFS.

Section A – Cooperative Contact Information

Please provide the cooperative entity name, tax identification number (TIN), and state that the entity is registered in, as well as the business mailing address, phone number, fax number, and email address. Also provide the name of the cooperative manager and their date of birth (DOB).

Section B – Catcher/Processor Endorsed Permits and Vessels

The applicant must provide the permit number for each coop member's C/P-endorsed limited entry permit, and the vessel name and USCG vessel documentation number for the vessel registered to each permit.

Section C – Certification of Applicant and Notary

The applicant or authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form has satisfactorily identified themselves. By signing and dating the form, the applicant or authorized representative certifies that all information set forth in the form is true, correct and complete to the best of the applicant's knowledge or belief. The form will not be considered without the authorized representative's signature. NMFS may request that the authorized representative for a business entity include a copy of the corporate resolution or other document authorizing the individual to sign and certify on behalf of the business entity. The notary must sign and date this section, and affix a notary stamp or seal.



Supplemental Documentation

The applicant must provide a copy of the cooperative agreement consistent with the regulations given at 50 CFR 660.160.

**CATCHER/PROCESSOR
COOPERATIVE PERMIT
APPLICATION FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

Section A – Cooperative Contact Information

1. Name of Cooperative Entity			2. Cooperative TIN
			3. State Cooperative Entity Registered In
4. Business Mailing Address <i>Street or PO Box</i>			5. Business Phone Number ()
			6. Business Fax Number (<i>optional</i>) ()
<i>City</i>	<i>State</i>	<i>Zip Code</i>	7. Business Email (<i>optional</i>)
8. Name of Cooperative Manager			9. Cooperative Manager DOB

Section B – Catcher/Processor Endorsed Permits and Vessels

C/P-Endorsed Limited Entry Permit Number	Vessel Name	USCG Vessel Documentation Number
GF		

Section C – Certification of Applicant and Notary

This section must be completed by a notary to certify that the individual(s) have satisfactorily identified themselves.

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Notary Public Signature

ATTEST

Affix Notary Stamp or Seal Here

Date Commission Expires

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN, DOB, business phone number, fax number, email and contents of the cooperative agreement are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 2.00 hours per response (with coop agreement), including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**CHANGE OF MS/CV ENDORSEMENT AND
CATCH HISTORY ASSIGNMENT REGISTRATION
APPLICATION FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply for a change of mothership catcher vessel (MS/CV) endorsement and associated catch history assignment (CHA) registration. A separate form must be completed for each distinct MS/CV endorsement and assignment CHA registration change. To complete the application process, any Economic Data Collection surveys due from the MS/CV-endorsed trawl limited entry permit owner must be deemed complete by the NOAA/Northwest Fisheries Science Center. Please submit your current MS/CV-endorsed trawl limited entry permit with the completed application form.

Section A - Current Permit Information

Identify the current trawl limited entry permit and permit owner to which the MS/CV endorsement and CHA are registered to. List the MS/CV-endorsed permit number and the MS/CV endorsement and CHA ID number, found on the permit. List the permit owner name as given on the current permit, as well as the tax identification number (TIN) for business entities or date of birth (DOB) for individuals. Please provide the business mailing address, phone number, fax number and email address.

Section B - New Permit Information

Identify the new trawl limited entry permit number to which the MS-CV endorsement and CHA will be transferred. List the permit owner name as given on their current permit, as well as the tax identification number (TIN) for business entities or date of birth (DOB) for individuals. Please provide the business mailing address, phone number, fax number and email address.

Section C - Transaction Price Information for MS/CV Endorsement and Catch History Assignment

You must provide price information for the transaction, as specified at §660.140 (g)(2)(iv)(B). Please indicate whether the transaction was monetary or non-monetary. If this is a monetary transaction, please provide the price. If this is a non-monetary transaction, please provide further information describing the change in registration of the MS/CV endorsement and associated CHA.

Section D - Certification of Applicant and Notary

The permit owner or authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form have satisfactorily identified themselves. By signing and dating the form, the applicant or authorized representative certifies that all information set forth in the form is true, correct and complete to the best of the applicant's knowledge or belief. The form will not be considered without the authorized representative's signature. NMFS may request that the authorized representative for a business entity include a copy of the corporate resolution or other document authorizing the individual to sign and certify on behalf of the business entity. The notary must sign and date this section, and affix a notary stamp or seal.



Supplemental Documentation

- Submit your current MS/CV-endorsed limited entry trawl permit with this form.

**CHANGE OF MS/CV ENDORSEMENT AND
CATCH HISTORY ASSIGNMENT REGISTRATION
APPLICATION FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

Section A - Current Permit Information

(Identify the current trawl limited entry permit and permit owner to which the MS/CV endorsement and catch history assignment are registered to)

1. Permit Number GF			2. MS/CV Endorsement and CHA ID Number
3. Current Permit Owner Name			4. TIN (if business) or DOB (if person)
5. Business Mailing Address <i>Street or PO Box</i>			6. Business Phone ()
			7. Business Fax (<i>optional</i>) ()
<i>City</i>	<i>State</i>	<i>Zip Code</i>	8. Business Email (<i>optional</i>)

Section B - New Permit Information

(Identify the new trawl limited entry permit and permit owner to which the MS/CV endorsement and catch history assignment will be registered to)

1. Permit Number GF			
2. Current Permit Owner Name			3. TIN (if business) or DOB (if person)
4. Business Mailing Address <i>Street or PO Box</i>			5. Business Phone ()
			6. Business Fax (<i>optional</i>) ()
<i>City</i>	<i>State</i>	<i>Zip Code</i>	7. Business Email (<i>optional</i>)

Section C – Transaction Price Information for MS/CV Endorsement and Catch History Assignment
(Mandatory field)

1. The nature of the transaction was:

Monetary Non-Monetary

2. If the transaction was monetary, please provide the selling price of the above listed MS/CV endorsement and catch history assignment:

\$ _____

3. If the transaction was non-monetary, please describe the nature of the transaction [i.e. registering the endorsement and catch history assignment to another trawl limited entry permit that I own, or trading it for shoreside IFQ quota shares or quota pounds (list species and amount), etc.]:

Section D – Certification of Applicant and Notary

This section must be completed by a notary to certify that the individual(s) have satisfactorily identified themselves.

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Notary Public Signature

ATTEST

Affix Notary Stamp or Seal Here

Date Commission Expires

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN, DOB, business phone number, fax number, email and transaction price information are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 0.75 hours per response, including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**MOTHERSHIP
COOPERATIVE PERMIT
APPLICATION FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply for a mothership (MS) cooperative permit. To be an eligible MS cooperative (coop) entity, a group of mothership catcher vessel (MS/CV) endorsed limited entry permit owners (coop members) must be a recognized entity under the laws of the United States or the laws of a State and represent all of the coop members. The coop must include at least 20 percent of all MS/CV-endorsed permits as members. This application must be postmarked no later than March 31 of the year in which the coop intends to fish. An MS cooperative permit is effective upon approval by NMFS.

Section A – Cooperative Contact Information

Please provide the cooperative entity name, tax identification number (TIN), and state that the entity is registered in, as well as the business mailing address, phone number, fax number, and email address. Also provide the name of the cooperative manager and their date of birth (DOB).

Section B – Mothership Catcher Vessel Permits Obligated to Cooperative and Processor Obligation

The applicant must provide the permit number for each coop member's MS/CV-endorsed limited entry permit, the MS/CV endorsement and catch history assignment (CHA) ID number, and the associated CHA amount (expressed as a percentage) as given on the permit. Also indicate the MS permit that each MS/CV-endorsed limited entry permit is obligated to. Please note that if one MS/CV-endorsed limited entry permit has multiple MS/CV-CHAs, you will need to list and obligate each separately. Please indicate the total whiting catch history allocation that will accrue to the coop based on the sum of the individual MS/CV permits obligated to the coop. If Section B does not provide sufficient space to list all permits, copy this section, add the additional information and append to the application.

Section C – Catcher Vessel Information

Please provide the vessel name and USCG vessel documentation number for each catcher vessel fishing for the coop. If Section C does not provide sufficient space to list all catcher vessels, copy this section, add the additional information and append to the application.

Section D – Certification of Applicant and Notary

The applicant or authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form has satisfactorily identified themselves. By signing and dating the form, the applicant or authorized representative certifies that all information set forth in the form is true, correct and complete to the best of the applicant's knowledge or belief. The form will not be considered without the authorized representative's signature. NMFS may request that the authorized representative for a business entity include a copy of the corporate resolution or other document authorizing the individual to sign and certify on behalf of the business entity. The notary must sign and date this section, and affix a notary stamp or seal.



Supplemental Documentation

The applicant must provide a copy of the cooperative agreement and any inter-coop agreement entered into at the time of the application submission, consistent with the regulations given at 50 CFR 660.150.

**MOTHERSHIP
COOPERATIVE PERMIT
APPLICATION FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

Section A – Cooperative Contact Information

1. Name of Cooperative Entity		2. Cooperative TIN	
		3. State Cooperative Entity Registered In	
4. Business Mailing Address <i>Street or PO Box</i>		5. Business Phone Number ()	
		6. Business Fax Number (<i>optional</i>) ()	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	7. Business Email (<i>optional</i>)
8. Name of Cooperative Manager			9. Cooperative Manager DOB

Section B – MS/CV Permits Obligated to Cooperative and Processor Obligation

MS/CV-Endorsed Permit Number	MS/CV Endorsement and CHA ID Number	Catch History Assignment	Obligated to MS Permit Number
GF		%	MS
Total This Page		%	
Total From Other Pages		%	
Total Coop Whiting Allocation (sum of all MS/CV-endorsed permit whiting catch history assignments)		%	

Section D – Certification of Applicant and Notary

This section must be completed by a notary to certify that the individual(s) have satisfactorily identified themselves.

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Notary Public Signature

ATTEST

Affix Notary Stamp or Seal Here

Date Commission Expires

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN, DOB, business phone number, fax number, email and contents of the cooperative agreement are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 4.00 hours per response (with coop agreement), including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**MOTHERSHIP PERMIT
CHANGE OF VESSEL REGISTRATION, PERMIT
OWNER, OR VESSEL OWNER APPLICATION
FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply for a change of vessel registration, permit owner or vessel owner for a mothership (MS) permit. To complete the application process, any Economic Data Collection surveys due from the MS permit applicant must be deemed complete by the NOAA/Northwest Fisheries Science Center. Please submit your current MS permit with the completed application form.

Section A - Action(s) Requested

Please check the box next to the action(s) requested, and complete the sections listed for each action.

Section B - Current Permit Information

List permit number, vessel name currently registered to the permit, and vessel registration number. List the permit owner name as given on the current permit, as well as the tax identification number (TIN) for business entities or date of birth (DOB) for individuals. Please provide the business mailing address, phone number, fax number and email address. The permit owner or authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form have satisfactorily identified themselves. By signing and dating the form, the applicant or authorized representative certifies that all information set forth in the form is true, correct and complete to the best of the applicant's knowledge or belief. The form will not be considered without the authorized representative's signature. NMFS may request that the authorized representative for a business entity include a copy of the corporate resolution or other document authorizing the individual to sign and certify on behalf of the business entity. The notary must sign and date this section, and affix a notary stamp or seal.

Section C - Change of Vessel Registered to Permit

If you are changing the vessel registered to the permit, please indicate the name and registration number of the current vessel on the left side of Section C, and list the name and registration number of the new vessel on the right side of Section C. List the length overall of both the current and new vessel. If the permit will not be registered to a vessel, indicate "unidentified" for the new vessel name.

Section D - New Permit Owner

List the new permit owner name, as well as the tax identification number (TIN) for business entities or date of birth (DOB) for individuals. Please provide the new permit owner's business mailing address, phone number, fax number and email address.

Section E - New Vessel Owner

List the new vessel owner name as given on the US Coast Guard Certificate of Documentation, as well as the tax identification number (TIN) for business entities or date of birth (DOB) for individuals. Please provide the new vessel owner's business mailing address, phone number, fax number and email address.



Supplemental Documentation

- Submit your current MS permit when you request any actions on this form.
- Submit the USCG certificate of documentation with any change of vessel registered to the MS permit or any change of vessel owner request.

<p>MOTHERSHIP PERMIT CHANGE OF VESSEL REGISTRATION, PERMIT OWNER, OR VESSEL OWNER APPLICATION FORM PACIFIC COAST GROUND FISH TRAWL RATIONALIZATION PROGRAM</p>	<p>UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration National Marine Fisheries Service, Northwest Region <i>Fisheries Permits Office</i> 7600 Sand Point Way NE, Bldg. 1 Seattle, WA 98115-0070</p> <p>Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov</p>	
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Section A - Action(s) Requested

Change of vessel registered to MS permit **(Complete sections B, C & E)**

Change of permit owner **(Complete sections B & D)**

Change of vessel owner **(Complete sections B & E)**

Section B - Current Permit Information

1. Permit Number MS	2. Name of Currently Registered Vessel	3. USCG Documentation Number
4. Current Permit Owner Name		5. TIN (if business) or DOB (if person)
6. Business Mailing Address <i>Street or PO Box</i>		7. Business Phone ()
		8. Business Fax (<i>optional</i>) ()
<i>City</i>	<i>State</i>	<i>Zip Code</i>
9. Business Email (<i>optional</i>)		

The remainder of Section B must be completed in the presence of a notary to certify that the individual(s) signing this form have satisfactorily identified themselves.

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Signature of Permit Owner or Authorized Representative	Date
--	------

Printed Name of Authorized Representative

Notary Public Signature	<input type="checkbox"/> ATTEST	Affix Notary Stamp or Seal Here
Date Commission Expires		

Section C - Change of Vessel Registered to Permit

CURRENT VESSEL	NEW VESSEL
1. Current Vessel Name	4. New Vessel Name
2. Current Vessel USCG Documentation Number	5. New Vessel USCG Documentation Number
3. Current Vessel Length Overall (in feet)	6. New Vessel Length Overall (in feet)

Section D - New Permit Owner

1. New Permit Owner Name		2. TIN (if business) or DOB (if person)	
3. Business Mailing Address <i>Street or PO Box</i>		4. Business Phone ()	
		5. Business Fax (<i>optional</i>) ()	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	6. Business Email (<i>optional</i>)
Are you eligible to own a documented vessel under the terms of 46 USC 12102 (a)? <input type="checkbox"/> YES <input type="checkbox"/> NO		Permit Sale Price (<i>optional</i>) \$ _____ (U.S. dollars)	

Section E - New Vessel Owner

1. New Vessel Owner Name		2. TIN (if business) or DOB (if person)	
3. Business Mailing Address <i>Street or PO Box</i>		4. Business Phone ()	
		5. Business Fax (<i>optional</i>) ()	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	6. Business Email (<i>optional</i>)

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN or DOB, business phone number, fax number, and email, applicant eligibility criteria and permit sale price are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 1.00 hours per response, including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**MOTHERSHIP PERMIT
RENEWAL FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply for the renewal of a mothership (MS) permit. To complete the renewal process, any Economic Data Collection surveys due from the MS permit owner must be deemed complete by the NOAA/Northwest Fisheries Science Center and the MS permit owner must submit a complete trawl identification of ownership interest form. An MS permit renewal is effective upon approval by NMFS.

Please make any changes as appropriate to the business addresses, phone numbers, fax numbers and email addresses listed below. Please respond to the mothership declaration question below. Sign, date, and return the form with payment. Any changes in the vessel registered to the permit, or a change of permit or vessel owner will require submission of a mothership permit change of vessel registration, permit owner, or vessel owner application form.

Mothership Permit Owner			
1. Permit Owner Name		2. Permit Number MS	
3. Business Mailing Address <i>Street or PO Box</i>		4. Business Phone ()	
		5. Business Fax (<i>optional</i>) ()	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	6. Business Email (<i>optional</i>)

Mothership Vessel Owner			
1. Vessel Owner Name			
2. Vessel Name		3. Vessel Registration Number	
3. Business Mailing Address <i>Street or PO Box</i>		4. Business Phone ()	
		5. Business Fax (<i>optional</i>) ()	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	6. Business Email (<i>optional</i>)

Mothership Declaration

As provided for at 660.150(f)(2)(i): If a vessel registered to the MS permit will operate as a mothership in the year for which the permit is renewed, the permit owner must make a declaration as part of the permit renewal that while participating in the whiting fishery it will operate solely as a mothership during the calendar year to which its limited entry permit applies. Any such declaration is binding on the vessel for the calendar year, even if the permit is transferred during the year, unless it is rescinded in response to a written request from the permit owner. Any request to rescind a declaration must be made by the permit holder and granted in writing by the Regional Administrator before any unprocessed whiting has been taken on board the vessel that calendar year.

Will the vessel registered to this mothership permit operate solely as a mothership in the Pacific Coast groundfish fishery for calendar year 2014?

YES **NO**

Please sign below to certify that the above information is true, correct and complete (edit if necessary) to the best of your knowledge and **return with: (1) a check or money order in the amount of \$135.00 made payable to U.S. Department of Commerce/NOAA and (2) a complete, notarized trawl identification of ownership interest form.**

Signature of Authorized Representative

Title (If corporate officer)

Date

Printed Name of Authorized Representative

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. Business phone number, fax number, and email are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 0.33 hours per response, including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**FIRST RECEIVER SITE LICENSE
APPLICATION FORM
PACIFIC COAST GROUND FISH
INDIVIDUAL FISHING QUOTA**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply or re-register for a first receiver site license (FRSL). A FRSL authorizes a buyer to receive, purchase, or take custody or control of an IFQ landing at the physical location of the facility given on the license. To complete the application process, any Economic Data Collection surveys due from the FRSL applicant must be deemed complete by the NOAA/Northwest Fisheries Science Center. The applicant must also submit supplemental documentation, described below. A first receiver site license is effective upon approval by NMFS.

Section A – First Receiver Site License Applicant Information

The applicant must provide the state and number of the state buyer/dealer license, and the legal name of the first receiver site license applicant as it will appear on the fish ticket. The buyer/dealer license must be issued by the state in which the receiving site is located as given in Section B. A copy of the state buyer/dealer license must be included with the application. Provide the tax identification number if the first receiver is a business entity or date of birth if an individual. Please provide the business mailing address, phone number, fax number and email address. NMFS will mail all pertinent information to the address of record, and NMFS will only store one address of record for each group. Please provide the name of contact person for NMFS to communicate with about the first receiver site license.

Section B – Site Information (Physical Location of Receiving Facility)

The applicant must provide the name of the owner of the receiving facility site where the IFQ landings will occur, the site owner's tax identification number (if business entity) or date of birth (if individual), the physical location of the receiving facility (**street address only**), city, state and zip code. Please provide the business phone number, fax number and email address for the receiving facility. Please provide the name of contact person for NMFS to communicate with who works at the site.

Section C – Small Business Certification

Read the information to determine if you are a small business according to the criteria listed. Check the appropriate box, yes or no.

Section D - Certification of Applicant and Notary:

The applicant or authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form has satisfactorily identified themselves. By signing and dating the form, the applicant or authorized representative certifies that all information set forth in the form is true, correct and complete to the best of the applicant's knowledge or belief. The form will not be considered without the authorized representative's signature. NMFS may request that the authorized representative for a business entity include a copy of the corporate resolution or other document authorizing the individual to sign and certify on behalf of the business entity. The notary must sign and date this section, and affix a notary stamp or seal.



Supplemental Documentation

The applicant must provide a **catch monitor plan** specific to the site given in Section B. The applicant must provide a copy of their **state buyer/dealer license** in the state where the receiving facility is located. The applicant must include a **check or money order for the application fee in the amount of \$175.00** made payable to: U.S. Department of Commerce/NOAA.

**FIRST RECEIVER SITE LICENSE
APPLICATION FORM
PACIFIC COAST GROUND FISH
INDIVIDUAL FISHING QUOTA**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

Section A – First Receiver Site License Applicant Information

1. State of Buyer/Dealer License (WA, OR, CA)			2. State Buyer/Dealer License Number		
3. First Receiver Site License Applicant Name			4. TIN (if business) or DOB (if person)		
			5. State Registered In (if business)		
6. Business Mailing Address <i>Street or PO Box</i>			7. Business Phone Number ()		
			8. Business Fax Number (<i>optional</i>) ()		
<i>City</i>	<i>State</i>	<i>Zip Code</i>	9. Business Email (<i>optional</i>)		
10. First Receiver Applicant Contact (who should NMFS contact about the license?)					

Section B – Site Information (Physical Location of Receiving Facility)

1. Owner of Receiving Facility			2. TIN (if business) or DOB (if person)		
3. Street Address (Physical Location of Receiving Facility) <i>Street</i>			4. Business Phone Number ()		
			5. Business Fax Number (<i>optional</i>) ()		
<i>City</i>	<i>State</i>	<i>Zip Code</i>	6. Business Email (<i>optional</i>)		
7. Site Contact (who should NMFS contact at the site?)					

Section C – Small Business Certification

As part of various rulemakings related to the Pacific Coast groundfish fishery, the National Marine Fisheries Service (NMFS) is required to analyze the effect of such regulations. To assist with these Regulatory Impact Reviews (RIR)/Initial Regulatory Flexibility Analysis (IRFA), NMFS must determine if permit and license owners participating in the fishery are big businesses or small businesses as defined by the Small Business Administration.

Small businesses. The Small Business Administration has established size criteria for all major industry sectors in the US, including fish harvesting and fish processing businesses.

- **A business involved in fish harvesting** is a small business if it is independently owned and operated and not dominant in its field of operation (including its affiliates) and if it has combined annual receipts not in excess of \$4.0 million for all its affiliated operations worldwide.
- **A seafood processor** is a small business if it is independently owned and operated, not dominant in its field of operation, and employs 500 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide.
- **A business involved in both the harvesting and processing of seafood products** is a small business if it meets the \$4.0 million criterion for fish harvesting operations.
- **A wholesale business servicing the fishing industry** is a small business if it employs 100 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide.
- **For marinas and charter/party boats**, a small business is one with annual receipts not in excess of \$7.0 million.

Small organizations. The Regulatory Flexibility Act defines **small organizations** as any nonprofit enterprise that is independently owned and operated and is not dominant in its field.

Small governmental jurisdictions. The Regulatory Flexibility Act defines **small governmental jurisdictions** as governments of cities, counties, towns, townships, villages, school districts, or special districts with populations of less than 50,000.

Are you a small business, small organization, or small governmental jurisdiction according to the standards outlined above? **Please check one box.**

YES **NO**

Section D – Certification of Applicant and Notary

This section must be completed by a notary to certify that the individual(s) have satisfactorily identified themselves.

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Notary Public Signature

ATTEST

Affix Notary Stamp or Seal Here

Date Commission Expires

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN or DOB, business phone number, fax number, and email, and the names of individuals listed as contacts are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 3.50 hours per response for new applicants, and 1.83 hours for re-registering applicants (with preparation of the catch monitor plan), including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**TRAWL IDENTIFICATION OF
OWNERSHIP INTEREST FORM
PACIFIC COAST GROUND FISH
TRAWL RATIONALIZATION PROGRAM**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to provide ownership information for individuals or businesses applying for or renewing: a quota share (QS) permit and account, a vessel account, a mothership (MS) permit, or a mothership catcher vessel (MS/CV) endorsed limited entry permit. Ownership interest information will assist NMFS in determining compliance with accumulation limits for ownership and control under the trawl rationalization program. Any individual or business applying for or renewing any of the above permits, accounts, or endorsements must document those individual persons that have an ownership interest in the amount of greater than or equal to 2 percent.

Please type or print legibly in ink. Attach additional sheets as necessary. Sign in ink, have your signature notarized, keep a copy for your records and mail the completed form to the address listed above.

Section A – Permit or Vessel Owner Identification

- **Field 1. Permit Number or Vessel Name and USCG or State Registered Vessel Number:** If you are submitting an ownership interest form with an application or renewal for a QS permit and account, or a renewal for an MS permit or MS/CV endorsed limited entry permit, list the permit number. If you are submitting an ownership interest form with an application or renewal for a vessel account, please provide the name of the vessel and its USCG or state registered vessel number.
- **Fields 2-3. Legal Name of Permit or Vessel Owner and TIN or DOB:** Enter the name of the business entity or individual that owns the permit or vessel. If a business entity, list tax identification number (TIN). If an individual person, list date of birth (DOB) using the format mm/dd/yyyy.
- **Field 4. State Registered In (if business):** If a business entity, list the state where that entity was established and is currently recognized as active.
- **Field 5. Business Mailing Address:** Enter the business mailing address, including street or PO Box number, city, state, and zip code where the item(s) should be sent. This information should match the information provided on the application or renewal form.
- **Field 6-8. Business Phone/Fax/Email:** List the business telephone and fax numbers, including area codes; fax number and email are optional. This information should match the information provided on the application or renewal form.

Section B – Identification of Shareholders and Partners

The intent of Section B (Parts 1 and 2) is to identify all of the individuals who control the business and their percent of ownership interest. Use as many pages as needed to list each entity down to the individual level. Please note that only ownership interest for shareholders with greater than or equal to 2% ownership interest in the business entity must be reported.

- **Part 1 – first level**

Part 1 must be filled with the business entities or individuals listed in Section A. List the TIN for business entities and the date of birth (DOB) for individuals. List the mailing address (if different than Section A), and the % ownership interest in the permit as listed in Section A. Please see examples below.

- Part 2 – second level**

If Part 1 included any business entities, Part 2 should be completed. For example, if Part 1 listed a business entity and an individual, only the business entity would need to be entered into Part 2. If the business entity is able to be listed to the individual level in Part 2, no further identification is needed. However, if Part 2 includes a business entity, you will need to list this ownership behind this entity. All business entities owning 2% or greater interest in the permit or vessel must be listed to the individual level. Please see examples below and print additional pages and write in “third level”, “fourth level”, etc. if needed.

Example A: jointly named owners, two individuals

Part 1

NAME	TIN/DOB	BUSINESS MAILING ADDRESS	% HELD
Ahab, Captain R	05/15/1959	1234 Petrale St, Astoria, OR 54321	75
Starbuck, Jim T	10/23/1963	PO Box 555, Newport, OR 54123	25
TOTAL OWNERSHIP =			100%

Part 2

NAME	DOB	BUSINESS MAILING ADDRESS	% HELD
business name from Part 1			
List individual names			
TOTAL OWNERSHIP =			%

Example B: jointly named owners, an individual and a business

Part 1

NAME	TIN/DOB	BUSINESS MAILING ADDRESS	% HELD
Dragger, Joe A	05/15/1959	3 Dover Lane Astoria, OR 54321	50%
Trawlers, Inc.	91-1234567	PO Box 70, Newport, OR 54123	50%
TOTAL OWNERSHIP =			100%

Part 2

NAME	DOB	BUSINESS MAILING ADDRESS	% HELD	
business name from Part 1				
Trawlers, Inc.				
List individual names	Ahab, Captain R	05/15/1959	1234 Petrale St, Astoria, OR 54321	55%
	Starbuck, Jim T	10/23/1963	PO Box 555, Newport, OR 54123	30%
	Ishmael, Mark S	03/07/1965	8 White Whale Dr. Newport, OR 54123	10%
	Queequeg, Warren G	07/23/1968	13 Wildside Blvd. Astoria, OR 54321	3%
TOTAL OWNERSHIP of Business 1 =			100%	

Example C: jointly named owners, two businesses

Part 1

NAME	TIN/DOB	BUSINESS MAILING ADDRESS	% HELD
Trawlers, Inc.	91-1234567	PO Box 70, Newport, OR 54123	30%
Big Boat, LLC	71-7654321	4 Ever Whiting Astoria, OR 54321	70%
TOTAL OWNERSHIP =			100%

Part 2

NAME	DOB	BUSINESS MAILING ADDRESS	% HELD	
business name from Part 1				
Trawlers, Inc.				
List individual names	Ahab, Captain R	05/15/1959	1234 Petrale St, Astoria, OR 54321	55%
	Starbuck, Jim T	10/23/1963	PO Box 555, Newport, OR 54123	30%
	Ishmael, Mark S	03/07/1965	8 White Whale Dr. Newport, OR 54123	10%
	Queequeg, Warren G	07/23/1968	13 Wildside Blvd. Astoria, OR 54321	5%
TOTAL OWNERSHIP of Business 1 =			100%	
business name from Part 1				
Big Boat, LLC				
List individual names	Hake, Jim C	06/03/1950	4 Ever Whiting Astoria, OR 54321	33 ^{1/3} %
	Hake, Brenda K	08/30/1954	4 Ever Whiting Astoria, OR 54321	33 ^{1/3} %
	Hake, Jr., Jim C	11/23/1975	12 Ever Whiting Astoria, OR 54321	33 ^{1/3} %
TOTAL OWNERSHIP of Business 2 =			100%	

Section C – Small Business Certification

Read the information to determine if you are a small business according to the criteria listed. Check the appropriate box, yes or no.

Section D – Certification of Applicant and Notary

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**TRAWL IDENTIFICATION OF OWNERSHIP INTEREST FORM
PACIFIC COAST GROUND FISH
INDIVIDUAL FISHING QUOTA**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

Section A – Permit or Vessel Owner Identification

1. Permit Number		Vessel Name		USCG or State Registered Vessel Number	
or					
2. Legal Name of Permit or Vessel Owner				3. TIN (if business) or DOB (if person)	
				4. State Registered In (if business)	
5. Business Mailing Address <i>Street or PO Box</i>				6. Business Phone Number ()	
				7. Business Fax Number (<i>optional</i>) ()	
<i>City</i>		<i>State</i>	<i>Zip Code</i>	8. Business Email (<i>optional</i>)	

**Section B – Identification of Shareholders and Partners
Part 1 – First Level**

NAME <i>(Last, First, Middle Initial)</i>	TIN or DOB	BUSINESS MAILING ADDRESS <i>(Street or PO Box, City, State, Zip Code)</i>	% INTEREST HELD
TOTAL OWNERSHIP =			%

Section B – Identification of Shareholders and Partners
Part 2 – Second Level

NOTE: Owners of a business entity from Section B – Part 1 above must be listed down to the level of individual persons that make up that business. If more than one business is listed, be clear which individuals belong to which business. If necessary, attach an additional sheet of paper with the information required below.

NAME <i>(Last, First, Middle Initial)</i>	TIN or DOB	BUSINESS MAILING ADDRESS <i>(Street or PO Box, City, State, Zip Code)</i>	% INTEREST HELD
Business Name 1 from Part 1			
TOTAL OWNERSHIP OF BUSINESS 1 =			%
Business Name 2 from Part 1			
TOTAL OWNERSHIP OF BUSINESS 2 =			%
Business Name 3 from Part 1			
TOTAL OWNERSHIP OF BUSINESS 3 =			%

Section C – Small Business Certification

As part of various rulemakings related to the Pacific Coast groundfish fishery, the National Marine Fisheries Service (NMFS) is required to analyze the effect of such regulations. To assist with these Regulatory Impact Reviews (RIR)/Initial Regulatory Flexibility Analysis (IRFA), NMFS must determine if permit and license owners participating in the fishery are big businesses or small businesses as defined by the Small Business Administration.

Small businesses. The Small Business Administration has established size criteria for all major industry sectors in the US, including fish harvesting and fish processing businesses.

- **A business involved in fish harvesting** is a small business if it is independently owned and operated and not dominant in its field of operation (including its affiliates) and if it has combined annual receipts not in excess of \$4.0 million for all its affiliated operations worldwide.
- **A seafood processor** is a small business if it is independently owned and operated, not dominant in its field of operation, and employs 500 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide.
- **A business involved in both the harvesting and processing of seafood products** is a small business if it meets the \$4.0 million criterion for fish harvesting operations.
- **A wholesale business servicing the fishing industry** is a small business if it employs 100 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide.
- **For marinas and charter/party boats**, a small business is one with annual receipts not in excess of \$7.0 million.

Small organizations. The Regulatory Flexibility Act defines **small organizations** as any nonprofit enterprise that is independently owned and operated and is not dominant in its field.

Small governmental jurisdictions. The Regulatory Flexibility Act defines **small governmental jurisdictions** as governments of cities, counties, towns, townships, villages, school districts, or special districts with populations of less than 50,000.

Are you a small business, small organization, or small governmental jurisdiction according to the standards outlined above? **Please check one box.**

YES **NO**

Section D – Certification of Applicant and Notary

This section must be completed by a notary to certify that the individual(s) have satisfactorily identified themselves.

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Notary Public Signature

ATTEST

Affix Notary Stamp or Seal Here

Date Commission Expires

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN or DOB, business phone number, fax number, and email are not released to the public. The names of individuals who have an ownership interest in an entity that owns a permit, vessel or processing plant and the actual percentage of ownership are considered business confidential and are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 0.75 hours per response for new entrants, and is estimated to average 5 minutes when pre-filled for renewing entities, including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 0.25 hours per response, including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

**QS PERMIT/ACCOUNT
APPLICATION FORM
PACIFIC COAST GROUND FISH
INDIVIDUAL FISHING QUOTA**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address given above to apply for a quota share (QS) permit and account. To complete the application process, any Economic Data Collection surveys due from the QS permit applicant must be deemed complete by the NOAA/Northwest Fisheries Science Center and the QS permit applicant must submit a complete trawl identification of ownership interest form. A QS permit is effective upon approval by NMFS.

Section A – QS Permit Applicant Information

The applicant must provide their full name as it will appear on the permit, as well as date of birth (for individuals) or tax identification number (if a business entity). Please provide the business mailing address, phone number, fax number and email address. NMFS will mail all pertinent information, including the user ID and password for the QS account and all renewals information, to the address of record.

Section B – Applicant Eligibility Certification

Applicants must certify their eligibility to own a QS permit, as outlined at 50 CFR 660.140 (d)(2)(i). Please read each question carefully and respond to each by checking the appropriate box.

Section C – Certification of Applicant and Notary

The applicant or authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form has satisfactorily identified themselves. By signing and dating the form, the applicant or authorized representative certifies that all information set forth in the form is true, correct and complete to the best of the applicant's knowledge or belief. The form will not be considered without the authorized representative's signature. NMFS may request that the authorized representative for a business entity include a copy of the corporate resolution or other document authorizing the individual to sign and certify on behalf of the business entity. The notary must sign and date this section, and affix a notary stamp or seal.



Supplemental Documentation

The applicant must submit a complete trawl identification of ownership interest form.

**QS PERMIT
APPLICATION FORM
PACIFIC COAST GROUND FISH
INDIVIDUAL FISHING QUOTA**

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



Phone (206) 526-4353 Fax (206) 526-4461 www.nwr.noaa.gov

Section A – QS Permit Applicant Information

1. Legal Name of Quota Share Permit Applicant		2. TIN (if business) or DOB (if person)	
3. Business Mailing Address <i>Street or PO Box</i>		4. Business Phone Number ()	
		5. Business Fax Number (<i>optional</i>) ()	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	6. Business Email (<i>optional</i>)

Section B – Applicant Eligibility Certification

The applicant must be eligible to own a QS permit. Please review the eligibility requirements as outlined below [and at 50 CFR 660.140 (d)(2)(i)], and respond to the following question.

Only the following persons are eligible to own QS permits:

- (A) A **United States citizen**, that is eligible to own and control a U.S. fishing vessel with a fishery endorsement pursuant to 46 U.S.C. 12113 (general fishery endorsement requirements and 75 percent citizenship requirement for entities);
- (B) A **permanent resident alien**, that is eligible to own and control a U.S. fishing vessel with a fishery endorsement pursuant to 46 U.S.C. 12113 (general fishery endorsement requirements and 75 percent citizenship requirement for entities); or
- (C) A **corporation, partnership, or other entity** established under the laws of the United States or any State, that is eligible to own and control a U.S. fishing vessel with a fishery endorsement pursuant to 46 U.S.C. 12113 (general fishery endorsement requirements and 75 percent citizenship requirement for entities). However, there is an exception for any entity that owns a mothership that participated in the west coast groundfish fishery during the allocation period and is eligible to own or control that U.S. fishing vessel with a fishery endorsement pursuant to sections 203(g) and 213(g) of the AFA.

Is the QS permit applicant eligible to own a QS permit, as outlined above?

YES **NO**

Section C – Certification of Applicant and Notary This section must be completed by a notary to certify that the individual(s) have satisfactorily identified themselves.	
<i>Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to certify this application on behalf of the applicant and completed this form, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.</i>	
Signature of Authorized Representative	Date
Printed Name of Authorized Representative	
Notary Public Signature <input type="checkbox"/> ATTEST	Affix Notary Stamp or Seal Here
Date Commission Expires	

WARNING STATEMENT: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR Part 904, a civil penalty up to \$100,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

PRIVACY ACT STATEMENT: Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. TIN or DOB, business phone number, fax number, and email, and applicant eligibility criteria are not released to the public. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing the instructions, searching 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 suggestions for reducing this burden to NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 660**

[Docket No. 130528511–3592–01]

RIN 0648–BD31

Fisheries off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial, Limited Entry Pacific Coast Groundfish Fishery; Program Improvement and Enhancement

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: This proposed action would implement revisions to the Pacific coast groundfish trawl rationalization program (program), a catch share program, and includes clarifications of regulations that affect the limited entry trawl and limited entry fixed gear sectors managed under the Pacific Coast Groundfish Fishery Management Plan (FMP). This action proposes to implement trailing actions for the program that either implement original provisions of the program, including quota share (QS) permit application and transfer regulations, increase flexibility or efficiency, or address minor revisions/clarifications.

DATES: Submit comments on or before August 19, 2013.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2013-0086, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/

- **#!docketDetail;D=NOAA-NMFS-2013-0086,** click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to William W. Stelle, Jr., Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–0070; Attn: Ariel Jacobs.

- **Fax:** 206–526–6736; Attn: Ariel Jacobs.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record

and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Written comments regarding the burden-hour estimates or other aspects of the collection of information requirements contained in this proposed rule may be submitted to William W. Stelle, Jr., Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–0070, and to OMB by email to OIRA_Submission@omb.eop.gov, or fax to 202–395–7285.

FOR FURTHER INFORMATION CONTACT: Ariel Jacobs, 206–526–4491; (fax) 206–526–6736; Ariel.Jacobs@noaa.gov.

SUPPLEMENTARY INFORMATION:**Background**

In January 2011, NMFS implemented the trawl rationalization program for the Pacific coast groundfish fishery’s trawl fleet (*see* 75 FR 78344; Dec. 15, 2010). The program was adopted in 2010 through Amendments 20 and 21 to the FMP and consists of an Individual Fishing Quota (IFQ) program for the shorebased trawl fleet (including whiting and non-whiting fisheries); and cooperative (coop) programs for the at-sea mothership and catcher/processor trawl fleets (whiting only). Since that time, the Pacific Fishery Management Council (Council) and NMFS have been addressing implementation issues as they arise, some of which are the subject of this proposed rule. This proposed action would include the following, by category of (a) implementation of original program, (b) increasing flexibility or efficiency, and (c) minor revisions/clarifications:

(A) Implementation of Original Program

1. Establish quota share (QS) permit application and QS transfer regulations,

(B) Increasing Flexibility or Efficiency

2. Clarify exceptions for lenders from control rules,

3. Change the opt-out requirement for quota pound (QP) deficits,

4. Eliminate double filing of co-op reports (November and March),

5. Revise first receiver site license requirements (FRSL), including site inspection and expiration date,

6. Remove end of the year ban on QP transfers between vessel accounts,

(C) Minor Revisions/Clarifications

7. Remove the term “permit holder” from groundfish regulations and replace with “vessel owner”, “permit owner”, or “owner of a vessel registered to a limited entry permit” as applicable,

8. Revise the process for a permit holder (vessel owner) to change their vessel ownership,

9. Clarify that the processor obligation may be to more than one MS permit,

10. Revise the mothership catcher vessel (MS/CV) endorsement restriction given severability,

11. Clarify sorting requirement for full retention so “predominant species” means only one species,

12. Clarify the accumulation limits calculation for compliance with the annual QP vessel limit in vessel accounts,

13. Add a prohibition against failing to establish a new vessel account, following a change in vessel ownership, prior to fishing in the Shorebased IFQ program, and

14. Add a prohibition against landing fish from an IFQ trip to a first receiver without a valid FRSL.

Each of these items is described in greater detail below, including sector(s) of the fishery impacted by the item, rationale for the proposed change, and a discussion of any relevant Council action pertaining to the item.

1. Establish QS Permit Application and QS Transfer Regulations

Proposed implementation of QS transfer regulations would only affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. The ability to transfer, after the first two years of the program, QS between participants in the Shorebased IFQ sector was approved under the original provisions of the program (*see* 75 FR 78344), however due to the Reconsideration of the Initial Allocation of Pacific whiting (whiting) to the Shoreside IFQ and Mothership sectors of the fishery, NMFS delayed QS transfer until January 1, 2014 for all species with the exception of widow rockfish (*see* 77 FR 45508 and 78 FR 18879). By implementing QS transfer regulations, including an application process for new entrants intending to purchase QS, this proposed action will increase flexibility and efficiency for members of this sector, and provide a pathway for new entrants to establish QS permits/accounts and purchase QS.

The Council selected a preliminary preferred alternative (PPA) at its March 2012 meeting to delay the implementation of QS transfer and

divestiture of QS held in excess of the accumulation limits in the shoreside IFQ sector, as well as severability and divestiture in the Mothership sector, pending resolution of the whiting reconsideration. At its September 2012 meeting, the Council recommended that the QS transfer and divestiture periods for the shoreside IFQ sector begin on January 1, 2014 with the deadline to divest shares in excess of the accumulation limits extended to December 31, 2015, and that MS/CV severability begin on September 1, 2014, with a delay of the deadline to divest endorsements and catch history assignments in excess of the accumulation limits extended to August 31, 2016. Therefore, this rule proposes to further develop the process for QS transfers and applications.

NMFS proposes to add a QS permit application process at § 660.140(d)(2)(iii) that would allow each unique QS permit applicant to submit a complete application form, including a Trawl Identification of Ownership Interest Form, between January 1 and November 30 of each year. This application period aligns with the proposed QS trading period below. Upon approval of a QS permit application, NMFS would issue a QS permit and associated QS account with a starting QS percentage balance of zero for each IFQ and individual bycatch quota (IBQ) species. If a QS permit application were denied, an initial administrative determination (IAD) would be mailed to the applicant, who could then appeal the IAD as described at § 660.25(g), subpart C.

NMFS also proposes regulations to more clearly define the process for transfers of QS percentages. All QS permit owners with a renewed QS permit would be able to permanently transfer percentages of QS to other QS permit owners through their online QS account between January 1 and November 30 of each year. Like QP transfers, any transfer of QS would need to be both initiated by the transferor and accepted by the transferee to be a complete transaction. QS would be transferred in increments to the thousandth of a percent (0.001 percent). Any transfer of QS would be registered in the QS account in the current year, but would not be effective for the purposes of allocating QP until the start of the following year. For example, if QS Permit Owner A sold 1.000 percent of Pacific whiting to QS Permit Owner B, the sale of QS would be effective at the time the transfer was accepted by QS Permit Owner B, but no QP would be associated with the sale (QP cannot be transferred between QS accounts—only

to vessel accounts). QS Permit Owner A would continue to receive any allocations of Pacific whiting pounds based on the 1.000 percent sold for the remainder of the year. On November 30 of that year (the end of the QS trading period), if QS Permit Owner B still owned the 1.000 percent of Pacific whiting that he purchased from QS Permit Owner A, the QS permit mailed by NMFS would reflect the updated amount of Pacific whiting owned for the following year, and any QP allocated to that 1.000 percent in the following year would be issued to QS Permit Owner B.

Essentially, the QS permit would reflect the amount of QS owned for the purposes of allocating QP in a current year. Regardless of how many QS transfers are made in a given year by the original owner of QS (as given on the QS permit, effective January 1), the original owner will be allocated the QP associated with those percentages. Not until the start of the following year will the new owner(s) of those percentages have the percentages listed on their QS permit and receive the allocation of QP associated with those percentages in their QS account.

Additionally, revisions are proposed for the regulations at § 660.140(d)(3)(i)(C) and (d)(3)(ii)(B)(2) that clarify the renewal of QS permits. Currently, all QS permit owners must renew online through the QS account during the October 1–November 30 renewal period each year. Any QS permit owner who does not renew their permit during the renewal period will have their QS account inactivated, and will not receive any allocations of QP based on their QS percentages. The QS permit owner cannot renew their QS permit until the next October 1–November 30 renewal period. Two changes to these current regulations are proposed: (1) Prohibit the transfer of QS to and from QS permits/accounts that have not been renewed, and (2) implement a paper renewal application process for QS permit owners who did not renew their QS permit online during the October 1–November 30 renewal period. The first proposed change to prohibit the transfer of QS to and from QS permits/accounts that have not been renewed aligns with the current process of inactivating accounts associated with non-renewed QS permits. The second proposed change would allow QS permit owners who did not renew their QS permit online during the previous year's renewal period to submit a paper renewal package (QS permit renewal form and Trawl Identification of Ownership Interest Form) after January 1 of the following year. If the paper QS permit renewal was approved in the

current year, the QS permit owner would be able to transfer percentages of QS from the time they renew until November 30 of that year. NMFS would not allocate any QP to the QS account until the following calendar year provided they renew during the October 1 to November 30 renewal period of the current year.

For example, if QS permit owner A failed to renew online for the 2014 calendar year by November 30, 2013, QS permit owner A would not be allocated any 2014 QP, and could not transfer QS. If QS permit owner A renews via paper renewal on February 1, 2014, and is approved, they could transfer QS from the time of approval until November 30, 2014; QS permit owner A would not be allocated any QP for 2014. If QS permit owner A renews online for the 2015 calendar year by November 30, 2014, QS permit owner A would be allocated 2015 QP, and could transfer QS in 2015.

2. Clarify Exceptions for Lenders From Control Rules

This proposed action would only affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and November 2012 Council meetings. At the March 2012 meeting, the Council recommended language that clarified which entities could qualify for exemption from the control rules in response to questions from fishery participants. Further revisions to the control rules were proposed by the Council at the November 2012 meeting.

The current regulations at § 660.140(d)(4)(iii) define control rules for eight categories of participants, with exceptions to three of the categories (§ 660.140(d)(4)(iii)(E–G)) for “banks and other financial institutions that rely on QS or IBQ as collateral for loans”. The Council motion proposes to add language to the control rules specifying that to qualify as a bank or financial institution for purposes of this paragraph the entity must be regularly or primarily engaged in the business of lending and not engaged in or controlled by entities whose primary business is the harvest, processing, or distribution of fish or fish products. Additionally, the proposed language would require that any lender that wishes to qualify for the exception, and is not a state or federally chartered bank or other financial institution, must disclose to NMFS the identity and share of interest of any entity with a two percent or more ownership interest in the lender, in a manner similar to what is required for the Trawl Identification of Ownership Interest Form as described at § 660.140(d)(4)(iv). Additional

revisions were proposed to make it clear that lenders could access available QP during foreclosure, thereby reducing lenders' risk, and making it more likely that there will be adequate access to financing, and to best facilitate lending in the fishery by providing lenders with security so that they will not run afoul of the control rules by using QS as collateral, and that lenders will be able to protect their interest in that collateral by preventing sale, lease, or other disposition of the QS, QP, or IBQ in the event of a foreclosure.

Therefore NMFS proposes, in accordance with the Council recommendation, to add subparagraphs (1) through (3) at § 660.140(d)(4)(iii)(G) that clarify the existing exception for banks and other financial institutions that rely on QS or IBQ as collateral for loans. NMFS proposes that to qualify for this exception, a bank or other financial institution must be regularly or primarily engaged in the business of lending and not engaged in or controlled by entities whose primary business is the harvesting, processing, or distribution of fish or fish products. NMFS further proposes that any entity that is not a state or federally chartered bank or financial institution, must submit a letter requesting the exception, and disclose the identity and interest share of any shareholder with a 2% or more ownership interest in the lender through submission of the Trawl Identification of Ownership Interest Form; NMFS will only accept complete applications. Additionally, NMFS proposes to add the revised exception to paragraph (C) at § 660.140(d)(4)(iii), to remove the existing exception from paragraphs (E) and (F), and to add the clause "with the exception of those activities allowed under paragraphs C

and G" at the end of paragraphs (A), (B), (D), (E), (F), and (H).

3. Change the Opt-Out Requirement for QP Deficits

This proposed action would only affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended changing the opt-out requirement for QP deficits lasting more than 30 days in order to allow vessels to rejoin the fishery after deficits are cleared. Under existing regulations, any vessel with a documented deficit is prohibited from fishing groundfish and is required to cure the deficit within 30 days. If a vessel carries a deficit for more than 30 days and the amount of the deficit is within the carryover allowance, then the vessel can stay within compliance of the program by opting out of the fishery for the remainder of the year. Vessels that do not opt out, but instead incur a violation, are allowed to rejoin the fishery as soon as the deficit is cured. Deficits greater than the carryover allowance must be brought to within the carryover allowance before the 30-day clock expires, or the vessel will incur a violation.

The 30-day clock with the provision allowing vessels to opt-out for the remainder of the year was originally intended to encourage vessels to cover their overages sooner rather than later. A variety of circumstances may arise under which a vessel incurs a deficit. Current regulations give the vessel two choices, each with potentially substantial adverse consequences: (1) Incur a violation, including the penalty, and preserve the opportunity to participate later in the year, or (2) leave the fishery and forgo all remaining

opportunity for the year (unused QP might be sold off to other vessels). Vessels that have carried a known deficit for more than 30 days may avoid a violation by opting out of the fishery for the remainder of the year (so long as the deficit is less than the carryover allowance).

As described above, this provision creates a situation in which a vessel that incurs a violation is allowed to continue in the fishery while a vessel that stays in compliance must opt out for the remainder of the year. Furthermore, to date there have been three events where a vessel was in deficit and approached the 30-day time period before covering their deficit. However, none of them opted-out of the fishery and all were able to cover their deficits within 30 days. While vessels have not been using the opt-out provision, it is uncertain whether or not they have had to pay higher prices for QP in order to avoid being forced into the opt-out/violation choice. Some view this situation as inequitable. Therefore NMFS proposes to change the regulations at § 660.140(b)(1)(iii) and (e)(5)(ii)(A) such that once a vessel has cured a deficit, it may rejoin the fishery, without incurring a violation. NMFS also proposes to remove the phrase "however, the vessel owner must notify OLE of the owner's intent to invoke the carryover provision to cover the deficit" from the end of paragraph (A). This requirement is no longer necessary because surplus carryover is not credited to vessel accounts until the spring, and therefore vessel owners with a deficit at the end of a calendar year would have no way to cover that deficit with surplus carryover pounds within the 30-day limit. The following table describes the changes proposed by these revisions.

Table 1. Implications of the alternatives for vessels incurring a deficit that is within the carryover allowance.

Situation of Vessels Incurring a Deficit	Status Quo	Alternative
Vessel covers deficit within 30 days	Vessel <u>not in violation</u> . Vessel <u>can re-enter</u> the fishery as soon as deficit is covered.	Vessel <u>not in violation</u> . Vessel <u>can re-enter</u> the fishery as soon as deficit is covered.
Vessel <u>opts out</u> by 30 days and covers deficit later	Vessel <u>not in violation</u> . Vessel <u>must stay out</u> of the fishery the entire year.	Vessel <u>not in violation</u> . Vessel <u>can re-enter</u> the fishery as soon as deficit is covered.
Vessel <u>does not opt out</u> and covers deficit later	Vessel <u>in violation</u> . Vessel <u>can re-enter</u> the fishery as soon as deficit is covered.	Vessel <u>in violation</u> . Vessel <u>can re-enter</u> the fishery as soon as deficit is covered.

Vessels with deficits **greater than the deficit carryover allowance** may not avoid a violation by opting out by 30 days.

4. Eliminate Double Filing of Coop Reports

This proposed action would only affect the Mothership (MS) and Catcher/Processor (C/P) sectors of the Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended eliminating the required annual filing of a preliminary coop report in November, leaving in place the requirement that a final report be submitted in March of the following year.

Currently both MS and C/P coops are required to submit to the Council a preliminary annual report in November and to NMFS a final annual report by March 31 of the following year. Because the fishery is not completed on time for the November meeting and a subsequent final report must be provided by March 31 of the following year, the preliminary report is not necessary. Therefore, NMFS proposes to revise the regulations at § 660.113(c)(3) and at § 660.113(d)(3) to require that both the MS and C/P coops submit an annual, final report to both NMFS and the Council in March of the following year.

5. Revise FRSL Requirements, Including Site Inspection and Expiration Date

This proposed action would only affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended making several changes to the FRSL regulations in order to make the application process more efficient, to reduce costs of the program, and to decrease the burden on applicants.

Therefore, NMFS proposes to make the following revisions at § 660.140(f)(5): (1) All FRSL will be valid from the effective date identified on the license until June 30; (2) each FRSL holder must have a site inspection for the site given on the license at least once every three years (instead of annually, as currently required); (3) NMFS may require a site inspection more frequently than once every three years as it deems necessary; (4) NMFS may require the presence of a FRSL holder representative at a site inspection, and a site inspection may not be conducted if the FRSL holder fails to make available such a requested representative at the time of inspection; and (5) NMFS may require changes to the catch monitor (CM) plan, and may require that the FRSL holder demonstrate such changes have been

implemented at the site prior to acceptance of the FRSL CM plan, which is a requirement for a complete application for a FRSL.

NMFS also proposes further clarifications to the re-registration process at § 660.140(f)(6). First receivers must submit a re-registration application annually, regardless of whether a site inspection is required in that year. For all FRSL holders who submit a complete re-registration application, NMFS will notify those FRSL holders who will be required to have a site inspection during that year. NMFS will mail a FRSL re-registration application to existing license holders on or about February 1 each year. All FRSL will expire on June 30, and those FRSL holders who want to continue to receive IFQ landings without a lapse in their license and have their re-registered license effective beginning on July 1 must submit their complete re-registration application by April 15. For those FRSL holders who submit a re-registration application after April 15 of a given year, NMFS may not be able to issue the license by July 1 of that year, resulting in a lapse of their current FRSL.

6. Remove End of the Year Ban on QP Transfers Between Vessel Accounts

This proposed action would only affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended that the December 15–31 prohibition on QP transfers between vessel accounts be removed. Under current regulations at § 660.140(e)(3)(iii)(B), the transfer of QP between vessel accounts was prohibited from December 15–31 in order to allow NMFS to complete any needed end-of-the-year account reconciliation. However, over 2011 and through the PIE 1 rule (effective January 1, 2012), NMFS developed and implemented an end-of-the-year account reconciliation process that doesn't occur during December 15–31, but occurs early the following year once more complete catch data are available. Therefore, NMFS proposes that the regulations at § 660.140(e)(3)(iii)(B) be revised to remove the December 15–31 ban on QP transfers between vessel accounts.

7. Remove the Term “permit holder” and Change to “vessel owner”, “permit owner”, or “owner of a vessel registered to a limited entry permit” as Applicable

This proposed action would affect all members of the commercial, limited entry Pacific Coast Groundfish fishery.

In regulation, the term “permit holder” is the owner of a vessel registered to a limited entry permit. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended that due to confusion among the regulated public regarding who is responsible for regulatory compliance, the term “permit holder” should be removed from regulations and replaced by “vessel owner” or “owner of a vessel registered to a limited entry permit.” In some cases, the regulated public has used the term “permit owner” and “permit holder” interchangeably, which is not accurate. According to regulations, the permit owner registers their permit to be fished by a particular vessel, causing the vessel owner to be the holder of the permit. “Permit holder” and “vessel owner” are used interchangeably in regulation while the public uses the term “permit holder” and “permit owner” interchangeably—causing confusion. In an effort to make the regulations more clear, NMFS proposes to remove the definition for “permit holder” at § 660.11, and to replace “permit holder” at § 660.25(b)(3)(ii) with “vessels registered to limited entry permits”; to replace “permit holder” with “vessel owner” in § 660.25(b)(3)(iv)(C)(4), § 660.25(b)(4) introductory text, § 660.25(b)(4)(iv) introductory text, § 660.25(b)(4)(iv)(A) and (C), § 660.25(b)(4)(v)(D), § 660.25(b)(4)(vi)(B), § 660.25(b)(4)(vii)(A) through (C), (g)(1), in § 660.213(d)(2), and in § 660.231(b)(1); to replace “permit holder” with “vessel holding the permit” in § 660.25(b)(4)(iv)(B); and, to replace “permit holder” in § 660.150(d)(1)(iii)(A)(1)(i) with “permit owners”.

8. Revise the Process for a Permit Holder (Vessel Owner) To Change Their Vessel Ownership

This proposed action would affect all members of the commercial, limited entry Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recognized that the regulations at § 660.25(b)(4)(iv) do not clearly describe the process for a permit holder (vessel owner) to request a change in vessel ownership. NMFS proposes to revise these regulations to clarify the process for a vessel owner to request a change in vessel ownership through the Fisheries Permits Office (FPO). The request would include a requirement for a copy of the new vessel registration documentation (USCG or state). Based

on this provision and review of the regulations, NMFS proposes to revise and clarify not only the process to change the ownership of a vessel (i.e., change in vessel owner), but also the process to change the permit registered to a vessel and to change the owner of a limited entry permit. NMFS proposes to revise § 660.25(b)(4)(iv), (v), (vii), and (viii) accordingly.

9. Clarify That the Processor Obligation Could Be to More Than One MS Permit

This proposed action would affect all members of the Mothership sector of the commercial Pacific Coast Groundfish fishery. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended that the regulations regarding the processor obligation should be clarified such that a permit with multiple MS/CV endorsements may obligate each endorsement and associated catch history assignment (CHA) to an MS permit. For example, a trawl permit with two MS/CV endorsements could obligate each endorsement to a different MS permit. Each distinct MS/CV endorsement and associated CHA may only be obligated to one MS permit.

This clarification is a logical extension of allowing multiple endorsements to be registered to a single permit and of the regulations at § 660.150(c)(2)(i)(A) on annual MS sector sub-allocations and at § 660.150(g)(2)(iv)(D) on multiple MS/CV endorsements that allow a permit with multiple MS/CV endorsements and associated CHAs to be registered to more than one coop or to both the coop and non-coop fishery (76 FR 74725, published on December 1, 2011). Therefore, NMFS proposes to revise regulations at § 660.150(c)(7)(i) in order to clarify that the processor obligation could be to more than one MS permit. Additionally, NMFS proposes to revise regulations at § 660.150(g)(2)(iv)(D) in order to clarify the process for a permit with multiple MS/CV endorsements that intends to participate in the non-coop fishery. NMFS also proposes to revise regulations at § 660.25(b)(3)(vii) to remove MS/CV endorsements from the list of endorsements that cannot be transferred separate from the limited entry permit.

10. Revise MS/CV Endorsement Restriction Given Severability

This proposed action would affect all members of the Mothership sector of the commercial Pacific Coast Groundfish fishery. This item was not discussed at a Council meeting, but is a minor revision to the regulations proposed by

NMFS. The final Reconsideration of the Allocation of Whiting Rule (78 FR 18879) was effective on April 1, 2013 and allowed limited entry trawl permit holders in the Mothership fishery to request a change (or transfer) of MS/CV endorsement and its CHA beginning September 1, 2014 and required MS/CV-endorsed limited entry trawl permit owners to divest themselves of ownership in permits in excess of the accumulation limits by August 31, 2016. NMFS proposes to revise regulations at § 660.25(b)(3)(vii) to remove MS/CV endorsements from the list of endorsements that cannot be transferred separate from the limited entry permit.

11. Clarify Sorting Requirement for Full Retention so "predominant species" Means Only One Species

This proposed action would affect the Pacific Coast Groundfish trawl fishery. This item was not discussed at a Council meeting, but is a minor revision to the regulations proposed by NMFS. Currently, the sorting and weighing requirements for full retention fisheries are not clear regarding use of the term "predominant species". Currently the regulations at § 660.112(b)(2)(ii), § 660.130(d)(2)(i), § 660.140(j)(2)(viii), and § 660.140(j)(2)(ix) specify sorting requirements for fish processed by IFQ first receivers. Generally catch must be sorted prior to first weighing, however there is an exception provided to vessels declared into the Shorebased IFQ Program such that they may weigh catch prior to sorting, and then all but the "predominant species" must be reweighed. Use of the term "predominant species" has created confusion because "species" may be interpreted to be singular or plural, however as the term is used in this exception, there can only be a single predominant species identified prior to re-weighing, post-sorting, or it becomes extremely difficult to derive the weight of the predominant species by deducting the combined weight of incidental catch from total catch weight. This exception is also provided to the at-sea sectors of the Pacific whiting fishery at § 660.130(d)(3)(i). For fish processed by Pacific whiting at-sea processing vessels, these regulations specify that catch may be weighed prior to sorting and that then all but the predominant species must then be reweighed. The use of "predominant species" in this section of regulations should also refer to a single predominant species for the reasons described above for the Shorebased IFQ Program.

Therefore, "predominant species" should refer to a single species, for

example in the case of whiting directed trips, it should refer to Pacific whiting. NMFS proposes to revise the regulations at § 660.112(b)(2)(ii), § 660.130(d)(2)(i), § 660.130(d)(3)(i), § 660.140(j)(2)(viii), and § 660.140(j)(2)(ix) to clarify that the term "predominant species" refers to a single species.

In reviewing the associated regulatory paragraphs on sorting requirements, it was discovered that PIE 1 (which revised the sorting/weighting requirement for non-whiting IFQ) failed to revise this paragraph. NMFS also proposes a minor revision at § 660.12(a)(8) to remove the reference to "Pacific whiting sectors" because the exception applies to non-whiting IFQ as well. This is a minor change resulting from an oversight in PIE 1 (see 76 FR 54888). NMFS also proposes to revise § 660.130(d)(2)(ii) for this same reason and remove "Pacific whiting" from before "IFQ trip".

12. Clarify Accumulation Limits Calculation for Compliance With the Annual QP Vessel Limit in Vessel Accounts

This proposed action would affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was not discussed at a Council meeting, but is a minor revision to the regulations proposed by NMFS. The current description of how annual QP vessel limits are tracked is misleading. NMFS proposes to revise regulations at § 660.140(e)(4)(i) to clarify that the QP counted toward the annual allowable vessel limit is calculated as all QP transferred into a vessel account less all QP transferred out of a vessel account; pending transfers are not included in this calculation until the transaction has been finalized. The method for calculating the annual vessel limit must be independent of catch (used QP) because vessel accounts in deficit could potentially exceed the vessel limit. The calculation for daily vessel limits (unused QP vessel limits) remains the same.

13. Add a Prohibition Against Failing To Establish a New Vessel Account Following a Change in Vessel Ownership and Prior to Fishing in the Shorebased IFQ Program

This proposed action would affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was not discussed at a Council meeting, but is a minor revision to the regulations proposed by NMFS. Current regulations at § 660.140(e)(2)(ii) and (e)(3)(ii) state that any change in vessel ownership, including a change in the legal name of the vessel owner(s), will require the new

owner to register with NMFS for a vessel account. When the owner of a vessel changes, the new owner must request a new vessel account in their name and acquire QP, and may not fish against QP in the old owner's vessel account. Consistent with these regulations, NMFS proposes to add a corresponding prohibition at § 660.112(b) against failing to establish a new registered vessel account in the name of the current vessel owner following a change in ownership of a vessel and prior to fishing in the Shorebased IFQ Program with that vessel.

14. Add a Prohibition on Landing Fish From an IFQ Trip to a First Receiver Without a Valid FRSL

This proposed action would affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. This item was not discussed at a Council meeting, but is a minor revision to the regulations proposed by NMFS. Current regulations at § 660.140(f)(1) state that the FRSL authorizes the holder to "to receive, purchase, or take custody, control, or possession of an IFQ landing." Consistent with this regulation, NMFS proposes to add a corresponding prohibition at § 660.112(b) against landing groundfish taken and retained during an IFQ trip, from the vessel that harvested the fish, to a first receiver that does not hold a valid first receiver site license for the physical location where the IFQ landing occurred.

Classification

Pursuant to section 304(b)(1)(A) of the MSA, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the Pacific Coast Groundfish FMP, other provisions of the MSA, and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

A Regulatory Impact Review (RIR) was prepared on the action in its entirety and is included as part of the initial regulatory flexibility analysis (IRFA) on the proposed regulatory changes. The IRFA and RIR describe the impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for this action are contained at the beginning of this section in the preamble and in the **SUMMARY** section of the preamble. A copy of the IRFA is available from NMFS (see **ADDRESSES**) and a summary of the IRFA, per the requirements of 5 U.S.C. 603(a), follows:

These regulations are largely administrative in nature and their economic effects are minor in the context of the entire program. In sum, in addition to minor clarifications to terms used within the existing regulations and minor changes in existing application and renewal processes, these proposed regulations: (1) Establish the administrative QS application and trading processes that support the quota share trading regulations that already have been established; (2) reduce the annual reporting burden on the two at-sea coops—instead of providing a preliminary report and final report, the only requirement is to provide a final report; (3) reduce the annual reporting burden on First Receivers as the mandatory scheduling of First Receiver Site License inspection is being shifted from an annual inspection cycle to a triennial cycle unless issues arise; (4) provide an additional two weeks to IFQ fishermen to trade their QPs; (5) increase fishermen's flexibility by allowing fishermen that opt out of the fishery for the year, a chance to return to the fishery in that same year should they resolve their deficits; and, (6) increase the availability of loans to fishermen by providing non-traditional lenders increased opportunity to make additional loans should they be inhibited by the ownership and control limits.

This proposed action includes regulations that implement the original program, increase the flexibility of the program, or make minor revisions/clarifications to the regulations. Relative to the other regulations being proposed, the following will have an impact on the operation of the fishery. The proposed regulations include the administrative processes that implement QS transfer regulations that already have been established. These processes facilitate the trading of QS so that major benefits of the Program can be achieved. (The major economic benefits of this Program are described at 75 FR 78365.) The regulatory reporting burden of existing regulations is being reduced. The mandatory scheduling of First Receiver Site License inspection is being shifted from an annual inspection cycle to a triennial cycle unless issues arise. The annual reports required by each of the two at-sea co-ops reduced from two reports to one per year. Fishermen are being given more time to fish and more options to resolve any deficits they incur. Current rules include a process by which fishermen can opt-out of the fishery for the year when faced with a deficit in their accounts. This process is revised to allow fishermen to re-enter

the fishery within the year if they have resolved their deficit though the transfer of additional QPs into their vessel account. To facilitate NMFS' end of the year reconciliation processes, there was a ban on trading QPs from December 15 to December 31. Because it has confidence in its accounting system, NMFS is now lifting this ban so QPs can be traded all year round. The proposed regulations enhance the ability of non-traditional lenders to provide loans to the industry. To prevent excessive control of quota shares or quota pounds by a participant, NMFS developed various regulations. Within these regulations, exceptions were made for banks or financial institutions that are state or federally chartered as these entities are expected to be regularly or primarily engaged in the business of lending and not engaged in or controlled by entities whose primary business is the harvesting, processing, or distribution of fish or fish products. However, there are non-traditional financial institutions such as non-profit revolving loan programs that are not state or federally chartered. These regulations propose a process where, on a case-by-case basis, these non-traditional lenders can request an exception to the control limits.

While this rule has minor clarifications that affect all limited entry permit holders and vessels, this rule mainly affects the following sectors/programs: Shorebased Individual Fishing Quota (IFQ) Program—Trawl Fishery, Mothership Coop (MS) Program—Whiting At-sea Trawl Fishery, and Catcher-Processor (C/P) Coop Program—Whiting At-sea Trawl Fishery. The Shorebased IFQ fishery is managed with individual fishing quotas for most groundfish species, including whiting. Annually, QP are allocated from the shorebased sector allocation based on the individual QS of each QS owner. (QP is expressed as a weight and QS is expressed as a percent of the shorebased allocation for a given species or species group.) QP may be transferred from a QS account to a vessel account or from one vessel account to another vessel account. Vessel accounts are used to track how QP is harvested since QP is used to cover catch (landings and discards) by limited entry trawl vessels of all IFQ species/species groups. Shorebased IFQ catch must be landed at authorized first receiver sites. The IFQ whiting QS were allocated to a mixture of limited entry permit holders and shorebased processors. One non-profit organization received QS based on the ownership of multiple limited entry permits. The MS coop sector can consist

of one or more coops and a non-coop subsector. For a MS coop to participate in the Pacific whiting fishery, it must be composed of MS catcher-vessel (MS/CV) endorsed limited entry permit owners. Each permitted MS coop is authorized to harvest a quantity of whiting based on the sum of the catch history assignments for each member's MS/CV endorsed permit identified in the NMFS accepted coop agreement for a given calendar year. Each MS/CV endorsed permit has an allocation of whiting catch based on its catch history in the fishery. The catch history assignment (CHA) is expressed as a percentage of whiting of the total MS sector allocation. Currently the MS sector is composed of only a single coop. The C/P coop program is a limited access program that applies to vessels in the C/P sector of the Pacific whiting at-sea trawl fishery and is a single voluntary coop. Unlike the MS coop regulations where multiple coops can be formed around the CHAs of each coop's member's endorsed permit, the single C/P coop receives the total Pacific whiting allocation for the C/P sector. Only C/P endorsed limited entry permits can participate in this coop. The Shorebased IFQ Program is composed of 138 QS permits/accounts, 144 vessel accounts, and 51 first receivers. The MS coop fishery is composed of six mothership processor permits and 35 MS/CV endorsed permits. The C/P coop is composed of 10 catcher-processor permits. In 2012, these fleets generated about \$79 million in ex-vessel revenue: \$11 million by the MS sector, \$16 million by the CP sector, and \$52 million by the Shorebased IFQ Program.

This proposed rule also proposes changes concerning exemptions for lenders from the control rules and revisions to the opt-out provisions. In Amendment 20 to the FMP, limits (by species group and area) on the amount of QS an individual can control (i.e. control limits) and limits on the amount of QPs that may be registered to a vessel for use in a given year (i.e. accumulation limits—sometimes referred to as species caps). The intent of these limits is to prevent excessive control of QS or QP by a participant. The MSA specifically requires the establishment of a maximum share that each limited access privilege holder is permitted to hold, acquire, or use. In defining the term “control” banks and other financial institutions were excluded. Although banks and other financial institutions may rely on QS or IBQ as collateral for loans they are not expected to restrict any activity related to QS, QP, or IBQ in ways that constitute “control.”

However, there is concern about both whether the entities qualifying for this exception are sufficiently defined—especially for non-traditional lenders such as nonprofit revolving loan funds.

Public comment received from the California Fisheries Fund (CFF) illustrates the issue (http://www.pccouncil.org/wp-content/uploads/E7c_PC_NOV2011BB.pdf). “We have already begun to make loans to participants in the groundfish trawl IFQ fishery for vessel purchase and upgrades and gear upgrades/modifications. Two of our loans (one for vessel upgrades and one for gear purchase) are secured in part by QS. We expect to make further loans for quota leasing/acquisition and to aid young new participants in entering the fishery. Many of these loans will likely be secured (in whole or in part) with quota shares or quota pounds as collateral. Unfortunately, proposed language under consideration by the Council exempts only state- and federally-chartered institutions from the control caps. This language would not allow CFF, RSF Social Finance (www.rsfsocialfinance.org) and perhaps other likely lenders to avail themselves of the safe harbor. We are concerned that our lending would be seriously curtailed by such language. While we are concerned about exceeding the control cap generally, CFF would be even more likely to exceed the control cap on a species-by-species basis. Since not all permits were allocated quota on an equal basis, as few as 2 permits pledged as collateral could push us over those species caps. A good example of this is Yelloweye rockfish—several permits appear to have been allocated more than 1% QS and the control cap is only 2.6%.”

Given the nature and variety of financial institutions, it is difficult to develop an explicit exception that encompasses non-traditional lenders. Therefore, NMFS is proposing an exception process for financial institutions that are not banks. A bank or financial institution is defined as a state or federally chartered entity that must be regularly or primarily engaged in the business of lending and not engaged in or controlled by entities whose primary business is the harvesting, processing, or distribution of fish or fish products. Any non-bank entity that wishes to qualify for this exception must submit a letter requesting the exception and a Trawl Identification of Ownership Interest Form. All shareholders that have a two percent or more ownership interest share in the lender must be identified. The lender must make subsequent

annual submissions of the Trawl Identification of Ownership Interest Form to maintain the exception.

The proposed action to change the opt-out requirement for QP deficits would only affect the Shorebased IFQ sector of the Pacific Coast Groundfish fishery. NMFS is proposing changes to the “opt-out” requirements because inequities between a vessel that incurs a violation and is allowed to continue in the fishery compared to a vessel that stays in compliance and opts-out for the remainder of the year—relying on future carryover pounds to resolve any deficit. The changes to the opt-requirements allow vessels that opt out the ability to return to the fishery if at some time during the year, the vessel resolves its deficit issue. This item was addressed by the Council at the March and April 2012 Council meetings. At its April 2012 meeting, the Council recommended changing the opt-out requirement for QP deficits lasting more than 30 days, in order to allow vessels to rejoin the fishery after deficits are cleared. Under the status quo, any vessel with a documented deficit is prohibited from fishing groundfish and is required to cure the deficit within 30 days. If a vessel carries a deficit for more than 30 days and the amount of the deficit is within the carry-over allowance, then the vessel can stay within compliance of the program by opting out of the fishery for the remainder of the year. Vessels which do not opt out, but instead incur a violation, are allowed to rejoin the fishery as soon as the deficit is cured. Deficits greater than the carryover allowance must be brought within the carryover allowance before the 30-day clock expires, or the vessel will incur a violation.

A variety of circumstances may arise under which a vessel incurs a deficit. When a deficit is incurred early in the year, it may not be possible to acquire QP for certain species at a reasonable price because of uncertainties about bycatch rates and tight QP markets for constraining species. Later in the year, QP could become more readily available. However, current regulations give the vessel two choices, each with potentially substantial adverse consequences: (1) Incur a violation, including the penalty and subsequent consequences of a violation record, and preserve the opportunity to participate later in the year, or (2) leave the fishery and forgo all remaining opportunity for the year (unused QP might be sold off to other vessels). Vessels that have carried a known deficit for more than 30 days may avoid a violation by opting out of the fishery for the remainder of

the year (so long as the deficit is less than the carryover allowance). The 30-day clock with the provision allowing vessels to opt-out for the remainder of the year was originally intended to encourage vessels to cover their overages sooner rather than later.

However, as described above, this provision creates a situation in which a vessel that incurs a violation is allowed to continue in the fishery while a vessel that stays in compliance must opt out for the remainder of the year.

Furthermore, to date there have been three events where a vessel was in deficit and approached the 30-day time period before covering their deficit. In two of these cases the deficit involved target species, and the vessel did not cover the deficit because it was participating in another fishery and chose to wait until the end of the 30-day period before covering their deficit. In the third situation, the deficit involved a large quantity of an overfished species. In all three situations the deficits were larger than the carryover amount (10 percent) and the vessels were not eligible to opt out. While vessels have not been using the opt-out provision, it is uncertain whether or not they have had to pay higher prices for QP in order to avoid being forced into the opt-out/violation choice. Some view this situation as inequitable. In order to correct this perceived inequity, NMFS proposes to change the regulations at § 660.140(e)(5)(ii)(A) so that once a vessel has cured a deficit, it may rejoin the fishery without incurring a violation.

The Small Business Administration has established size criteria for all major industry sectors in the US, including fish harvesting and fish processing businesses. A business involved in fish harvesting is a small business if it is independently owned and operated and not dominant in its field of operation (including its affiliates) and if it has combined annual receipts not in excess of \$4.0 million for all its affiliated operations worldwide. A seafood processor is a small business if it is independently owned and operated, not dominant in its field of operation, and employs 500 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide. A business involved in both the harvesting and processing of seafood products is a small business if it meets the \$4.0 million criterion for fish harvesting operations. A wholesale business servicing the fishing industry is a small business if it employs 100 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide. For

marinas and charter/party boats, a small business is one with annual receipts not in excess of \$7.0 million. These regulations also affect a class of financial institutions. NMFS believes that the following standard applies for All Other Non-depository Credit Intermediaries—\$6 million in average annual receipts as the maximum annual receipts for small entities.

As part of the permit application processes for the non-tribal fisheries, based on a review of the SBA size criteria, applicants are asked if they considered themselves a “small” business and to provide detailed ownership information. Many companies participate in two or more of these sectors. All MS/CV participants are involved in the shorebased IFQ sector while two of the three CP companies also participate in both the shorebased IFQ sector and in the MS sector. Many companies own several QS accounts or own vessel accounts. Taking into account cross participation, multiple accounts, and affiliation between entities, NMFS estimates that there are 143 fishery related entities directly affected by these proposed regulations, 99 of which are considered to be “small” businesses.

NMFS is not familiar with the financial industry; the following is a tentative projection of the potential number of small lenders affected by this rule. Public comment received by the PFMC indicates that there are possibly two lenders that are the most likely lenders to apply for the lender’s exception. Based on SBA criteria and review of information associated with these lenders, both these lenders can be considered “large” entities based on either the amount of their business activities or by their affiliation with large entities. However, there are a number of small lenders that may qualify for the “exception.” A review of the North American Industry Classification System used by the U.S. Census Bureau suggests that the likely entities that may seek an exception fall into the “NAICS 522298-All Other Non-depository Credit Intermediation” category. This category includes lenders that, for example, provide short-term inventory, credit, agricultural lending, and consumer cash lending secured by personal property. U.S. Census data indicates that in 2011, there were 730 entities within the NAICS 522298 classification operating in the states of Washington, Oregon, and California—the states most likely to have lenders that will work with the West Coast industry. In assessing various lenders that participate in SBA programs that fall within the NAICS 522298

classification, SBA estimated that over 95 percent of these participants did not exceed the applicable small business size standard and are, therefore to be considered small entities (73 FR 75507; December 11, 2008). Applying this percentage suggests that there are approximately 695 small lenders in the states of Washington, Oregon, and California that are potential beneficiaries of this rule.

As this proposed rule is primarily administrative in nature, NMFS does not believe that the proposed changes would have a significant impact on small entities; these changes were recommended by the industry to increase flexibility or efficiency. As such, NMFS has not identified significant alternatives. Through the rulemaking process associated with this action, we are requesting comments on this conclusion.

No Federal rules have been identified that duplicate, overlap, or conflict with the alternatives. Public comment is hereby solicited, identifying such rules. A copy of this analysis is available from NMFS (see **ADDRESSES**).

This proposed rule contains a collection-of-information requirement subject to review and approval by OMB under the Paperwork Reduction Act (PRA). This requirement has been submitted to OMB for approval. Public reporting burden for the QS permit/account application form is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for the online QS transfer form is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for the online QP transfer form (from a QS account to a vessel account, or vessel account to another vessel account) is estimated to average 8 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for the trawl identification of ownership interest form for new entrants, including lenders, is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data

needed, and completing and reviewing the collection of information. Public reporting burden for the first receiver site license application form for re-registering applicants is estimated to average 110 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for the mothership cooperative permit application form is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for the catcher/processor cooperative permit application form is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Public comment is sought regarding: whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the burden estimate; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information, including through the use of automated collection techniques or other forms of information technology. Send comments on these or any other aspects of the collection of information to NMFS, Northwest Region at the **ADDRESSES** above, and email to OIRA_Submission@omb.eop.gov, or fax to 202-395-7285.

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number.

This proposed rule was developed after meaningful consultation and collaboration, through the Council process, with the tribal representative on the Council. The proposed regulations have no direct effect on the tribes.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Indian fisheries.

Dated: July 11, 2013.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, performing the functions and duties of the Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons stated in the preamble, 50 CFR part 660 is proposed to be amended as follows:

PART 660—FISHERIES OFF WEST COAST STATES

- 1. The authority citation for part 660 is revised to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

§ 660.11 [Amended]

- 2. In § 660.11, remove the definition for “Permit holder”.
- 3. In § 660.12, revise paragraph (a)(8) to read as follows:

§ 660.12 General groundfish prohibitions.

* * * * *

(a) * * *

(8) Fail to sort, prior to the first weighing after offloading, those groundfish species or species groups for which there is a trip limit, size limit, scientific sorting designation, quota, harvest guideline, ACT, ACL or OY, if the vessel fished or landed in an area during a time when such trip limit, size limit, scientific sorting designation, quota, harvest guideline, ACT, ACL or OY applied; except as specified at § 660.130(d).

* * * * *

- 4. In § 660.25 revise paragraphs (b)(3)(ii), (b)(3)(iv)(C)(4), (b)(3)(vii), (b)(4) introductory text, add paragraph (b)(4)(i)(G), revise paragraphs (b)(4)(iv) introductory text, (b)(4)(iv)(A) through (C), (b)(4)(v)(B) and (D), (b)(4)(vi)(B), (b)(4)(vii) introductory text, (b)(4)(vii)(A) through (C), (b)(4)(viii), and (g)(1) to read as follows:

§ 660.25 Permits.

* * * * *

(b) * * *

(3) * * *

(ii) *Gear endorsement.* There are three types of gear endorsements: Trawl, longline and pot (trap). When limited entry “A”-endorsed permits were first issued, some vessel owners qualified for more than one type of gear endorsement based on the landings history of their vessels. Each limited entry “A”-endorsed permit has one or more gear endorsement(s). Gear endorsement(s) assigned to the permit at the time of issuance will be permanent and shall not be modified. While participating in the limited entry fishery, the vessel

registered to the limited entry “A”-endorsed permit is authorized to fish the gear(s) endorsed on the permit. While participating in the limited entry, fixed gear primary fishery for sablefish described at § 660.231, a vessel registered to more than one limited entry permit is authorized to fish with any gear, except trawl gear, endorsed on at least one of the permits registered for use with that vessel. Vessels registered to limited entry permits may be used to fish with open access gear, subject to the crossover provisions at § 660.60 (h)(7)(ii), except that vessels registered to sablefish-endorsed permits fishing in the sablefish primary season described at § 660.231, may not fish with open access gear against those limits. An MS permit does not have a gear endorsement.

* * * * *

(iv) * * *

(C) * * *

(4) Any partnership or corporation with any ownership interest in a limited entry permit with a sablefish endorsement or in the vessel registered to the permit shall document the extent of that ownership interest with NMFS via the Identification of Ownership Interest Form sent to the permit owner through the annual permit renewal process and whenever a change in permit owner, vessel owner, and/or vessel registration occurs as described at paragraph (b)(4)(iv) and (v) of this section. NMFS will not renew a sablefish-endorsed limited entry permit through the annual renewal process described at paragraph (b)(4)(i) of this section, or approve a change in permit owner, vessel owner, and/or vessel registration unless the Identification of Ownership Interest Form has been completed. Further, if NMFS discovers through review of the Identification of Ownership Interest Form that an individual person, partnership, or corporation owns or holds more than 3 permits and is not authorized to do so under paragraph (b)(3)(iv)(C)(2) of this section, the individual person, partnership or corporation will be notified and the permits owned or held by that individual person, partnership, or corporation will be void and reissued with the vessel status as “unidentified” until the permit owner owns and/or holds a quantity of permits appropriate to the restrictions and requirements described in paragraph (b)(3)(iv)(C)(2) of this section. If NMFS discovers through review of the Identification of Ownership Interest Form that a partnership or corporation has had a change in membership since November 1, 2000, as described in paragraph

(b)(3)(iv)(C)(3) of this section, the partnership or corporation will be notified, NMFS will void any existing permits, and reissue any permits owned and/or held by that partnership or corporation in "unidentified" status with respect to vessel registration until the partnership or corporation is able to register ownership of those permits to persons authorized under this section to own sablefish-endorsed limited entry permits.

* * * * *

(vii) *Endorsement and exemption restrictions.* "A" endorsements, gear endorsements, sablefish endorsements and sablefish tier assignments, and C/P endorsements may not be registered to another permit owner (i.e., change in permit ownership or ownership interest) or to another vessel (i.e., change in vessel registration) separately from the limited entry permit. At-sea processing exemptions, specified at paragraph (b)(6) of this section, are associated with the vessel and not with the limited entry permit and may not be registered to another permit owner or to another vessel without losing the exemption.

(4) *Limited entry permit actions—renewal, combination, stacking, change of permit owner or vessel owner, and change in vessel registration*

* * * * *

(j) * * *

(G) At the time of renewal, NMFS will notify owners of limited entry permits and vessel owners if vessel ownership information for a vessel registered to the permit is not current. NMFS will not renew a limited entry permit registered to a vessel for which vessel ownership information is not current.

* * * * *

(iv) *Changes in permit owner and/or vessel owner—*

(A) *General.* Change in permit owner and/or vessel owner applications must be submitted to NMFS with the appropriate documentation described at paragraphs (b)(4)(vii) and (viii) of this section. The permit owner may convey the limited entry permit to a different person. The new permit owner will not be authorized to use the permit until the change in permit owner has been registered with and approved by NMFS. NMFS will not approve a change in permit owner for a limited entry permit with a sablefish endorsement that does not meet the ownership requirements for such permit described at paragraph (b)(3)(iv)(C) of this section. NMFS will not approve a change in permit owner for a limited entry permit with an MS/CV endorsement or an MS permit that does not meet the ownership requirements for such permit described

at § 660.150(g)(3), and § 660.150(f)(3), respectively. NMFS considers the following as a change in permit owner that would require registering with and approval by NMFS, including but not limited to: Selling the permit to another individual or entity; adding an individual or entity to the legal name on the permit; or removing an individual or entity from the legal name on the permit. A change in vessel owner includes any changes to the name(s) of any or all vessel owners, as registered with USCG or a state. The new owner(s) of a vessel registered to a limited entry permit must report any change in vessel ownership to NMFS within 30 calendar days after such change has been registered with the USCG or a state licensing agency.

(B) *Effective date.* The change in permit ownership or change in the vessel holding the permit will be effective on the day the change is approved by NMFS, unless there is a concurrent change in the vessel registered to the permit. Requirements for changing the vessel registered to the permit are described at paragraph (b)(4)(v) of this section.

(C) *Sablefish-endorsed permits.* If a permit owner submits an application to register a sablefish-endorsed limited entry permit to a new permit owner or vessel owner during the primary sablefish season described at § 660.231 (generally April 1 through October 31), the initial permit owner must certify on the application form the cumulative quantity, in round weight, of primary season sablefish landed against that permit as of the application signature date for the then current primary season. The new permit owner or vessel owner must sign the application form acknowledging the amount of landings to date given by the initial permit owner. This certified amount should match the total amount of primary season sablefish landings reported on state landing receipts. As required at § 660.12(b), any person landing sablefish must retain on board the vessel from which sablefish is landed, and provide to an authorized officer upon request, copies of any and all reports of sablefish landings from the primary season containing all data, and in the exact manner, required by the applicable state law throughout the primary sablefish season during which a landing occurred and for 15 days thereafter.

* * * * *

(v) * * *

(B) *Application.* Change in vessel registration applications must be submitted to NMFS with the

appropriate documentation described at paragraphs (b)(4)(vii) and (viii) of this section. At a minimum, a permit owner seeking to change vessel registration of a limited entry permit shall submit to NMFS a signed application form and his/her current limited entry permit before the first day of the cumulative limit period in which they wish to fish. If a permit owner provides a signed application and current limited entry permit after the first day of a cumulative limit period, the permit will not be effective until the succeeding cumulative limit period. NMFS will not approve a change in vessel registration until it receives a complete application, the existing permit, a current copy of the USCG 1270, and other required documentation.

* * * * *

(D) *Sablefish-endorsed permits.* If a permit owner submits an application to register a sablefish-endorsed limited entry permit to a new vessel during the primary sablefish season described at § 660.231 (generally April 1 through October 31), the initial permit owner must certify on the application form the cumulative quantity, in round weight, of primary season sablefish landed against that permit as of the application signature date for the then current primary season. The new permit owner or vessel owner associated with the new vessel must sign the application form acknowledging the amount of landings to date given by the initial permit owner. This certified amount should match the total amount of primary season sablefish landings reported on state landing receipts. As required at § 660.12(b), any person landing sablefish must retain on board the vessel from which sablefish is landed, and provide to an authorized officer upon request, copies of any and all reports of sablefish landings from the primary season containing all data, and in the exact manner, required by the applicable state law throughout the primary sablefish season during which a landing occurred and for 15 days thereafter.

* * * * *

(vi) * * *

(B) *Limited entry fixed gear and trawl-endorsed permits (without MS/CV or C/P endorsements).* Limited entry fixed gear and trawl-endorsed permits (without MS/CV or C/P endorsements) may not be registered for use with a different vessel more than once per calendar year, except in cases of death of a vessel owner or if the vessel registered to the permit is totally lost as defined in § 660.11. The exception for death of a vessel owner applies for a

vessel owned by a partnership or a corporation if the person or persons with at least 50 percent of the ownership interest in the entity dies.
* * * * *

(vii) *Application and supplemental documentation.* Permit owners may request a change in vessel registration and/or change in permit owner or vessel owner by submitting a complete application form. In addition, a permit owner applying for a change in vessel registration and/or change in permit owner of a limited entry permit has the burden to submit evidence to prove that qualification requirements are met. If a change in vessel owner occurs, the new vessel owner has the burden to submit evidence to prove that qualification requirements are met. The following evidentiary standards apply:

(A) For a request to change a vessel registration and/or change a permit owner or vessel owner, the permit owner must provide NMFS with a current copy of the USCG Form 1270 for vessels of 5 net tons or greater, or a current copy of a state registration form for vessels under 5 net tons.

(B) For a request to change a vessel registration and/or change a permit owner or vessel owner for sablefish-endorsed permits with a tier assignment for which a corporation or partnership is listed as permit owner and/or vessel owner, an Identification of Ownership Interest Form must be completed and included with the application form.

(C) For a request to change a permit owner for an MS permit or for a request to change a vessel registration and/or change a permit owner or vessel owner for an MS/CV-endorsed limited entry trawl permit, an Identification of Ownership Interest Form must be completed and included with the application form.
* * * * *

(viii) *Application forms available.* Application forms for a change in vessel registration, permit owner, or vessel owner are available at: NMFS Northwest Region, Sustainable Fisheries Division, ATTN: Fisheries Permit Office, 7600 Sand Point Way, NE., Seattle, WA 98115; or http://www.nwr.noaa.gov/fisheries/management/groundfish_permits/limited_entry_permits.html. Contents of the application, and required supporting documentation, are also specified in the application form. Only complete applications will be processed.
* * * * *

(g) * * *
(1) *General.* For permit actions, including issuance, renewal, change in vessel registration and/or change in

permit owner or vessel owner, and endorsement upgrade, the Assistant Regional Administrator for Sustainable Fisheries will make an IAD on the action. In cases where the applicant disagrees with the IAD, the applicant may appeal that decision. Final decisions on appeals of IADs regarding issuance, renewal, change in vessel registration and/or change in permit owner or vessel owner, and endorsement upgrade, will be made in writing by the Regional Administrator acting on behalf of the Secretary of Commerce and will state the reasons therefore. This section describes the procedures for appealing the IAD on permit actions made in this title under subparts C through G of part 660. Additional information regarding appeals of an IAD related to the trawl rationalization program is contained in the specific program sections under subpart D of part 660.
* * * * *

■ 5. In § 660.111, under the definition of “Accumulation limits”, revise paragraph (1)(ii) for the definition for “Vessel limits” to read as follows:

§ 660.111 Trawl fishery—definitions.

* * * * *

(1) * * *

(ii) *Vessel limits* means the maximum amount of QP a vessel can hold, acquire, and/or use during a calendar year, and specify the maximum amount of QP that may be registered to a single vessel during the year (QP Vessel Limit) and, for some species, the maximum amount of unused QP registered to a vessel account at any one time (Unused QP Vessel Limit), as described at § 660.140(e)(4). Compliance with the QP vessel limit (annual limit) is calculated as all QPs transferred in minus all QPs transferred out of the vessel account.
* * * * *

■ 6. In § 660.112, add paragraphs (b)(1)(xvi) and (b)(1)(xvii), and revise paragraph (b)(2)(ii) to read as follows:

§ 660.112 Trawl fishery—prohibitions.

* * * * *

(b) * * *

(1) * * *

(xvi) Fail to establish a new registered vessel account in the name of the current vessel owner, following a change in ownership of a vessel, prior to fishing in the Shorebased IFQ Program with that vessel.

(xvii) Land groundfish taken and retained during an IFQ trip, from the vessel that harvested the fish, to a first receiver that does not hold a valid first receiver site license for the physical

location where the IFQ landing occurred.

* * * * *

(2) * * *

(ii) Fail to sort fish received from a IFQ landing prior to first weighing after offloading as specified at § 660.130(d)(2) for the Shorebased IFQ Program, with the following exception. Vessels with a valid Shorebased IFQ Program declaration as specified at § 660.13(d)(5)(iv)(A) making an IFQ landing, may weigh catch on a bulk scale or automatic hopper scale before sorting as described at § 660.140(j)(2)(viii), for Pacific whiting taken with midwater trawl gear, and at § 660.140(j)(2)(ix)(A), for all other IFQ landings. For this exception, all catch in the landing other than the single predominant species must then be reweighed. The weight of a single predominant species is determined by deducting the weight of all other species from the total weight of the landing.
* * * * *

■ 7. In § 660.113, revise paragraphs (c)(3) and (d)(3) to read as follows:

§ 660.113 Trawl fishery—recordkeeping and reporting.

* * * * *

(c) * * *

(3) *Annual coop report.* The designated coop manager for the mothership coop must submit an annual report to NMFS and the Council by March 31 each year, before a coop permit is issued for that year. The annual coop report will contain information about the previous year’s fishery, including:

(i) The mothership sector’s annual allocation of Pacific whiting and the permitted mothership coop allocation;

(ii) The mothership coop’s actual retained and discarded catch of Pacific whiting, salmon, Pacific halibut, rockfish, groundfish, and other species on a vessel-by-vessel basis;

(iii) A description of the method used by the mothership coop to monitor performance of coop vessels that participated in the fishery;

(iv) A description of any actions taken by the mothership coop in response to any vessels that exceed their allowed catch and bycatch; and

(v) Plans for the current year’s mothership coop fishery, including the companies participating in the cooperative, the harvest agreement, and catch monitoring and reporting requirements.
* * * * *

(d) * * *

(3) *Annual coop report.* The designated coop manager for the C/P

coop must submit an annual report to NMFS and the Council by March 31 each year, before a coop permit is issued for that year. The annual coop report will contain information about the previous year's fishery, including:

- (i) The C/P sector's annual allocation of Pacific whiting;
- (ii) The C/P coop's actual retained and discarded catch of Pacific whiting, salmon, Pacific halibut, rockfish, groundfish, and other species on a vessel-by-vessel basis;
- (iii) A description of the method used by the C/P coop to monitor performance of cooperative vessels that participated in the fishery;
- (iv) A description of any actions taken by the C/P coop in response to any vessels that exceed their allowed catch and bycatch; and
- (v) Plans for the current year's C/P coop fishery, including the companies participating in the cooperative, the harvest agreement, and catch monitoring and reporting requirements.

* * * * *
■ 8. In § 660.130, revise paragraphs (d)(2)(i), (d)(2)(ii) and (d)(3)(i) to read as follows:

§ 660.130 Trawl fishery—management measures.

* * * * *
(d) * * *
(2) * * *

(i) *First receivers.* Fish landed at IFQ first receivers (including shoreside processing facilities and buying stations that intend to transport catch for processing elsewhere) must be sorted, prior to first weighing after offloading from the vessel and prior to transport away from the point of landing, with the following exception. Vessels with a valid Shorebased IFQ Program declaration as specified at § 660.13(d)(5)(iv)(A) making an IFQ landing, may weigh catch on a bulk scale or automatic hopper scale before sorting as described at § 660.140(j)(2)(viii), for Pacific whiting taken with midwater trawl gear, and at § 660.140(j)(2)(ix)(A), for all other IFQ landings. For this exception, all catch in the landing other than the single predominant species must then be reweighed. The weight of a single predominant species is determined by deducting the weight of all other species from the total weight of landing.

(ii) *Catcher vessels.* All catch must be sorted to the species groups specified in paragraph (d)(1) of this section for vessels with limited entry permits, except those retaining all catch during a IFQ trip. The catch must not be discarded from the vessel and the vessel must not mix catch from hauls until the

observer has sampled the catch. Prohibited species must be sorted according to the following species groups: Dungeness crab, Pacific halibut, Chinook salmon, other salmon. Non-groundfish species must be sorted as required by the state of landing.

* * * * *

(3) * * *
(i) Pacific whiting at-sea processing vessels may use an accurate in-line conveyor or hopper type scale to derive an accurate total catch weight prior to sorting. Immediately following weighing of the total catch, the catch must be sorted to the species groups specified in paragraph (d)(1) of this section and all incidental catch (groundfish and non-groundfish species) must be accurately accounted for and the weight of incidental catch deducted from the total catch weight to derive the weight of a single predominant species.

* * * * *

- 9. In § 660.140,
- a. Revise paragraph (b)(1)(iii);
- b. Add paragraph (d)(2)(iii), revise paragraphs (d)(3)(i)(A) and (C), (d)(3)(ii)(B)(2) and (3)(ii), delete paragraph (d)(3)(ii)(B)(3)(iii), and revise paragraph (d)(4)(iii);
- c. Revise paragraphs (e)(3)(iii)(B), (e)(4)(i), and (e)(5)(ii)(A);
- d. Revise paragraphs (f)(2)(ii), (f)(3) introductory text, (f)(3)(i) and (ii), (f)(3)(iii)(A) and (B), add paragraph (f)(3)(iii)(C)(12), and revise paragraph (f)(3)(iii)(D);
- e. Revise paragraphs (f)(5) and (f)(6), and
- f. Revise paragraphs (j)(2)(viii) and (j)(2)(ix)(B), to read as follows:

§ 660.140 Shorebased IFQ Program.

* * * * *

(b) * * *
(1) * * *
(iii) All IFQ species/species group catch (landings and discards) must be covered by QP or IBQ pounds. Any deficit (negative balance in a vessel account) must be cured within 30 calendar days from the date the deficit from that trip is documented in the vessel account, unless the deficit is within the limits of the carryover provision at paragraph (e)(5) of this section, in which case the vessel account owner must declare out of the Shorebased IFQ Program, and must eliminate the deficit prior to re-entry into the fishery in the current year, or within 30 days after the issuance of QP or IBQ pounds for the following year.

* * * * *
(d) * * *
(2) * * *

(iii) *QS permit application process.* NMFS will accept a QS permit

application from January 1 to November 30 of each calendar year. QS permit applications received between December 1 and December 31 will be processed by NMFS in the following calendar year. NMFS will issue only one QS permit to each unique person, as defined at § 660.11 subject to the eligibility requirements at § 660.140(d)(2)(i). Each applicant must submit a complete application. A complete application includes a QS permit application form, payment of required fees, complete documentation of QS permit ownership on the Trawl Identification of Ownership Interest Form as required under paragraph (d)(4)(iv) of this section, and a complete economic data collection form if required under § 660.114. NMFS may require additional documentation as it deems necessary to make a determination on the application. The QS permit application will be considered incomplete until the required information is submitted.

(A) *Initial administrative determination.* For all complete applications, NMFS will issue an IAD that either approves or disapproves the application. If approved, the QS permit serves as the IAD. If disapproved, the IAD will provide the reasons for this determination. If the applicant does not appeal the IAD within 30 calendar days, the IAD becomes the final decision of the Regional Administrator acting on behalf of the Secretary of Commerce.

(B) *Effective date.* The QS permit is effective on the date given on the permit and remains effective until the end of the calendar year.

(C) *Appeals.* If NMFS does not accept the QS permit application, the applicant may appeal the IAD consistent with the general permit appeals process defined at § 660.25(g).

(3) * * *
(i) * * *

(A) QS permits expire at the end of each calendar year, and must be renewed between October 1 and November 30 of each year in order to remain in effect the following year. A complete QS permit renewal package must be received by NMFS no later than November 30 to be accepted by NMFS. A QS permit owner may submit a paper renewal package after January 1 of the following year as described in paragraph (d)(3)(i)(C) of this section.

* * * * *

(C) A complete QS permit renewal package must be received by November 30 of each calendar year. If a complete QS permit renewal package is not received by November 30, NMFS will not renew the QS permit, the associated

QS account will not be activated in the following calendar year, and QS may not be transferred. NMFS will not issue QP or IBQ pounds associated with the non-renewed QS permit for that year. Any QP or IBQ pounds derived from the QS or IBQ in the inactive QS account will be distributed to the active QS accounts in proportion to the QS or IBQ for each IFQ species given on the renewed QS permit. If a QS permit is not renewed during the October 1 through November 30 renewal period, the QS permit owner may renew after January 1 in the following year by submission of a paper renewal application, or may renew the QS permit during the next October 1 through November 30 renewal period. For renewals submitted after January 1, QPs allocated as specified at paragraph (d)(1) of this section will not be allocated to the QS account in that year. The QS permit owner will be able to transfer QS percentages from the time the QS account is activated until November 30 of that calendar year.

* * * * *

(3) * * *

(ii) * * *

(B) * * *

(2) *Transfer of QS or IBQ between QS accounts.* Beginning January 1, 2014, QS permit owners may transfer QS (except for widow rockfish QS) or IBQ to another owner of a QS permit, subject to accumulation limits and approval by NMFS. The prohibition on transferability of widow rockfish QS is extended indefinitely pending final action on reallocation of widow rockfish QS, or a NMFS determination that no such reallocation will occur, except under U.S. court order or authorization and as approved by NMFS. QS or IBQ is transferred as a percent, divisible to one-thousandth of a percent (i.e., greater than or equal to 0.001%). QS or IBQ cannot be transferred to a vessel account. Owners of non-renewed QS permits may not transfer QS. QP in QS accounts cannot be transferred between QS accounts. NMFS will allocate QP based on the QS percentages as listed on a QS permit that was renewed during the previous October 1 through November 30 renewal period. QS transfers will be recorded in the QS account but will not become effective for purposes of allocating QPs until the following year. QS or IBQ may not be transferred between December 1 through December 31 each year. Any QS transaction that is pending as of December 1 will be administratively retracted. NMFS will allocate QP for the following year based on the QS

percentages as of December 1 of each year.

* * * * *

(3) * * *

(ii) The QS account transfer function will be reactivated by NMFS from the date that QS accounts are credited with additional QP to allow QS permit owners to transfer QP to vessel accounts only for those IFQ species with additional QP.

(4) * * *

(iii) *Control.* Control means, but is not limited to, the following:

(A) The person has the right to direct, or does direct, in whole or in part, the business of the entity to which the QS or IBQ are registered, with the exception of those activities allowed under paragraphs C and G;

(B) The person has the right to limit the actions of or replace, or does limit the actions of or replace, the chief executive officer, a majority of the board of directors, any general partner, or any person serving in a management capacity of the entity to which the QS or IBQ are registered, with the exception of those activities allowed under paragraphs C and G;

(C) The person, excluding banks and other financial institutions that rely on QS or IBQ as collateral for loans as described under paragraph (G) below, has the right to direct, or does direct, and/or the right to prevent or delay, or does prevent or delay, the transfer of QS or IBQ, or the resulting QP or IBQ pounds;

(D) The person, through loan covenants or any other means, has the right to restrict, or does restrict, and/or has a controlling influence over the day to day business activities or management policies of the entity to which the QS or IBQ are registered, with the exception of those activities allowed under paragraphs C and G;

(E) The person, has the right to restrict, or does restrict, any activity related to QS or IBQ or QP or IBQ pounds, including, but not limited to, use of QS or IBQ, or the resulting QP or IBQ pounds, or disposition of fish harvested under the resulting QP or IBQ pounds, with the exception of those activities allowed under paragraphs C and G;

(F) The person has the right to control, or does control, the management of, or to be a controlling factor in, the entity to which the QS or IBQ, or the resulting QP or IBQ pounds, are registered, with the exception of those activities allowed under paragraphs C and G;

(G) The person, excluding banks and other financial institutions that rely on

QS or IBQ as collateral for loans, has the right to cause or prevent, or does cause or prevent, the sale, lease or other disposition of QS or IBQ, or the resulting QP or IBQ pounds; and

(1) To qualify for this exception, a bank or other financial institution must be regularly or primarily engaged in the business of lending and not engaged in or controlled by entities whose primary business is the harvesting, processing, or distribution of fish or fish products.

(2) Any state or federally chartered bank or financial institution that meets the requirement of paragraph (1) does not need to submit additional information to NMFS.

(3) Any entity that is not a state or federally chartered bank or financial institution, must submit a letter requesting the exception and disclose the identity and interest share of any shareholder with a 2% or more ownership interest in the lender through submission of the Trawl Identification of Ownership Interest Form (see § 660.140(d)(4)(iv)). The lender must make subsequent annual submissions of the letter and Trawl Identification of Ownership Interest Form to maintain the exception. Letters requesting the exception and complete Trawl Identification of Ownership Interest Forms may be submitted to NMFS, Northwest Region, Permits Office, ATTN: Fisheries Permit Office, Bldg. 1, 7600 Sand Point Way NE., Seattle, WA 98115. NMFS will only accept complete applications.

(H) The person has the ability through any means whatsoever to control or have a controlling influence over the entity to which QS or IBQ is registered, with the exception of those activities allowed under paragraphs C and G.

* * * * *

(e) * * *

(3) * * *

(iii) * * *

(B) *Transfer procedures.* QP or IBQ pound transfers from one vessel account to another vessel account must be accomplished via the online vessel account. To make a transfer, a vessel account owner must initiate a transfer request by logging onto the online vessel account. Following the instructions provided on the Web site, the vessel account owner must enter pertinent information regarding the transfer request including, but not limited to: IFQ species, amount of QP or IBQ pounds to be transferred for each IFQ species (in whole pound increments); name and any other identifier of the eligible transferee (e.g., USCG documentation number or state registration number, as applicable) of

the eligible vessel account receiving the transfer; and the value of the transferred QP or IBQ pounds. The online system will verify whether all information has been entered and whether the transfer complies with vessel limits, as applicable. If the information is not accepted, an electronic message will record as much in the transferor's vessel account explaining the reason(s). If the information is accepted, the online system will record the pending transfer in both the transferor's and the transferee's vessel accounts. The transferee must approve the transfer by electronic signature. If the transferee accepts the transfer, the online system will record the transfer and confirm the transaction in both accounts through a transaction confirmation notice. Once the transferee accepts the transaction, the transaction is final and permanent. QP or IBQ pounds may be transferred between vessel accounts at any time during January 1 through December 31 each year unless otherwise notified by NMFS.

* * * * *

(4) * * *

(i) *Vessel limits.* For each IFQ species or species group specified in this paragraph, vessel accounts may not have QP or IBQ pounds in excess of the QP vessel limit (annual limit) in any year, and, for species covered by unused QP vessel limits (daily limit), may not have QP or IBQ pounds in excess of the unused QP vessel limit at any time. The QP vessel limit (annual limit) is calculated as all QPs transferred in minus all QPs transferred out of the vessel account. The unused QP vessel limits (daily limit) is calculated as unused available QPs plus any pending outgoing transfer of QPs.

* * * * *

(5) * * *

(ii) * * *

(A) The vessel account owner declares out of the Shorebased IFQ Program for the year in which the deficit occurred. The vessel account owner must submit a signed, dated, and notarized letter to OLE, declaring out of the Shorebased IFQ Program for the remainder of the year and invoking the carryover provision to cover the deficit. Signed, dated, and notarized letters may be submitted to NMFS, Northwest Region, Office of Law Enforcement, ATTN VMS, Bldg. 1, 7600 Sand Point Way NE., Seattle, WA 98115. If the vessel account owner covers the deficit later within the same calendar year, the vessel may re-enter the Shorebased IFQ Program. If the deficit occurs less than 30 days before the end of the calendar year, exiting out

of the Shorebased IFQ Program for the remainder of the year is not required.

* * * * *

(f) * * *

(2) * * *

(ii) An IFQ first receiver must have a separate first receiver site license for each unique physical location where the IFQ first receiver will receive, purchase or take custody, control, or take possession of an IFQ landing from a vessel.

* * * * *

(3) *Application process.* Persons interested in being licensed as an IFQ first receiver for a specific physical location must submit a complete application for a first receiver site license to NMFS, Northwest Region, ATTN: Fisheries Permit Office, Bldg. 1, 7600 Sand Point Way NE., Seattle, WA 98115. NMFS will only consider complete applications for approval. A complete application includes:

(i) *State license.* The license owner must provide a copy of a valid license issued by the state in which they operate that allows the person to receive fish from a catcher vessel.

(ii) *Application form.* A completed IFQ first receiver application form provided by NMFS, signed and dated by an authorized representative of the first receiver. To be considered complete, the form must also be notarized.

* * * * *

(iii) * * *

(A) *Catch monitoring plan review process.* NMFS will accept a catch monitoring plan if it includes all the required elements specified in paragraph (f)(3)(iii)(C) of this section and conforms with the actual operations and layout at the site. A site inspection is required for new first receiver site licenses. For re-registration of an existing first receiver site license, the site must be inspected at least once every three years or more frequently, as deemed necessary by NMFS, or by a NMFS designated representative. If NMFS does not accept a catch monitoring plan for any reason, a new or revised catch monitoring plan may be required of the first receiver.

(B) *Arranging a site inspection.* After receiving a complete application for a first receiver site license, if a site inspection is required, NMFS will contact the applicant to schedule a site inspection. A complete application for a first receiver site license must include the proposed catch monitoring plan. NMFS may request a representative of the first receiver to be at the site at the time of inspection. If the requested representative of the first receiver is not made available for the inspection, the

site inspection may be postponed until the requested representative of the first receiver is made available.

* * * * *

(C) * * *

(12) *Applicant contact.* Print the name of the first receiver, physical location of the first receiver, name and phone number of the applicant, and the date of the application. The applicant must sign the catch monitoring plan.

* * * * *

(D) *Catch monitoring plan acceptance period and changes.* NMFS will accept a catch monitoring plan if it includes the required elements specified in paragraph (f)(3)(iii)(C) of this section and conforms with the actual operations and layout at the site. For the first receiver site license to remain in effect, the owner or manager must notify NMFS in writing of any and all changes made in IFQ first receiver operations or layout that do not conform to the catch monitoring plan.

* * * * *

(5) *Effective dates.* The first receiver site license is valid from the effective date identified on the license until June 30, or until the state license required by paragraph (f)(2)(i) of this section is no longer effective, whichever occurs first. A first receiver site license may not be valid for more than 365 days.

(6) *Re-registration of FRSL in subsequent years.* Existing first receiver site license holders must reapply annually by following the application process specified in paragraph (f)(3) of this section. If the existing license holder fails to reapply, the first receiver site license will expire as specified in paragraph (f)(5) of this section. For existing first receiver site license holders to continue to receive IFQ landings without a lapse in the effectiveness of their first receiver site license, the following re-registration deadlines apply:

(i) NMFS will mail a first receiver site license application to existing license holders on or about February 1 each year.

(ii) Applicants who want to have their new license effective for July 1 must submit their complete re-registration application to NMFS by April 15. For those first receiver site license holders who do not submit a complete re-registration application by April 15, NMFS may not be able to issue the new license by July 1 of that calendar year, and will issue the new license as soon as practicable.

* * * * *

(j) * * *

(2) * * *

(viii) *Pacific whiting*. For Pacific Whiting taken with midwater trawl gear, IFQ first receivers may use an in-line conveyor or hopper type scale to derive an accurate total catch weight prior to sorting. Immediately following weighing of the total catch and prior to processing or transport away from the point of landing, the catch must be sorted to the species groups specified at § 660.130(d) and all incidental catch (groundfish and non groundfish species) must be accurately weighed and the weight of incidental catch deducted from the total catch weight to derive the weight of a single predominant species.

(ix) * * *

(B) An in-line conveyor or automatic hopper scale may be used to weigh the single predominant species after catch has been sorted. Other species must be weighed in a manner that facilitates tracking of the weights of those species.

* * * * *

■ 10. In § 660.150, revise paragraphs (c)(7)(i), (d)(1)(iii)(A)(1)(i), and (g)(2)(iv)(D) to read as follows:

§ 660.150 Mothership (MS) Coop Program.

* * * * *

(c) * * *
(7) * * *

(i) *Processor obligation*. Through the annual MS/CV-endorsed limited entry permit renewal process, the MS/CV-endorsed permit owner must identify to NMFS to which MS permit the MS/CV permit owner intends to obligate the catch history assignment associated with that permit if they are participating in the MS coop fishery. Only one MS permit may be designated for each MS/CV endorsement and associated catch history assignment.

* * * * *

(d) * * *
(1) * * *
(iii) * * *

(A) * * *

(1) * * *

(i) A list of all vessels and permit owners participating in the coop and their share of the allocated catch history assignments which must match the amount distributed to individual permit owners by NMFS.

* * * * *

(g) * * *

(2) * * *

(iv) * * *

(D) A limited entry trawl permit owner with multiple MS/CV-endorsements and associated CHA on a single permit may assign each distinct MS/CV endorsement and catch history assignment separately to coop(s) or the non-coop fishery. In such cases, as part of the coop permit application process, specified at paragraph (d)(1)(iii) of this section, the permit owner must specify on the coop permit application form which MS/CV endorsement and associated CHA is specifically registered to a particular coop.

* * * * *

■ 11. In § 660.213, revise paragraph (d)(2) to read as follows:

§ 660.213 Fixed gear fishery—recordkeeping and reporting.

* * * * *

(d) * * *

(2) For participants in the sablefish primary season, the cumulative limit period to which this requirement applies is April 1 through October 31 or, for an individual vessel owner, when the tier limit for the permit(s) registered to the vessel has been reached, whichever is earlier.

■ 12. In § 660.216, revise paragraph (a)(1) to read as follows:

§ 660.216 Fixed gear fishery—observer requirements.

(a) * * *

(1) When NMFS notifies the vessel owner, operator, or the manager of a catcher vessel, specified at § 660.16(c), of any requirement to carry an observer, the catcher vessel may not be used to fish for groundfish without carrying an observer.

* * * * *

■ 13. In § 660.231, revise paragraph (b)(1) to read as follows:

§ 660.231 Limited entry fixed gear sablefish primary fishery.

* * * * *

(b) * * *

(1) *Season dates*. North of 36° N. lat., the sablefish primary season for the limited entry, fixed gear, sablefish-endorsed vessels begins at 12 noon local time on April 1 and closes at 12 noon local time on October 31, or closes for an individual vessel owner when the tier limit for the permit(s) registered to the vessel has been reached, whichever is earlier, unless otherwise announced by the Regional Administrator through the routine management measures process described at § 660.60(c).

* * * * *

■ 14. In § 660.316, revise paragraph (a)(1) to read as follows:

§ 660.316 Open access fishery—observer requirements.

(a) * * *

(1) When NMFS notifies the vessel owner, operator, or the vessel manager of a catcher vessel, specified at § 660.16(c), of any requirement to carry an observer, the catcher vessel may not be used to fish for groundfish without carrying an observer.

* * * * *

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