

**SUPPORTING STATEMENT  
ALASKA REGION BSAI CRAB PERMITS  
OMB CONTROL NO.: 0648-0514**

**INTRODUCTION**

In January 2004, the U.S. Congress amended Section 313(j) of [Magnuson-Stevens Act](#) to mandate the Secretary of Commerce to implement the Crab Rationalization Program for the Bering Sea and Aleutian Islands Management Area (BSAI) crab fisheries. The Program allocates BSAI crab resources among harvesters, processors, and coastal communities. The North Pacific Fishery Management Council prepared, and National Marine Fisheries Service (NMFS) approved, the Fishery Management Plan (FMP) for BSAI King and Tanner Crabs. The FMP establishes criteria for the management of certain aspects of the BSAI crab fisheries by the State of Alaska Department of Fish and Game (ADF&G). The FMP is implemented by regulations at 50 CFR part 680.

This action is a request for renewal for this collection-of-information and addresses the permits, transfers, and cost recovery procedures for the Program.

The Crab Rationalization Program (CR Program) components include quota share allocation, processor quota share allocation, individual fishing quota (IFQ) and individual processing quota (IPQ) issuance, quota transfers, use caps, crab harvesting cooperatives, protections for Gulf of Alaska groundfish fisheries, arbitration system, monitoring, economic data collection, and cost recovery fee collection. Program details are found at: <http://www.alaskafisheries.noaa.gov/regs/680/default.htm>.

**A. JUSTIFICATION**

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

The Program: 1) addresses conservation and management issues associated with the previous crab derby fisheries, 2) reduces bycatch and associated discard mortality, and 3) increases the safety of crab fishermen by ending the race for fish.

**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.**

The CR Program was implemented to both maintain rigorous safeguards on use of fishing privileges for a public resource and to provide safeguards for program constituents. Use of notarized signatures (on certain applications) is the best way for NMFS to ensure that only authorized persons are granted privileges and that NMFS can act in certainty in accordance with requests for program services (such as issuance of a hired master permit) or commercial transactions (for transfers). By employing this widely accepted means of unequivocally establishing the identity of submitters, this requirement removes ambiguity about whether constituents have specific knowledge of the terms and conditions of requested benefits. Notary certification is especially helpful to program participants in that it bars unauthorized persons

from access to individual fishing and processing account privileges and business information, and from conducting highly valuable transfers of privileges. The requirement has in fact proven invaluable in enforcement investigations of fraud and in at least one adjudication about a high-value commercial transaction for which a NMFS program action was defensible based on its absolute certainty of the identity of the requestor afforded by the Notary signature.

Lists of issued permits are posted on the Alaska Region Home Page at <http://www.alaskafisheries.noaa.gov/ram>.

**a. Application for Crab Quota Share (QS) or Processor Quota Share (PQS)—NO LONGER USED.**

Quota Share (QS)

Quota Share (QS) represents a long-term privilege to harvest a percentage of the crab fishery. QS was issued initially either to:

- ◆ Holders of permanent License Limitation Program (LLP) licenses for which the original LLP qualifying vessel had eligible crab landings; or
- ◆ Crew members who, in the crab qualifying years, held a State of Alaska Interim Use Permit and made landings with that permit.

LLP-based QS is 97% of all the QS in a fishery; crew-based QS is 3% of all the QS in a fishery. Each year QS yields IFQ.

NMFS issued QS to qualified LLP holder or crew member applicants who submitted an application BEFORE the application deadline. Applications were accepted from April 4, 2005, until 5:00 p.m. Alaska local time on June 3, 2005. The deadline to apply for QS has passed. All applications received after the deadline will be deemed untimely and will not be eligible for QS. QS may now be received only by transfer from another QS holder.

There are four types of harvesting QS depending on how the shares were initially earned:

"C" or "Crew" shares were initially issued to persons who historically held Alaska Commercial Fisheries Entry Commission (CFEC) crab permits, and signed fish tickets for qualifying landings.

1. Catcher Vessel Crew (CVC) shares were based on qualifying pounds delivered of raw crab
2. Catcher Processor Crew (CPC) QS was based on qualifying landings processed at sea.

"O" or Owner" QS was initially issued to persons who held LLP crab permits and had qualifying landings.

3. Catcher Vessel Owner (CVO) shares were based on qualifying pounds delivered of raw crab
4. Catcher Processor Owner (CPO) shares were derived from qualifying landings processed at sea.

CVO or CPO QS LLP is provided for LLP License Holders. CVC QS or CPC QS is provided for Captain/Crew Members. Annual IFQ derived from Owner and Crew QS have different use privileges.

#### Processor Quota Share (PQS)

Processor Quota Share (PQS) is a long-term privilege for crab processors to receive a percentage of the crab harvest in a fishery. PQS annually yields IPQ. NMFS issued PQS to qualified applicants that submitted an application BEFORE the application deadline. Applications were accepted from April 4, 2005, until 5:00 p.m. Alaska local time on June 3, 2005. The deadline to apply for PQS has passed. All applications received after the deadline will be deemed untimely and will not be eligible for PQS. PQS may now be received only by transfer from another QS holder.

The application is divided into Block A through Block K. Not all applicants are required to complete all of the Blocks, but all of the applications must complete the following blocks:

- Block A--type of quota for which application is made;
- Block B--identification of Applicant;
- Block C--the “shortcut” application procedure; and
- Block K--the signature block.

#### **Application for Crab QS and PQS—NO LONGER USED**

##### Block A --Type of QS or PQS for Which Person Is Applying.

Indicate the type(s) of quota for which applying; note that an Applicant applying for more than one type may apply using the same form:

- CVO or CPO QS LLP
- CVC QS or CPC QS
- Processor PQS.

##### Block B – Applicant Information.

- Name and NMFS Person ID
- Permanent business mailing address
- Business telephone number, business fax number, and business e-mail address (if available)
- Indicate (YES or NO) whether applicant is a U.S. citizen; if YES, his or her date of birth
- Indicate (YES or NO) whether applicant is a U.S. corporation, association, or other business entity if YES, the date of incorporation
- Indicate (YES or NO) whether applicant is deceased; if YES, date of death
  - A copy of the death certificate must be attached to application
- Indicate (YES or NO) whether applicant is no longer in existence; if YES, date of dissolution.
  - Valid evidence of dissolution must be attached to application.

##### Block C – “Shortcut” Application Procedure

All persons who were identified in the Official Crab Rationalization Record (Official Record) as eligible to apply for QS or PQS were sent notice of that fact by RAM. The notice included an estimate(s), derived from the Official Record, of the percentage(s) of the appropriate QS/PQS pool(s) that the eligible applicant is qualified to receive by initial issuance.

If the applicant concurs with the estimate(s) provided, he or she indicates acceptance by marking the appropriate box and completing Block K by signing and dating the application.

If the applicant agrees with some, but not all, of the estimates provided, he or she must mark the appropriate box(es) and move on through the application.

If the applicant does not agree with any of the estimates, he or she must mark the appropriate box and move on.

Block D – Fishery(ies) and QS/PQS type(s)

To be completed only if applicant does not agree with the estimated percentage(s) derived from the Official Record. Indicate the estimated percentage of the QS or PQS pool(s), by crab fishery(ies) and by type(s) of QS/PQS, that applicant is claiming.

Block E – (for CVO and CPO QS Applicants)

To be completed by applicants who are License Limitation Program (LLP) permit holders and who premise his or her claim in any fishery to a higher percentage of the QS Pool than set out in the Official Record. If claim is premised on the activities of more than one vessel, complete Block E for each vessel.

Name, ADF&G vessel registration number, and United States Coast Guard (USCG) documentation number of vessel

Moratorium Permit(s) Used: Moratorium Permit Number and Year (Season)

LLP License(s) Used: LLP License Number and Year (Season)

For each fishery and each listed qualifying year in which the vessel participated in the fishery, so indicate by entering the specific number of pounds landed (pounds claimed).

Attach ADF&G fish tickets or other information to support claim that the vessel participated in the fishery in the indicated year and was the vessel from which the claimed pounds were landed.

Block F – Catcher/Processor Owner (CPO) QS

To be completed by LLP license holders whose LLP license(s) are endorsed for use aboard a catcher/processor, and who are claiming CPO QS

LLP license number under which participant is applying

Indicate (YES or NO) whether vessel whose history gave rise to the LLP license was used to process any of the BSAI crab species included in Block D during 1998 or 1999?

Name, ADF&G vessel registration number, and Moratorium permit number of vessel upon which processing occurred

Year(s) processing occurred: 1998 or 1999

Species processed (use fishery code).

Block G – for Catcher Vessel Owner (CVO) and CPO QS Applicants (LLP License Holders)

To be completed by LLP license holders who are basing a claim for QS on the fishing history of a vessel that was not the vessel(s) whose history gave rise to the LLP license under which application is made

Name, ADF&G vessel registration number, and USCG documentation number of vessel whose history participant is choosing

LLP crab license number

Fishery for which participant obtained the license (enter Fishery Code):

Date participant received license by transfer:

Reason(s) for LLP license transfer for use onboard vessel (use separate sheet, if necessary).

Block H – for CVO and CPO QS applicants (LLP License Holders)

To be completed if applicant is claiming credit for landings under either “sunken vessel” provision

Name, ADF&G vessel registration number, and USCG number of vessel that sank

Date of loss

Name, ADF&G vessel registration number, and USCG number of replacement vessel

Date replacement vessel construction began (keel laid)

Date replacement vessel entered fishery.

Block I – for Catcher Vessel Crew (CVC) OR Catcher/Processor Crew (CPC) QS Applicants

To be completed by eligible captains or crew members and If participant is premising claim to QS in any fishery(ies) to a higher percentage of the QS Pool(s) for any CVC QS or CPC QS than set out in the Official Record. Duplicate this form as necessary.

Note: “Crew Quota Share” is issued only to individual U.S. citizens who were named on State of Alaska Interim Use Permit(s) (IUP), who used their permit(s) to record landings of BSAI crab during certain years, and who can demonstrate recent participation in the fishery for which they seek QS

For each fishery for which participant is seeking QS, use the table below to record your claim. Note that a

separate table must be completed for each fishery. Duplicate the table as may be necessary to record claims for all fisheries

Fishery (use fishery code)

Season(s)

Name, ADF&G vessel registration number of vessel from which the landings were made

Interim-Use Permit Number

Pounds Landed in Season

Attach fish tickets, copies of permits, or other information to support claims

Indicate (YES or NO) whether application is completed on behalf of a deceased crew member

If YES, attach documentation proving status as a successor-in-interest to the applicant.

#### Block J – for PQS Applicants

To be completed by eligible processors

Note: An “eligible processor” is one that processed BSAI crab species during 1998 or 1999. A processor that did not process BSAI crab in either of those years may be eligible under the “hardship” provision. To be eligible under that provision, an Applicant must have processed Bering Sea snow crab in every season, 1988 through 1997; additionally, in the time period beginning on January 1, 1996, and concluding on June 10, 2002, the Applicant must have invested at least \$1 million in increasing or improving crab processing capacity.

Indicate (YES or NO) whether Applicant processed any Bering Sea crab PQS species in 1998 or 1999

If YES, proceed to Question 4.

If NO, complete Questions 2 and 3 to claim eligibility under the “hardship” provision.

Indicate (YES or NO) whether Applicant processed BSS crab during each season, 1988 through 1997

Indicate (YES or NO) whether Applicant invested a minimum of \$1 million in processing capacity in the time period beginning on January 1, 1996, and concluding on June 10, 2002

For each fishery for which the Applicant is seeking PQS, use the table to record the claim. Note that a separate table must be completed for each fishery/plant combination. Duplicate the table as may be necessary to record all claims.

Fishery (Enter Fishery Code)

Plant Location (Enter Name of City or Port)

Year

Processor Code

Pounds

Total Pounds: All 3 years

Indicate (YES or NO) whether Applicant entered into a Community Right of First Refusal (ROFR) contract governing the transfer of any PQS and/or IPQ subject to ROFR and issued as a result of this application

Indicate (YES or NO) whether Applicant entered into a contract that the legal processing history and rights to apply for and receive PQS based on that legal processing history have been transferred or retained by the Applicant

If YES, attach contract

If the Applicant is applying to receive PQS for the Western Aleutian golden (WAG) crab QS fishery, indicate (YES or NO) whether Applicant owns a crab processing facility in the West region (i.e., west of 174E W. long.)

#### Additional PQS Application Requirements

Provisions for community right of first refusal (ROFR) for initial issuance of QS and PQS

An Applicant for PQS premised on legal crab processing that occurred in an Eligible Crab Community (ECC) other than Adak must submit an affidavit attesting that the Applicant has provided notice to the ECC of the Applicant’s intent to apply for PQS, and that such notice was provided at least 60 days prior to the end of the application period.

If the ECC has designated an entity to represent it in the exercise of ROFR, the Applicant must also submit an affidavit attesting to the completion of a contract for ROFR that includes the terms enacted under section 313(j) of the Magnuson-Stevens Act. The affidavit must be signed by the Applicant and by a representative of the designated ECC entity.

An applicant for PQS premised on legal crab processing that occurred in the Gulf of Alaska north of a line at 56° E 20' N. lat., must submit an affidavit attesting that the Applicant has provided notice to the City of

Kodiak and to the Kodiak Island Borough of the Applicant’s intent to apply for PQS, and that such notice was provided at least 60 days prior to the end of the application period.

If the City of Kodiak and Kodiak Island Borough designate an entity to represent it in the exercise of ROFR, the Applicant must submit an affidavit attesting to completion of a contract for ROFR that includes the terms enacted under section 313(j) of the Magnuson-Stevens Act. The affidavit must be signed by the Applicant and by a representative of the designated ECC entity.

**Block K – Applicant signature.**

Printed name and signature of applicant and date signed.

If authorized representative, attach proof of authorization to the application.

<b>Application for QS or PQS, Respondent – NO LONGER USED</b>	
Number of respondents	0
<b>Total annual responses</b>	<b>0</b>
<b>Total burden hours</b>	<b>0</b>
<b>Total personnel cost</b>	<b>0</b>
<b>Total miscellaneous costs</b>	<b>0</b>

<b>Application for QS or PQS, Federal Government – NO LONGER USED</b>	
<b>Total annual responses</b>	<b>0</b>
<b>Total burden hours</b>	<b>0</b>
<b>Total personnel cost</b>	<b>0</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**b. Annual Application for Crab IFQ/IPQ Permit**

Individual fishing quota (IFQ)

Individual fishing quota (IFQ) is the pounds of crab that QS yields each year. It is determined by number of QS units held and the annual crab total allowable catch amount. The QS holder or a hired master can fish IFQ, and IFQ may be assigned to a cooperative. IFQ that is based on QS issued to LLP License holders can be leased until June 30, 2010. IFQ that is based on QS issued to crew can be leased until June 30, 2008, and after that date, under special exemptions for medical hardships and the physical loss of a vessel on which the IFQ holder uses the IFQ.

The QS and PQS holder must submit an application for IFQ or IPQ to NMFS by August 1 each year for self to receive the IFQ or assign that IFQ to a crab harvesting cooperative. IFQ also may be received by transfer.

IFQ is issued in four types: CPO, CPC, CVO, and CVC.

- ◆ CPO and CPC QS can be used to harvest and process crab onboard a vessel. It does not have to be delivered to a specific shore-based or stationary floating crab processor.
- ◆ CVO and CVC QS must be delivered to a shore-based or stationary floating crab processor. CVO QS will yield two types of IFQ each year: Class A and Class B.
  - Crab harvested under a CVO Class A IFQ permit must be delivered to a processor with unused IPQ in a specific region.

- Ninety percent of the CVO IFQ will be issued as Class A IFQ. Ten percent of the CVO IFQ will be issued as Class B IFQ. Crab harvested under a Class B IFQ permit can be delivered to any processor and does not need to be delivered to a processor with IPQ in a specific region.
- ◆ CVC QS yields CVC IFQ until June 30, 2008. CVC IFQ is similar to Class B IFQ; it can be delivered to any processor and is not tied to a specific region.
- ◆ After June 30, 2008, CVC QS will yield CVC Class A IFQ and CVC Class B IFQ. Ninety percent of the CVC IFQ will be issued as CVC Class A IFQ. IFQ has the same requirements to be delivered to a processor with IPQ and regional delivery requirements. Ten percent of the CVC IFQ will be issued as Class B IFQ. CVC Class A CVC Class B IFQ does not have these processor delivery requirements.

This application is necessary to administer the program, specifically:

- ◆ To determine the designation of Class A and Class B IFQ in each crab fishing year for each person;
- ◆ To determine whether the applicant will be using the IFQ as part of a crab harvesting cooperative; and
- ◆ To ensure that an economic data report (EDR) has been submitted.

#### Individual processing quota (IPQ)

Individual processing quota (IPQ) is the pounds of crab that PQS yields each year. IPQ is needed to receive any amount of crab harvested under a Class A IFQ permit. The amount of IPQ issued every year is equal to the pounds issued as Class A IFQ.

By August 1 each year a PQS holder must submit an application for IPQ to NMFS. All required fees and data reports must be submitted before NMFS issues IPQ. If not a PQS holder, IPQ may be received by transfer. However, NMFS will not issue IPQ to any PQS holder that is required to participate in the Arbitration System until the Arbitration System requirements have been met.

Crab harvested with Class B IFQ, CPO IFQ, CPC IFQ, and CVC IFQ (before July 1, 2008) may be received by a person without IPQ. Crab harvested under a Community Development Quota (CDQ) allocation may also be received without IPQ. However, to receive Class A IFQ, a person must have IPQ.

Anyone who is receiving crab (whether processing or not) must have a registered crab receiver (RCR) permit. That permit is necessary for data collection and fee assessment. That permit is available through NMFS (but will only be issued if fee payments and reporting requirements have been met).

Non-individuals holding QS must submit an affidavit on an annual basis, along with the Annual Application for Crab IFQ/IPQ Permit, to attest to whether an affiliation exists between a PQS or IPQ holder and the IFQ recipient.

This application is not complete until NMFS has verified that the applicant has submitted all required Economic Data Reports, and the applicant has paid all outstanding fee obligations.

**Annual Application for Crab IFQ/IPQ Permit**

**Block A – Applicant Information**

- Name and NMFS Person ID
- Date of birth or incorporation
- Permanent business mailing address and temporary business mailing address (optional).
- Business telephone number, fax number and e-mail address.

**Block B – Type Of Annual Quota For Which Application Is Made**

- Individual processing quota (IPQ)—complete Blocks A, B, D, and F
  - Mark All QS Fisheries for which applicant holds PQS or only those fisheries circled below
- Individual Fishing Quota (IFQ)--complete Blocks A, B, (C), D, E, and F
  - Mark All QS Fisheries for which applicant holds QS or only those fisheries circled below
- Indicate (YES or NO) whether Applicant intends to join a Cooperative
  - If YES, complete Block C.

**Block C –Cooperative IFQ Assignment**

- Complete if some or all of the Applicant’s Annual IFQ is to be assigned to a crab harvesting cooperative
  - Name of the crab harvesting cooperative(s) the Applicant has joined for each crab fishery.
  - If Applicant has joined the same crab harvesting cooperative for all crab QS Fisheries for which the Applicant holds QS, Applicant should list the cooperative name in the row named “All QS Fisheries.”
  - A copy of this application must be submitted with the cooperative’s application(s) for its annual crab harvesting cooperative IFQ permit.

**Block D--Identification of Ownership Interests**

- If Applicant identified in Block A is not an individual (i.e. is a corporation, partnership or some other entity) enter
  - Name(s) of all owners of the Applicant
  - Percent of ownership
- If a listed owner is not an individual, provide the same information for each such owner until all owners, and their percent of ownership, is revealed to the individual level.

**Block E – Declaration of Affiliation**

- To be completed by Applicants for IFQ
- Indicate (YES or NO) whether the Applicant is “affiliated” with an entity that holds PQS and/or IPQ
- If YES, provide for holders of PQS or IPQ with which it is affiliated
  - Name
  - Business address
  - Telephone number
- Information regarding affiliation is required to determine the correct allocation of “A” and “B” category IFQ to the Applicant. Note that this Declaration of Affiliation is valid for the entire Crab Fishing Year for which the Applicant is seeking IFQ.

**Block F – Certification of Applicant**

- Printed name and signature of applicant and date signed.
- If the application is completed by an authorized representative, attach proof of authorization.

In 2005/6, 576 IFQ permits were issued; in 2006/7, 464 IFQ permits were issued, and in 2007/8, 382 IFQ permits were issued. The number 390 is used to determine costs, based on the last figure, due to apparent downward trend but allowing for the possibility of the trend’s having “bottomed out”, and rounding up to the nearest 10.

<b>Annual application for Crab IFQ permit, Respondent</b>	
<b>Number of respondents</b>	<b>390</b>
<b>Total annual responses</b>	<b>390</b>

Frequency of response = 1	
<b>Total burden hours</b> (2.5 x 390 = 975)	<b>975 hr</b>
Time per response = 2.5 hr	
<b>Total personnel cost</b> (\$25 x 975)	<b>\$24,375</b>
<b>Total miscellaneous costs</b> (2194.4)	<b>\$2,195</b>
Annual postage (.41 x 40 = 16.4)	
Annual photocopy (2 x .10 x 390 = 78)	
Annual fax (\$6 x 350 = 2100)	

<b>Annual application for Crab IFQ permit, Federal Government</b>	
Number of responses	390
<b>Total burden hours</b> (97.5)	<b>98 hr</b>
Time per response = (15/60) = 0.25	
<b>Total personnel costs</b> (\$25 x 390)	<b>\$2,450</b>
<b>Total miscellaneous costs</b>	<b>0</b>

In 2005/6, 77 IPQ permits were issued. In 2006/7, 107 IPQ permits were issued. And in 2007/8, 106 IPQ permits were issued. The number 110 is used to determine costs.

<b>Annual application for Crab IPQ permit, Respondent</b>	
Number of respondents	110
<b>Total annual responses</b>	<b>110</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>275 hr</b>
Time per response = 2.5 hr	
<b>Total personnel costs</b> (\$25 x 275)	<b>\$6,875</b>
<b>Total miscellaneous costs</b> (626.10)	<b>\$626</b>
Annual postage (.41 x 10 = 4.10)	
Annual fax (\$6 x 100 = \$600)	
Annual photocopy (2 x .10 x 110 = 22)	

<b>Annual application for Crab IPQ permit, Federal Government</b>	
Number of responses	110
<b>Total burden hours</b> (27.5)	<b>28 hr</b>
Time per response = (15/60) = 0.25	
<b>Total personnel costs</b> (\$25 x 28)	<b>700</b>
<b>Total miscellaneous costs</b>	<b>0</b>

### c. Application for an Annual Crab Harvesting Cooperative IFQ Permit.

A group of four or more distinct QS holders (not affiliated with the other members in that cooperative) can voluntarily form a crab harvesting cooperative for the purpose of applying for and fishing under a crab harvesting cooperative IFQ permit issued by NMFS. Crab harvesting cooperatives do not hold QS; they hold and use only the IFQ of the crab harvesting cooperative members. The amount of crab authorized by the permit is derived from the aggregate IFQ amounts that would otherwise have been issued to the members of the cooperative. Each cooperative is issued a separate IFQ permit for each type of QS held by its members.

A QS holder may only join one cooperative per crab fishery. When a QS holder joins a crab harvesting cooperative at the start of the crab fishing year, all of that QS holder's IFQ for that fishery will be assigned to the crab harvesting cooperative. For instance, if a QS holder holds 10 units of IFQ in the Bristol Bay Red (BBR) king crab fishery and 20 units of IFQ in the Western Aleutian golden (WAG) king crab fishery and wishes to join a crab harvesting cooperative in the

WAG fishery, he or she must commit all 20 units of WAG IFQ to the WAG crab harvesting cooperative he or she chooses to join. The QS holder may choose to fish his or her BBR IFQ independently or may commit all 10 units of BBR IFQ to a cooperative in the BBR fishery.

In order to be eligible for a cooperative IFQ permit issued by NMFS, a cooperative is required to be formed as a legal business entity registered under the laws of one of the 50 states or the District of Columbia, and is required to be organized according to the requirements of the 1934 Fisherman's Collective Marketing Act (FCMA) (15 U.S.C. 521). The intent of the FCMA is to provide fishermen, acting through fishery cooperatives, an opportunity to compete on the same basis as an individual corporation. Because there is no waiver of antitrust laws in the Magnuson-Stevens Act and because the only exemption from antitrust law for fishing cooperatives is provided by the FCMA, crab harvesting cooperatives are required to be organized and operate in a manner that is consistent with requirements of the FCMA.

Crab harvesting cooperatives must annually apply by August 1 to NMFS to receive a crab harvesting cooperative IFQ permit. The application must include the signed annual applications for crab IFQ/IPQ permit forms of all the members of the crab harvesting cooperative.

Each crab harvesting cooperative must appoint a designated representative to act on the cooperative's behalf and serve as contact point for NMFS for questions regarding the operation of the cooperative. The designated representative may be a member of the cooperative or some other individual authorized by the cooperative to act on its behalf.

**Application for annual crab harvesting cooperative IFQ permit**

Block A – Identification of Cooperative

- Name of cooperative
- Name of the cooperative's designated representative
- Permanent business address
- Permanent business address of designated representative, if different
- Type of business entity under which the cooperative is organized: Cooperative, Partnership, or Other (specify)
- State in which the cooperative is legally registered as a business entity;
- Business telephone number, fax number, and e-mail address (if available).
- Signature of designated representative and date signed.

Block B – Members of the cooperative

- Name of QS holder
- NMFS Person ID for each QS holder.

Attachments

- To be considered complete, this application must be accompanied by all of the following documents:
  - A copy of the completed annual IFQ application from every member of the Cooperative
  - A copy of the Cooperative's business license
  - A copy of the Cooperative's Articles of Incorporation or Partnership Agreement
  - A copy of the Cooperative agreement, if different from Articles of Incorporation or Partnership Agreement.

In 2005/6, 15 Coop IFQ permits were issued, in 2006/7, 19 Coop IFQ permits were issued, and in 2007/8, 19 Coop IFQ permits were issued. Based on these last two figures, the number 19 is used to determine costs.

<b>Application for Annual Crab Harvesting Cooperative IFQ Permit, Respondent</b>	
<b>Total annual respondents</b>	<b>19</b>
<b>Total annual responses</b>	<b>19</b>

Frequency of response = 1	
<b>Total burden hours</b> (47.5)	<b>48</b>
Time per response = 2.5 hr	
<b>Total personnel costs</b> (\$25 x 48)	<b>\$1,200</b>
<b>Total miscellaneous cost</b> (95.44)	<b>\$96</b>
Annual postage (.41 x 4 = 1.64)	
Annual photocopy (2 x .10 x 19 = 3.80)	
Annual fax (\$6 x 15 = \$90)	

<b>Application for Annual Crab Harvesting Cooperative IFQ Permit, Federal Government</b>	
<b>Total annual responses</b>	<b>19</b>
<b>Total burden hours</b>	<b>19</b>
Time per response = 1 hr	
<b>Total personnel costs</b> (\$25 x 19)	<b>\$475</b>
<b>Total miscellaneous costs</b>	<b>0</b>

#### **d. Application for Registered Crab Receiver (RCR) Permit**

An annual RCR permit is required for the Crab Receiver (CR) crab fisheries. CR crab fisheries include IFQ/IPQ fisheries, CDQ fisheries except Norton Sound king crab, and the golden king crab allocation to Adak. This permit is required to receive any unprocessed crab from the harvester; the owner/operator of a vessel that processes CR crab at sea, any person holding IPQ, and any person that is required to submit a Departure Report. For shoreside operations, an RCR permit is required for each shore facility.

For the application to be considered complete, all fees required by NMFS must be paid, and any economic data report must be submitted.

In addition, the currently approved TIN requirement is included on this application form in this renewal request: Collection of TIN is necessary on program fee submission forms to ensure that we are collecting from the person who owes the debt. Collection of TIN is required also required on this permit form because the debt is established prior to the time that the fee submission forms are due to the agency. If the fee submission and payment are not received, the agency must begin collection processes and those collection processes cannot be initiated or accomplished without the TIN. *NOTE: Because the TIN in this instance is collected for NMFS cost recovery, there is demonstrable practical utility. In addition, cost recovery is mandated by the Magnuson-Stevens Act (16 U.S.C. 1852 et seq.) as amended in 2006, and the collection of TINs in such an instance is supported by 31 U.S.C. Section 7701. See also applicable NMFS Alaska Region regulations: [50 CFR 679.45\(d\)](#) and [50 CFR 679\(a\)\(5\)](#).*

#### **Application for Registered Crab Receiver (RCR) permit**

##### Block A – Nature of the RCR For Which You Are Applying

To be completed by all applicants.

Indicate whether this application is for:

- Renewal of an existing RCR permit; If YES indicate current RCR permit number
- Amendment to an existing RCR; If YES indicate current RCR permit number
- Request for a new RCR permit.

**Block B – Applicant Information**

Name and NMFS Person ID  
Name of contact person for the applicant, if a company;  
TIN (EIN or SSN) and date of incorporation if a business or date of birth if an individual  
Permanent business mailing address  
Business telephone number, Fax number, and e-mail address (if available).

**Block C – Type of Activity (Facility/Vessel Identification)**

Select type of RCR operation  
Identity of Shoreside Processing Facility  
    Name of Processing Facility  
    Physical Location of Facility  
Identity of Stationary Floating Crab Processor  
    Name of Vessel  
    Alaska Department of Fish and Game (ADFG) vessel registration number  
    United States Coast Guard (USCG) documentation number.

**Block D – Individual Responsible for Submission of Economic Data Report (EDR)**

Name of designated representative  
Business mailing address  
Business telephone number, fax number, and e-mail address (if available)

**Block E – Applicant Signature**

Printed name and signature of applicant and date signed.  
If completed by an authorized representative, attach proof of authorization.

In 2005/6, 55 RCR permits were issued; in 2006/7, 66 RCR permits were issued and in 2007/8, 101 RCR permits were issued. The number 100 is used to determine costs, based on upward trend but with virtually all such businesses accounted for.

<b>Application for RCR Permit, Respondent</b>	
<b>Number of respondents</b>	<b>100</b>
<b>Total annual responses</b>	<b>100</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>50 hr</b>
Time per response = 0.5 hr	
<b>Total personnel costs</b> (\$25 x 50)	<b>\$1,250</b>
<b>Total miscellaneous costs</b> (414.35)	<b>\$414</b>
Postage (0.41 x 35 = 14.35)	
Fax (\$6 x 65 = \$390)	
Photocopy (1 x .10 x 100 = 10)	

<b>Application for RCR Permit, Federal Government</b>	
Number of responses	100
<b>Total burden hours</b>	<b>25</b>
Time per response = 0.25 hr	
<b>Total personnel costs</b> (\$25 x 25)	<b>\$625</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**e. Application for Crab IFQ Hired Master Permit**

A crab IFQ hired master permit is issued on an annual basis and authorizes the individual identified on the permit to harvest and land IFQ crab for debit against the specified crab IFQ permit. It may also be used to delete such authorization. A separate form must be submitted for

each vessel upon which the applicant's IFQ permit(s) is to be fished by the hired skipper(s). The cooperative's Authorized Representative must submit the application for a crab harvesting

cooperative. Hired Master Permits may not be issued to harvest IFQ in the Captain/Crew (CVC, CPC) sectors.

Some IFQ permit holders must use Hired Masters to fish their IFQ; some may use Hired Masters, and some types of IFQ may never be fished by Hired Masters, (i.e. the IFQ permit holder must personally be on board). All non-individual entities (corporations, partnerships, crab harvesting cooperatives, etc.) that hold crab IFQ permits must use NMFS-authorized Hired Masters to fish their IFQ permits. Any IFQ assigned to a crab harvesting cooperatives must be fished by a Hired Master authorized for the cooperative's IFQ permits and vessels.

In order for the application to be considered complete, a copy of the USCG Abstract of Title or Certificate of documentation must be included to demonstrate percent or vessel ownership by the IFQ permit holder.

#### **Application for Crab IFQ Hired Master Permit**

##### Block A – Purpose of Application

Indicate whether applying to add or delete a hired master Crab IFQ permit(s) for which this authorization applies.

##### Block B – IFQ Permit Holder (Applicant) Information

Name and NMFS person ID of IFQ permit holder  
Name and NMFS person ID of cooperative, if applicable  
Name of cooperative's authorized representative, if applicable  
Business mailing address; indicate whether permanent or temporary  
Business telephone number, fax number and e-mail address (if available).

##### Block C – Vessel Upon Which Crab IFQ Will Be Harvested

Vessel name, ADF&G vessel registration number, and USCG documentation number.  
Indicate (YES or NO) if IFQ permit holder holds an ownership interest of at least 10% in the named vessel.  
If a Crab Harvesting Cooperative, indicate (YES or NO) whether a member hold an ownership interest of at least 10% in the named vessel.  
If YES, enter name of that member and attach a contemporary USCG Abstract of Title or Certificate of Documentation that demonstrates that the minimum ownership requirement has been satisfied with respect to the named vessel; no other documentation of ownership is satisfactory.  
If YES and applicant is a cooperative, enter name of that member and attach a contemporary USCG Abstract of Title or Certificate of Documentation; no other documentation of ownership is acceptable.  
If NO, the applicant is not eligible to hire a master and this application will be denied.

Block D – Identification of IFQ Hired Master

Complete a separate section for each crab IFQ hired master  
Name, NMFS person ID, and date of birth of hired master  
Business mailing address; indicate whether permanent or temporary  
Business telephone number, fax number, and e-mail address (if available).

Block E – Signature of Applicant

Printed name and signature of applicant and date signed.  
If authorized representative, attach authorization

In 2006/7, 135 persons were issued 1,300 hired master permits -- about 10 for each person. Based on this information, the number 1,300 is used for number of hired master permits.

<b>Application for crab IFQ hired master, Respondent</b>	
Number of respondents	1300
<b>Total annual responses</b>	<b>1300</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>455 hr</b>
Time per response (21/60 = 0.35)	
<b>Total personnel cost</b> (\$25 x 455)	<b>\$11,375</b>
<b>Total miscellaneous costs</b> (1382.30)	<b>\$6,383</b>
Postage (.41 x 300 = 123)	
Photocopy (2 x .10 x 1300 = 260)	
Fax (\$6 x 1000 = 6000)	

<b>Application for crab IFQ hired master, Federal Government</b>	
Number of responses	1300
<b>Total burden hours</b>	<b>325</b>
Time per response (15/60=0.25)	
<b>Total personnel costs</b> (\$25 x 325)	<b>\$8,125</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**f. Application for Federal Crab Vessel Permit (FCVP)**

Any vessel participating in the BSAI CR crab fisheries in any way (i.e., as a catcher vessel, catcher/processor, or a stationary floating crab processor (SFCP)) must have onboard a valid Federal Crab Vessel Permit (FCVP). FCVPs are issued annually for a crab fishing year (July 1 through June 30). Only U.S. Citizens are authorized to receive or to hold a FCVP.

For the application to be complete all fees required by NMFS must be paid and any required Economic Data Report must be submitted.

The holder of a Federal crab vessel permit must submit an amended application for a Federal crab vessel permit within 10 days of the date of change.

**Application for Federal crab vessel permit**

Block A--Nature of Application

Indicate whether this application requests:

- a request for a new permit
- a renewal of an existing permit, if YES provide current FCVP number
- an amendment to an existing permit, YES provide current FCVP number.

Block B -- Vessel Information

Name, ADF&G vessel registration number, and USCG documentation number of vessel  
Home port (city and state)  
ADF&G processor code (if a catcher/processor or SFCP)  
Indicate (YES or NO) whether a vessel of the United States.  
Vessel's length overall (LOA) in feet and registered length in feet.  
Gross tonnage (U.S. tons) and net tonnage (U.S. tons)  
Shaft horsepower  
Type of Vessel Operation.

Block C -- Contact Owner Information

Complete for each Vessel Owner - (Duplicate as necessary to provide information on all owners)  
Name and NMFS ID of owner  
Business permanent mailing address and temporary business mailing address (if appropriate)  
Business telephone number, business fax number, and business e-mail address (if available)  
Name of managing company (if any).

Block D -- Designated Representative for EDR

Name  
Business mailing address  
Business telephone number, fax number, and e-mail address (if available.)

Block E -- Certification

Printed name and signature of applicant and date signed.  
If completed by representative, attach authorization.

In 2005/6, 127 Crab vessel permits were issued. In 2006/7, 144 Crab vessel permits were issued. And in 2007/8, 129 Crab vessel permits were issued. As there is no upward or downward trend, the average of these three, 133, is used to determine costs.

<b>Application for Federal Crab Vessel Permit, Respondent</b>	
Number of respondents	133
<b>Total annual responses</b>	<b>133</b>
Frequency of response = 1	
<b>Total burden hours (46.55)</b>	<b>47 hr</b>
Time per response (21/60 = 0.35)	
<b>Total personnel costs (\$25 x 47)</b>	<b>\$1,175</b>
<b>Total miscellaneous costs (751.93)</b>	<b>\$752</b>
Postage (0.41 x 13 = 5.33)	
Fax (\$6 x 120 = 720)	
Photocopy (0.10 x 2 x 133 = 26.60)	

<b>Application for Federal Crab Vessel Permit, Federal Government</b>	
Number of responses	133
<b>Total burden hours (66.5)</b>	<b>67</b>
Time per response = 0.50 hr	
<b>Total personnel costs (\$25 x 67)</b>	<b>\$1,675</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**g. Application to Become an Eligible Crab Community Organization (ECCO)**

Prior to initially receiving QS or IFQ by transfer on behalf of a specific eligible crab community (ECC), a non-profit organization that intends to represent that ECC as an ECCO must submit an application to become an ECCO. This application is required to establish a person's eligibility to receive QS, PQS, IFQ, or IPQ by transfer, if the person is an ECCO.

Each ECC may designate only one ECCO to represent that community in the exercise of Right of First Refusal (ROFR) at any one time through a statement of support from the governing body of the ECC submitted to NMFS at least 30 days prior to the ending date of the initial application period for the crab QS program. ROFR means the civil contract provisions set forth under section 313(j) of the Magnuson-Stevens Act between the holders of PQS and IPQ and ECC entities, other than Adak, for the opportunity of ECC to exercise the right to purchase or lease PQS or IPQ proposed to be transferred by a holder of PQS or IPQ in an ECC.

**Application to Become an Eligible Crab Community Organization (ECCO)**

Block A - Identification of Applicant (non-profit organization)

- Name and NMFS Person ID
- Permanent and temporary business mailing address
- Name of contact person
- Business telephone number, fax number, and e-mail address (if available)
- Name of community represented by non-profit organization.
- Name of contact person for the community governing body.

Block B – Required Attachments

- The articles of incorporation under the laws of the State of Alaska for that non-profit organization
- A statement indicating the ECC(s) represented by that non-profit organization for purposes of holding QS
- The bylaws of the non-profit organization;
- A list of key personnel of the management organization including, but not limited to, the board of directors, officers, representatives, and any managers;
- Additional contact information of the managing personnel for the non-profit organization and resumes of management personnel
- A description of how the non-profit organization is qualified to manage QS on behalf of the ECC it is designated to represent, and a demonstration that the non-profit organization has the management skills and technical expertise to manage QS and IFQ.
- A statement describing the procedures that will be used to determine the distribution of IFQ to residents of the ECC represented by that nonprofit organization, including:
  - Procedures used to solicit requests from residents to lease IFQ;
  - Criteria used to determine the distribution of IFQ leases among qualified community residents; and
  - The relative weighting of those criteria.

Block C – Applicant Certification

- Printed name and signature of applicant or authorized agent and date signed
- If authorized agent, attach authorization
- Notary signature, date when commission expires, and notary seal or stamp.

Since 2005, zero ECCO permits were issued. The number 1 (as a placeholder) is used to determine costs.

<b>Application to become an ECCO, Respondent</b>	
Number of respondents	1
<b>Total annual responses</b>	<b>1</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>3 hr</b>
Time per response = 2.5 hr	
<b>Total personnel costs</b> (\$25 x 3 = 62.50)	<b>\$75</b>
<b>Total miscellaneous costs</b> (1.7)	<b>\$2</b>
Postage (1.50 x 1 = 1.50)	
Photocopy (0.10 x 2 x 1 = 0.2)	

<b>Application to become an ECCO, Federal Government</b>	
Number of responses	1
<b>Total burden hours (0.25)</b>	<b>1</b>
Time per response = 0.25	
<b>Total personnel costs (\$25 x 1)</b>	<b>\$25</b>
<b>Total miscellaneous costs</b>	<b>0</b>

## **h. Application for Eligibility to Receive Crab QS/IFQ or PQS/IPQ by Transfer**

This application is to be used by an applicant seeking authority to receive BSAI Crab QS, IFQ, PQS, or IPQ by transfer. If the applicant received QS or PQS upon initial issuance, or wishes to establish itself as an Eligible Crab Community Organization (ECCO), this application is not necessary. All other persons who wish to receive QS, PQS, IFQ, or IPQ by transfer must complete this application.

### **Application for Eligibility to Receive Crab QS/IFQ or PQS/IPQ by Transfer**

#### Block A – Purpose of Application

Indicate type of Quota for which the applicant seeks eligibility.

#### Block B - Applicant Information

Indicate whether a U.S. Citizen or a U.S. Corporation, Partnership, or Association of Business Entity  
 Name, NMFS Person ID, and date of birth  
 Permanent or temporary business mailing address  
 Business telephone number, business fax number, and business e-mail address (if available).

#### Block C – Eligibility to Receive CVC or CPC QS/IFQ

Indicate (YES or NO) whether the purpose of this application is to obtain authority to receive “crew shares” (CVC or CPC or associated IFQ) by transfer.

If YES, the applicant must demonstrate participation in one or more BSAI Crab Rationalization fishery during the 365 days prior to signing this application form by submitting  
 a signed ADF&G fish ticket imprinted with the applicant’s CFEC permit card,  
 an affidavit indicating date of landing of crab species from the owner of a vessel upon which fishing was done, or  
 a signed receipt for an IFQ crab landing on which the applicant was serving as a hired master for an IFQ permit holder.

#### Block D – U.S. Corporations, Partnerships, or Other Business Entities

Indicate (YES or NO) whether submitted by or on behalf of a CDQ Group

If YES, go to Block F.

Indicate (YES or NO) whether submitted by or on behalf of a Corporation, Partnership or other Business Entity

If YES, at least one member/owner of the entity must document an ownership interest of at least 20% of the entity and must demonstrate that s/he participated for a minimum of 150 days as a member of a harvesting crew in any U.S. fishery. Verification of the 150 days of participation can be provided by submitting the individual’s Transfer Eligibility Certificate for the North Pacific Halibut and Sablefish IFQ program or for the BSAI Crab Rationalization Program, or by completing Block E of this application.

If Block E is completed, and this application is approved, the individual will automatically qualify for a TEC for the halibut/sablefish IFQ fisheries

Identity of individual business owner with required experience participating in one or more U.S. fishery

Name and NMFS person ID

Business mailing address

Business telephone number, and business fax number

Indicate (YES or NO) whether the person is U.S. Citizen  
 If NO, STOP this application cannot be approved.

**Block E – Individual Commercial Fishing Experience**

If the individual who completes this Block E is not the Applicant, the individual must co-sign this application in Block F.

- Species
- Gear type
- Location
- Starting date and ending date of claimed fishing period (MMYY)
- Number of actual days spent harvesting fish
- Duties performed while directly involved in the fishing activity (be specific)
- Name and ADF&G vessel registration number or USCG documentation number of the vessel upon which above duties were performed.
- Name of vessel owner
- Name of vessel operator
- Reference name
- Reference’s relationship to applicant
- Reference’s business mailing address and business telephone number.

**Block F - Applicant Certification**

Printed name and signature of applicant and date signed.  
 If authorized representative, attach authorization.

NMFS received 278 total applications, from 2005 through 2007 (NMFS does not keep track of these by year). So dividing by 3 years, the number 93 is used to determine costs.

<b>Application for eligibility to receive crab QS/IFQ or PQS/IPQ by transfer, Respondent</b>	
Number of respondents	93
<b>Total annual responses</b>	<b>93</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>186</b>
Time per response = 2 hr	
<b>Total personnel costs</b> (\$25 x 186)	<b>\$4,650</b>
<b>Total miscellaneous costs</b> (123.69)	<b>\$124</b>
Postage (1.23 x 93 = 114.39)	
Photocopy 1 x .10 x 93 = 9.30)	

<b>Application for eligibility to receive crab QS/IFQ or PQS/IPQ by transfer, Federal Government</b>	
Number of responses	93
<b>Total burden hours</b> (23.25)	<b>23</b>
Time per response = 0.25	
<b>Total personnel costs</b> (\$25 x 23)	<b>\$575</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**i. Application for Transfer of Crab QS/IFQ or PQS/IPQ**

This application is required to transfer any amount of QS, PQS, IFQ, or IPQ from an entity that is not an ECCO or a crab harvesting cooperative. This form should not be used to apply for a transfer of QS/IFQ or PQS/IPQ to, or from, an Eligible Crab Community Organization (ECCO) or to, or from, a Crab Harvesting Cooperative. Depending on the type of harvesting QS that is being transferred, different eligibility standards pertain to a transferee.

Applications to transfer QS, IFQ, PQS or IPQ will not be processed between August 1 of any year and the date of issuance of the IFQ or IPQ in any given BSAI Crab Rationalization Fishery.

**Application for transfer of crab QS/IFQ or PQS/IPQ**

Attach a copy of the terms of agreement for the transfer, the bill of sale for QS or PQS, or lease agreement for IFQ or IPQ.

Block A – Type of Transfer

Indicate type of transfer requested

If this is a transfer of PQS or IPQ, indicate (YES or NO) whether the PQS or IPQ will be used within the ROFR community within which the PQS is currently associated

If YES, indicate which community

and provide an affidavit stating that the ECC wishes to permanently waive ROFR for the PQS or that the proposed recipient of the PQS has completed a ROFR contract with the ECC for the PQS.

Block B – Identification Of Proposed Transferor (Seller)

Name, NMFS Person ID, and date of birth

Permanent and temporary business mailing address

Business telephone number, fax number, and e-mail address (if available).

Block C1 – Identification of Proposed Transferee (Buyer)

Name, NMFS Person ID, and date of birth

Permanent and temporary business mailing address

Business telephone number, fax number, and e-mail address (if available).

Block C2 – Eligibility of Proposed Transferee

(Does not pertain to those seeking to receive Processing Quota Share)

Indicate (YES or NO) whether the proposed transferee is applying to receive CVO or CPO QS and/or IFQ

If YES, indicate whether the proposed transferee is an eligible recipient of QS or

Indicate (YES or NO) whether the transferee is applying to receive CVC or CPC QS and/or IFQ

If YES, indicate (YES or NO) whether the proposed transferee is an eligible recipient of QS or IFQ

If NO, a completed Application for BSAI Crab Eligibility to Receive QS/PQS or IFQ/IPQ by

Transfer form must be completed, submitted, and approved before this Application for Transfer can be approved

Block D1 -- Identification and Cost of Quota to Be Transferred

Identification of Quota Share or Processor Quota Share (QS/PQS) Quota (from Report of Quota Holdings)

Fishery

Sector\*

Region

Beginning Serial Number QS

Ending Serial Number QS

Indicate (YES or NO) whether there are any current year IFQ/IPQ Pounds to transfer with the QS/PQS

If YES, provide the following

Permit Number

Class (A or B)

Pounds

Indicate (YES or NO) where there are any current year IFQ/IPQ Pounds to transfer with the QS/PQS

If YES, provide the following

Permit Number

Class (A or B)

Pounds

If transfer of CPO Quota

Indicate how the CPO QS will be designated after the transfer

If intended to be designated as CVO QS and PQS, indicate the region (as appropriate for the fishery)

Complete the following for the QS identified above

If the transfer is part of a group of transfers for one consolidated price, determine the value of each segment and report it below

Total price of the Quota, including all fees and other transaction costs  
Price per Unit of QS (Price divided by Units)  
Price per pound of crab (Price divided by Pounds).

Block D2 -- Transfer of Annual IFQ or IPQ only [“lease” of IFQ/IPQ], Identification and Cost Of IFQ/IPQ

Identification of Annual IFQ or IPQ Permit to be transferred (“Leased”) – complete for each separate permit

Permit Number  
Fishery  
Sector  
Region  
Class (A or B)  
IFQ Pounds

Complete the following for the IFQ/IPQ identified above. If the transfer is part of a group of transfers for one consolidated price, determine the value of each segment and report it below.

Total price of the IFQ/IPQ, including all fees and other transaction costs

Indicate (YES or NO) whether the same price per pound is applicable to both Class A and Class B IFQ

If NO, provide price per pound by class

Price per Pound of IFQ/IPQ (Price divided by Units)

If the price is based on a percentage of the ex vessel value, provide the percentage being charged

Identification of Annual IFQ or IPQ Permit to be transferred (“Leased”) – complete for each separate permit:

Permit Number  
Fishery  
Sector  
Region  
Class (A or B)  
IFQ Pounds.

Block E1 -- Survey Questions for Transferor (Seller)

Provide the reason proposing to transfer the Quota (check all reasons that apply)

Indicate (YES or NO) whether a Permit Broker is being used for this transaction

If YES, indicate broker fees in dollars or percentage of total price of Quota.

Block E2 – Survey Questions for Transferee (Buyer)

Indicate (YES or NO) whether the Quota transferred under this application will be used as collateral for a loan

If YES, identify the party with an interest in the Quota

Indicate primary source of financing for Quota to be transferred under this application

Indicate the relationship, if any, between the proposed Transferor and the proposed Transferee.

Block F1 – Certification of Transferor

Printed name and signature of transferor and date signed.

If authorized representative, attach authorization to the application.

Signature of Notary Public, date commission expires, and notary seal or stamp.

Block F2 – Certification of Transferee

Printed name and signature of transferee and date signed.

If authorized representative, attach authorization to the application.

Signature of Notary Public, date commission expires, and notary seal or stamp.

In 2005/6, 353 Crab transfer permits were issued; in 2006/7, 414 Crab transfer permits were issued, and in 2007/8, 135 Crab transfer permits were issued (as of November 30, 2007).

As there is significant fluctuation, the number 400 is used to determine costs, rather than the average of the past three years, 300, so as not to underestimate responses.

<b>Application for transfer of QS, IFQ, and IPQ, Respondent</b>	
Number of respondents	400
<b>Total annual responses</b>	<b>400</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>800 hr</b>
Time per response = 2 hr	
<b>Total personnel costs</b> (\$25 x 800)	<b>\$20,000</b>
<b>Total miscellaneous costs</b>	<b>\$4,572</b>
Notary (\$10 x 400 = 4,000)	
Postage (\$1.23 x 400 = 492)	
Photocopy (2 x 0.10 x 400 = 80)	

<b>Application for transfer of QS, IFQ, and IPQ, Federal Government</b>	
Number of responses	400
<b>Total burden hours</b>	<b>100</b>
Time per response = 0.25	
<b>Total personnel cost</b> (\$25 x 100)	<b>\$2500</b>
<b>Total miscellaneous costs</b>	<b>0</b>

#### **j. Application for Transfer of BSAI crab QS/IFQ to or from an ECCO**

Eligible crab community organization (ECCO) means a non-profit organization that represents at least one eligible crab community (ECC). The ECCO must be approved by the Regional Administrator to obtain by transfer and hold crab QS and to lease IFQ resulting from the crab QS on behalf of an ECC. This application is required to transfer any amount of QS or IFQ to or from an ECCO.

This form may only be used if an ECCO is the proposed transferor or the proposed transferee of the QS or IFQ. The party to whom an ECCO is seeking to transfer the QS/IFQ must be eligible to receive QS/IFQ by transfer. If the ECCO is applying to permanently transfer QS, a representative of the community on whose behalf the QS is held must sign the application. If authorized representative represents either the transferor or transferee, proof of authorization to act on behalf of transferor or transferee must be attached to the application.

#### **Application for transfer of BSAI crab QS/IFQ to or from an ECCO**

##### Block A – General Requirements

##### Block B – Transferor (Seller) Information

Name and NMFS Person ID

If transferor is an ECCO, name of community represented by the ECCO

Permanent and temporary business mailing address

Business telephone number, fax number, and e-mail address (if available).

##### Block C – Transferee (Buyer) Information

Name and NMFS Person ID

If transferee is an ECCO, name of community represented by the ECCO

Permanent and temporary business mailing address

Business telephone number, fax number, and e-mail address (if available).

##### Block D – Identification of QS/IFQ to Be Transferred

QS species and type

Number of QS or IFQ units to be transferred

Total QS units  
Number of IFQ pounds  
Range of serial numbers to be transferred, numbered to and from  
Name of community to which QS are currently assigned  
Indicate (YES or NO) whether all remaining IFQ pounds for the current fishing year should be transferred.  
If NO, specify the number of pounds to be transferred

Transfer of IFQ Only

IFQ permit number and year of permit  
Actual number of IFQ pounds to be transferred  
Reason for transfer (check all that apply).

Block E – Price Paid for QS, PQS and/or IFQ, IPQ (Transferor)

Indicate (YES or NO) whether a broker was used for this transaction  
If YES, enter dollar amount paid in brokerage fees or percentage of the total price.  
Enter total amount paid for the QS/IFQ in this transaction, including all fees.  
Price per unit of QS and the price per pound of IFQ  
Indicate reasons (check all that apply) for transferring QS/IFQ.

Block F - Method of Financing for the QS, PQS and/or IFQ, IPQ (Transferee)

Indicate (YES or NO) whether the QS/IFQ purchase will have a lien attached.  
If YES, enter name of lien holder.  
Indicate one primary source of financing for this transfer.  
Indicate how the QS/IFQ was located  
Indicate the relationship, if any, between the transferor and the transferee  
Indicate (YES or N) whether an agreement exists to return the QS or IFQ to the transferor or any other person, or with a condition placed on resale. If YES, explain  
Attach a copy of the terms of agreement for the transfer, the bill of sale for QS, or lease agreement for IFQ.

Block G--Certification of Transferor

Printed name and signature of transferor and date signed.  
If authorized representative, attach authorization to the application.  
Signature of Notary Public, date commission expires, and notary seal or stamp.

Block H--Certification of Transferee

Printed name and signature of transferee and date signed.  
If authorized representative, attach authorization to the application.  
Signature of Notary Public, date commission expires, and notary seal or stamp.

Block I--Certification of ECCO Community Representative

Printed name and signature of ECCO community representative and date signed.  
Signature of Notary Public, date commission expires, and notary seal or stamp.

Attachments to the Application and Other Conditions to Be Met

Indicate whether the person applying to make or receive the QS, PQS, IFQ or IPQ transfer has submitted an EDR, if required and paid all fees  
A copy of the terms of agreement for the transfer, the bill of sale for QS or PQS, or lease agreement for IFQ or IPQ  
An affirmation that the individual receiving IFQ from an ECCO has been a permanent resident in the ECC for a period of 12 months prior to the submission of the Application for transfer QS/IFQ to or from an ECCO on whose behalf the ECCO holds QS.

Since 2005, no ECCO permits have been issued; therefore no ECCO transfer permits have been issued. The number 1 is used as a placeholder, to determine costs.

<b>Application for Transfer of Crab QS/IFQ to or from an ECCO, Respondent</b>	
Number of respondents	1
<b>Total annual responses</b>	<b>1</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>2</b>
Time per response = 2 hr	
<b>Total personnel costs</b> (\$25 x 2)	<b>\$50</b>
<b>Total miscellaneous costs</b> (11.43)	<b>\$11</b>
Notary (\$10 x 1 = 10)	
Postage (\$1.23 x 1 = 1.23)	
Photocopy (2 x 0.10 x 1 = 0.2)	

<b>Application for Transfer of Crab QS/IFQ to or from an ECCO, Federal Government</b>	
Number of responses	1
<b>Total burden hours</b>	<b>1</b>
Time per response = 0.25	
<b>Total personnel costs</b> (\$25 x 1)	<b>\$25</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**k. Application for Transfer of IFQ between Crab Harvesting Cooperatives**

A crab harvesting cooperative is formed for the purpose of applying for and fishing under a crab harvesting cooperative IFQ permit. A crab harvesting cooperative is permitted to transfer its IFQ only to another crab harvesting cooperative.

Once a cooperative has been issued an IFQ permit, the members of that cooperative cannot transfer away IFQ, because they hold no IFQ of their own. When a QS holder joins a cooperative, all of his or her QS are converted to cooperative IFQ that is held in common by the cooperative. Only the cooperative may transfer cooperative IFQ, and only by following the requirements for the transfer of cooperative IFQ.

A cooperative that was issued cooperative IFQ is not allowed to hold QS directly, even though as a legal business entity, a cooperative would otherwise be eligible to acquire and hold QS. This prohibition on cooperatives holding QS is necessary to maintain the regulatory distinctions between individually-held IFQ and cooperative IFQ, and to simplify the administration of the Program.

Because cooperative IFQ permits are annual permits, and cooperatives are required to apply annually for each year’s cooperative IFQ permit, any changes in cooperative membership that occur between fishing seasons should be reflected in the following year’s cooperative IFQ permit application. If the change to cooperative membership is approved, NMFS issues an amended IFQ permit application to the cooperative reflecting the change in membership. The same process may be used by a cooperative to accommodate the rights of a successor-in-interest in the event that a member dies (in the case of an individual), or dissolves (in the case of a business entity).

**Application for Transfer Of IFQ Between Crab Harvesting Cooperatives**

Block A – Identification of Proposed Transferor (Lessor)

- Name and NMFS Person ID of crab harvesting cooperative
- Date of incorporation

Name of crab harvesting cooperative's representative  
 Permanent and temporary business mailing address  
 Business telephone number, fax number, and e-mail address.

**Block B1 – Identification of Proposed Transferee (Lessee)**

Name and NMFS Person ID of crab harvesting cooperative  
 Date of incorporation  
 Name of crab harvesting cooperative's representative  
 Permanent and temporary business mailing address  
 Business telephone number, fax number, and e-mail address.

**Block B2 – Identification of Proposed Transferee's Qualifying Member(s)**

The Transferee's Qualifying Member is the member of the receiving Crab Harvesting Cooperative to whom the IFQ pounds being transferred will be attributed. If attributing the IFQ amount to the Qualifying Member would cause the member to exceed an IFQ cap, a different Qualifying Member must be identified.

Name and NMFS Person ID of Qualifying Member  
 Permit number  
 Amount of IFQ.

**Block C – Identification and Cost of IFQ to be Transferred (Lease)**

Identification of IFQ to be transferred  
 Permit Number  
 Fishery  
 Sector  
 Region Class (A or B)  
 IFQ Pounds  
 Price per pound of IFQ, including all fees and other transaction costs (Price divided by pounds)  
 Indicate (YES or NO) whether a Permit Broker is being used for this transaction  
 If YES, Indicate how much is being paid in broker fees or percentage of total price of IFQ.

**Block D1 -- Certification of Transferor**

Printed name and signature of transferor and date signed.  
 If authorized representative, attach authorization to the application.  
 Signature of Notary Public, date commission expires, and notary seal or stamp.

**Block D2 -- Certification of Transferee**

Printed name and signature of transferee and date signed.  
 If authorized representative, attach authorization to the application.  
 Signature of Notary Public, date commission expires, and notary seal or stamp.

In 2005/6, 144 inter-coop transfer permits were issued. In 2006/7, 171 inter-coop transfer permits were issued. And in 2007/8, 161 inter-coop transfer permits were issued (as of November 30, 2007). The average of these three figures, 159, is used to determine costs.

<b>Application for Inter-Cooperative Transfer, Respondent</b>	
Number of respondents	159
<b>Total annual responses</b>	<b>159</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>318 hr</b>
Time per response = 2 hr	
<b>Total personnel costs</b> (\$25 x 318)	<b>\$7,950</b>
<b>Total miscellaneous costs</b> (1817.37)	<b>\$1817</b>
Notary (\$10 x 159 = 1590)	
Postage (\$1.23 x 159 = 195.57)	
Photocopy (2 x 0.10 x 159 = 31.80)	

<b>Application for Inter-Cooperative Transfer, Federal Government</b>	
Number of responses	159
<b>Total burden hours (39.75)</b>	<b>40</b>
Time per response = 0.25	
<b>Total personnel costs (\$25 x 40)</b>	<b>\$1,000</b>
<b>Total miscellaneous costs</b>	<b>0</b>

## I. Registered Crab Receiver (RCR) Fee Submission Form

A crab allocation holder will incur a cost recovery fee liability for every pound of crab landed in the crab fisheries. The RCR permit holder is responsible for collecting any fee liability for the crab allocation holder landing crab and self-collecting any fee liability for all crab landed at that facility. Under a CDQ or the Adak community allocation, the harvester delivering the crab on behalf of the community entity to the RCR is responsible for paying the harvester share of the fee liability at the time of landing to the RCR.

Most of the fees collected are deposited in the Limited Access System Administrative Fund (LASAF) established in the U.S. Treasury. Up to 25 percent could be deposited separately in the U.S. Treasury and made available to cover the costs of the loan program, as required by sections 304(d)(2)(C) and 313(j) of the Magnuson-Stevens Act. Separate accounts will be created within the LASAF for NMFS to use funds from the Program's cost recovery to pay for the costs directly related to the management and enforcement of the Program.

The reporting period of the RCR Fee Submission Form extends from July 1 to June 30. The RCR permit holder is responsible for submitting this payment to NMFS on or before the due date of July 31 following the crab fishing year in which payment for the crab was made. The dollar amount of the fee due is determined by multiplying the fee percentage (not to exceed 3 percent) by the ex-vessel value of crab debited from the allocation. Subsequent transfer of IFQ, IPQ, CDQ, or QS does not affect the permit holder's liability for compliance with this section. Non-renewal of an RCR permit does not affect the permit holder's liability for noncompliance.

NMFS will provide a summary to all CR allocation and RCR permit holders available through a secure Internet site or on request during the last quarter of the crab fishing year. The summary will explain the fee liability determination including details of raw crab pounds debited from CR allocations by permit, port or port-group, species, date, and prices.

In addition, the currently approved TIN requirement is included on this form: Collection of TIN is necessary on program fee submission forms to ensure that we are collecting from the person who owes the debt. If the fee submission and payment are not received, the agency must begin collection processes and those collection processes cannot be initiated or accomplished without the TIN. *NOTE: Because the TIN in this instance is collected for NMFS cost recovery, there is demonstrable practical utility. In addition, cost recovery is mandated by the Magnuson-Stevens Act (16 U.S.C. 1852 et seq.) as amended in 2006, and the collection of TINs in such an instance is supported by 31 U.S.C. Section 7701.*

Payment may be made payable to NMFS. Payment and related documents may be sent by mail to:

Administrator, Alaska Region, NMFS  
Attn: Operations, Management, & Information Division

P.O. Box 21668  
Juneau, AK 99802-1668

or by fax to

Fax: 907-586-7354.

Payments may also be submitted electronically to NMFS via forms available from Restricted Access Management (RAM) or on the RAM area of the Alaska Region Home Page at <http://www.alaskafisheries.noaa.gov/ram>. Payment must be made in U.S. dollars by personal check drawn on a U.S. bank account, money order, bank certified check, or credit card no later than July 31 following the crab fishing year in which the CR landings were made.

**RCR fee submission form**

Block A - Identification of RCR

Name and NMFS Person ID  
All RCR permit numbers held by permit holder  
TIN (EIN or SSN) and date of incorporation if a business or date of birth if an individual  
Permanent or temporary business mailing address  
Business telephone number, fax number, and e-mail address (if available.)

Block B -- Agreement With Crab Fee Liability Summary

Indicate agreement or no agreement that the Crab Fee Liability Summary represents the actual value of all CR crab received  
If YES, and have not submitted payment on-line, date and sign name where designated in Block D and mail this Fee Submission Form with your payment in the envelope provided  
If NO, complete the attached Fee Calculation Worksheet and provide documentation supporting claimed fee liability.

Block C - Method of Payment

Indicate method of Payment for fees  
If credit card, enter type of card, card number, expiration date, name as printed on card, and amount of payment.  
Signature of credit card holder and date signed.

Block D – Applicant Signature

Enter printed name and signature of applicant and date signed  
If authorized representative, attach authorization to the application..

In 2005/6, 22 RCR submitted fees. In 2006/7, 24 RCR submitted fees. And in 2007/8, 25 RCR submitted fees. The number 25, a slight rounding up from the average due to the small upward trend over the three years, is used to determine costs.

<b>RCR Fee Submission Form, Respondent</b>	
Number of respondents	25
<b>Total annual responses</b>	<b>25</b>
Frequency of response = 1	
<b>Total burden hours (12.50)</b>	<b>13 hr</b>
Time per response = 0.5	
<b>Total personnel costs (\$25 x 12)</b>	<b>\$300</b>
<b>Total miscellaneous costs (8.12)</b>	<b>\$8</b>
E-mail (0.10 x 23 = 2.30)	
Postage (0.41 x 2 = 0.82)	
Photocopy (2 x 0.10 x 25 = 5)	

<b>RCR Fee Submission Form, Federal Government</b>	
Number of responses	25
<b>Total burden hours</b> (6.25) Time per response = 0.25	<b>6</b>
<b>Total personnel costs</b> (\$25 x 6)	<b>\$150</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**m. Right of First Refusal Provisions (ROFR)**

An application for processor quota share (PQS) in an eligible crab community (ECC) must include a contract signed for ROFR to sales of processing shares that is signed by the applicant for:

1. Initial allocation of PQS
2. Either a CDQ group in eligible crab communities that also are CDQ communities or a crab community quota entity identified by the ECC.
3. Any non-eligible crab community in the “northern Gulf of Alaska” for initial allocation of PQS and the crab community quota entity identified by city and Borough of Kodiak.

Eligible Crab Communities, except for Adak, would have a ROFR on the transfer of PQS and IPQ originating from processing history in the community if the transfer would result in relocation of the shares outside the community. Adak would not be eligible for the ROFR provision because Adak would receive a direct allocation of Western Aleutian Islands golden king crab. In addition, the City of Kodiak and the Kodiak Island Borough in the Gulf of Alaska (GOA) would have a ROFR on the transfer of PQS and individual processor quota (IPQ) from communities in the GOA north of 56°20’ N. longitude. The ROFR provisions apply to both the application for initial allocation of PQS and to the transfer process for PQS.

Subsequent paperwork associated with transfers includes obtaining a signed affidavit by an ECC entity that waives ROFR, assuming the ECC does wish to purchase. Any transfer of PQS or IPQ from an ECC will not be approved by NMFS unless the CDQ group or entity representing the ECC as a signatory on the contract acknowledges in writing to the Regional Administrator that the community does not wish to exercise ROFR. This means that applicants for PQS in eligible communities or for PQS in ineligible communities in the North Gulf of Alaska must spend the time and money to develop contracts with the appropriate entity that contain the terms and conditions set forth under the crab rationalization program – and in federal regulations.

No form was created for these contracts. Legal assistance may be required to set up the initial contracts associated with applications for PQS. Subsequent legal costs likely will be involved in the transfer provisions and gaining signatures on the affidavit if the community does not wish to exercise ROFR, if that is the case.

NMFS does not track number of ROFR contracts and waivers; therefore, the original estimate, 30, will be used to determine costs.

<b>ROFR Contracts, Respondent</b>	
Number of respondents	30
<b>Total annual responses</b> Frequency of response = 1	<b>30</b>
<b>Total burden hours</b> Time per response = 40 hr	<b>1200</b>
<b>Total personnel costs</b>	<b>\$30,900</b>

Prepare and submit ROFR contracts (\$25 x 1200 = 30,000)	
Legal assistance to set up initial contracts (\$150 x 6 hr = \$900)	
<b>Total miscellaneous costs</b>	<b>0</b>

<b>ROFR Contracts, Federal Government</b>	
<b>Total burden hours</b>	<b>0</b>
<b>Total personnel costs</b>	<b>0</b>
<b>Total miscellaneous costs</b>	<b>0</b>

<b>ROFR Waivers, Respondent</b>	
Number of respondents	30
<b>Total annual responses</b>	<b>30</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>15</b>
Time per response = 0.5	
<b>Total personnel costs (\$50 x 15)</b>	<b>\$750</b>
<b>Total miscellaneous costs</b>	<b>0</b>

<b>ROFR Waivers, Federal Government</b>	
<b>Total burden hours</b>	<b>0</b>
<b>Total personnel costs</b>	<b>0</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**n. File an Appeal to NMFS Decisions.**

NMFS specifies a 30-day evidentiary period during which an applicant may provide additional information or evidence to support the claims made in his or her application. Also, an applicant who fails to submit all the required information has 30 days to provide that information. An applicant is limited to one 30-day evidentiary period. Additional information or evidence, or a revised application, received after the 30-day evidentiary period, but before an initial administrative determination (IAD) is issued, is considered.

NMFS prepares and sends an IAD to the applicant following the expiration of the 30-day evidentiary period if sufficient documentation is not provided. The IAD indicates the deficiencies in the application. The IAD also indicates which claims cannot be approved based on the available information or evidence. An applicant who receives an IAD may appeal. An applicant who avails himself or herself of the opportunity to appeal an IAD will not receive QS or PQS until after the final resolution of that appeal.

The CR Program allows for appeal on decisions made by NMFS on the following topics:

Establish harvest denominator. The official crab rationalization record results in a harvest denominator for all LLP licenses that is used in calculating QS. The harvest denominator represents the total legal landings made in each year for each crab fishery.

Establish Initial QS Pool and PQS Pool. An Initial QS pool is established in each of the eight crab fisheries, so that on initial issuance, a single unit of QS yields an annual amount of IFQ less than the average weight of one crab. An Initial PQS pool is set at the same level as the initial QS pool for ease of computation and to ensure that a single unit of PQS yields an annual amount of IPQ less than the average weight of one crab.

Adjustment to North and South regional designations of QS. Once PQS is issued with regional designation, the issuance of QS is adjusted so that the regional designations for QS match the regional designations for PQS in each crab QS fishery. The adjustment is made to the QS issued because the processing facilities are typically fixed shorebased plants. The adjustments to establish the same regional designation ratios are necessary to ensure matches in the amount of PQS and QS that is harvested and delivered in any one region. This adjustment process is made prior to the issuance of the QS and PQS.

Submittal of any of the applications in this collection. If issuance of any permit in this collection is denied, the applicant may appeal the decision.

QS issued after NMFS has issued annual IFQ for a crab fishery for a crab fishing year will not result in IFQ for that crab fishery for that fishing year. If appeals result in a positive action after IFQ has been issued for that fishery, the person would not receive IFQ until the following year. This single annual issuance is required for administrative purposes so that mid-year adjustments to other IFQ holders do not occur that would alter their allocation or the ratio of QS to IFQ for that year.

New information in an application is compared with data compiled by NMFS. If any new data presented in an application are not consistent with the NMFS-compiled data, the applicant is notified of insufficient documentation and is provided 90 days opportunity to support his or her claim. If a claim remains unsupported after the time limit expires, the claim is denied. The applicant is offered 60 days in which to appeal. This appeals process provides the necessary due process for aggrieved applicants.

A printed form is not used for an appeal. The applicant should request by letter that the IFQ Appeals Officer review his or her case.

The total number of appeals filed for the 3-year period, 2005 through 2007, is 24. Dividing the total by 3 years gives the number to determine costs.

<b>File an Appeal on NMFS Decisions, Respondent</b>	
Number of respondents	8
<b>Total annual responses</b>	<b>8</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>32 hr</b>
Time per response = 4 hr	
<b>Total personnel costs</b> (\$25 x 32)	<b>\$800</b>
<b>Total miscellaneous costs</b> (11.36)	<b>\$11</b>
Postage (0.82 x 8 = 6.56)	
Photocopy (6 pages x 8 x 0.10 = 4.80)	

<b>File an Appeal on NMFS Decisions, Federal Government</b>	
Number of responses	8
<b>Total burden hours</b>	<b>32 hr</b>
Time per response = 4 hr	
<b>Total personnel cost</b> (\$75 x 32= 2763.52)	<b>\$2,764</b>
<b>Total miscellaneous costs</b>	<b>0</b>

## **Focused Outreach Campaign**

Office of Management and Budget (OMB) stipulated that the renewal request for this and two other collections include a "focused outreach campaign" to validate burden estimates and elicit suggestions from the regulated community for reducing the burden. The information collections are: Crab Permits; Crab Economic Data Reports (EDR); and Crab Arbitration. Comments were required to be submitted by November 1, 2007, through the Alaska Region's website at: <http://www.fakr.noaa.gov/sustainablefisheries/crab/rat/pra>.

A postcard was sent to all crab permit holders announcing NMFS' request for comments and indicating the web address for entering comments. In addition, an information bulletin was posted on the NMFS Alaska Region web site soliciting response to the online questionnaire. The information bulletin No. 90 is provided in Appendix A.

The online questionnaire was posted at <http://www.fakr.noaa.gov/sustainablefisheries/crab/rat/pra> and states:

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### **BSAI Crab Rationalization Program Information Collection Public Comment Period**

NMFS invites the public to comment on three of the BSAI Crab Rationalization Program's information collection systems. Comments must be submitted by November 1, 2007, and will be accepted through the following forms. Please click on the form that is most applicable:

Comment Forms on:  
Crab Permit Applications  
Crab Arbitration  
Crab Economic Data Reports.

The agency is seeking comments on (a) whether the three information collection systems are necessary and whether the information has practical utility; (b) the accuracy of the agency's estimates on the burden of collecting the information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of collecting the information from respondents.

For more information, contact Patsy Bearden, NMFS Resource Management Specialist, at (907) 586-7008, or email: [patsy.bearden@noaa.gov](mailto:patsy.bearden@noaa.gov).

#### Related Information

72 FR 50937, September 5, 2007. Notice of proposed information collection on the Alaska Region BSAI Crab Permits and Crab Economic Data Reports. Comment period through November 5, 2007.

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When the public clicked on "Crab Permit Applications," they were transferred to the specific questionnaire which is provided as Appendix B.

NMFS received no public comment for this collection.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and

Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response #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. Prior to dissemination, the information will be subjected to quality control measures and a 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 RCR fee submission form and payment may be submitted online at [www.alaskafisheries.noaa.gov](http://www.alaskafisheries.noaa.gov). The applications may be completed on the computer screen by the participant, downloaded, printed, and faxed or submitted by e-mail. NMFS is pursuing an Internet method in the future whereby all of the information will be entered online and submitted directly and automatically into a database.

**4. Describe efforts to identify duplication.**

None of the information collected as part of this information collection duplicates other collections. This information collection is part of a specialized and technical program that is not like any other.

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

The proposed collection-of-information does not impose a significant impact on small entities.

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

Without the specified permitting scheme described in this Supporting Statement, the BSAI CR Program crab would be unable to proceed.

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

No special circumstances exist.

**8. Provide a copy of 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 *Federal Register* notice, 72 FR 50937 published September 5, 2007 solicited public comment, and no comments were received.

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

No payment or gift will be provided under this program.

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

The information collected is confidential under section 302(i) of the Magnuson-Stevens Act (16 U.S.C. 1852 et seq.) and under NOAA Administrative Order (AO) 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

A Privacy Act system of records notice, COMMERCE/NOAA System-17, Permits and Registrations for Fisheries of the Exclusive Economic Zone (EEZ) off the Coast of Alaska was published in the *Federal Register* on March 3, 2005 (72 FR 10362).

**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.**

This information collection does not involve information of a sensitive nature.

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

Estimated total respondents: 1,800 (390 vessels, 110 processors, 1300 hired masters) up from 1,480 (1200 vessels, 30 processors, 250 hired masters). Estimated total responses: 2,799 down from 4,121. Estimated total burden: 4,419 down from 8,466 hr. Estimated total personnel costs: \$111,725 down from \$249,275.

**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 #12 above).**

Estimated total miscellaneous costs: \$17,011 down from \$31,742.

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

Estimated total responses: 2,739 down from 4,061. Estimated total burden: 765 hr, down from 1,099 hr. Estimated total personnel costs: \$21,089 down from \$29,326.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

The estimated total burden for this collection-of-information was incorrectly calculated and shown as 8,466 hr in the previous PRA analysis; the correct total is 9,651 hr. The items below were adjusted using 9,651 as the basis of comparison.

The Application for QS or PQS is removed, because the time limit to apply for quota share is past. The form will be retained on the Alaska Region home page, however, for historical

purposes. This removes 1,000 respondents, 1,000 responses, 2,000 hr burden, \$50,000 personnel costs, and \$6,000 miscellaneous costs.

The Application for IFQ or IPQ can be used for one of two permits. This Application is revised by removing questions requesting social security number and tax identification number. Even so, the time to complete this application is changed to 2.5 hr from 2 hr. Respondents have indicated it takes more time to complete the application than NMFS previously estimated. Adjustments are necessary:

for IFQ,

a decrease of 810 respondents and responses, 390 instead of 1,200  
a decrease of 1,425 hr burden, 975 instead of 2,400 hr  
a decrease of \$35,625 personnel costs, \$24,375 instead of \$60,000  
a decrease of \$4,119 miscellaneous costs, \$2,195 instead of \$6,314

for IPQ

an increase of 80 respondents and responses, 110 instead of 30  
an increase of 215 hr burden, 275 hr instead of 60 hr  
an increase of \$5,375 personnel costs, \$6,875 instead of \$1,500  
an increase of \$553 miscellaneous costs, \$626 instead of \$73

Adjustments are necessary for the Application for Annual Crab Harvesting Cooperative IFQ Permit due to differences in respondents:

an increase of 11 respondents and responses, 19 instead of 8  
an increase of 28 hr burden, 48 hr instead of 20 hr  
an increase of \$700 personnel costs, \$1,200 instead of \$500  
an increase of \$13 miscellaneous costs, \$96 instead of \$83

Adjustments are necessary for the Application for Registered Crab Receiver (RCR) Permit due to differences in respondents:

an increase of 70 respondents and responses, 100 instead of 30  
an increase of 35 hr burden, 50 hr instead of 15 hr  
  
an increase of \$875 personnel costs, \$1,250 instead of \$375  
an increase of \$284 miscellaneous costs, \$414 instead of \$130

Adjustments are necessary for the Application for Crab IFQ Hired Master Permit due to differences in respondents:

an increase of 1,050 respondents and responses, 1,300 instead of 250  
an increase of 330 hr burden, 455 hr instead of 125 hr  
an increase of \$8,250 personnel costs, \$11,375 instead of \$3,125  
an increase of \$284 miscellaneous costs, \$6,383 instead of \$2,643

Adjustments are necessary for the Application for Federal crab vessel permit due to differences in respondents:

a decrease of 42 respondents and responses, 133 instead of 275  
a decrease of 49 hr burden, 47 hr instead of 96 hr  
a decrease of \$1,225 personnel costs, \$1,175 instead of \$2,400  
a decrease of \$1,951 miscellaneous costs, \$752 instead of \$2,703

Adjustments are necessary for the Application to become an eligible crab community organization (ECCO) due to differences in respondents:

a decrease of 7 respondents and responses, 1 instead of 8  
a decrease of 17 hr burden, 3 hr instead of 20 hr  
a decrease of \$437 personnel costs, \$75 instead of \$500  
a decrease of \$90 miscellaneous costs, \$2 instead of \$92

Adjustments are necessary for the Application for Eligibility to Receive Crab QS/IFQ or PQS/IPQ by Transfer due to differences in respondents and removal of notary:

a decrease of 7 respondents and responses, 93 instead of 100  
a decrease of 14 hr burden, 186 hr instead of 200 hr  
a decrease of \$350 personnel costs, \$4,650 instead of \$5,000  
a decrease of \$1,007 miscellaneous costs (removed notary), \$124 instead of \$1,131

Adjustments are necessary for the Application for transfer of crab QS/IFQ or PQS/IPQ due to differences in respondents:

a decrease of 600 respondents and responses, 400 instead of 1,000  
a decrease of 1,200 hr burden, 800 hr instead of 2,000 hr  
a decrease of \$30,000 personnel costs, \$20,000 instead of \$50,000  
a decrease of \$6,629 miscellaneous costs, \$4,572 instead of \$11,201

Adjustments are necessary for the Application for transfer of BSAI crab QS/IFQ to or from an ECCO due to differences in respondents:

a decrease of 99 respondents and responses, 1 instead of 100  
a decrease of 198 hr burden, 2 hr instead of 200 hr

a decrease of \$4,950 personnel costs, \$50 instead of \$5,000  
a decrease of \$1,120 miscellaneous costs, \$11 instead of \$1,131

Adjustments are necessary for the Application for Transfer Of IFQ Between Crab Harvesting Cooperatives due to differences in respondents:

an increase of 149 respondents and responses, 159 instead of 10  
an increase of 298 hr burden, 318 hr instead of 20 hr  
an increase of \$7,450 personnel costs, \$7,950 instead of \$500  
an increase of \$1,704 miscellaneous costs, \$1,817 instead of \$113

Adjustments are necessary for the RCR fee submission form due to differences in respondents:

a decrease of 5 respondents and responses, 25 instead of 30  
a decrease of 3 hr burden, 12 hr instead of 15 hr  
a decrease of \$75 personnel costs, \$300 instead of \$375  
a decrease of \$1 miscellaneous costs, \$8 instead of \$9

Adjustments are necessary for ROFR contract:

a decrease of \$29,100 personnel costs, \$30,900 instead of \$60,000

Adjustments are necessary for ROFR waiver:

an increase of 30 responses, 60 instead of 30  
a decrease of 1,185 hr burden, 15 hr instead of 1,200 hr  
a decrease of \$7,250 personnel costs, \$750 instead of \$8,000

Adjustments are necessary for the File an Appeal on NMFS Decisions :

a decrease of 12 respondents and responses, 8 instead of 20  
a decrease of 48 hr burden, 32 hr instead of 80 hr  
a decrease of \$1,200 personnel costs, \$800 instead of \$2,000  
a decrease of \$8 miscellaneous costs, \$11 instead of \$19

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

The results of this collection-of-information will not be published. Lists of permits by permit holder are posted on the Alaska Region Web Page.

**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.**

In accordance with OMB requirements, the control number and the expiration date of OMB approval are shown on the applications. Forms are not provided for the ROFR and appeals.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

No exceptions to the certification statement are requested. Forms are not provided for the ROFR and appeals.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.

## APPENDIX A

Information Bulletin 07-90  
Sustainable Fisheries Division  
907-586-7228

September 11, 2007  
10:30 a.m.

### NMFS Alaska Region Seeks Comments on BSAI Crab Rationalization Program Information Collections

The Alaska Region is soliciting public comments on three information collections associated with the Crab Rationalization Program (Program) according to Robert D. Mecum, Acting Administrator, Alaska Region, NMFS.

The information collections are: Crab Permits; Crab Economic Data Reports (EDRs); and Crab Arbitration. Comments must be submitted by November 1, 2007, and will be accepted through the Alaska Region's website at: <http://www.fakr.noaa.gov/sustainablefisheries/crab/rat/pr>.

The Crab Permits collection includes permit applications, transfer applications, and a form and an online site for payment of Program fees. The EDR collection includes forms and an online site requesting information on the economic impacts of the Program. The Arbitration collection is designed to accommodate the varied interests of the parties involved as well as reflect the historical negotiations between harvesters and processors.

The Region is seeking comments on:

- ◆ whether the information collections are necessary and whether the information has practical utility;
- ◆ the accuracy of the agency's estimates on the burden of collecting the information;
- ◆ ways to enhance the quality, utility, and clarity of the information collected; and
- ◆ ways to minimize the burden of collecting the information from respondents.

For more information, contact Patsy A. Bearden at 907-586-7008, or email [patsy.bearden@noaa.gov](mailto:patsy.bearden@noaa.gov).

## APPENDIX B

### Crab Permit Applications Comment Form

Please let us know:

- whether the Crab Permit Applications information collection system is necessary and whether the information has practical utility
- the accuracy of the agency's estimates on the burden of collecting the information
- ways to enhance the quality, utility, and clarity of the information collected
- ways to minimize the burden of collecting the information from respondents

Call Patsy Bearden if you have any questions: (907) 586-7008. Thank you.

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#### Contact Information

Name (**required**)

Email Address (optional)

Phone (optional)

1. How many hours per year is required for training all staff to complete a permit application?

- 1-2    2-4    4-6    6-8    8+

2. NMFS has estimated that it takes 2 hours to complete a permit application. Is this time estimate accurate?

- Yes    No

3. Please provide suggestions about how NMFS could save you more time in filling out permit applications.

**4. Is the personnel cost estimate of \$25/hour accurate?**

Yes  No

If not, what is your personnel cost per hour?

**5. Are the following miscellaneous cost estimates accurate?**

Notary

\$10.00/fee

No, a notary fee is: \$

Postage

\$.41/pound

No, it costs: \$  per pound

Photocopies

\$.10/page

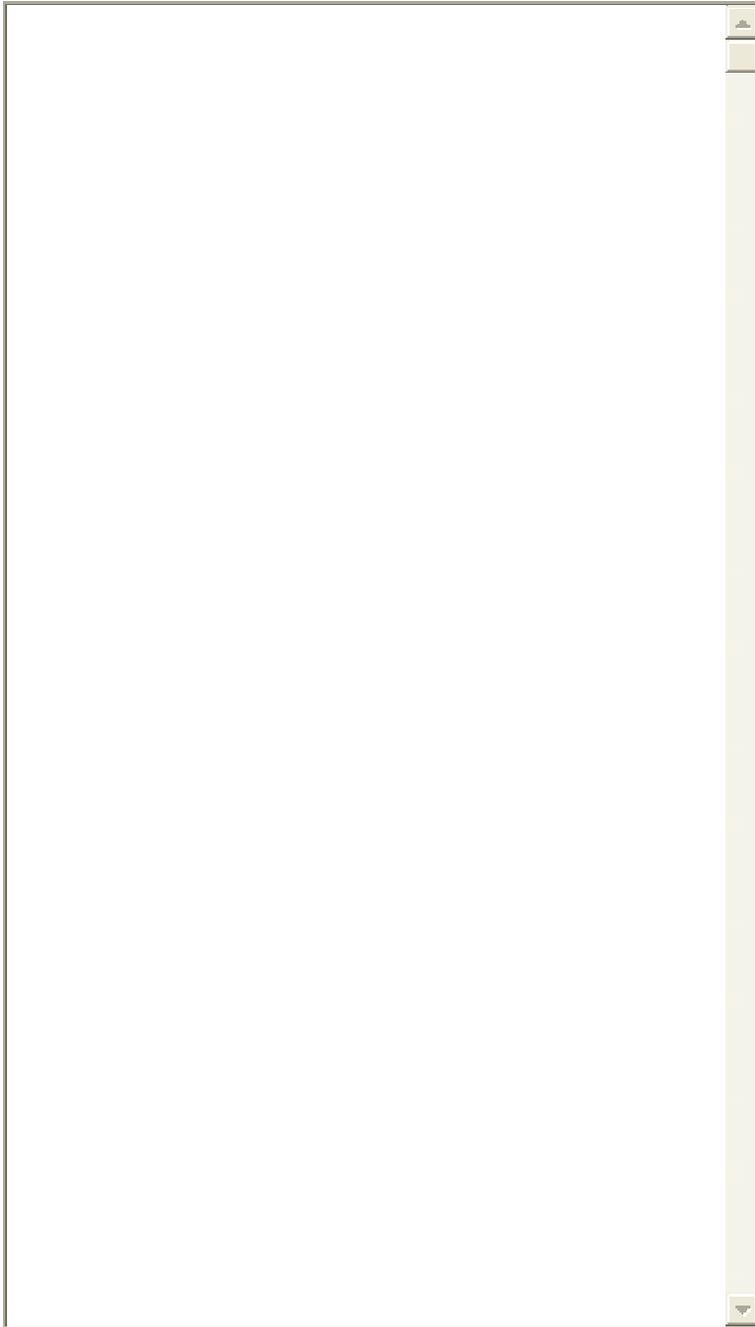
No, it costs: \$  per page

Fax

\$6.00/page

No, it costs: \$  per page

**6. Please provide any additional comments you have on any aspect of the crab permit applications.**



Please enter the numbers displayed below to help us reduce auto-generated spam.

9 8 6 1

Click once to send form.

NOTE: There may be a few second delay and then you will be sent back to the BSAI Crab Rationalization web page.

OMB Control No.: 0648-0514  
Expiration Date: 02/29/2008