


<b>CHARTER HALIBUT PROGRAM</b>	<b>APPLICATION FOR TRANSFER OF CHARTER HALIBUT PERMIT</b>	U.S. Dept. of Commerce NOAA/National Marine Fisheries Service Alaska Region Restricted Access Management P.O. Box 21668 Juneau, Alaska 99802-1668 (800) 304-4846 toll free / 586-7202 in Juneau (907) 586-7354 fax	
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***BLOCK A - REQUIRED DOCUMENTATION***

Use this block to determine which forms and other information must be included with your transfer. Please check each applicable box below to ensure that your application is complete and can be processed in a timely manner.

<input type="checkbox"/> Completed Application	<input type="checkbox"/> Power of Attorney (if applicable)
<input type="checkbox"/> Original charter halibut permit(s) attached	<input type="checkbox"/> Transferee Ownership and affiliation

***BLOCK B - IDENTIFICATION OF CHARTER HALIBUT PERMIT(S) TO BE TRANSFERRED***

1. List Charter Halibut Permit Number(s):

2. Is this transfer a single group of "grandfathered" Charter Halibut Permits?  
 YES  NO

**If YES**, does the transfer of these permits include the sale or purchase of the transferor's entire charter halibut business?  
 YES  NO

**If NO**, your transfer will not be approved as submitted.

***BLOCK C - TRANSFEROR (SELLER) INFORMATION***

1. Name of Transferor (as it appears on the permits)

2. Permanent Business Mailing Address	3. Temporary Mailing Address (if applicable)
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4. Business Telephone No.	5. Business Fax No.	6. E-mail Address
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***BLOCK D - TRANSFEE (RECEIVER) INFORMATION***

1. Is the person applying to receive the permit(s) an U.S. Citizen or a U.S. Business with 75% U.S. ownership (individual, corporation, partnership, or other association)?  
 YES  NO

**If NO, STOP HERE.** This person is **not eligible** to receive a permit.

2. Name of Receiver(s) (as it will appear on the permit)

3. Business Mailing Address	4. Temporary Mailing Address (if applicable)
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5. Business Telephone No.	6. Business Fax No.	7. E-mail Address
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**REQUIRED SUPPLEMENTAL INFORMATION**  
**APPLICATIONS WILL NOT BE PROCESSED UNLESS ALL INFORMATION REQUESTED IS PROVIDED**

**BLOCK E<sub>1</sub> – OWNERSHIP DOCUMENTATION**

**To be completed by the Transferee (Receiver)**

Provide the names of each person, to the individual level, holding an ownership or control interest of 10% or more in the Charter Halibut Permit(s) being transferred and the percentage ownership each person and individual will hold. If the Transferee is a non-individual (i.e., a corporation, partnership or other entity), provide the names of, and the percentage of ownership held by, all of its owners to the individual level.

Name	Percentage Ownership

**BLOCK E<sub>2</sub> – IDENTIFICATION OF AFFILIATION**

**To be completed by the Transferee (Receiver)**

**Duplicate this block** as necessary to display all of the persons with whom the applicant is affiliated.

**Affiliation** means a relationship between two or more entities in which one directly or indirectly owns or controls a 10 percent or greater interest in, or otherwise controls, another; or a third entity directly or indirectly owns or controls a 10 percent or greater interest in, or otherwise controls, both.

Provide the names of the persons with whom the applicant is affiliated at 10 percent or greater level of ownership or control. You do not need to repeat owner names provided in Block E<sub>1</sub>.

Name of Affiliate	% Interest	Name of Affiliate	% Interest

**BLOCK F - TO BE COMPLETED BY THE TRANSFEROR (SELLER)**

1. What is the total amount being paid for the permit(s) in this transaction, including all fees? \$ \_\_\_\_\_

Does this price include the price of the charter halibut business  YES  NO

2. What is your reason(s) for transferring the permit? (check all that apply)

Retirement from the fishery(ies)  Enter other fishery(ies)  Pursue non-fishing activities

Other (explain)  Health problems

**BLOCK G - TO BE COMPLETED BY THE TRANSFEREE (RECEIVER)**

**Note: Leasing of Charter Halibut Permits is prohibited.**

1. Is the permit being used as collateral for a loan?  YES  NO

**If YES**, name of party holding security interest or lien:

2. Does the transfer of this Charter Halibut Permit include the sale of the charter halibut business?

YES  NO

**If YES**, identify Name of Business:

3. Does the transferee currently hold other Charter Halibut Permits?

YES  NO

**If YES**, the transfer of “grandfathered” Charter Halibut Permits cannot be approved.

4. Is there an agreement

to return the permit to the transferor (seller)  YES  NO

to transfer it to any other person,  YES  NO

**If YES**, please explain (use attachment if necessary):

5. Is there any condition requiring the resale or conveyance of the permit?  YES  NO

**If YES**, please explain (use attachment if necessary):

**BLOCK I – CERTIFICATION OF TRANSFEROR (SELLER)**

Under penalty of perjury, I hereby declare that I have examined this application, and the information presented herein is true, accurate, and complete to the best of my knowledge and belief.

1. Signature of Transferor (Seller) or Authorized Agent

2. Date

3. Printed Name of Transferor (Seller) or Authorized Agent

4. Notary Public Signature

**ATTEST**

5. Affix Notary Stamp or Seal Here

6. Commission Expires

**BLOCK J - TRANSFEREE (RECEIVER)**

Under penalty of perjury, I hereby declare that I have examined this application, and the information presented herein is true, accurate, and complete to the best of my knowledge and belief.

1. Signature of Transferee (Receiver) or Authorized Agent

2. Date

3. Printed Name of Transferee (Receiver) or Authorized Agent

4. Notary Public Signature

**ATTEST**

5. Affix Notary Stamp or Seal Here

6. Commission Expires

**PUBLIC REPORTING BURDEN STATEMENT**

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

**ADDITIONAL INFORMATION**

Before completing this form please note the following: 1) NMFS may not conduct or sponsor this information request, and you are not required to respond to this information request, unless the form displays a currently valid OMB control number; 2) This information is being used to implement the Charter Halibut Vessel Program for IPHC Regulatory Areas 2C or 3A; 3) Federal law and regulations require and authorize NMFS to manage charter halibut programs in Alaska; 4) Submission of this information is mandatory for any entity participating in charter halibut fishing; 5) This information is used to monitor the charter vessel program under the Northern Pacific Halibut Act of 1982; 6) Responses to this information request are not confidential.

**Instructions For  
APPLICATION FOR TRANSFER  
CHARTER HALIBUT PERMIT**

**General Information**

Application forms are available from National Marine Fisheries Service (NMFS) offices and on the NMFS, Alaska Region, web site at <http://www.alaskafisheries.noaa.gov>. Electronic submittal of the application is not accepted, because each application would require the original signature of the applicant to be complete.

- ✓ Both the proposed transferor (seller) and the proposed transferee (receiver) must complete and sign this application.
- ✓ Original permits must be attached, unless they have been lost or destroyed (see Block A instructions)
- ✓ When completed, the application should be mailed to:

**NMFS Alaska Region  
Restricted Access Management (RAM)  
P.O. Box 21668  
Juneau, Alaska 99802-1668**

or delivered to:

**709 West 9<sup>th</sup> Street Suite 713  
Juneau, Alaska 99801**

- ✓ **Please allow at least ten working days for your application to be processed.** Items will be sent by first class mail, unless you provide alternate instructions **and** include a prepaid mailer with appropriate postage or corporate account number for express delivery.
- ✓ It is important that all blocks are completed and attachments provided. Failure to answer any of the questions or provide any of the required documents could result in delays in the processing of your request for a transfer.
- ✓ Direct any questions you may have to NMFS, RAM at 1-800-304-4846 (option 2) or (907) 586-7202 (option 2).

**Completing the Application Form - Specific Instructions**

**BLOCK A - REQUIRED DOCUMENTATION**

Use this list as a guide to make sure you have included all the necessary items in the mailing of your application. This will ensure timely processing of your transfer application. If you have lost your original permit, you will need to complete a replacement application form. This application is available on the NMFS, Alaska Region web site at <http://alaskafisheries.noaa.gov>. You may also call RAM at one of the numbers listed above and request the application be mailed or faxed to you; or you may visit the RAM office (709 W 9<sup>th</sup> Street, 7<sup>th</sup> Floor, Suite 713, Juneau, Alaska) and pick up the application.

## **BLOCK B - IDENTIFICATION OF PERMIT TO BE TRANSFERRED**

Enter the identity of the charter halibut permit(s) to be transferred. You may use one application to transfer multiple permits held by the same transferor to the same transferee.

1. List Permit Number(s)
2. Indicate if this transfer is a single group of “grandfathered” Charter Halibut Permits.

**If YES**, indicate whether the transfer of these permits includes the sale or purchase of the transferor’s entire charter halibut business. The transfer of charter halibut permits that were grandfathered together over the ownership use caps may continue to transfer together provided that the transferor (seller) is selling the entire charter halibut business to the transferee (buyer).

**If NO**, your transfer will not be approved as submitted

## **BLOCK C – TRANSFEROR (SELLER) INFORMATION**

1. Enter the full name as it appears on the permit.
2. Enter the permanent business mailing address, include city, state, and zip code.
3. Enter the temporary mailing address (include city, state, and zip code), if you would like the transfer documentation sent somewhere other than to your permanent address.
- 4-5. Enter the business telephone and fax numbers, including area code.
6. Enter the e-mail address (if available).

## **BLOCK D – TRANSFEE (RECEIVER) INFORMATION**

1. Indicate if the person applying to receive the permit(s) by transfer is a U.S. Citizen or U.S. business with at least 25% U.S. ownership (i.e., an individual, corporation, partnership or other U.S. association, as defined at chapter 121, title 46, U.S.C.).

If **NO, STOP**, this person is not eligible to receive a permit by transfer.

Being an initial recipient of one or more Charter Halibut Permits does not entitle you to receive additional permits by transfer if you do not meet the U.S. Citizen or U.S. business requirement.

2. Enter the full name as it will appear on the permit.
3. Enter the permanent business mailing address, include city, state, and zip code.
4. Enter the temporary mailing address (include city, state, and zip code), if you would like the transfer documentation sent somewhere other than to your permanent address.
- 5-6. Enter the business telephone and fax numbers, including area code.
7. Enter the e-mail address (if available).

**REQUIRED SUPPLEMENTAL INFORMATION**  
**APPLICATION WILL NOT BE PROCESSED**  
**UNLESS ALL INFORMATION REQUESTED IN BLOCKS E, F AND G IS PROVIDED**

**BLOCK E<sub>1</sub> – CHARTER HALIBUT PERMIT OWNERSHIP DOCUMENTATION (to be provided by the transferee/receiver)**

Enter the names of all persons, to the individual level, who will hold an ownership or control interest of 10% or more in the Charter Halibut Permit being transferred and the percentage ownership each person and individual will hold in the permit.

If the Transferee is a non-individual (i.e., a corporation, partnership or other entity), provide the names of, and the percentage of ownership held by, all of its owners. Information should be provided to the individual level. See example below:

Name of Owner	% Interest
Joe Groundfish	25%
Alice Groundfish	25%
LLP Family Holdings, Inc.	50%
A. LLP Holder	25% (of 50%)
B. LLP Holder	25% (of 50%)
C. LLP Holder	25% (of 50%)
D. LLP Holder	25% (of 50%)

**BLOCK E<sub>2</sub> – IDENTIFICATION OF AFFILIATION**

Provide the names of the persons with whom the applicant is affiliated.

- ◆ **Affiliation** means a relationship between two or more entities in which one directly or indirectly owns or controls a 10 percent or greater interest in, or otherwise controls, another, or a third entity directly or indirectly owns or controls a 10 percent or greater interest in, or otherwise controls, both.
- ◆ An **indirect interest** is one that passes through one or more intermediate entities. An entity's percentage of indirect interest is equal to the entity's percentage of direct interest in an intermediate entity multiplied by the intermediate entity's percentage of direct, or indirect, interest in the applicant.
- ◆ The term **control** includes:
  - Ownership of more than 10% of the entity;
  - The right to direct the business of the entity;
  - The right to limit the actions of or replace the chief executive officer, a majority of the board of directors, any general partner, or any person serving in a management capacity of the entity; or
  - The right to direct the operation of the applicant's business.
 The term "control" does not include the right to simply participate in the above actions.

**BLOCK F - TO BE COMPLETED BY THE TRANSFEROR (SELLER)**

1. Indicate the total amount being paid for the permit(s) in this transaction, including all fees. The total amount entered should include **any and all** monies collected on behalf of the seller for the subject permit(s).

Indicate whether this amount includes the price of the charter halibut business. If the sale of the permit(s) is combined with, or part of, the sale of some other asset (i.e., a charter halibut business), the sales price of the permit must be specified, including any fees that will later be paid out to other parties for the expenses of brokering or assisting in the sale of this permit.

2. Indicate reason(s) for transferring the permit(s). Please check all boxes that apply to this transaction.

**BLOCK G - TO BE COMPLETED BY THE TRANSFEREE (RECEIVER)**

1. Indicate if the Charter Halibut Permit will be used as collateral for a loan.  
If YES, enter the name of entity or person(s) who will hold the lien or security interest.
2. Indicate if the transfer of this Charter Halibut Permit includes the sale of the charter halibut business.  
If YES, identify the name of the business.
3. Indicate whether the transferee currently holds other Charter Halibut Permits.  
If YES, the transfer of “grandfathered” Charter Halibut Permits cannot be approved
4. Indicate whether or not there is an agreement to return the permit to the transferor (seller), or any other person, or a condition placed on resale.  
If YES, provide details.  
Note: Leasing of Charter Halibut Permits is prohibited.

**BLOCKS H & I - CERTIFICATION OF TRANSFEROR AND TRANSFEREE**

Certify with signature and enter printed name and date signed. If completed by authorized representative, attach authorization. A Notary Public must attest and affix a Notary Stamp or Seal.