

**QUOTA SHARE INITIAL  
ISSUANCE/QS PERMIT  
APPLICATION  
PACIFIC COAST GROUND FISH**

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



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

## INSTRUCTIONS

### TRAWL RATIONALIZATION PROGRAM APPLICATION DEADLINE: **XX/XX/2010**

Quota Share (QS) and QS Permits will be issued under the Shorebased Individual Fishing Quota (IFQ) part of the Trawl Rationalization Program. This form must be completed and submitted to the National Marine Fisheries Service (NMFS) at the address above in order to apply for an initial issuance of groundfish quota share (QS) and a QS Permit. This application, including any required supplemental documentation must be postmarked or hand delivered no later than **XX/XX/2010 [insert date 60 days after publication of the final rule]**. An application postmarked or hand delivered after that date will not be considered or reviewed by NMFS. This is a one-time opportunity to apply for these permits.

Prequalified Applicant: For prequalified applicants, some of the sections in this application form have fields that have been pre-filled by NMFS. The intent of pre-filling some sections is to make the application process more efficient and provide the information NMFS already has on record. The data presented in the sections below are presumed to be correct as of the date provided. However, this information is preliminary and may be amended by NMFS as more information becomes available. Publication of this preliminary data in this application does not represent a guarantee that the applicant will qualify for an initial issuance of QS, for a specified amount of QS, or a QS permit. **The applicant must still complete and submit the prequalified application in a timely manner to NMFS in order to be considered for initial issuance of QS or a QS permit.**

Request for an Application: If a current limited entry trawl permit owner or shorebased first receiver does not receive a prequalified application for initial issuance of QS and QS permit yet believes they are eligible, they must submit a completed application, including any supplemental documentation, to NMFS by the deadline shown above.

#### **Section A - Applicant (Permit Owner or Shorebased Whiting First Receiver) Information**

Only an owner of a valid trawl endorsed Pacific Coast groundfish limited entry permit or a shorebased whiting first receiver is eligible for initial issuance of QS. NMFS will pre-fill Section A if it determines that the permit owner or shorebased first receiver may qualify for an initial issuance of QS. If the permit owner or first receiver is a business entity, please provide the tax identification number (TIN) for the entity. If the permit owner or first receiver is an individual (or has an individual given as part of the ownership group), please provide the date of birth for the individual(s). If any of the information provided by NMFS in Section A is not correct, please cross out the erroneous information and make the necessary changes on the form. If a business entity is listed in Section A, list the state where that entity was established and is currently recognized as active. If an applicant did not receive a pre-filled application, they must complete this section.

#### **Section B - Shorebased First Receiver Recent Participation Qualifying Data**

**This section pertains only to whiting first receivers that are applying for initial issuance of whiting QS.** In order to qualify for an initial issuance of whiting QS, a first receiver must have received one (1) metric ton or more of whiting from whiting trips in each of any two years from 1998-2004.

**Prequalified Applicant:** If an applicant is prequalified for whiting QS, NMFS will pre-fill Section B and provide the amount of whiting from whiting trips received by the first receiver for each of the qualifying years. PacFIN data extracted on July 1, 2010 will provide the basis for NMFS' determination of years in which the first receiver met the qualifying criteria.

**Request for an Application:** If the applicant did not receive a pre-filled application, the applicant must provide in Section B the amount of whiting from whiting trips received by the first receiver for each qualifying year (including years with no landings received). The person must provide copies of PacFIN landing records and/or other credible information to demonstrate that they meet qualifying criteria.

### **Section C – Preliminary Quota Share Allocation**

The column Permit Landing History Amount provides the total permit landing history amount in pounds for all qualifying year. The column Total Sector Amount is the total qualifying landings of the species for each qualifying year for all qualifying permits. The relative landing history amount for a species is calculated by dividing the total permit landing history for a qualifying year by the total sector amount for the year. The data provided in Section C represent the best available data for determining quota share allocations and is subject to change based on other information received by NMFS during the application process. PacFIN data extracted on July 1, 2010 is source of the data provided in this section. Such data is provided on preliminary basis and is subject to change.

**For a Prequalified Applicant - Current Permit Owner:** NMFS will pre-fill Section C with the preliminary amount of QS associated with the permit for each species category. Different initial issuance formulas are used for various IFQ species and depend on whether data are derived from a non-whiting trip (where less than 50% of the landings on the fish ticket are whiting) or a whiting trip and this is further explained in the small entity compliance guide.

Attached to the application will be a series of summary sheets that present the preliminary data for each of the qualifying years for each IFQ species, the total sector landed amount for each qualifying years for that species and the relative landing history (%) for each qualifying year. The worst years are considered those years with the lowest relative landing history (given as a percent) and will be shown on each species' summary sheet attached to the application and described below. Also, these summary sheets will provide a preliminary QS amount expressed as a percentage for each species.

An applicant is required to indicate whether they accept, or do not accept, the data as provided by NMFS for each IFQ species. Check the appropriate box to indicate your acceptance choice. If you do not accept the preliminary data for any of the qualifying years, please check the appropriate box and provide a letter by the application deadline detailing which data are not correct and/or if NMFS did not properly calculate the QS allocation as prescribed by regulation, and include with the letter copies of state landing records or other credible information that demonstrates NMFS did not properly extract, aggregate, and/or expand the PacFIN data or did not properly calculate the QS allocation for a particular species.

**For a Prequalified Applicant - Shorebased Whiting First Receiver:** For shorebased whiting first receivers who met the recent participation qualifying criteria in Section B, NMFS will pre-fill Section C with the preliminary whiting QS for the first receiver. The preliminary QS is based on the relative landing history amount calculated from PacFIN fish ticket data for the qualifying years of 1998-2004, as extracted by NMFS on July 1, 2010, dropping the two years with the worst relative history. This calculation will be based on the 20% of whiting QS available to shorebased whiting first receivers. For purposes of making an initial issuance of whiting QS to a shorebased first receiver, NMFS will attribute landing history to the first receiver reported on the landing receipt (the entity responsible for filling out the state landing receipt). History may be reassigned to a shoreside first receiver or processor not on the state landings receipt as follows:

**Reassignment of whiting history for first receivers:** For shorebased whiting first receivers, the landing history may be reassigned to another person that was in fact the first processor of the fish. In order for the applicant to request that landing history be reassigned to another person, an authorized representative for the shoreside first receiver displayed on the state landing receipt must submit to NMFS, by the application deadline, a written request that the whiting landings history from the qualifying years be conveyed to another named person. The letter must be signed and dated by both the authorized representative of the first receiver named on the state landing receipt and the authorized representative of the person to which the whiting landing history will be

reassigned. The letter must contain the dates of the landings history that is being reassigned and include the legal name of the person, their date of birth or tax identification number, business address, and business phone number, fax number, and email address of the person receiving the Pacific whiting landing history. If a valid agreement exists that demonstrates that the entity being reassigned the landing history was in fact the first processor of the fish, that document must be provided to NMFS.

Attached to the application will be a summary sheet for whiting that presents the preliminary catch history data for each of the qualifying years, the total sector landed amount for each qualifying years and relative history amount. The worst year is considered those years with the lowest relative history amount (given as a percent). Also, the summary sheet will provide a preliminary whiting QS amount expressed as a percentage.

A prequalified applicant is required to either accept or not accept the data as given. Check the appropriate box to indicate your acceptance/non-acceptance of NMFS' data. If you do not accept the preliminary data for any of the qualifying years, please check the appropriate box and provide a letter by the application deadline detailing which data are not correct and/or if NMFS did not properly calculate the QS allocation as prescribed by regulation, and include with the letter copies of state landing records or other credible information that demonstrates NMFS did not properly extract, aggregate, and/or expand the PacFIN data or did not properly calculate the QS allocation for a particular species.

**Request for an Application:** If the applicant did not receive a prefilled application, the applicant must provide in Section C permit landing history amount for each species for all qualifying years combined. In addition, the person must provide copies of PacFIN landing records and/or other credible documentation that support the landing history claimed during the qualifying years.

#### **SECTION D - Certification of Applicant and Notary**

The authorized representative must sign and date the form in the presence of a notary to certify that the individual(s) signing the form have satisfactorily identified themselves. By signing and dating the form, the authorized agent certifies that all information set forth in the form is true, correct, and complete to the best of the applicant's knowledge and belief. The form will not be considered without the authorized representative's signature. If a single individual is listed in above, then that individual must sign. If two individuals are listed in then both individuals must sign. If an individual and a business entity are listed then the individual and the authorized representative for the business entity must both sign. The notary must sign and date this section, and affix notary stamp or seal.



***The authorized representative must include a copy of the corporate resolution or other authorizing document allowing the authorized representative to sign and certify on behalf of the business entity.***

#### **Supplemental Documentation**

The applicant must provide a completed Trawl Ownership Interest form.

NMFS may require other documentation as it deems necessary to make a determination to approve or disapprove the application

#### **Quota Share Species Summary Sheets:** (SEE ATTACHED)

The summary sheets will provide data and calculations made for Group 1, 2, and 3 species and halibut IBQ in determining the preliminary QS allocation. These summary sheets further detail how NMFS calculated the data provided in Section C for each of the species. PacFIN data extracted on July 1, 2010 is the source of the data provided in these summary sheets. Such data is provided on preliminary basis and is subject to change. The Small Entity Compliance Guide included with this application package will further explain data and calculations used for the QS species summary sheets.

**PLEASE NOTE ACTION REQUIRED:** In order for the application to be considered complete, the applicant must certify that they either accept all of the data and calculations provided on the attached species summary sheets or

they do not accept part or all of the data and/or calculation. Please check the appropriate box on the attached sheet entitled "Applicant Certification of Acceptance/Non-Acceptance of Quota Share, Overfished Species and Halibut IBQ Summary Sheets"

If the applicant does not accept the data or calculations in part or whole, the applicant must check the appropriate box. In addition, the applicant must provide with the application a letter that details which data was incorrectly extracted from PacFIN and/or which calculations are not correct and provide PacFIN landing records, PacFIN logbook data records and/or other credible information to correct the data and/or calculation of QS allocation. For Group 1 species, NMFS has denoted which years are considered to have the lowest relative landing history by use of an asterisk.

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**SECTION A – APPLICANT INFORMATION**

|  |       |   |                               |
|--|-------|---|-------------------------------|
| 1. Permit Number<br>GF   |       |   |                               |
| 4. Name (Permit Owner or Shorebased Whiting First Receiver)  |       | 5. TIN or DOB                           |                               |
|  |       | 6. If a Business, State of Registration |                               |
| 7. Business Mailing Address (also list physical address for first receiver, if different)<br><i>Street or PO Box</i> |       | 8. Business Phone<br>( )                |                               |
|  |       | 9. Business Fax (optional)<br>( )       |                               |
| City   | State | Zip Code                                | 10. Business Email (optional) |

**SECTION B – SHOREBASED WHITING FIRST RECEIVER RECENT PARTICIPATION QUALIFYING DATA**

**NOTE:** This section pertains only to whiting Shorebased first receivers applying for whiting quota share.

**Qualifying Criteria:** In order to qualify for whiting QS, a first receiver must have received one (1) metric ton or more of deliveries of whiting from whiting trips in each of two years from 1998 – 2004.

For a Prequalified Applicant: Based on data extracted from PacFIN, NMFS has determined that the first receiver named in Section A meets the above qualifying criteria by having received one (1) metric ton of whiting from whiting trips in the following years:

| <b>YEARS:</b> | <b>Amount of Whiting Received from Whiting Trips</b> |
|---------------|--|
| 1998          |  |
| 1999          |  |
| 2000          |  |
| 2001          |  |
| 2002          |  |
| 2003          |  |
| 2004          |  |

**Note:** If you did not receive a prequalified application, please provide the amount of whiting received from whiting trips for each year.

**SECTION C – PRELIMINARY QS ALLOCATION**

The landing history data below were extracted from PacFIN. **For Non-Whiting and Overfished Species:** The preliminary data provided below are the total amount of non whiting trip landing history for all qualifying years (1993-2004) after dropping the **three** worst years. **For whiting:** The preliminary data provided below is the total amount of whiting delivered in whiting trips for all qualifying years (1998-2004) after dropping the **two** worst years. See the attached landing history summaries providing yearly permit landing history amounts for each species category and which show which years were dropped from the calculation. This preliminary data may be used to calculate the QS allocation for the applicant.

| <u>Species Category</u> | <u>Permit Landing History Amt (lbs)</u> | <u>Total Sector Amt.(lbs)</u> | <u>Relative History(%)</u> |
|-------------------------|---|-------------------------------|----------------------------|
|-------------------------|---|-------------------------------|----------------------------|

|                                      |  |  |  |
|--------------------------------------|--|--|--|
| Lingcod                              |  |  |  |
| Pacific Cod                          |  |  |  |
| Pacific Whiting                      |  |  |  |
| Sablefish N. of 36°                  |  |  |  |
| Sablefish S. of 36°                  |  |  |  |
| Shortspine Thornyhead - N. of 34°27' |  |  |  |
| Shortspine Thornyhead - S. of 34°27' |  |  |  |
| Longspine Thornyhead - N. of 34°27'  |  |  |  |
| Chilipepper Rockfish                 |  |  |  |
| Splitnose Rockfish                   |  |  |  |
| Yellowtail Rockfish                  |  |  |  |
| Minor Rockfish North - Shelf Species |  |  |  |
| Minor Rockfish South - Shelf Species |  |  |  |
| Minor Rockfish North - Slope Species |  |  |  |
| Minor Rockfish South - Slope Species |  |  |  |
| Dover Sole                           |  |  |  |
| English Sole                         |  |  |  |
| Petrale Sole                         |  |  |  |
| Arrowtooth Flounder                  |  |  |  |
| Starry Flounder                      |  |  |  |
| Other Flatfish complex               |  |  |  |
| <br>                                 |  |  |  |
| Bocaccio                             |  |  |  |
| Cowcod                               |  |  |  |
| Darkblotched Rockfish                |  |  |  |
| Pacific Ocean Perch (POP)            |  |  |  |
| Widow Rockfish                       |  |  |  |
| Yelloweye Rockfish                   |  |  |  |
| Canary Rockfish                      |  |  |  |
| <br>                                 |  |  |  |
| Pacific Halibut IBQ N. of 40°10'     |  |  |  |

**I ACCEPT ALL** of the preliminary landing history data as provided above. I understand that these data are subject to change

**I DO NOT accept** part or all of the preliminary landing history data provided above. I will provide to NMFS a letter specifying which data amounts are not accepted. Further, I am providing copies of state landing tickets and other credible information to NMFS to consider with this application. I understand that this is my only opportunity to provide such documentation to support my application.

**Note:** If you did not receive a prequalified application, please provide the total permit landing history amount for all years exclusive of the worst years, the total sector landed amount, and the relative history (as a percent) for each species. If you do not have any landings history for a species please show "0 lbs" for those species.

**SECTION D - CERTIFICATION OF APPLICANT AND NOTARY**

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

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

Signature of Authorized Representative

Date

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

**WARNING STATEMENT:** A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR 904, a civil penalty of up to \$140,000 under 16 USC 1858, and/or criminal penalties including, but not limited to, fines or imprisonment or both under 18 USC 1001.

**PRIVACY ACT STATEMENT:** Your DOB and/or TIN are confidential and protected under the Privacy Act. Provision of your DOB or TIN is mandatory as part of this collection. The primary purpose for requiring the DOB and/or TIN is to verify the identity of individuals/entities doing business with the government to provide a unique identification for assistance to comply with the Debt Collection Improvement Act of 1996 (Public Law 104-134) and for enforcement activities. The information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registration for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065).

**PRA STATEMENT:** Public reporting burden for this collection of information is estimated to average 6 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 NOAA/National Marine Fisheries Service, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115. Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act and under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. Phone number, fax, email, TIN, and DOB are not released to the public. The names of individuals who have an ownership interest in an entity that owns a permit, vessel or processing plant and the actual percentage of ownership are considered business confidential and are not released to the public.

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**ACTION REQUIRED**

**APPLICANT CERTIFICATION OF ACCEPTANCE/NON-  
ACCEPTANCE OF QUOTA SHARE, OVERFISHED SPECIES  
AND HALIBUT IBQ SUMMARY SHEETS**

Attached are a series of species summary sheets that provide individual summary sheets for the Group 1, 2, Group 3 species and Halibut IBQ. Please review the data and calculations provided in each individual summary sheet. You must indicate whether you accept or do not accept part or all of the data or calculations given in these summaries. Your application will not be considered complete without this page.

Please check one box given below:

**I ACCEPT ALL** of the preliminary landing history data, relative history amount, the designation of lowest relative history and calculations as provided. I understand that this data is subject to change.

**I DO NOT ACCEPT** part or all of the preliminary landing history data, relative history amount, the designation of lowest relative history and calculations as provided. I will provide to NMFS a letter with the application that details which:

1. Species (Group 1,2,3, or Halibut) data or calculations are not accepted
2. Specific landing history amounts are not correct
3. NMFS computations are not correct
4. NMFS computation of the designated lowest relative history are not correct

Further, I am providing copies of state landing tickets, log book data and other credible information to NMFS that support each requested correction. I understand that this is my only opportunity to provide such documentation to support my application.

NMFS may change landing amounts based on the requested corrections which may result in revisions to the preliminary QS allocations.