

SUPPORTING STATEMENT
ALASKA COMMUNITY QUOTA ENTITY (CQE) PROGRAM
OMB CONTROL NO. 0648-0665

This action is a request for extension of this existing information collection.

BACKGROUND

Under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.*, as amended in 2006 (Magnuson-Stevens Act), the North Pacific Fishery Management Council (Council) developed Fishery Management Plans (FMPs) for the groundfish fisheries of the Gulf of Alaska management area (GOA) and Bering Sea and Aleutian Islands management area (BSAI). The Pacific halibut fishery off Alaska is managed by NMFS under the authority of the [Northern Pacific Halibut Act of 1982](#) (Halibut Act), and in coordination with annual fishery management measures adopted by the International Pacific Halibut Commission (IPHC) under the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention).

NMFS manages the fixed gear Pacific halibut and sablefish Individual Fishing Quota (IFQ) Program under the Halibut Act. The IFQ Program provides a limited access system for Pacific halibut in Convention waters in and off Alaska and sablefish fisheries in waters of the EEZ off Alaska. Regulations pursuant to the Convention are set forth at [50 CFR 300.60 through 300.65](#). Regulations for the IFQ program are set forth at [50 CFR part 679](#).

The State of Alaska allows the Alaska Department of Economic Development, Financing Section to provide a loan program for Community Quota Entities (CQEs) to purchase halibut and sablefish IFQs. The CQE Program is a Federal program administered by NMFS, but the State of Alaska provides assistance to eligible communities at <https://www.commerce.alaska.gov/web/>

- ◆ The Division of Banking, Securities, and Corporations -- how to set up a non-profit corporation.
- ◆ The Division of Community Advocacy -- sample by-laws and provides a non-profit corporation handbook with ideas on how to set up a non-profit corporation.
- ◆ The Department of Economic Development (DCED), Financing Section -- loan applications and application requirements to obtain financing for halibut and sablefish IFQs. Eligible communities can contact DCED to schedule workshops regarding the CQE program.

INTRODUCTION

Certain Federal limited access programs provide eligible Alaskan communities an opportunity to improve their economies with special fishery-related privileges. In these programs, eligible communities can form a nonprofit entity called Community Quota Entity (CQE). If a CQE represents a community eligible for privileges under a particular management program, the CQE may request no-cost community permits or purchase commercial Quota Share (QS). An eligible community must form a nonprofit corporation, CQE, to act on its behalf to purchase catcher vessel QS, and lease the annual IFQ resulting from the QS to community residents.

In addition, two other Federal limited-access programs provide eligible CQEs an opportunity to improve their economies with program-related fishing privileges:

- ◆ Charter halibut limited access program (CHP) and
- ◆ GOA Pacific cod endorsed non-trawl groundfish License Limitation Program (LLP).

Under the CHP, a CQE may request a limited number of no-cost community permits to fish charter halibut. Under an LLP, a CQE may use a limited number of non-trawl groundfish licenses with Pacific cod endorsements.

A. JUSTIFICATION

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

The CQE Program allocates a portion of the quotas for groundfish, halibut, crab, and prohibited species in the Bering Sea and Aleutian Islands Management Area (BSAI) to forty-two eligible Western Alaska communities: 21 are in Southeast Alaska (Area 2C) and 21 are in Southcentral Alaska (14 in Area 3A and 7 in Area 3B); an additional three communities are eligible, making a total of 45. The allocations provide communities the means for starting or supporting commercial fisheries business activities that will result in an ongoing, regionally based, fisheries-related economy. A non-profit corporate entity that meets specific criteria to receive transferred halibut or sablefish QS on behalf of an eligible community may lease the resulting IFQ to persons who are residents of the eligible community. Thirty-five CQEs are currently registered (see <https://alaskafisheries.noaa.gov/sites/default/files/reports/16ccqenamescontacts.pdf>).

2. 1Explain how, by whom, how frequently, and for what purpose the information will be used. 1If 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 CQE permitted to purchase and hold the QS for eligible communities must be a new non-profit entity incorporated under the State of Alaska or a new non-profit entity formed by an aggregation of several eligible communities. The CQE must be incorporated after April 10, 2002; must represent at least one eligible community that is listed in [Table 21 of 50 CFR 679](#);

and must be approved by NMFS to obtain by transfer and hold QS, and to lease IFQ resulting from the QS on behalf of an eligible community.

NMFS requires the following information both to evaluate the ability of the specific CQE to represent an eligible GOA community and to augment fisheries management efforts:

- ◆ to establish the eligibility of the CQEs to hold QS,
- ◆ to monitor the participation of the eligible communities in this program,
- ◆ to gather information on the distribution of QS and IFQ among these communities, and
- ◆ to receive an annual report from each CQE.

a. Application for a Non-profit Corporation to be Designated as a Community Quota Entity (CQE)

A non-profit corporation must apply to NMFS for recognition as a CQE and must have the written approval of the community. Upon approval by NMFS, the CQE may buy, sell, and hold halibut and sablefish QS for the community.

This application procedure is required for each non-profit entity seeking to become a CQE representing a specific community. This application is due only once, unless a particular eligible community withdraws support from a specific CQE.

An application may be submitted to NMFS by mail or delivery. Fax submittal is not acceptable due to the Notary requirements.

Application for a Non-profit Corporation to be Designated as a CQE

Block A—Identification of applicant

- Name of nonprofit organization
- Name of contact person
- Permanent business mailing address
- Business telephone number, fax number, and e-mail address
- Name of community represented by nonprofit organization
- Name of contact person for community governing body

Block B – Required Information -- Checklist of required attachments

Block C – Notary Certification

- Printed name and signature of applicant and date signed
- Signature, date when commission expires, and stamp of Notary

One CQE can represent more than one community, although a community can only have one CQE. A current list of CQEs and the communities represented is presented at <https://alaskafisheries.noaa.gov/sites/default/files/reports/16cqenamescontacts.pdf>.

Application to Become an CQE, Respondent	
Estimated number of respondents	1
Total annual responses	1
Number of responses = 1(one time only)	
Total Time burden	200 hrs
Time per response = 200 hr	
Total personnel cost (\$150 x 200)	\$30,000
Total miscellaneous cost (7.95)	\$8
Postage (0.45 x 1 = 0.45)	
Photocopy (0.05 x 50pp x 1 = 2.50)	
Notary (5 x 1 = 5)	

Application to Become an CQE, Federal Government	
Total annual responses	1
Total Time burden	4 hrs
Time per response = 4 hr	
Total personnel cost (\$37 x 4)	\$148
Total miscellaneous cost	0

b. Application for Transfer of QS to or from a CQE

To participate in a fishery, an eligible community must first form a CQE and purchase catcher vessel QS through a transfer. The eligible communities and the community governing body that recommends the CQE are listed in Table 21 to 50 CFR Part 679. Once QS is held, the CQE can lease the annual IFQ resulting from the QS to individual community residents.

The CQE Program was intended as a way to promote QS ownership by individual residents, as individuals can lease annual IFQ from the CQE and gradually be in a position to purchase their own QS. Both the community and individually-held QS are important in terms of fishing access and economic health of communities.

This application is used to apply for a transfer of QS to or from a CQE. The receiving party of the QS/IFQ transfer must hold a Transfer Eligibility Certificate (TEC) (see OMB 0648-0272). If the application is to permanently transfer QS from a CQE to another party, the application must be signed by a representative of the community for whom the CQE holds the QS. Transfers of Charter halibut permits or License Limitation Program (LLP) permits are not allowed in the CQE program.

A CQE may transfer QS to generate revenue:

- ◆ to provide funds to meet administrative costs for managing the community QS holdings
- ◆ to improve the ability of residents within the community to participate in the halibut and sablefish IFQ fisheries
- ◆ to purchase QS to yield IFQ for use by community residents

In addition, a CQE may transfer QS as a result of a court order, operation of law, or as part of a security agreement or to dissolve the CQE.

An application for transfer may be submitted to NMFS by mail or delivery. Fax submittal is not acceptable due to the Notary requirements.

Application for Transfer of QS to or from a CQE

Block A – Transferor Information

Name and NMFS Person ID
Name of community represented by the CQE
Business mailing address (indicate whether permanent or temporary)
Business telephone number, business fax number, and business e-mail address

Block B – Transferee Information

Name and NMFS Person ID
Name of community represented by the CQE
Business mailing address (indicate whether permanent or temporary)
Business telephone number, business fax number, and e-mail address

Block C – QS Questions for Transferee

If QS is to be included in a sweep-up, list the identifier on the QS certificate into which this new piece should be combined
For sweep-up, **attach** the original QS Certificates of both the transferor and the transferee
If this is a transfer of Catcher vessel CDQ compensation QS and the vessel category has never been declared, designate the catcher vessel category in which QS should be issued

Block D – Identification of QS to be Transferred

Quota Share to be transferred
Total QS units
Designation of QS, as shown on the QS certificate: from and to

Block E – Required Transferor Supplemental Information

Indicate the reason(s) transfer being proposed
Price per unit of QS and the price per pound of IFQ
Total amount paid for the QS/IFQ in this transactions, including all fees
If a broker is used for this transaction, indicate amount paid in brokerage fees or percentage of total price
Indicate reason for transferring QS/IFQ

Block F – Required Transferee Supplemental Information

If QS will have a lien attached, identify the lien holder
Primary source of financing for this transfer
How was the QS located
Relationship to the transferor
If an agreement exists to return the QS to the transferor or any other person or a condition placed on resale, explain

Block G -- Certification of Transferor

Printed name and signature of Transferor and date signed
If authorized representative, **attach** authorization
Signature, commission expiration date, and stamp of notary

Block H -- Certification of Transferee

Printed name and signature of Transferee and date signed.
If authorized representative, attach authorization.
Signature, commission expiration date, and stamp of notary

Block I -- Certification of CQE Community Representative

Printed name, title, and signature of Community Representative and date signed
Signature, commission expiration date, and stamp of notary

Application for Transfer of QS to or from a CQE, Respondent	
Estimated number of respondents	1
Total annual responses	1
Number of responses per year = 1	
Total Time burden	2 hrs
Time per response = 2 hr	
Total personnel cost (\$37 x 2)	\$74
Total miscellaneous cost (5.65)	\$6
Postage (.45 x 1 = .45)	
Photocopy (0.05 x 4 pp x 1 = 0.20)	
Notary (\$5 x 1 = 5)	

Application for Transfer of QS to or from a CQE, Federal Government	
Total annual responses	1
Total Time burden (0.5)	1 hrs
Time per response = 30 min	
Total personnel cost (\$37 x 1)	\$37
Total miscellaneous cost	0

c. Application for a CQE to transfer IFQ to an eligible community resident or non-resident

Upon NMFS approval of the transfer of QS to a CQE, the CQE may transfer halibut and sablefish IFQ to individual, eligible community residents and non-residents. The CQE Program also promotes QS ownership by individual community residents. Individuals who lease annual IFQ from the CQE could use IFQ revenue to purchase their own QS.

An Aleutian Islands CQE could lease any IFQ derived from their QS to either eligible community residents of Adak or non-residents for a period of up to 5 years after the effective date of the final rule. After the 5 year period, the CQE is required to lease the annual IFQ derived from QS it holds only to eligible community residents of Adak.

Those persons applying to receive QS or IFQ by transfer must submit an Application for Eligibility to Receive QS/IFQ containing accurate information to the Regional Administrator, to obtain a TEC. To be eligible, persons must have 150 or more days of experience working as part of a harvesting crew in any U.S. commercial fishery. Work in support of harvesting but not directly related to it is not considered harvesting crew work.

An eligible community resident receiving IFQ from an Aleutian Islands CQE must have a TEC, but NMFS will not apply the 150-day criteria for the eligible community resident to receive the TEC.

Due to the notary requirement, when completed, the original application may only be submitted:

By mail to: Alaska Region, National Marine Fisheries Service
 Restricted Access Management (RAM)
 P.O. Box 21668

Juneau, AK 99802-1668

Or, deliver to: Room 713, Federal Building
709 West 9th Street
Juneau, AK

Application for a CQE to Transfer IFQ to an eligible community resident or non-resident

Block A – Transferor (Seller) Information

Name of transferor as it appears on the QS Certificate or TEC
NMFS Person ID
Name of the community represented by the CQE
Business mailing address. Indicate whether permanent or temporary address
If permanent address, include street or P.O. Box, city, state, and zip code
If temporary, include street or P.O. Box, city, state, and zip code
Business telephone number, business fax number, and e-mail address

Block B – Transferee (Buyer) Information

Name of transferee
NMFS Person ID (as set out on the QS Certificate or the TEC)
Business mailing address. Indicate whether permanent or temporary address.
If permanent address, include street or P.O. Box, city, state, and zip code.
If temporary, include street or P.O. Box, city, state, and zip code. This address will be used to send the transfer documentation, if different from the permanent address.
Business telephone number, business fax number, and e-mail address

Block C -- Transfer (Lease) of IFQ

Note: in the case of the city of Adak, the transferee does not need to be a community resident for the first five years of the program.

Identify IFQ to be transferred by entering the IFQ Permit Number(s) and Year
Name of the community to which IFQ are currently assigned
Indicate if a resident of the Aleutian Islands
If NO, enter city and state of residence
Note: Transferee must be a resident of the community represented by the CQE unless that community is Adak
Name of city and state

Block D – Required Transferor Supplemental Information

Price per pound of IFQ
Indicate whether a broker is used for this transaction.
If YES, indicate amount paid in brokerage fees or percentage of total price

Block E – Certification of Transferor

Printed name and signature of Transferor and date signed
If completed by representative, **attach** authorization
Signature, commission expiration date, and stamp of notary public

Block F -- Certification of Resident Transferee

Printed name and signature of resident transferee and date signed
If completed by representative, **attach** authorization
Signature, commission expiration date, and stamp of notary public

Block G -- Certification of Non-Resident Transferee

Printed name and signature of Transferee and date signed
If completed by representative, **attach** authorization
Signature, commission expiration date, and stamp of notary public

Appln for CQE Transfer IFQ to community resident, Respondent	
Estimated number of respondents	1
Total annual responses	1
Response per respondent = 1	
Total burden hours	2 hrs
Time per response = 2 hr	
Total personnel cost = (\$37/hr x 2)	\$74
Total miscellaneous costs (5.50)	\$6
Photocopy (2 pp x .05 x 10 = 1)	
Postage (0.45 x 10 = 4.50)	
Notary (5.00 x 10) = 50	

Appln for CQE Transfer IFQ to community resident, Federal Government	
Total annual responses	1
Total burden hours (0.5)	1 hrs
Time per response = 30 minutes	
Total personnel cost = \$37/hr	\$37
Total miscellaneous cost	0

d. CQE LLP Authorization letter

Prior to requesting an LLP, the CQE shall provide NMFS with a detailed plan for soliciting and determining recipients of the CQE permit. NMFS will issue the LLP to the CQE. The CQE must annually assign each community LLP to a user and vessel and must provide a copy of the authorization letter, and any subsequent amendment to that authorization letter to both NMFS and the vessel operator prior to use by the person(s) designated. A copy of the authorization letter must be maintained onboard the vessel. The person specified for an LLP groundfish license in an authorization letter must be on board the vessel during directed fishing.

CQE LLP Authorization Letter

Assign each community LLP to a specific vessel and designate the vessel operator
 CQE attest that the authorized representative using a groundfish license issued to a CQE

- Is a citizen of the United States;
- Has maintained a domicile in a CQE community in the Central GOA or Western GOA eligible to receive an LLP license endorsed for Pacific cod for the 12 consecutive months immediately preceding the time when the assertion of residence is made; and
- Is not claiming residency in another community, state, territory, or country, except that residents of the Village of Seldovia shall be considered to be eligible community residents of the City of Seldovia for the purposes of eligibility to serve as an authorized vessel operator. The residency requirements for a vessel operator using a CQE license ensures that residents of a specific community actively participate in the Pacific cod fishery consistent with the overall goal the Council established for CQE LLP licenses.

CQE Letter of authorization, Respondent	
Total respondents	24
Total responses = 1	24
Frequency of response = 1	
Total burden hours	24 hrs
Time per response = 1 hr	
Total personnel cost (\$37 x 24)	\$888
Total miscellaneous costs	\$12
Postage (0.45 x 24 = 10.80)	
Photocopy (0.05 x 1 pp x 24 = 1.20)	

CQE Letter of authorization, Federal Government	
Total responses	24
Total burden hours = 1 hr	24 hrs
Total personnel costs (\$37/hr)	\$888
Total miscellaneous costs	0

e. Application for a CQE to Receive a Non-trawl Groundfish LLP License

A license holder must have a Pacific cod endorsement on his or her groundfish license to conduct directed fishing for Pacific cod in the Western Gulf of Alaska (Western GOA) or Central Gulf of Alaska (Central GOA) with hook-and-line gear, pot gear, or jig gear. A license holder can only use the specific non-trawl gear(s) indicated on his or her license to conduct directed fishing for Pacific cod in the Western GOA or Central GOA.

Each approved CQE may apply to receive groundfish LLP licenses on behalf of the communities that the CQE is designated to represent. The LLP authorizes CQEs for eligible communities to request non-trawl groundfish LLP licenses endorsed for Pacific cod in the central or western GOA. A CQE may apply for and may receive a maximum number of groundfish LLPs designated in the regulatory area specified for a community. Licenses will have a maximum length overall designation of 60 ft. Western GOA licenses will be endorsed for pot gear, and Central GOA CQEs may choose either a pot or hook-and-line endorsement. Entities representing specific communities may receive a limited number of fixed gear LLP licenses with Pacific cod endorsements for use on vessels designated by entities representing the communities.

To receive a groundfish license a CQE must submit a completed application to the Regional Administrator, NMFS, P.O. Box 21668, Juneau, AK 99802. The application may be submitted by mail, courier, or fax (907) 586-7354.

Application for a CQE to receive a Non-trawl groundfish LLP license

Block A --Identification

- Name of non-profit organization
- Name of contact person
- NMFS person ID number
- Permanent business mailing address
- Business telephone number, business e-mail address, and business fax number

Block B -- Gulf of Alaska Non-Trawl LLP Licenses & Non-Trawl Gear Designations

- Total number of LLP groundfish licenses being requested
- Non-trawl gear type to be designated on each groundfish license requested

Block C – Attachments With Additional Information

- Procedures used to determine the distribution of LLP licenses to residents of the community
- Procedures used to solicit requests from residents to be assigned an LLP license.

Criteria for distribution of the use of LLP licenses among qualified community residents and the relative weighting of those criteria.

Block D - CQE Certification

Printed name and signature of CQE and date signed
 If representative, attach authorization

Application for a CQE to receive a Non-trawl groundfish LLP license, Respondent	
Total respondents	8
Total responses = 1 Frequency of response = Initial application	8
Total burden hours Time per response = 20 hr	160 hrs
Total personnel cost (\$37 x 160)	\$5,920
Total miscellaneous costs (7.60) Postage (0.45 x 8 = 3.60) Copying (0.05 x 10 pp x 8 = 4.00)	\$8

Application for a CQE to receive a Non-trawl groundfish LLP license, Federal Government	
Total responses	8
Total burden hours Time per response = 4 hr	32 hrs
Total personnel costs (\$37 x 32)	\$1,184
Total miscellaneous costs	0

e. Community Quota Entity (CQE) Annual Report

General reporting requirements for CQE annual reports and specific reporting requirements for any CQE participating in the IFQ, charter halibut limited access, and LLP programs are described in § 679.5(t). A CQE is not required to submit an annual report for any calendar year in which it did not hold any community charter halibut permits, IFQ, or LLPs.

By January 31, the CQE must submit a complete annual report for the prior calendar year to

- ◆ Regional Administrator, NMFS,
 P.O. Box 21668,
 Juneau, AK 99802,

and to the governing body of each community represented by the CQE as identified in [Table 21 to part 679](#).

A complete annual report must contain all general report requirements and all program specific report requirements applicable to the CQE, as follows:

Community Entity Quota (CQE) Program Annual Report

General report requirements:

Each CQE must report business operations and fishing activity for the charter halibut permit, IFQ, and LLP programs for each eligible community represented by the CQE and must provide

- Name of eligible community or communities
- Any new communities

Any withdrawn communities

Any changes in the bylaws of the CQE, board of directors, or other key management personnel; and

Attach copies of minutes and other relevant decision making documents from all CQE board meetings held during the prior calendar year

Charter Halibut Permit (CHP) Limited Access Program

For each community issued one or more CHPs by a CQE, the program-specific report must include:

Total number of CHPs held by the CQE

At the start of the calendar year

At the end of the calendar year

Projected to be held in the next calendar year

Process used by the CQE to solicit applications from persons to use CHPs

Total number of persons who applied to use one or more CHPs

Name

Business address, city and state

Number of CHPs requested by each person

Criteria used by the CQE to distribute CHPs among persons who applied to use one or more CHPs

For each person issued one or more CHPs, provide

Name

Business address, city and state,

ADF&G logbook number(s)

Number(s) of each CHP authorized to use with the corresponding regulatory area endorsement and angler endorsement

For each vessel authorized to participate in the charter halibut fishery using one or more CHPs, provide

Vessel name

ADF&G vessel registration number

USCG documentation number

Length overall

Home port

Each CHP number held by the CQE and used onboard the vessel

Each set of ports from which the vessel departed and to which it returned

Total number of trips that occurred to and from each set of ports

For each community represented by the CQE, provide any payments made to the CQE for use of the CHPs.

Individual Fishing Quota Program Specific Report

For each community that leased halibut and sablefish IFQ derived from the QS held by a CQE, the program specific report must include:

Total amount of halibut QS and total amount of sablefish QS held by the CQE

at the start of the calendar year

at the end of the calendar year

projected to be held in the next calendar year

Describe process used by the CQE to solicit applications from eligible community residents to use IFQ

Total number of community residents who applied to use IFQ derived from QS held by the CQE;

For each person who applied to use IFQ, provide

Name

Business address, city and state

Amount of IFQ requested

Describe CQE criteria to distribute IFQ among eligible community residents who applied to use IFQ

Name

Business address, city and state

Each IFQ permit number

Total pounds of halibut IFQ authorized through each IFQ permit number

Total pounds of sablefish IFQ authorized through each IFQ permit number

For each vessel used to harvest IFQ derived from QS

Vessel name

ADF&G vessel registration number

USCG documentation number
 Length overall
 Home port
 Each IFQ permit number(s) used onboard
 Describe efforts to ensure crew members onboard vessels harvesting IFQ are residents of CQE eligible community
 For each person employed as a crew member, provide
 Name
 Resident city and state
 For each community whose residents landed IFQ, provide any payments made to the CQE for use of the IFQ

License Limitation Program Specific Report

For each community that was assigned one or more Pacific cod endorsed non-trawl groundfish licenses, the program specific report must include:

Total number of LLP groundfish licenses by gear type endorsement held by the CQE

- At the start of the calendar year
- At the end of the calendar year
- Projected to be held in the next calendar year

Describe process used by the CQE to solicit applications from residents to use LLP groundfish license(s)

Total number of community residents who applied to use an LLP groundfish license

- Name
- Business address, city and state

Number of LLP groundfish licenses requested by each person who applied to use a LLP groundfish license

Describe criteria used by the CQE to distribute LLP groundfish licenses among eligible community residents

For each person assigned one or more LLP groundfish licenses, provide

- name, business address, city and state
- LLP groundfish license numbers for each gear endorsement type

For each vessel authorized to harvest LLP groundfish using one or more LLP groundfish licenses, provide:

- Vessel name
- ADF&G vessel registration number
- USCG documentation number
- Length overall
- Home port
- Each LLP groundfish license number used onboard

For each person employed as a crew member on each vessel using one or more LLP groundfish licenses

- Name
- Resident city and state

For each community whose residents made landings using one or more LLP groundfish licenses, provide any payments made to the CQE for use of the LLP groundfish licenses.

CQE Annual Report, Respondent	
Estimated number of respondents	35
Total annual responses	35
Response per respondent = 1	
Total burden hours	1,400 hrs
Time per response = 40 hr	
Total personnel cost (\$37/hr x 1400)	\$51,800
Total miscellaneous costs (24.50)	\$25
Photocopy (5 pp x .05 x 35 = 8.75)	
Postage (0.45 x 35= 15.75)	

CQE Annual Report, Federal Government	
Total annual responses	35
Total burden hours = 4 hr	140 hrs
Total personnel cost (\$37/hr X 140)	\$5,180
Total miscellaneous cost	0

f. Application for Community Charter Halibut Permit (CCHP)

The Charter Halibut Limited Access Program established Federal Charter Halibut Permits for operators in the charter halibut fishery in Regulatory Areas 2C (Southeast Alaska) and 3A (South Central Alaska). The Program also provides a limited number of permits issuable on request to nonprofit corporations representing specified rural communities.

A CQE may apply at any time for community CHPs, issued at no cost. The CQE designates charter operators to use its community CHPs, although the CHP itself is retained by the CQE. A charter vessel operator using a Community CHP is subject to all charter fishing regulations and must either begin or end the charter vessel fishing trip within the community designated on the permit.

All vessel operators in IPHC Areas 2C and 3A with charter anglers onboard must have an original, valid permit onboard during every charter vessel fishing trip on which Pacific halibut are caught and retained. CHPs are endorsed for the appropriate regulatory area and the number of anglers that may catch and retain charter halibut on a trip. There is no deadline for application.

An eligible community must form a non-profit entity or CQE to represent it prior to applying for a Community Charter Halibut Permit. This CQE must be approved by NMFS. A CQE that represents an eligible community may receive one or more Community CHPs. The CQE must use a separate application for each community that it represents.

A CQE could apply for a limited number of permits for eligible communities at no cost, if they meet criteria for limited participation in the charter halibut fishery. The purpose of issuing permits to this subset of small GOA communities, not located on the road system, is to provide them the opportunity to derive economic benefits from the charter halibut industry.

A CQE representing a community or communities

- ◆ In Area 2C -- could receive a maximum of four CCHPs for each eligible community it represents.
- ◆ In Area 3A -- could receive a maximum of seven CCHPs for each eligible community it represents. The larger number of community permits allowed in Area 3A reflects the larger resource base in that area.

A CCHP has an angler endorsement of six. The communities eligible for a CCHP include those CQE communities in which 10 or fewer “active” charter vessel businesses terminated charter vessel trips in the community in each of the qualifying years, 2004 and 2005.

The communities shown in [Table 21 to 50 CFR part 679](#) are eligible to obtain community charter halibut permits in the area designated for the community.

A charter vessel fishing trip for halibut that is authorized by a CCHP is required to either begin or end within the geographic boundaries of the community designated on the permit. The purpose of this requirement is to assure that the charter vessel anglers on such a fishing trip have an opportunity to use the goods and services of the community. A CCHP issued to a CQE could not be transferred to a different CQE or to a non-CQE entity.

Applications are accepted if postmarked, hand delivered, or faxed. Electronic submissions other than fax are not acceptable due to the requirement for original signature of the applicant.

Application for Community Charter Halibut Permit (CCHP)

Block A--Type of permit

Indicate type of permit for which applying.
 Enter the name of the community represented by CQE
 Complete Blocks A, B, and C. Sign Block D

Block B –Applicant information

Applicant’s name
 Business mailing address (street or P.O. Box, city, state, zip code)
 Business telephone number, business fax number, and business e-mail address

Block C – Community Charter Halibut Permit request

Name of the community that the CQE represents
 List number of permits requested for that community
 List location boundaries of community, including latitude and longitude, where all trips will begin or end

Block E – CQE applicant signature

Signature, printed name, and title of individual completing this application on behalf of CQE
 Date signed.
Attach authorizing documentation.

Application for CCHP, Respondents	
Total number of respondents	32
Communities:	
14 – Area 3A	
18 – Area 2C	
Total annual responses	32
Frequency of response = 1	
Total annual time burden	32 hrs
Estimated response time = 1 hr	
Total personnel costs (\$37/hr x 32)	\$1,184
Total miscellaneous costs (106.40)	\$106
Mail (0.45 x 16 = 7.20)	
Fax (6 x 16 = 96)	
Photocopy (2pp x 0.05 x 32 = 3.20)	

Application for CCHP, Federal Government	
Total responses	32
Frequency per response = 1	
Total annual time burden	16 hrs
Estimated response time = 30 minutes	
Total personnel costs (\$37/hr x 16)	\$592
Total miscellaneous costs	0

g. Application for Transfer Between IFQ and GAF by a Community Quota Entity (CQE)

This form is used only if a CQE is the transferor or the transferee of the IFQ. This application form is for use in transferring IPHC Areas 2C (Southeast GOA) and 3A (Central GOA) commercial IFQ for use as guided angler fish (GAF) by a community resident holding one or more charter halibut permits for IPHC Areas 2C or 3A.

- ◆ A CQE applying for a transfer between IFQ and GAF must be eligible to hold IFQ on behalf of an eligible community in Area 2C or Area 3A and have received NMFS' notification of approval of eligibility to receive IFQ for that community.
- ◆ The CQE applying to receive GAF must hold one or more valid community CHPs.
- ◆ The CQE applying to transfer IFQ to GAF must submit a complete annual report(s) as required by 50 CFR part 679.5(l)(8).
- ◆ An individual applying to receive GAF from Area 2C or Area 3A IFQ held by a CQE must be an eligible community resident of the eligible community in whose name the CQE is holding IFQ.

Applicants may use this form to return unused GAF to the CQE from which it was obtained. NMFS will accept Applications to return GAF to IFQ from August 1 to August 31st only. NMFS will return unused GAF to the IFQ permit holder from which they were obtained on or about 15 calendar days prior to the closing of the commercial halibut fishing season; no fees will be assessed for any unused GAF.

NMFS will not approve an Application for Transfer between IFQ and GAF

- ◆ Before annual IFQ is issued.
- ◆ One month prior to the close of the commercial IFQ fishing season.
- ◆ After November 1 and will return all unharvested GAF to the CQE on or about November 1 each year.

The IFQ permit holder is responsible for all cost recovery fees (OMB Control No. 0648-0711) resulting from the GAF harvested as a result of this transfer.

Applications may be submitted to NMFS by mail or by delivery.

Application for Transfer Between IFQ and GAF by a CQE

Attachments

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

Identification of transferor

- Name and NMFS Person ID
- Name of Community represented by the CQE
- Permanent or Temporary Business Mailing Address. Indicate which

Business Telephone No., Business Fax No., Business E-mail address

Identification of transferee

Name and NMFS Person ID

Name of Community represented by the CQE

Indicate whether or not you intend to begin or end your charter halibut fishing trip in the community represented by the CQE listed in Block A

Permanent or Temporary Business Mailing Address. Indicate which Business Telephone No., Business Fax No., Business E-mail address

Identification of IFQ and/or GAF To be Transferred

IFQ Permit Number

IPHC Area

Charter Halibut Permit Number

GAF Permit Number (only required when GAF is returning to the IFQ permit holder)

Number of GAF

Transferor Supplemental Information

Was this a gift

If NO, total amount paid for the IFQ in this transaction, including fees:

Give the price per pound/pound of IFQ

Was a broker used to facilitate this transfer

If YES, indicate amount paid in brokerage fees

Certification of proposed transferor

Signature and printed name of transferor and date signed

If a representative, **attach** authorization

Certification of proposed transferee

Signature and printed name of transferee and date signed

If a representative, **attach** authorization

Application for Transfer Between IFQ and GAF by CQE, Respondent	
Number of respondents	32
18 Area 2C	
14 Area 3A	
Total annual responses	32
Frequency of response = 1	
Total burden hours	64 hrs
Time per response = 2 hr	
Total personnel costs (\$37 x 64)	\$2,368
Total miscellaneous costs (92.50)	\$93
Mail (1.35 x 30 = 40.50)	
Fax (6 x 2 = 12)	
Photocopy (.05 x 25pp x 32 = 40)	

Application for Transfer Between IFQ and GAF by CQE, Federal Government	
Number of responses	32
Total burden hours	16 hrs
Time per response = 30 min	
Total personnel costs (\$37 x 16 =	\$592
Total miscellaneous costs	0

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See Question 10

of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. 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.

Forms and applications are “fillable” on the computer screen at the NMFS Alaska Region Home Page at <https://alaskafisheries.noaa.gov/fisheries-applications>. An Application for a CQE to Receive a Non-trawl LLP License and the Application for Transfer of QS-IFQ to a CQE may be submitted to NMFS by mail, courier, or fax. The Application for a Non-profit Corporation to be Designated as a CQE and the Application for Transfer of QS-IFQ to a CQE may be submitted to NMFS by mail or delivery. Fax submittal is not acceptable due to the Notary requirements. The CQE final report is a large report with various sizes of pages which must be submitted by mail or in person. The CQE Authorization Letter may be submitted as an attachment to an email.

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.

NMFS has defined all IFQ halibut vessels as small businesses, for the purpose of this analysis. This 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 reporting scheme described in this Support Statement, the CQE Program would be unable to proceed.

The lack of adequate information to manage the CQE Program would result in the fishery management decision-making process being less objective, more political, and potentially less equitable. This would decrease the credibility of the fishery management process and result in an unnecessarily costly and ineffective management system. The cost of making decisions based on inadequate information would adversely affect the viability of the CQE fishing industry.

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

A *Federal Register* Notice published on August 11, 2015 (80 FR 48078) solicited public comment. No comments were received.

In addition, a questionnaire was submitted to participants to solicit additional public comments (included as Appendix).

Twenty-two surveys were sent out by e-mail. Eleven surveys were returned with bad addresses. Comments were received from two respondents and are summarized with response below.

- ◆ Application for a Non-profit Corporation to be Designated as a Community Quota Entity (CQE)
(1) This is a one time form, so it is not an ongoing burden.
- ◆ Application for Transfer of QS to or from a CQE
(1) No comment on this form. It isn't problematic.
- ◆ Application for a CQE to transfer IFQ to an eligible community resident or non-resident
(1) Our biggest problem is not being able to file transfers to the harvester electronically. Getting notarized documents from Adak to a harvester [who] isn't a resident or who is off island and back by snail mail it a real hassle when we only get 2 flights a week (assuming the flight isn't canceled.)
RESPONSE: NMFS agrees. We do not need a notary on that application form because it is not a permanent transfer of quota share, just a lease of the annual IFQ. NMFS will change the form.
- ◆ Application for a CQE to Receive a Non-trawl Groundfish LLP License
(1) Not applicable to Adak's CQE
- ◆ Application for Community Charter Halibut Permit (CCHP)
(1) Not applicable to Adak's CQE
(2) I used the one that allowed our CQE to apply for a Community Charter Halibut permit several years ago and I remember it to be easy to use.
- ◆ Application for Transfer Between IFQ and GAF by a CQE
(1) Not applicable to Adak's CQE
- ◆ CQE Annual Report
(1) I wasn't able to find a CQE Annual Report "form" or instructions online. My recollection is that ACDC made up its own outline based on the regulations. This report

is fairly time consuming and requires gathering and compiling quite a range of information. The Annual report takes approx 40 hours, unless I have to chase down Captains of the Boat for information on the Vessel and Crew for the report. I'm thinking that takes another 10 hours or more.

RESPONSE: NMFS does not have a form for this report because of the unknown nature of the responses that may come from each CQE that is required to report. Each CQE holds different permits and has different mechanisms for deciding how to distribute those permits. Each CQE is free to format their own annual report provided that it covers all the required criteria set out in the regulations.

- ◆ CQE LLP Authorization letter
(1) Not applicable to Adak's CQE

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

No payment or gift is 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 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.); and also under [NOAA Administrative Order \(AO\) 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics. Assurance of confidentiality under these authorities is stated on all forms.

An amended Privacy Act System of Records Notice (SORN), COMMERCE/NOAA--19 Permits and Registrations for United States Federally Regulated Fisheries, was published on August 7, 2015 (80 FR 47457) and became effective September 15, 2015.

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: 75 (35 CQEs, 32 Community halibut permittees, 8 CQEs to receive non-trawl LLP), increased from 65. Estimated total responses: 134, decreased from 203. Estimated total burden: 1,884, decreased from 1,908 hr. Estimated total personnel costs: \$92,308, decreased from \$243,600

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

Estimated total miscellaneous costs: \$264, decreased from \$683.

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

Estimated total responses: 134, decreased from 179. Estimated total burden: 234 hr, increased from 197 hr. Estimated total personnel costs: \$8,658, increased from \$3,900.

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

Adjustments:

This collection-of-information is renewed with only minor adjustments (personnel cost, postage cost, etc.) Actual numbers of CQEs are used. Maximum numbers of potential CQEs were used in previous analyses; this analysis used actual numbers for each item.

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

NMFS Alaska Region posts LLP license information on the web at <http://alaskafisheries.noaa.gov/ram/llp.htm#list>. The lists contain LLP groundfish and crab licenses issued as of the indicated preparation date. Data are sorted alphabetically and are updated daily. Under current regulations, vessels must be designated on the licenses and the identities of original qualifying vessels are provided for reference only.

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

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Appendix

ALASKA COMMUNITY QUOTA ENTITY (CQE) PROGRAM
OMB CONTROL NO. 0648-0665
(Expiration Date: 02/29/2016)

It is time to renew the Alaska Community Quota Entity (CQE) Program OMB information collection. Could you please take a few moments and provide comments on this program, specifically on the forms you are familiar with in this collection:

- ◆ [Application for a Non-profit Corporation to be Designated as a Community Quota Entity \(CQE\)](#)
- ◆ [Application for Transfer of QS to or from a CQE](#)
- ◆ [Application for a CQE to transfer IFQ to an eligible community resident or non-resident](#)
- ◆ [Application for a CQE to Receive a Non-trawl Groundfish LLP License](#)
- ◆ [Application for Community Charter Halibut Permit \(CCHP\)](#)
- ◆ [Application for Transfer Between IFQ and GAF by a CQE](#)
- ◆ CQE Annual Report
- ◆ CQE LLP Authorization letter

Please comment on the forms; does the form have:

- ◆ Public utility of the information we collect from you,
- ◆ Clarity of instructions,
- ◆ Accuracy of the time estimate, and
- ◆ Any other aspect of this information collection.

If you really have no comments, please just say "no comment", since this will count as a comment!

Please e-mail your responses to me at patsy.bearden@noaa.gov by January 29, 2016.

Please call me at 907-586-7008 if you have any questions or need more information. Thanks in advance for your help.

Respectfully,

Patsy A. Bearden
Sustainable Fisheries Division
NMFS Alaska Region

