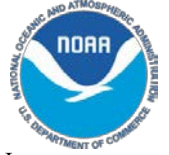




Application For Annual Crab Individual Fishing Quota (IFQ) Permit

U.S. Dept. of
Commerce/NOAA National
Marine Fisheries Service
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668
(800) 304-4846 toll free / (907) 586-7202 in Juneau
(907) 586-7354 fax / ram.alaska@noaa.gov



Annual Application Deadline – June 15

- ◆ Applications received after June 15 may not be processed and IFQ may not be issued to the applicant.
- ◆ Applicants for a Catcher Vessel Crew (CVC) or Catcher/processor Crew (CPC) IFQ Permit must complete Block D and provide acceptable evidence demonstrating participation for all “YES” answers. See **Block D**.
- ◆ If Applicant has joined a crab harvesting cooperative, applicant must ensure that they are listed on the cooperative’s application(s) for annual crab harvesting cooperative IFQ permit.

BLOCK A – APPLICANT INFORMATION

1. Name (<i>Last, First, Middle Initial</i>):	2. NMFS Person ID:	
3. Business Mailing Address [] Permanent [] Temporary		
4. Business Telephone Number:	5. Business Fax Number:	6. Business E-mail Address:

BLOCK B – TYPE OF ANNUAL IFQ FOR WHICH APPLICATION IS MADE

1. Place a check mark to indicate those fisheries for which applicant is applying for IFQ.

ALL QUOTA SHARE (QS) FISHERIES for which applicant holds QS

Only those fisheries checked below:

<input type="checkbox"/> BBR	<input type="checkbox"/> BSS	<input type="checkbox"/> EAG
<input type="checkbox"/> EBT	<input type="checkbox"/> WBT	<input type="checkbox"/> PIK
<input type="checkbox"/> SMB	<input type="checkbox"/> WAG	<input type="checkbox"/> WAI

2. Do you intend to join a Cooperative? YES NO

If YES, complete Block C below.

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

On the table below, enter the 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 fisheries for which the Applicant holds QS, list the cooperative name in the row named ALL QS FISHERIES.

Fishery	Name of Cooperative to which crab fishery IFQ is to be assigned
ALL QS FISHERIES	
BBR	
BSS	
EAG	
EBT	
WBT	
PIK	
SMB	
WAG	
WAI	

BLOCK D – CVC/CPC QS Holder Statement of Participation

Each year CVC and CPC QS holders must answer the following questions and provide evidence of active participation with each annual IFQ permit application.

IFQ Withholding

NMFS will not withhold issuance of a CVC or CPC IFQ permit for lack of participation prior to [insert crab fishery year 3 years after effective date of final rule] crab fishing year.

Active Participation Requirements

Beginning in [insert crab fishery year 1 year after effective date of final rule] and every year hereafter, a CVC or CPC QS holder must demonstrate and provide evidence of active participation during the three crab fishing years preceding the crab fishing year the applicant is applying for under the following criteria to be issued a CVC or CPC IFQ permit:

1. Participated in at least one fishing trip where a delivery of crab was made in any CR crab fishery, or
2. Participated in at least 30 days of fishing, tendering, or both in combination in Alaska state or federal commercial fishery.

NMFS will use the information provided below to track recent participation for CVC and CPC QS holders.

BLOCK D – CVC/CPC QS Holder Statement of Participation

1. List the most recent crab fishing year (July 1 each year through June 30 of next year) when you last met participation requirements as specified at 50 CFR 680.40(g) or (m).

[yyyy]

2. In the crab fishing year indicated in question 1 above, did you participate in at least one fishing trip where a delivery of crab was made in any CR crab fishery OR participated in an Alaska state or federal commercial fishery as crew fishing, tendering, or both in combination for at least 30 days during the crab fishing year immediately preceding the crab fishing year for which you are applying?

YES NO

If YES, attach acceptable evidence* demonstrating this participation.

3. In the crab fishing year indicated in question 1 above, did you participate in State of Alaska or Alaska Federal commercial fisheries during the crab fishing year immediately preceding the crab fishing year for which you are applying?

YES: list the number of days of participation _____.

NO

If YES, attach acceptable evidence* demonstrating this participation.

***Acceptable Evidence of Active Participation** is required for any **YES** answer. Acceptable evidence includes:

- ◆ an Alaska Department of Fish and Game (ADF&G) fish ticket signed by an applicant and imprinted with the applicant's Commercial Fisheries Entry Commission (CFEC) permit card,
- ◆ an affidavit indicating date of landing of crab species from the owner of a vessel upon which fishing was done, or
- ◆ an affidavit indicating date(s) of participation in an Alaska state or federal commercial fishery as crew fishing, tendering, or both in combination for at least 30 days, or
- ◆ a signed receipt for an IFQ crab landing on which the applicant was serving as a hired master for an IFQ permit holder.

Note: Starting July 1, 2019, and each crab fishing year thereafter, NMFS will initiate proceedings to revoke all CVC or CPC QS held by an individual who does not meet the above participation requirements for 4 consecutive crab fishing years.

BLOCK E – CVC/CPC QS Reissuance

CVC or CPC QS holders who had their QS revoked from July 1, 2019, through [insert effective date of final rule] are eligible to apply for reissuance of QS from [insert effective date of final rule] through June 15, 2025. CVC or CPC QS holders must indicate the date and for which fisheries they had their QS revoked in order to receive reissuance.

1. Are you applying for reissuance of previously revoked CVC or CPC QS from the period July 1, 2019, through [insert effective date of final rule]?

YES: list date revocation of QS occurred [mm / dd / yyyy]

NO

BLOCK E – CVC/CPC QS Reissuance

2. Place a check mark to indicate those fisheries for which applicant is applying for reissuance of QS due to revocation.

ALL QUOTA SHARE (QS) FISHERIES for which applicant had QS revoked.

Only those fisheries checked below:

- | | | |
|------------------------------|------------------------------|------------------------------|
| <input type="checkbox"/> BBR | <input type="checkbox"/> BSS | <input type="checkbox"/> EAG |
| <input type="checkbox"/> EBT | <input type="checkbox"/> WBT | <input type="checkbox"/> PIK |
| <input type="checkbox"/> SMB | <input type="checkbox"/> WAG | <input type="checkbox"/> WAI |

BLOCK F – IDENTIFICATION OF OWNERSHIP INTEREST

To be completed by Applicants who are NOT individuals (i.e., corporations, partnerships, etc.)

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

Name of Owner	% Interest	Name of Owner	% Interest

Duplicate this form as necessary to display all of the Applicant’s owners (and owners of owners)

BLOCK G – DECLARATION OF AFFILIATION

Indicate whether the Applicant is “affiliated” with an entity that holds Processing Quota Share (PQS) and/or Individual Processing Quota (IPQ). 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.

Having read and understood the Regulatory definition of “Affiliation” as set out below, the Applicant declares as follows:

- YES, the Applicant **is affiliated** with one or more entity(ies) that holds PQS or IPQ
- NO, the Applicant is **not affiliated** with any entity that holds PQS or IPQ

If YES, the Applicant must identify all holders of PQS or IPQ with which it is affiliated. Provide the name, business address, and telephone number below:

PQS/IFQ Holder Name	Business Address	Business Telephone Number

BLOCK G – DECLARATION OF AFFILIATION

“**Affiliation**” is defined in the CR crab regulations as follows (50 CFR § 680.2 – Definitions):

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. For purposes of this definition, the following terms are further defined:

- (1) Entity. An entity may be an individual, corporation, association, partnership, joint-stock company, trust, or any other type of legal entity, any receiver, trustee in bankruptcy or similar official or liquidating agent, or any organized group of persons whether incorporated or not, that holds direct or interest in:
 - (i) Quota share (QS), processor quota share (PQS), individual fishing quota (IFQ), or individual processing quota (IPQ); or,
 - (ii) For purposes of economic data report (EDR), a vessel or processing plan operating in CR fisheries.
- (2) Indirect interest. An indirect interest is one that passes through one or more intermediate entities. An entity’s percentage of indirect interest in a second entity is equal to the entity’s percentage of direct interest in an intermediate entity multiplied by the intermediate entity’s direct or indirect interest in the second entity.
- (3) Controls a 10 percent or greater interest. An entity controls a 10 percent or greater interest in a second entity if the first entity:
 - (i) Controls a 10 percent ownership share of the second entity, or
 - (ii) Controls 10 percent or more of the voting stock in the second entity.
- (4) Otherwise controls.
 - (i) A PQS or IPQ holder otherwise controls a QS or IFQ holder if it has:
 - (A) The right to direct, or does direct, the business of the entity which holds the QS or IFQ;
 - (B) The right in the ordinary course of business to limit the actions of or replace, or does limit 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 which holds the QS or IFQ;
 - (C) The right to direct, or does direct, the transfer of QS or IFQ;
 - (D) The right to restrict, or does restrict, the day-to-day business activities and management policies of the entity holding the QS or IFQ through loan covenants;
 - (E) The right to derive, or does derive, either directly, or through a minority shareholder or partner, and in favor of a PQS or IPQ holder, a significantly disproportionate amount of the economic benefit from the holding of QS or IFQ;
 - (F) The right to control, or does control, the management of or to be a controlling factor in the entity holding QS or IFQ;
 - (G) The right to cause, or does cause, the sale of QS or IFQ;
 - (H) Absorbs all of the costs and normal business risks associated with ownership and operation of the entity holding QS or IFQ; and
 - (ii) Has the ability through any other means whatsoever to control the entity that holds QS or IFQ. (ii) Other factors that may be indicia of control include, but are not limited to, the following:
 - (A) If a PQS or IPQ holder or employee takes the leading role in establishing an entity that will hold QS or IFQ;
 - (B) If a PQS or IPQ holder has the right to preclude the holder of QS or IFQ from engaging in other business activities;
 - (C) If a PQS or IPQ holder and QS or IFQ holder use the same law firm, accounting firm, etc.;
 - (D) If a PQS or IPQ holder and QS or IFQ holder share the same office space, phones, administrative support, etc.;
 - (E) If a PQS or IPQ holder absorbs considerable costs and normal business risks associated with ownership and operation of the QS or IFQ holdings;
 - (F) If a PQS or IPQ holder provides the start up capital for the QS or IFQ holder on less than an arm's-length basis;
 - (G) If a PQS or IPQ holder has the general right to inspect the books and records of the QS or IFQ holder;
 - (H) If the PQS or IPQ holder and QS or IFQ holder use the same insurance agent, law firm, accounting firm, or broker of any PQS or IPQ holder with whom the QS or IFQ holder has entered into a mortgage, long-term or exclusive sales or marketing agreement, unsecured loan agreement, or management agreement.

BLOCK H – APPLICANT SIGNATURE

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

1. Signature of Applicant:

2. Date:

3. Printed Name of Applicant: (**Note:** If completed by an authorized representative, **attach** authorization.):

INSTRUCTIONS

**APPLICATION FOR ANNUAL CRAB
INDIVIDUAL FISHING QUOTA (IFQ) PERMIT**

GENERAL

IFQ permits are issued annually to eligible persons who hold Quota Share (QS). These permits authorize their holders to harvest a specific amount of crab, under the terms and conditions set out on the permit. IFQ permits are valid for one year -- the crab year for which they are issued.

Because issuance of the correct amount and type of IFQ is entirely dependent on information provided by QS holders on their annual IFQ applications, an application that is received after June 15 may not be processed and may not yield annual IFQ.

Completed application must be received by NMFS **no later than June 15**. Applications received after June 15 may not be processed, and IFQ may not be issued to the applicant.

This application cannot be processed or approved unless applicant has met all the requirements and conditions of the Crab Rationalization Program, including (as appropriate) payment of all outstanding fees submitted to NMFS on or before July 31.

Please allow at least 10 working days for this application to be processed. It is important that all blocks are completed and any required attachments are provided. Failure to answer any of the questions, provide any of the required documents, or to have signatures could result in delays in the processing of your application.

Forms are available on the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/region/alaska>.

Print information in the application legibly in ink or type information.

Retain a copy of completed application for your records.

When completed, submit the application —

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

By delivery to: **Room 713, Federal Building
709 West 9th Street
Juneau, AK 99801**

Or, by fax to: **907-586-7354**

If you need additional information please contact RAM as follows:

Contact RAM at: (800) 304-4846 (Option #2) or (907) 586-7202 (Option #2)

E-mail address: ram.alaska@noaa.gov

Website: <https://www.fisheries.noaa.gov/region/alaska>

COMPLETING THE APPLICATION

BLOCK A – APPLICANT INFORMATION

1. Provide the Applicant's name.
2. Provide the Applicant's NMFS Person ID.

3. Enter the business mailing address for use with this transaction. Indicate if this is a permanent change to your business mailing address or if this is a temporary business mailing address for this transaction only.
4. Enter business telephone number.
5. Enter business fax number.
6. Enter business e-mail address.

BLOCK B – TYPE OF ANNUAL QUOTA FOR WHICH APPLICATION IS MADE

1. Place a check mark to indicate those fisheries for which applicant is applying for IFQ.

Check the box for only those fisheries applying for, or

Check the box ALL QS FISHERIES if applying for all fisheries for which applicant holds QS.

2. Indicate whether you intend to join a Cooperative. **If YES**, complete Block C.

BLOCK C – COOPERATIVE IFQ ASSIGNMENT

Complete this block if some or all of the Applicant’s Annual Individual Fishing Quota is to be assigned to a crab harvesting cooperative.

Enter the 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 quota share, list the cooperative name in the row named ALL QS FISHERIES.

NOTE: A completed application for an annual crab harvesting cooperative IFQ permit must be submitted annually by each crab harvesting cooperative and received by NMFS no later than June 15. Each member of the crab harvesting cooperative is responsible for submitting an Application for Annual Crab Individual Fishing Quota (IFQ) Permit to NMFS no later than June 15.

BLOCK D – CVC/CPC QS HOLDER STATEMENT OF PARTICIPATION

CVC and CPC QS holders must demonstrate active participation in a CR fishery or participate in at least 30 days in a State of Alaska commercial fishery or an Alaska federal commercial fishery. Beginning with the 2027–2028 crab fishing year, NMFS will not issue annual IFQ to any holder of CVC or CPC QS that has not demonstrated the required recent participation. NMFS will use the information in this application to track recent participation for CVC and CPC QS holders.

Indicate “YES” or “NO” that you participated in at least one delivery of crab in any CR crab fishery or in at least 30 days in a State of Alaska or Alaska federal commercial fishery as crew and/or onboard a tender vessel during the crab fishing year immediately preceding the date of this application.

If YES, you must provide documentation supporting your participation. Acceptable documentation is described below and includes ADF&G fish tickets with your name and signature and/or an affidavit from the vessel owner.

If NO, see note below.

If YES, list the number of days participated and provide documentation supporting your statements. Acceptable documentation is described below.

If NO, see note below.

Note: No allocation of annual CVC/CPC IFQ will be withheld for lack of participation until after the submission of the Application for Annual Permit IFQ during the fourth crab fishing season (2027–2028). CVC and CPC QS holders who do not meet the above active participation requirements for 4 consecutive years will have their QS revoked by NMFS 5 years (beginning July 1, 2029) from implementation of this requirement. Acceptable documentation of active participation is required for any YES answer.

Acceptable documentation includes:

- ◆ an ADF&G fish ticket signed by an applicant and imprinted with the applicant’s Commercial Fisheries Entry Commission (CFEC) permit card,
- ◆ an affidavit indicating date of landing of crab species from the owner of a vessel upon which fishing was done, or
- ◆ an affidavit indicating date(s) of participation in an Alaska state of federal commercial fishery as crew fishing, tendering, or both in combination for at least 30 days, 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 E – CVC/CPC QS REISSUANCE

If the applicant had their QS revoked from July 1, 2019 through *[insert effective date of final rule]* they are eligible to apply for reissuance of QS from *[insert effective date of final rule]* through June 15, 2025. Applications must indicate “YES” or “NO” if they are seeking reissuance of previously revoked QS. If applicant selects “YES” they must provide date and calendar year of when revocation occurred and which crab fisheries they are seeking QS reissuance for.

BLOCK F – IDENTIFICATION OF OWNERSHIP INTEREST

If the Applicant 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. Provide information to the individual level. See example below:

Name of Owner	% Interest
Joe Potpuller	25%
Alice Potpuller	25%
Quotaholder Family Holdings, Inc.	50%
C. Quotaholder	25% (of 50%)
R. Quotaholder	25% (of 50%)
A. Quotaholder	25% (of 50%)
B. Quotaholder	25% (of 50%)

Duplicate this form, or attach a separate sheet of paper if necessary to display all of the Applicant’s owners (*and owners of the Applicant’s owners to the individual level*).

BLOCK G – DECLARATION OF AFFILIATION

Indicate whether the Applicant is “affiliated” with an entity that holds Processing Quota Share (PQS) and/or Individual Processing Quota (IPQ). Information regarding affiliation is required to determine the correct allocation of “A” and “B” category IFQ to the Applicant.

Note: this Declaration of Affiliation is valid for the entire Crab Fishing Year for which the Applicant is seeking IFQ.

Indicate (YES or NO) whether the Applicant is affiliated with one or more entity(ies) that holds PQS or IPQ.

If YES, the Applicant must provide name, business address, and telephone number for all holders of PQS or IPQ with which it is affiliated.

If NO, the Applicant is not affiliated with any entity that holds PQS or IPQ.

BLOCK H – APPLICANT SIGNATURE

Applicant must print and sign his or her name and enter the date the application was signed.

If the application is completed by the Applicant’s authorized representative, **attach** proof of authorization.

Paperwork Reduction Act Statement

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995 unless the information collection has a currently valid OMB Control Number. The approved OMB Control Number for this information collection is 0648-0514. Without this approval, we could not conduct this information collection. Public reporting for this information collection is estimated to be approximately 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. All responses to this information collection are required to obtain benefits. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the Assistant Regional Administrator, Sustainable Fisheries Division, NMFS Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668.

Privacy Act Statement

Authority: The collection of this information is authorized under the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801, *et seq.*

Purpose: NMFS is collecting this information to manage the Crab Rationalization Program.

Routine Uses: NMFS will use this information to issue a Crab IFQ Permit. Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics. Disclosure of this information is permitted under the Privacy Act of 1974 (5 U.S.C. Section 552a) to be shared among authorized staff for work-related purposes. Disclosure of this information is also subject to the published routine uses identified in the Privacy Act System of Records Notice [COMMERCE/NOAA-19, Permits and Registrations for the United States Federally Regulated Fisheries](#).

Disclosure: Furnishing this information is required to obtain or retain benefits. Failure to provide complete and accurate information may delay or prevent the issuance of a Crab IFQ Permit.
