

**CHARTER
HALIBUT
LIMITED
ACCESS****Application for Transfer (Lease) between
Individual Fishing Quota (IFQ) And
Guided Angler Fish (GAF)
COMMUNITY QUOTA ENTITY**

U.S. Dept. of Commerce/NOAA
National Marine Fisheries Service (NMFS)
Restricted Access Management (RAM)
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 email



This form is only used if a Community Quota Entity (CQE) is the transferor (lessor) or the transferee (lessee) of the Individual Fishing Quota (IFQ). This form is for use in transferring International Pacific Halibut Commission (IPHC) Regulatory 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.

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

- ◆ before annual IFQ is issued or
- ◆ one month prior to the close of the commercial IFQ fishing season.

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 31 only. NMFS will automatically return all unused GAF to the IFQ permit holder on or about 15 calendar days prior to the closing of the commercial halibut fishing season.

Unused GAF will be returned to the CQE from which they were obtained; no fees will be assessed for any unused GAF. The CQE is responsible for all cost recovery fees resulting from the GAF harvested as a result of this transfer. The GAF cost recovery fees will be charged at the same percentage rate as the commercial IFQ fees. GAF fees will be calculated using a standard price established for IPHC areas 2C and 3A using annual commercial IFQ values provided by annually by IFQ Registered Buyers. This standard value may not be challenged (i.e., actual values may not be substituted). No fees will be assessed for any unused GAF.

ATTACHMENTS

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

- | | |
|---|--|
| ☐ Completed Application | ☐ Copy of IFQ Permit(s) |
| ☐ Valid Charter Halibut Permit (Transferee receiving GAF must have a valid Charter Halibut | |
| ☐ Permit) Power of Attorney (<i>if applicable</i>) | |

BLOCK A – IDENTIFICATION OF TRANSFEROR (LESSOR)

1. Name (<i>Last, First, Middle Initial</i>):		2. NMFS Person ID:	
3. Name of Community represented by the CQE:			
4. Business Mailing Address: ☐ Permanent ☐ Temporary			
5. Business Telephone Number:	6. Business Fax Number:	7. E-mail address:	

BLOCK B – IDENTIFICATION OF TRANSFEREE (LESSEE)

1. Name (<i>Last, First, Middle Initial</i>):		2. NMFS Person ID:	
3. Name of Community represented by the CQE:			
4. Indicate whether or not you intend to begin or end your charter halibut fishing trip in the community listed in Block A above: ☐ YES. IT IS MY INTENT to begin or end the charter halibut fishing trip with the GAF resulting from this transfer in the community represented by the CQE listed in Block A. ☐ NO. IT IS NOT MY INTENT to begin or end the charter halibut fishing trip with the GAF resulting from this transfer in the community represented by the CQE listed in Block A.			
5. Business Mailing Address: ☐ Permanent ☐ Temporary			
6. Business Telephone Number:	7. Business Fax Number:	8. E-mail address:	

BLOCK C -- IDENTIFICATION OF IFQ AND/OR GAF TO BE TRANSFERRED				
IFQ Permit Number	IPHC Area	CHP Number	GAF Permit Number	Number of GAF

BLOCK D – TRANSFEROR SUPPLEMENTAL INFORMATION	
1. Was this a gift? ☐ YES ☐ NO If NO , what was the total amount paid for the IFQ in this transaction, including fees \$_____	
2. Give the price per pound per pound of IFQ \$_____	
3. Did you use a broker to facilitate this transfer? ☐ YES ☐ NO If YES , indicate amount paid in brokerage fees \$_____	

BLOCK E – SIGNATURE OF TRANSFEROR	
<i>Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.</i>	
1. Signature of Transferor:	2. Date:
3. Printed Name of Transferor: <i>(If authorized representative, attach authorization)</i>	

BLOCK F – SIGNATURE OF TRANSFeree	
<i>Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.</i>	
1. Signature of Transferee:	2. Date:
3. Printed Name of Transferee: <i>(If authorized representative, attach authorization)</i>	

Instructions
APPLICATION FOR TRANSFER (LEASE)
BETWEEN IFQ AND GAF - COMMUNITY QUOTA ENTITY(CQE)

GENERAL INFORMATION

This form is only used if a Community Quota Entity (CQE) is the proposed transferor (lessor) or the proposed transferee (lessee) of the IFQ; if not, a different form must be used. This form is for use in transferring International Pacific Halibut Commission (IPHC) Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska) commercial halibut individual fishing quota (IFQ) for use as guided angler fish (GAF) by persons holding charter halibut permits for areas 2C or 3A.

The application must be signed by a representative of the community for whom the CQE holds the IFQ. The IFQ Program provides opportunities for small communities located on the coast of the Gulf of Alaska to hold, and to fish, quota share (QS) and IFQ. Such communities are represented by CQEs, who must use a special application form to provide for transfers of QS/IFQ to and from (and between) CQEs.

This application may only be used to apply for a transfer of IFQ for the current halibut fishing year. NMFS will notify the transferor and transferee once the application has been received and approved. A transfer is not effective until approved by NMFS.

This application cannot be processed or approved unless both parties to the proposed transfer have met all the requirements and conditions of the IFQ Program, including (as appropriate):

- ◆ The transferee requesting GAF must hold a valid Charter Halibut Permit (this includes community charter halibut permit or military charter halibut permit).
- ◆ The CQE has completed and filed with NMFS the required annual report at 50 CFR 679.5(l)(8).
- ◆ A Transfer of IFQ to GAF will not be approved if it would cause the parties to exceed the use limits in 50 CFR 300.65(c)(5)(iv)(H)(1) or 50 CFR 679.42(e) or (f).
- ◆ Neither party to the transfer has any outstanding fines, civil penalties or other payments due and owing, or outstanding permit sanctions.
- ◆ Payment of all outstanding fees to NMFS

NOTE: Unused GAF will be returned to the IFQ permit holder from which they were obtained; no fees will be assessed for any unused GAF. The IFQ permit holder, including the CQE, is responsible for all cost recovery fees resulting from the GAF harvested as a result of this transfer. The GAF cost recovery fees will be charged at the same percentage rate as the commercial IFQ fees. GAF fees will be calculated using a standard price established for IPHC areas 2C and 3A using annual commercial IFQ values provided by annually by IFQ Registered Buyers. This standard value may not be challenged (i.e. actual values may not be substituted).

ADDITIONALLY

Print information in the application legibly in ink or type information. Complete the entire application, including all attachments; failure to do so could result in delays in the processing of your application.

Retain a copy of completed application for your records.

Do not wait until right before an opening to apply for your permit, as you may not receive it on time. Please **allow up to ten working days** for a transfer application to be reviewed, processed, and approved; the parties will be notified upon approval or disapproval of the transfer.

Submit the completed application:

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

By fax to: **907-586-7354**

Or deliver to: **709 W. 9th Street, Suite 713
Juneau, Alaska 99801**

Items will be sent to you by first class mail, unless you provide alternate instructions and include a prepaid mailer with appropriate postage or corporate account number for express delivery.

If you have any questions, or if you need any assistance in completing the application, please contact RAM as follows:

Telephone (toll Free): 1-800-304-4846 (press "2")

Telephone (Juneau): 907-586-7202

E-Mail Address: RAM.Alaska@noaa.gov

Website: <https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/restricted-access-management-division>

An application submitted and signed by a representative for a party to the transfer will not be processed unless clear and unambiguous certification of the representative's authority to do so is provided.

COMPLETING THE APPLICATION

BLOCK A – IDENTIFICATION OF TRANSFEROR

1. Legibly print or type the full name of the CQE proposing to transfer the IFQ
2. Enter the NMFS Person ID
3. Enter the name of the community on whose behalf the CQE is applying
4. Enter the business mailing address. Indicate whether permanent or temporary
If temporary, this is the address to which the transfer documentation should be sent, if different from the permanent address.
- 5–7. Enter business telephone number, business fax number, and e-mail address.

BLOCK B – IDENTIFICATION OF THE PROPOSED TRANSFEREE

1. Legibly print or type the full name of the party proposing to receive the IFQ
2. Enter the NMFS Person ID

3. Enter the name of the community.
4. Indicate whether or not it is the transferee's intent to begin or end the charter halibut fishing trip with the GAF resulting from this transfer in the community represented by the CQE listed in Block A.
5. Enter the business mailing address. Indicate whether permanent or temporary.
If temporary, this is the address to which the transfer documentation should be sent, if different from the permanent address.
- 6-8. Enter business telephone number, business fax number, and e-mail address.

BLOCK C -- IDENTIFICATION OF IFQ AND/OR GAF TO BE TRANSFERRED

Enter the IFQ permit number of the 2C or 3A halibut CQE quota share holder.

Enter the IPHC management area for the IFQ permit

Enter the Charter Halibut Permit number of the transferee requesting a guided angler fish (GAF)

Enter the GAF Permit number, if applicable, for a transfer of GAF back to the IFQ permit holder

Enter the number of GAF requested in this transfer, expressed as number of fish not pounds of fish.

BLOCK D – TRANSFEROR SUPPLEMENTAL INFORMATION

1. Indicate if this was a gift or other non-monetary transaction
If NO, indicate the total amount you were paid for the IFQ in this transaction, including brokerage fees
2. Indicate the price per pounds of IFQ. This can be derived by dividing the total price by the pounds of IFQ transferred.
3. Indicate if you used a broker to facilitate this transfer.
If YES, indicate the amount you paid in brokerage fees.

BLOCKS E AND F – SIGNATURE OF TRANSFEROR AND TRANSFEE

Enter printed name and signature for both the transferor and transferee and enter date of signature. If the application is completed by the Applicant's authorized representative, **attach** proof of authorization. **The application will be considered incomplete without your signature and will not be processed.**

PUBLIC REPORTING BURDEN 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 0648-0665. Without this approval, we could not conduct this information collection. Public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. All responses to this information collection are required to obtain benefits under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). This form is used to transfer IFQ for use as commercial GAF or to return unused GAF to the CQE from which it was obtained. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, 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: This information is used to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act. NMFS uses the information provided in this application to identify fishery participants and to determine transfer eligibility. Approval allows transfer of commercial halibut individual fishing quota (IFQ) for use as guided angler fish (GAF) by persons holding charter halibut permits in IPHC regulatory areas 2C or 3A, or the return of GAF to the IFQ permit holder. The information required by this application is necessary to ensure that IFQ and GAF are transferred in compliance with the regulations governing the transfer of IFQ and GAF.

Routine Uses: Disclosure of this information is 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. All information collections by NMFS, Alaska Region, are protected under confidentiality provisions of section 402(b) of the Magnuson-Stevens Act

Application for Transfer between IFQ and GAF from a CQE

as amended in 2006 (16 U.S.C. 1801, *et seq.*) and under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics. NMFS posts some information from this form on its public website (<https://www.fisheries.noaa.gov/region/alaska>). In addition, NMFS may share information submitted on this application form with other State and Federal agencies or fishery management commissions, including staff of the North Pacific Fishery Management Council and Pacific States Marine Fisheries Commission.

Disclosure: Providing this information is required to obtain benefits. Failure to provide complete and accurate information will prevent the determination of eligibility to transfer between commercial halibut IFQ and GAF.
