

National Marine Fisheries Service BSAI Crab Rationalization



Applying for Quota Share

Who can apply?

Applications will be accepted from three qualifying sectors, including:

- ❖ LLP License Holders
- ❖ Processors
- ❖ Crew (i.e., individuals who held Alaska State interim-use permits and made landings during the qualifying years)

When can I apply for QS?

The 60-day application period opens April 4, 2005 and closes on June 3, 2005.

- Late applications will be denied as untimely



What are the steps in the Application Process?

- RAM prepares the "Official Crab Rationalization Record" (OR)
 - * Landings information from fish tickets
 - * Licensing information from RAM records and the State
 - * Processing information from fish tickets
- Applications are mailed to persons in the OR who appear to be eligible and are also made available to the general public on the NMFS Alaska Region web page or by request
- Applicants complete applications and return them to RAM
- If claims on application differ from OR, applicants will be so informed and will have 30 days to provide supporting documentation
- RAM then prepares a determination; if favorable, application successful and quota awarded; if not, the claim is denied and applicant is allowed to appeal
- No disputed quota is issued until all claims are resolved and Final Agency Action is taken

What forms might I need?*

- Application for Crab Quota Share (QS) or Processor Quota Share (PQS)
- Annual Application for Crab IFQ/IPQ Permit
- Application for an Annual Crab Harvesting Cooperative IFQ Permit
- Application for Registered Crab Receiver (RCR) Permit
- Application for Crab IFQ Hired Master Permit
- Application for Federal Crab Vessel Permit
- Application to Become an Eligible Crab Community Organization (ECCO)
- Application for Eligibility to Receive Crab QS/IFQ or PQS/IPQ by Transfer
- Application for Transfer of Crab QS/IFQ or PQS/IPQ
- Application for Transfer of Crab QS/IFQ To or From an ECCO
- Application for Inter-cooperative Transfer
- File an Appeal to NMFS Decisions [no form]

*Forms will be available at www.fakr.noaa.gov on April 4, 2005.

How do I appeal?

- Appeals are filed with the Office of Administrative Appeals, a separate NMFS office staffed by independent appeals officers
- An appeal may lead to a formal hearing with witnesses, etc.
- When the record on appeal is fully developed, the appeals officer prepares a decision; unless the Regional Administrator rules otherwise, the decision becomes the Final Agency Action
- Aggrieved applicants may further appeal to the U. S. District Court

Small Entity Compliance Guide: NMFS has provided this small entity compliance guide to satisfy the Small Business Regulatory Enforcement Fairness Act of 1996, which requires a plain language guide to assist small entities in complying with this rule. This synopsis provides a general overview as a public service. For exact regulatory language, please refer to the final rule at www.fakr.noaa.gov.