



## Compliance Guide for the Pacific Coast Groundfish Fishery Trawl Rationalization Program

1. Complete ownership interest forms by May 1, 2010
2. Review your qualifying PacFIN or whiting NORPAC data by late-May 2010

**Introduction:** The trawl rationalization program, if approved by the National Marine Fisheries Service (NMFS), would implement an individual fishing quota (IFQ) program for the shorebased trawl fishery and coop programs for the at-sea whiting trawl fisheries (Motherships and Catcher-Processors). This guide is useful for anyone whom is anticipating getting a permit or initial allocation of a harvest privilege to participate in the trawl rationalization program and anyone whom wants to ensure the accuracy of the information used for initial issuance of those permits. As a potential participant in the trawl rationalization program you should prepare for implementation by: 1) completing ownership interest forms by May 1, 2010, and 2) reviewing your PacFIN data or whiting observer data in NORPAC and making any necessary corrections.

This document serves as a Small Entity Compliance Guide for the final rule implementing the data collection for the trawl rationalization program that published on January 29, 2009 (74 FR 4684).



### Fill out a form: Trawl Identification of Ownership Interest Form

**Q: Who should fill out this form?**

A: As a potential participant in the trawl rationalization program, you should fill out the form if you: (1) currently own a limited entry permit endorsed for trawl gear; (2) own a

vessel registered to a limited entry permit endorsed for trawl gear; (3) own a Pacific whiting vessel license; or (4) if you were a first receiver Exempted Fishing Permit holder during the 2009 Pacific whiting shoreside fishery.

**Q: Why should I fill out this form?**

A: The information on this form provides NMFS with ownership information on those persons that may qualify for (1) a permit or (2) initial allocation of a harvest privilege, which

may be subject to accumulation limits. If an eligible participant fails to submit this data by the deadline, it could delay issuance of their permit, quota share, or whiting catch history assignment.

**Q: If I receive a form in the mail, does it mean I automatically qualify for the trawl rationalization program?**

A: No. Receipt of the form does NOT prequalify you for the future trawl rationalization program, nor does it guarantee you will qualify. It does, however, aid NMFS in implementation of the future trawl program if you are found to qualify during NMFS initial issuance of permits and harvest privileges scheduled to take place in the fall of 2010.

**Q: Do I need to submit more than one of these forms?**

A: Maybe. If you currently own more than one limited entry permit, vessel, or processor/first receiver, then you need to fill out a copy of this form for each of these unique assets that you have an ownership interest in.

**Q: What information do I need to gather prior to filling out the form?**

A: Some of the information on the form will be pre-filled using information from NMFS records. You will need to review this information and verify that it is correct. In addition, you will need to gather information for every individual with greater than or equal to 2% ownership interest in the permit, vessel, or processor/first receiver. You will need to report the name, date of birth (or tax ID number), mailing address, and percent ownership for each of these individuals.

**Q: What if my company is owned by one or more companies?**

A: Ownership interest should be reported down to the individual. The intent is to identify all of the individuals who control the business and their percent of ownership interest. If a company or multiple companies own a permit, vessel, or processor/first receiver, report the ownership in those companies including all individual persons with 2% or greater ownership interest are listed. Examples are provided in Section B of the instructions for the ownership interest form.

**Q: How long will it take to fill out?**

A: Approximately 30 minutes.

**Q: Where do I get the form?**

A: Many stakeholders will be receiving this form from NMFS via mail. Blank copies of this form are also available on the NMFS Northwest Region website at [www.nwr.noaa.gov](http://www.nwr.noaa.gov). Click on “Permits and Other Marine Species”; click on “Permits”; then click on “Groundfish Permits”. On this permits page, click on the link called “Trawl Ownership Interest fillable form”.

**Q: What additional documentation will I need to submit with the form?**

A: If you are completing the form for a business entity, you will need to include the following: 1) a corporate resolution as proof that you are the authorized representative for the business entity, and 2) proof that the business entity was established and is currently active under the laws of the U.S. or any state.

**Q: Does the ownership interest form need to be notarized?**

A: Yes. The ownership interest form is a legal representation to NMFS and the notary provides verification that the signature is authentic.

**Q: Can I get help filling out this form?**

A: If you require assistance in filling out the ownership interest form, and do not find the information you need in this guide, you may call (206) 526-4353.

**Q: Where do I send the completed form?**

A: The completed, signed (in blue or black ink) and notarized originals of the form must be mailed to: NMFS Northwest Region, Fisheries Permit Office, 7600 Sand Point Way NE, Seattle, WA 98115-0070. Photocopies or faxed copies will not be accepted.

**Q: What is the deadline for submission of this form?**

A: All forms must be completed and postmarked **no later than May 1, 2010.**

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# Review your data: Review data used for initial issuance of permits and allocations

**Q: What data are we talking about?**

A: For those individuals wanting to participate in the IFQ fishery, the data source is the Pacific States Marine Fisheries Commission’s PacFIN database and includes the following:

1. Landings data during 1994-2003 from state fish tickets, as provided by the states to the PacFIN database, will be used to determine initial allocation of IFQ quota share (QS) for the shore-based whiting and non-whiting harvesters and for the shore-based whiting processors.
2. The first receiver listed on the state fish ticket, as recorded in PacFIN, will be used to determine to whom whiting processing history should be attributed for whiting QS. Through NMFS initial issuance process for QS, there will be an opportunity to reassign the whiting processing history.
3. State logbook information from 2003 through 2006, as recorded in PacFIN, will be used to determine the area fished for individual permits (depth and latitudinal strata associated with permits). This information will be used in a formula to determine a permit’s initial allocation of overfished species.

For those seeking to participate in the Mothership (MS) or catcher-processor (C/P) fisheries, the data sources are from the NMFS’ Northwest Fisheries Science Center’s Pacific whiting observer data in NORPAC (NORPAC

data). Observer data from the NORPAC database will be used to determine initial issuance of MS permits, mothership catcher vessel (MS/CV) endorsed permits, and C/P endorsed permits and allocation of whiting catch history assignments on MS/CV endorsed permits.

Information on trawl-endorsed groundfish limited entry permits or permit combinations will come from limited entry permit records at NMFS, Northwest Region, Sustainable Fisheries Division, Fisheries Permits Office.

**Q: Does this pertain to me?**

A: All potential participants in the trawl rationalization program should check the data that NMFS will use for initial issuance of permits and allocations of harvest privileges. This includes potential QS permit owners in the IFQ fishery, including harvesters and shorebased whiting processors. It also includes potential coop participants that may be issued a MS permit, a MS/CV endorsement with an associated whiting catch history assignment, or a C/P endorsement.

**Q: Why am I doing this now?**

A: This will be the only opportunity for potential participants in the trawl rationalization program to review and, if necessary, correct their fishery data prior to initial issuance of permits and allocations. It is very important that this information is reviewed now prior to the publication of the proposed rule for the trawl rationalization program, so that when NMFS extracts a copy of the databases for the initial issuance of permits and allocations, you are aware of your data and are sure your data are correct. NMFS will not allow this data to be corrected during the initial issuance and appeals process. Only NMFS'

extraction, expansion, or aggregation of the data will be subject to appeal, not whether the raw data NMFS used is correct.

**Q: Where can I get my data?**

A: None of the data is publicly available at the individual level, for confidentiality reasons. You must contact your State or Federal representative to request a copy of the data upon which your initial issuance of a permit or harvest privilege will be calculated.

**Q: Whom do I contact to request my data?**

A: Potential participants in the IFQ fishery should contact their State representative in each state in which you landed Groundfish during the years described under "What data are we talking about?":

(1) Washington - Carol Turcotte (360-902-2253, [Carol.Turcotte@dfw.wa.gov](mailto:Carol.Turcotte@dfw.wa.gov));

(2) Oregon - Nadine Hurtado (503-947-6247, [Nadine.Hurtado@state.or.us](mailto:Nadine.Hurtado@state.or.us)); and

(3) California - Gerry Kobylinski (916-323-1456, [Gkobylin@dfg.ca.gov](mailto:Gkobylin@dfg.ca.gov)).

For the coop fishery, potential participants should contact their Federal representative:

(1) NORPAC data – Janell Majewski (206-860-3293, [Janell.Majewski@noaa.gov](mailto:Janell.Majewski@noaa.gov)).

For limited entry permit or permit combination data, check NMFS website at

<http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Permits/index.cfm> or

contact Kevin Ford (206-526-6115, [kevin.ford@noaa.gov](mailto:kevin.ford@noaa.gov)).

**Q: What constitutes a "correction"?**

A: If existing data contains a mistake, such as a transcription error, then you may request a correction. Requests to add new data to

PacFIN or NORPAC will not be considered at this time. For logbooks, only existing logbook information in PacFIN may be corrected (i.e., only transcription errors); no new logbooks dating back to 2003 through 2006 will be accepted.

**Q: How do I request a correction?**

A: If you have questions or concerns about your data, contact the State or Federal representative that provided the data. They can tell you how to request a correction. Any revisions to an entity’s fish tickets or logbooks will have to be approved by the state in order to be accepted by NMFS.

**Q: What deadlines do we have to review and correct this data?**

A: NMFS intends to extract a copy of the databases for the purposes of initial issuance on the date of publication of the proposed rule for initial issuance. We anticipate this rule being published no earlier than **late May 2010**. It is very important that all potential participants in the trawl rationalization program ensure, as soon as possible and before NMFS extracts a copy of the databases, that their data are correct.

At a glance – How do I obtain and correct my data?

