(3) Groundfish fisheries/pot gear endorsement. A moratorium permit may be endorsed for groundfish fisheries/pot gear if the vessel:

(i) Made a legal landing of a moratorium groundfish species with any authorized fishing gear in period 1; or

(ii) Made a legal landing of a moratorium crab species in period 1.

(4) Groundfish fisheries/hook gear endorsement. A moratorium permit may be endorsed for groundfish fisheries/hook gear if the vessel:

(i) Made a legal landing of a moratorium groundfish species with any authorized fishing gear in period 1; or

(ii) Made a legal landing of a moratorium crab species in period 1, and, in period 2, made a legal landing of a moratorium groundfish species using hook gear.

§ 676.4 Transfer of moratorium qualification; lost or destroyed vessels; reconstructed vessels.

This section is effective from January 1, 1996, through December 31, 1998.

- (a) General. A transfer of a vessel's moratorium qualification must be approved by the Regional Director before a moratorium permit may be issued for the vessel to which the qualification is transferred. A moratorium permit is not transferrable or assignable. A fishery-specific gear type endorsement(s) is not severable from an endorsed permit. A transfer of moratorium qualification will not be approved by the Regional Director unless:
- (1) A complete transfer application that satisfies all requirements specified at § 676.5 is submitted:
- (2) The LOA of the vessel to which the moratorium qualification is transferred does not exceed the maximum LOA of the original qualifying vessel; and

(3) The moratorium permit associated with the moratorium qualification is not

revoked or suspended.

- (b) Vessels lost or destroyed in 1988. The moratorium qualification of a vessel that was lost or destroyed before January 1, 1989, may not be transferred to another vessel and is not valid for purposes of issuing a moratorium permit for that vessel, if salvaged, unless salvage began on or before June 24, 1992, and the LOA of the salvaged vessel does not exceed its maximum LOA. The moratorium qualification of such a vessel is not valid for purposes of issuing a moratorium permit for 1998 unless that vessel is used to make a legal landing of a moratorium species from January 1, 1996 through December 31, 1997.
- (c) Vessels lost or destroyed from 1989 through 1995. The moratorium

- qualification of any vessel that was lost or destroyed on or after January 1, 1989, but before January 1, 1996, is valid for purposes of issuing a moratorium permit for that vessel, if salvaged, regardless of when salvage began provided that the vessel has not already been replaced and the LOA of the salvaged vessel does not exceed its maximum LOA. The moratorium qualification of any vessel that was lost or destroyed on or after January 1, 1989, but before January 1, 1996, may be transferred to another vessel provided the LOA of that vessel does not exceed the maximum LOA of the original qualifying vessel. The moratorium qualification of such a vessel is not valid for purposes of issuing a moratorium permit for 1998 unless that vessel is used to make a legal landing of a moratorium species from January 1, 1996 through December 31, 1997.
- (d) Vessels lost or destroyed after 1995. The moratorium qualification of any vessel that was lost or destroyed on or after January 1, 1996, is valid for purposes of issuing a moratorium permit for that vessel, if salvaged, regardless of when salvage began provided that the vessel has not already been replaced and the LOA of the salvaged vessel does not exceed its maximum LOA. The moratorium qualification of any vessel that is lost or destroyed on or after January 1, 1996, may be transferred to another vessel providing the LOA of that vessel does not exceed the maximum LOA of the original qualifying vessel.
- (e) Reconstruction. The moratorium qualification of a vessel is not valid for purposes of issuing a moratorium permit if, after June 23, 1992, reconstruction is initiated that results in increasing the LOA of the vessel to exceed the maximum LOA of the original qualifying vessel. For a vessel whose reconstruction began before June 24, 1992, and was completed after June 24, 1992, the maximum LOA is the LOA on the date reconstruction was completed provided the owner files an application for transfer and the Regional Director certifies that maximum LOA and approves the transfer based on information concerning the LOA of the reconstructed vessel submitted under § 676.5(d)(6).

§ 676.5 Procedures.

(a) *General.* An application for a moratorium permit may be requested from the Restricted Access Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802–1668. Requests may be made by telephone by calling 907–586–7202 or 800–304–4846.

- (b) Application for permit. With respect to any vessel of the United States, a moratorium permit will be issued to the owner of the vessel at the time of the permit application, and who has submitted, to the address in paragraph (a) of this section, a complete moratorium permit application that is subsequently approved by the Regional Director. A complete application for a moratorium permit must include the following information for each vessel:
- (1) Name of the vessel, state registration number of the vessel and, the U.S. Coast Guard documentation number of the vessel, if any;
- (2) Name(s), business address(es), and telephone and fax numbers of the owner of the vessel;
 - (3) Name of the managing company;
- (4) Valid documentation of the vessel's moratorium qualification if requested by the Regional Director due to an absence of landings records for the vessel from January 1, 1988, through February 9, 1992;
- (5) Reliable documentation of the vessel's original qualifying LOA if requested by the Regional Director, such as a vessel survey, builder's plan, state or Federal registration certificate, fishing permit records, or other reliable and probative documents that clearly identify the vessel and its LOA, and are dated before June 24, 1992;
- (6) Specification of the fishing gear(s) used from January 1, 1988, through February 9, 1992, and (if necessary) the fishing gear(s) used from February 10, 1992, through December 11, 1994;
- (7) Specification of the vessel as either a catcher vessel or a catcher/processor vessel:
- (8) If applicable, transfer authorization if a permit request is based on transfer of moratorium qualification pursuant to paragraph (c) of this section; and
- (9) Signature of the person who is the owner of the vessel or the person who is responsible for representing the vessel owner.
- (c) Moratorium permit issuance. The owner of a vessel of the United States that has moratorium qualification will be issued a moratorium permit upon application if the vessel's LOA does not exceed its maximum LOA.
- (d) Application for approval of a moratorium qualification transfer. An application for approval of a transfer of moratorium qualification must be completed and the transfer approved by the Regional Director before an application for a moratorium permit based on that transfer can be approved. An application for approval of a transfer and an application for a moratorium permit may be submitted