



# Rhode Island Department of Environmental Management

235 Promenade Street | Providence, RI 02908-5767 | [www.dem.ri.gov](http://www.dem.ri.gov) | @RhodeIslandDEM  
Office of Boating Registration & Licensing | 3<sup>rd</sup> Floor, Room 360 | 401.222.6647 | TDD 401.222.4462

## 2018 New License Opportunities Non-Resident Marine License Application

Applicant ID: \_\_\_\_\_ Office Use only

### Applicant Mailing Address

### Residence Address

Name: \_\_\_\_\_

Street: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

DOB: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Drivers License #: \_\_\_\_\_

Occupation: \_\_\_\_\_

Has your commercial fishing license and/or permit been revoked or suspended in any state or jurisdiction?

Yes  No (Check One)

**\*\*\* (APPLICATION MUST BE RECEIVED NO LATER THEN 02/28/2018) \*\*\***

Reporting Method - Mandatory	Check Method	Available Licenses		
		Logbook \$25.00		<b>Principal Effort License</b>
VTR		<b>Endorsements</b>		
Electronic		<b>Please Check applicable</b>	<b>Description</b>	
			<b>Restricted Finfish (18)</b>	<b>0.00</b>
			<b>Logbook</b>	<b>\$25.00</b>
			<b>Total</b>	

A total of 33 new quahog endorsements (resident only) and 15 soft shell clam (resident only) endorsements will be issued on the CFL license in 2018 & 18 restricted finfish endorsements will be issued on the PEL license. Application period is January 1, 2018 through February 28, 2018. All determinations on the available endorsements will be made after the application deadline date of 2/28/2018. **DO NOT submit a check along with this application.** The license/endorsement fee will be charged only if you are a successful applicant. You must submit justification as to your eligibility for this endorsement per criteria set forth in the Commercial & Recreational Saltwater Fishing Licensing Regulations. Prior paperwork submissions do not apply. **Please read all guidance document material prior to submission of this application and all supporting documentation.**

Note: Every vessel engaged in Commercial Fishing must be declared on a Commercial Vessel Declaration Application.

You must complete requirements of Taxation Certification & submit along with this application for marine License or have SS# on file with DEM.

Applicants must be 18 years of age or older to qualify for a non-resident license.

Under penalty of perjury, I declare I the information contained herein is true and accurate.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Notary Public: \_\_\_\_\_

Comm. Exp. \_\_\_\_\_

Applicant's Telephone #: \_\_\_\_\_



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Note: Licensed fishers are obligated to comply with possession limits for finfish as provided in the Marine Fisheries listserve, dedicated phone line at (401) 423-1920, or webpage at: [www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/mfsizes.php](http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/mfsizes.php).



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### *New License/Endorsement Opportunities Available for 2018*

For 2018, *eight (8)* new commercial fishing license/endorsement opportunities will be available. Five of these new opportunities are the same as those that have been available since 2003, when the new licensing program went into effect. They are:

- Commercial Fishing License (CFL) with:
  - (1) **Non-Restricted Finfish endorsement**, available to any resident or non-resident;
  - (2) **Shellfish Other endorsement**, available to any resident;
  - (3) **Non-Lobster Crustacean endorsement**, available to any resident.
- **Student Shellfish License**, available to any resident who is a full-time student and 23 years of age or younger as of 6/30/2018.
- **Over 65 Shellfish License**, available to any resident who is 65 years of age or older as of 2/28/2018.

Three additional license/endorsement opportunities are being made available for 2018. A total of thirty-three (33) new **Quahog endorsements** and fifteen (15) new **Soft Shell Clam** endorsements on CFLs will be issued. The Quahog endorsement will allow the holder to commercially harvest quahogs at the basic harvest level, which is a 3-bushel per day statewide limit. The Soft Shell Clam endorsement will allow the holder to commercially harvest soft shell clams at the basic harvest level. Also, a total of eighteen (18) new **Restricted Finfish endorsements** on PELs will be issued. The Restricted Finfish endorsement will allow the holder to commercially harvest any of the six species of restricted finfish – summer flounder, scup, striped bass, black sea bass, tautog, and winter flounder – at the full harvest level.

State law requires everyone applying for (any type of) new license from the State to first certify that they have filed all required state tax returns and paid all taxes due to the State, or entered into a written installment agreement with the Tax Administrator to pay delinquent state taxes. See the document entitled *New Taxation Certification Requirements* for more information.

#### ***Who may apply for the new Quahog, Soft Shell Clam and Restricted Finfish endorsements?***

Any resident (age restrictions may apply) may apply for a new Quahog endorsement and/or Soft Shell Clam endorsement. Any resident or non-resident may apply for a new Restricted Finfish endorsement. [Note: in certain categories, age restrictions apply.]

#### ***Who may not apply for the new Quahog, Soft Shell Clam and Restricted Finfish endorsements?***

Holders of Multi-purpose Licenses (MPURPs) or Principal Effort Licenses (PELs) with Quahog and/or Soft Shell Clam endorsements may not apply for a new CFL with Quahog and/or Soft Shell Clam endorsement. Holders of MPURPs or PELs with Restricted Finfish endorsements may not apply for a new PEL with Restricted Finfish endorsement.



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## ***Will priority be given to certain applicants?***

Yes. In accordance with the licensing statute (RIGL 20-2.1) and the associated *Commercial and Recreational Saltwater Fishing Licensing Regulations* (available online at [www.ri.state.us/dem](http://www.ri.state.us/dem) under “Topics” and “Marine Fisheries”):

## **Quahog and/or Soft Shell Clam endorsements**

1. First priority will be given to the following three categories of applicants\*:

- A. Residents who have held, and actively fished, CFLs with Shellfish Other and/or Soft-shell Clam endorsements over the past two years.

Note: to meet the standard of “actively fished,” an applicant must be able to demonstrate by dated transaction records that they have fished in the shellfish fishery at least 40 days over the past two calendar years, with at least some activity in each of the two years.

- B. Residents who have held, and actively fished, PELs over the past two years.

Note: The same standard of “actively fished,” noted above, applies.

- C. Residents who have actively participated as a crew member in the shellfish fishery over the past two years, subsequent to their 16<sup>th</sup> birthday.

Note: To meet the standard of “actively participated,” an applicant must be able to demonstrate via one or more affidavits that they have fished in the shellfish fishery, resulting in RI landings with one or more licensed captains at least 40 days over the past two calendar years, with at least some activity in each of the two years, and with all of the activity occurring subsequent to their 16<sup>th</sup> birthday.

\*Within each of the three priority categories, applicants will be ranked based on the length of time they have been actively fishing, or actively participating (aged 16 or older), on a continuous basis.

2. Second priority will be given to the following two categories of applicants\*:

- A. Residents who have held, and actively fished, CFLs endorsed in any fishery over the past two years.

Note: The same standard of “actively fished,” noted above, applies.

- B. Residents who have actively participated as a crew member in any fishery over the past two years, subsequent to their 16<sup>th</sup> birthday.



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Note: The same standard of “actively participated,” noted above, applies

\*Within each of the two categories, applicants will be ranked based on the length of time they have been actively fishing, or actively participating (aged 16 or older), on a continuous basis.

3. Third priority will be given to any RI resident, aged 16 or older.

## **Restricted Finfish endorsements**

1. First priority will be given to the following three categories of applicants\*:

- A. Residents who have held, and actively fished, CFLs with Non-Restricted Finfish endorsements over the past two years.

Note: to meet the standard of “actively fished,” an applicant must be able to demonstrate by dated transaction records that they have fished in the finfish fishery at least 40 days over the past two calendar years, with at least some activity in each of the two years.

- B. Residents who have held, and actively fished, PELs (in any fishery other than finfish) over the past two years.

Note: The same standard of “actively fished,” noted above, applies.

- C. Residents who have actively participated as a crew member in the finfish fishery over the past two years, subsequent to their 16<sup>th</sup> birthday.

Note: To meet the standard of “actively participated,” an applicant must be able to demonstrate via one or more affidavits that they have fished in the finfish fishery, resulting in RI landings with one or more licensed captains at least 40 days over the past two calendar years, with at least some activity in each of the two years, and with all of the activity occurring subsequent to their 16<sup>th</sup> birthday.

\*Within each of the three priority categories, applicants will be ranked based on the length of time they have been actively fishing, or actively participating (aged 16 or older), on a continuous basis.

3. Second priority will be given to the following two categories of applicants\*:

- A. Residents who have held, and actively fished, CFLs endorsed in any fishery over the past two years.

Note: The same standard of “actively fished,” noted above, applies.



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- B. Residents who have actively participated as a crew member in any fishery over the past two years, subsequent to their 16<sup>th</sup> birthday.

Note: The same standard of “actively participated,” noted above, applies

\*Within each of the two categories, applicants will be ranked based on the length of time they have been actively fishing, or actively participating (aged 16 or older), on a continuous basis.

4. Third priority will be given to any RI resident, aged 16 or older.
5. Fourth priority will be given to any non-resident, aged 18 or older.

### ***What will be the process for reviewing applications and determining who will obtain the new Quahog, Soft Shell Clam and Restricted Finfish endorsements?***

- Anyone (residency restrictions apply) may apply for the new endorsements by submitting an application, along with any/all accompanying documentation relating to priority status, to DEM between January 1, 2018 and February 28, 2018. Any application received after February 28, 2018 will not be subject to consideration. See the accompanying documents entitled *Guidance for Applicants Seeking New Quahog/Soft Shell Clam/Restricted Finfish Endorsements* for detailed guidance on qualifying for priority status and associated application requirements.
- Immediately following February 28, 2018 DEM will conduct an initial review of the applications to determine which applicants have submitted appropriate documentation establishing priority status in any of the categories described above.

***Any applications accompanied by inadequate or improper documentation – e.g., insufficient number of transaction records, bogus transaction records, affidavits that have not been notarized or are otherwise invalid, etc. – will not be considered in either of the first two priority categories. Moreover, fraudulent submittals may be referred to DEM’s Office of Law Enforcement for further investigation and possible enforcement action. Fraud on the part of any existing license holder, including a captain who signs an affidavit in support of a claim of crew member status that turns out to be false or inaccurate, may result in the suspension or revocation of the license held by the existing license holder.***

- For the 33 Quahog endorsements & 15 Soft Shell Clam endorsements:
  - Eleven (11) quahog endorsements will be made available to priority category 1A (holders of CFLs with shellfish Other and/or Soft-shell Clam endorsements who have been actively fishing their licenses), Five (5) soft shell clam endorsements will be made available; Eleven (11) quahog endorsements will be made available to priority category 1B (holders of PELs who have been actively fishing their licenses in any fishery), Five (5) soft shell clam endorsements will be available; and Eleven (11) quahog endorsements will be made available



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- to priority category 1C (crew members who have been actively participating in the shellfish fishery) and Five (5) soft shell clam endorsements will be available.
- Within each of the three categories, applicants will be prioritized based on the length of time they have been actively fishing or actively participating on a continuous basis.
  - If, in any of the three categories, there are fewer eligible applicants than there are endorsements available for issue, the balance will be evenly distributed among the other two categories.
  - If necessary, a lottery will be held to select among an excess number of evenly matched applicants.
  - If, after completing the above described first-tier process, there are still endorsements available, then the second tier of priority applicants will be considered. The balance of remaining endorsements will be evenly distributed among the two second-tier categories – i.e., category 2A (holders of CFLs, endorsed in any fishery, who have been actively fishing their licenses) and category 2B (crew members who have been actively participating in any fishery). Within each category, applicants will be prioritized based on the length of time they have been actively fishing or actively participating on a continuous basis. If, in either category, there are fewer eligible applicants than there are endorsements available for issue, the balance will be distributed to the other category. If necessary, a lottery will be held to select among an excess number of evenly matched applicants.
  - If, after completing the above-described second-tier process, there are still endorsements available, then the third tier of applicants – residents who do not qualify for priority status – will be considered. If there are more applicants than there are endorsements available for issue, the endorsements will be issued by lottery.
  - For the 18 PEL Restricted Finfish endorsements:
    - Six (6) will be made available to priority category 1A (holders of CFLs with Non-Restricted Finfish endorsements who have been actively fishing their licenses); Six (6) will be made available to priority category 1B (holders of PELs who have been actively fishing their licenses in any fishery); and Six (6) will be made available to priority category 1C (crew members who have been actively participating in the finfish fishery).
    - Within each of the three categories, applicants will be prioritized based on the length of time they have been actively fishing or actively participating on a continuous basis.
    - If, in any of the three categories, there are fewer eligible applicants than there are endorsements available for issue, the balance will be evenly distributed among the other two categories.



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- If necessary, a lottery will be held to select among an excess number of evenly matched applicants.
- If, after completing the above described first-tier process, there are still endorsements available, then the second tier of priority applicants will be considered. The balance of remaining endorsements will be evenly distributed among the two second-tier categories – i.e., category 2A (holders of CFLs, endorsed in any fishery, who have been actively fishing their licenses) and category 2B (crew members who have been actively participating in any fishery). Within each category, applicants will be prioritized based on the length of time they have been actively fishing or actively participating on a continuous basis. If, in either category, there are fewer eligible applicants than there are endorsements available for issue, the balance will be distributed to the other category. If necessary, a lottery will be held to select among an excess number of evenly matched applicants.
- If, after completing the above-described second-tier process, there are still endorsements available, then the third tier of applicants – residents who do not qualify for priority status – will be considered. If there are more applicants than there are endorsements available for issue, the endorsements will be issued by lottery.
- If, after completing the above-described third-tier process, there are still endorsements available, then the fourth tier of applicants – non-residents who do not qualify for priority status – will be considered. If there are more applicants than there are endorsements available for issue, the endorsements will be issued by lottery.





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## ***Guidance for Applicants Seeking New Quahog and/or Soft Shell Clam Endorsements 2018***

As described in the accompanying document entitled *New License/Endorsement Opportunities Available for 2018*, thirty-three (33) new Quahog endorsements and fifteen (15) new Soft Shell Clam endorsements on Commercial Fishing Licenses (CFLs) will be issued for 2018. As further described in the accompanying document, priority will be given to certain applicants for these endorsements. This document provides step-by-step guidance for applicants seeking these new endorsements, including: how to determine if you may qualify for priority status and what you need to do to establish such status and properly submit an application. Residents, aged 16 or older, who do not qualify for priority status but still wish to obtain the new endorsement are still encouraged to apply (see section VI below), since there is a chance that non-priority resident applicants will be given consideration, pending the outcome of the prioritization process.

Any questions regarding the application process should be directed to DEM's Office of Boat Registration & Licensing at 401-222-6647.

### **I. Priority Status under Category 1A**

Q: Are you a RI resident?

If no, you do not qualify for a new Quahog and/or Soft Shell Clam endorsement.  
If yes, proceed to next question.

Q: Have you held a Commercial Fishing License (CFL) within the Shellfish Sector (endorsement category other than you are applying) over the past two years – i.e., in 2016 and 2017?

If no, go to section II below.  
If yes, proceed to the next question.

Q: Have you been actively fishing your CFL – i.e., can you demonstrate by dated transaction records that you have sold authorized seafood to RI licensed dealers on at least 40 days during 2016 and 2017 in the shellfish fishery? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years.]

If no, go to section II below.

If yes, you qualify for priority status under this category and will be given top consideration for the new Quahog endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a new Quahog and/or Soft Shell Clam endorsement on your CFL. Your application must include a brief cover letter, indicating that you are seeking priority status as an active holder of a CFL with a Quahog, Shellfish Other and/or Soft-Shell Clam (in Shellfish sector other than



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what you are applying for) endorsement. Along with your application, you must submit the dated transaction records necessary to qualify for priority status. Applicants will be ranked based on the length of time they have been actively fishing on a continuous basis, so it is to your advantage to document all of the years that you have been actively fishing your CFL. ***All transaction records will be subject to verification by the Department in accordance with dealer reports submitted to the Department via the SAFIS reporting system. DEM will disqualify from consideration under this priority category any application that is not accompanied by a sufficient number of valid transaction records.***

## **II. Priority Status under Category 1B**

Q: Have you held a Principal Effort License (PEL) over the past two years – i.e., in 2016 and 2017?

If no, go to section III below.

If yes, proceed to the next question.

Q: Have you been actively fishing your PEL – i.e., can you demonstrate by dated transaction records (and/or verified dockside sales of lobsters or crabs) that you have sold authorized seafood to RI licensed dealers at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years.]

If no, go to section III below.

If yes, you qualify for priority status under this category and will be given top consideration for the new Quahog and/or Soft Shell endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a CFL with a Quahog endorsement and/or Soft Shell Clam endorsement. Your application must include a brief cover letter, indicating that you are seeking priority status as an active PEL holder, based on your activity over the past two years in the finfish, shellfish and/or lobster (crustacean) fisheries. Along with your application, you must submit the dated transaction records necessary to qualify for priority status. Applicants will be ranked based on the length of time they have been actively fishing on a continuous basis, so it is to your advantage to document all of the years that you have been actively fishing your PEL. ***All transaction records will be subject to verification by the Department in accordance with dealer reports submitted to the Department via the SAFIS reporting system (or, with regard to dockside sales of lobsters or crabs, per section 6.7-11(f) of the licensing regulations). DEM will disqualify from consideration under this priority category any application that is not accompanied by a sufficient number of valid transaction records.***



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### III. Priority Status under Category 1C

Q: Subsequent to your 16<sup>th</sup> birthday, have you served as a crew member aboard a commercial fishing vessel engaged in the shellfish fishery?

If no, go to section IV below.

If yes, proceed to the next question.

Q: Subsequent to your 16<sup>th</sup> birthday, have you been actively participating as a crew member – i.e., can you demonstrate via one or more affidavits signed by one or more RI licensed captains, that you have fished, resulting in RI landings, with that captain, or those captains, in the shellfish fishery at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years; and all of the activity must have occurred subsequent to your 16<sup>th</sup> birthday.] Please be advised according to the Commercial and Recreational Saltwater Fishing Licensing Regulations, Part 1, Section 1.1- “Crew” or “Crewmember” is defined as an individual, aged (16) or older, employed for purposes of assisting in the operation of a commercial fishing vessel and its gear by another person licensed to fish commercially pursuant to these regulations. Applicants must submit a W2, 1099 or copies of checks or pay stubs to validate paid status for each year worked. Failure to submit any of the required above documents will result in the applicant being excluded from this priority category.

If no, go to section IV below.

If yes, proceed to the next question.

If yes, you qualify for priority status under this category and will be given top consideration for the new Quahog and/or Soft Shell Clam endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a CFL with a Quahog and/or Soft Shell Clam endorsement. Your application must include a brief cover letter, indicating that you are seeking priority status as an active crew member, based on your activity in the shellfish fishery. Along with your application, you must submit the affidavit(s) necessary to qualify for priority status along with a W2, 1099 or copies of checks or pay stubs to validate paid status for each year worked. Applicants will be ranked based on the length of time, in years, they have been actively participating in the shellfish fishery as crew members (aged 16 or older), so it is to your advantage to document all of the years that you have been employed in the fishery as a crew member (aged 16 or older). ***All applicants must use the blank affidavit forms available from DEM (and posted on the website along with this document). All affidavits must be signed by licensed captains and notarized. Licensed captains must have held a RI commercial fishing license during the relevant period. DEM will disqualify from consideration under this priority category any application that is not accompanied by one or more valid affidavits.***



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## **IV. Priority Status under Category 2A**

Q: Have you held a CFL with a Restricted Finfish, Non-Restricted Finfish, and/or Non-Lobster Crustacean endorsement over the past two years – i.e., in 2016 and 2017?

If no, go to section V below.

If yes, proceed to next question.

Q: Have you been actively fishing your CFL – i.e., can you demonstrate by dated transaction records (and/or verified dockside sales of crabs) that you have sold authorized seafood to RI licensed dealers on at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years.]

If no, go to section V below.

If yes, you qualify for priority status under this category and will be given secondary consideration for the new Quahog and/or Soft Shell Clam endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a new Quahog and/or Soft Shell Clam endorsement on your CFL. Your application must include a brief cover letter, indicating that you are seeking priority status as an active CFL holder. Along with your application, you must submit the dated transaction records necessary to qualify for priority status. Applicants will be ranked based on the length of time they have been actively fishing on a continuous basis, so it is to your advantage to document all of the years that you have been actively fishing your CFL. ***All transaction records will be subject to verification by the Department in accordance with dealer reports submitted to the Department via the SAFIS reporting system (or, with regard to dockside sales of crabs, per section 6.7-11(f) of the licensing regulations). DEM will disqualify from consideration under this priority category any application that is not accompanied by a sufficient number of valid transaction records.***

## **V. Priority Status under Category 2B**

Q: Subsequent to your 16<sup>th</sup> birthday, have you served as a crew member aboard a commercial fishing vessel engaged in the finfish and/or lobster (crustacean) fisheries?

If no, go to section VI below.

If yes, proceed to the next question.

Q: Subsequent to your 16<sup>th</sup> birthday, have you been actively participating as a paid crew member – i.e., can you demonstrate via one or more affidavits signed by one or more RI licensed captains, that you have fished, resulting in RI landings, with that captain, or those captains, at least 40 days during 2016 and 2017 engaged in the finfish and/or lobster (crustacean) fisheries? [Note: the 40



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days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years; and all of the activity must have occurred subsequent to your 16<sup>th</sup> birthday.] Please be advised according to the Commercial and Recreational Saltwater Fishing Licensing Regulations, Part 1, Section 1.1 - "Crew" is defined as an individual, aged (16) or older, employed for purposes of assisting in the operation of a commercial fishing vessel and its gear by another person licensed to fish commercially pursuant to these regulations. Applicants must submit a W2, 1099 or copies of checks or pay stubs to validate paid status for each year worked. Failure to submit any of the required above documents will result in the applicant being excluded from this priority category.

If no, go to section VI below.

If yes, proceed to the next question.

If yes, you qualify for priority status under this category and will be given secondary consideration for the new Quahog and/or Soft Shell Clam endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018 indicating that you wish to obtain a CFL with a Quahog and/or Soft Shell Clam endorsement. Your application must include a brief cover letter, indicating that you are seeking priority status as an active crew member, based on your activity in the finfish and/or lobster (crustacean) fisheries. Along with your application, you must submit the affidavit(s) necessary to qualify for priority status along with a W2, 1099 or copies of checks or pay stubs to validate paid status for each year worked. Applicants will be ranked based on the length of time they have been actively participating as crew members (aged 16 or older), so it is to your advantage to document all of the years that you have been employed as a crew member (aged 16 or older). ***All applicants must use the blank affidavit forms available from DEM (and posted on the website along with this document). All affidavits must be signed by licensed captains and notarized. Licensed captains must have held a RI commercial fishing license during the relevant period. DEM will disqualify from consideration under this priority category any application that is not accompanied by one or more valid affidavits.***

### **VI. Priority Status under Category 3**

Q: Are you a RI resident aged sixteen (16) or older?

If no, you do not qualify for a new Quahog and/or Soft Shell Clam endorsement.

If yes, as a RI resident aged 16 or older, you will be given consideration for the new Quahog and/or Soft Shell Clam endorsement, in accordance with the selection process delineated in the accompanying document. Pursuant to that process, if there are any endorsements remaining after the five priority categories are exhausted, they will be issued, by lottery if necessary, to resident applicants aged 16 or older who do not qualify for priority status. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a CFL with a Quahog and/or Soft Shell Clam endorsement



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## ***Guidance for Applicants Seeking New Restricted Finfish Endorsements 2018***

As described in the accompanying document entitled *New License/Endorsement Opportunities Available for 2018*, eighteen (18) new Restricted Finfish endorsements on Principal Effort Licenses (PELs) will be issued for 2018. As further described in the accompanying document, priority will be given to certain applicants for these endorsements. This document provides step-by-step guidance for applicants seeking these new endorsements, including: how to determine if you may qualify for priority status and what you need to do to establish such status and properly submit an application. Residents and non-residents, aged 16 or older for residents, aged 18 or older for non-residents, who do not qualify for priority status but still wish to obtain the new endorsement are still encouraged to apply (see sections VI and VII below), since there is a chance that non-priority resident and non-resident applicants will be given consideration, pending the outcome of the prioritization process.

Any questions regarding the application process should be directed to DEM's Office of Boat Registration & Licensing at 401-222-6647.

### **I. Priority Status under Category 1A**

Q: Are you a RI resident?

If no, go to section VII below.

If yes, proceed to next question.

Q: Have you held a Commercial Fishing License (CFL) with a Non-Restricted Finfish endorsement over the past two years – i.e., in 2016 and 2017?

If no, go to section II below.

If yes, proceed to the next question.

Q: Have you been actively fishing your CFL – i.e., can you demonstrate by dated transaction records that you have sold authorized finfish to RI licensed dealers on at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years.]

If no, go to section II below.

If yes, you qualify for priority status under this category and will be given top consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a new Restricted Finfish endorsement on a PEL license. Your application must include a brief cover letter, indicating that you are seeking priority status as an active holder of a CFL with a Non-Restricted Finfish endorsement. Along with your application, you must submit the dated transaction records



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necessary to qualify for priority status. Applicants will be ranked based on the length of time they have been actively fishing on a continuous basis, so it is to your advantage to document all of the years that you have been actively fishing your CFL. ***All transaction records will be subject to verification by the Department in accordance with dealer reports submitted to the Department via the SAFIS reporting system. DEM will disqualify from consideration under this priority category any application that is not accompanied by a sufficient number of valid transaction records.***

## **II. Priority Status under Category 1B**

Q: Have you held a Principal Effort License (PEL) over the past two years – i.e., in 2016 and 2017?

If no, go to section III below.

Q: Have you been actively fishing your PEL – i.e., can you demonstrate by dated transaction records (and/or verified dockside sales of lobsters or crabs) that you have sold authorized seafood to RI dealers on at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years.]

If yes, you qualify for priority status under this category and will be given top consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a PEL with a Restricted Finfish endorsement. Your application must include a brief cover letter, indicating that you are seeking priority status as an active PEL holder, based on your activity over the past two years in any fishery. Along with your application, you must submit the dated transaction records necessary to qualify for priority status. Applicants will be ranked based on the length of time they have been actively fishing on a continuous basis, so it is to your advantage to document all of the years that you have been actively fishing your PEL. ***All transaction records will be subject to verification by the Department in accordance with dealer reports submitted to the Department via the SAFIS reporting system (or, with regard to dockside sales of lobsters or crabs, per section 6.7-11(f) of the licensing regulations). DEM will disqualify from consideration under this priority category any application that is not accompanied by a sufficient number of valid transaction records.***

## **III. Priority Status under Category 1C**

Q: Subsequent to your 16<sup>th</sup> birthday (for residents, 18<sup>th</sup> birthday for nonresidents), have you served as a crew member aboard one or more commercial fishing vessels engaged in the finfish fishery?

If no, go to section IV below.

If yes, proceed to the next question.



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Q: Subsequent to your 16<sup>th</sup> birthday (for residents, 18<sup>th</sup> birthday for non-residents), have you been actively participating as a crew member – i.e., can you demonstrate via one or more affidavits signed by one or more RI licensed captains, that you have fished, resulting in RI landings, with that captain, or those captains, in the finfish fishery at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years; and all of the activity must have occurred subsequent to your 16<sup>th</sup> birthday for residents, 18<sup>th</sup> birthday for non-residents.] Please be advised according to the Commercial and Recreational Saltwater Fishing Licensing Regulations, Part 1, Section 1.1 -” Crew” is defined as an individual, aged (16) or older, employed for purposes of assisting in the operation of a commercial fishing vessel and its gear by another person licensed to fish commercially pursuant to these regulations. Applicants must submit a W2, 1099 or copies of checks or pay stubs for each year worked to validate paid status. Failure to submit any of the required above documents will result in the applicant being excluded from this priority category.

If no, go to section IV below.

If yes, proceed to the next question.

If yes, you qualify for priority status under this category and will be given top consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a PEL with a Restricted Finfish endorsement. Your application must include a brief cover letter, indicating that you are seeking priority status as an active crew member, based on your activity in the finfish fishery. Along with your application, you must submit the affidavit(s) necessary to qualify for priority status along with a W2, 1099, or copies of checks or pay stubs for each year worked. Applicants will be ranked based on the length of time, in years, they have been actively participating in the finfish fishery as crew members (aged 16 or older for residents, 18 or older for non-residents), so it is to your advantage to document all of the years that you have been employed in the fishery as a crew member (aged 16 or older, residents, 18 or older, non-residents). ***All applicants should use the blank affidavit forms available from DEM (and posted on the website along with this document). All affidavits must be signed by licensed captains and notarized. Licensed captains must have held a RI commercial fishing license during the relevant period. DEM will disqualify from consideration under this priority category any application that is not accompanied by one or more valid affidavits.***

## **IV. Priority Status under Category 2A**

Q: Have you held a CFL with a Quahog, Shellfish Other, Soft-shell Clam, and/or Non-Lobster Crustacean endorsement over the past two years – i.e., in 2016 and 2017?

If no, go to section V below.

If yes, proceed to next question.





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Q: Have you been actively fishing your CFL – i.e., can you demonstrate by dated transaction records (and/or verified dockside sales of crabs) that you have sold authorized seafood to RI licensed dealers on at least 40 days during 2016 and 2017? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years.]

If no, go to section V below.

If yes, you qualify for priority status under this category and will be given secondary consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018 indicating that you wish to obtain a new Restricted Finfish endorsement on a PEL. Your application must include a brief cover letter, indicating that you are seeking priority status as an active CFL holder. Along with your application, you must submit the dated transaction records necessary to qualify for priority status. Applicants will be ranked based on the length of time they have been actively fishing on a continuous basis, so it is to your advantage to document all of the years that you have been actively fishing your CFL. ***All transaction records will be subject to verification by the Department in accordance with dealer reports submitted to the Department via the SAFIS reporting system (or, with regard to dockside sales of lobsters or crabs, per section 6.7-11(f) of the licensing regulations). DEM will disqualify from consideration under this priority category any application that is not accompanied by a sufficient number of valid transaction records.***

## **V. Priority Status under Category 2B**

Q: Subsequent to your 16<sup>th</sup> birthday (for residents, 18<sup>th</sup> birthday for non-residents), have you served as a crew member aboard a commercial fishing vessel engaged in the shellfish and/or lobster (crustacean) fisheries?

If no, go to section VI below.

If yes, proceed to the next question.

Q: Subsequent to your 16<sup>th</sup> birthday (residents, 18<sup>th</sup> birthday for non-residents), have you been actively participating as a crew member – i.e., can you demonstrate via one or more affidavits signed by one or more RI licensed captains, that you have fished, resulting in RI landings with that captain, or those captains, at least 40 days during 2016 and 2017 in the shellfish and/or lobster (crustacean) fisheries? [Note: the 40 days of activity must have spanned both calendar years, meaning that some activity must have occurred in each of the two calendar years; and all of the activity must have occurred subsequent to your 16<sup>th</sup> birthday for residents, 18<sup>th</sup> birthday for non-residents.] Please be advised according to the Commercial and Recreational Saltwater Fishing Licensing Regulations, Part1 Section 1.1 – “Crew” or “Crewmember” is defined as an individual, aged (16) or older,



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employed for purposes of assisting in the operation of a commercial fishing vessel and its gear by another person licensed to fish commercially pursuant to these regulations. Applicants must submit a W2, 1099 or copies of checks or pay stubs for each year worked to validate paid status. Failure to submit any of the required above documents will result in the applicant being excluded from this priority category.

If no, go to section VI below.

If yes, proceed to the next question.

If yes, you qualify for priority status under this category and will be given secondary consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. To be considered, you must submit an application by February 28, 2018 indicating that you wish to obtain a PEL with a Restricted Finfish endorsement. Your application must include a brief cover letter, indicating that you are seeking priority status as an active crew member, based on your activity in the shellfish and/or lobster (crustacean) fisheries. Along with your application, you must submit the affidavit(s) necessary to qualify for priority status along with a W2, 1099 or copies of checks or pay stubs for each year worked. Applicants will be ranked based on the length of time they have been actively participating as crew members (aged 16 or older, residents, 18 or older, non-residents), so it is to your advantage to document all of the years that you have been employed as a crew member (aged 16 or older residents, 18 or older, non-residents). ***All applicants must use the blank affidavit forms available from DEM (and posted on the website along with this document). All affidavits must be signed by licensed captains and notarized. Licensed captains must have held a RI commercial fishing license during the relevant period. DEM will disqualify from consideration under this priority category any application that is not accompanied by one or more valid affidavits.***

## **VI. Priority Status under Category 3**

Q: Are you a RI resident aged sixteen (16) or older?

If no, you do not qualify for a new Restricted Finfish endorsement.

If yes, as a RI resident aged 16 or older, you will be given consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. Pursuant to that process, if there are any endorsements remaining after the five priority categories are exhausted, they will be issued, by lottery if necessary, to resident applicants aged 16 or older who do not qualify for priority status. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a PEL with a Restricted Finfish endorsement.

## **VII. Priority Status under Category 4**



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Q: Are you a non-resident of RI aged eighteen (18) or older?

If no, you do not qualify for a new Restricted Finfish endorsement.

If yes, as a non-resident of RI aged 18 or older, you will be given consideration for the new Restricted Finfish endorsement, in accordance with the selection process delineated in the accompanying document. Pursuant to that process, if there are any endorsements remaining after the six priority categories are exhausted, they will be issued, by lottery if necessary, to non-resident applicants aged 18 or older who do not qualify for priority status. To be considered, you must submit an application by February 28, 2018, indicating that you wish to obtain a PEL with a Restricted Finfish endorsement.



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## Affidavit

In Support of a

Commercial Fishing/Principal Effort License Application  
to the RI Department of Environmental Management

To establish priority status as an active, paid crew member, an applicant for a CFL (Commercial Fishing License) or PEL (Principal Effort License) must be able to demonstrate via one or more affidavits signed by one or more RI licensed captains that he or she fished with that captain, or those captains, at least 40 days during 2016 and 2017. [Note: the 40 days of activity must be documented by dated transaction records that demonstrate that the captain (s) have sold authorized seafood to RI licensed dealers on at least 40 days and that some activity must have occurred in each of the two calendar years. Also, all of the activity must have occurred subsequent to the applicant's 16<sup>th</sup> birthday for residents, aged 18 for non-residents. Also: captains must have held a valid RI commercial fishing license during the relevant fishing period as well as having the vessel commercially declared]. Additionally, crew members will be required to submit proof of being paid by the captain by submitting a W-2 form, 1099 form and/or paycheck stub from a financial institution for each year worked along with the New License Opportunity Application.

***I hereby declare, under penalty of perjury, that I am a RI licensed commercial fishermen, that I serve as the captain of the commercial fishing vessel identified below, and that \_\_\_\_\_ has served as a paid crew member on my boat during 2016 and/or 2017 for the period indicated below. Please make note of additional years worked and days fished for each year (if applicable) on the reverse side of this Affidavit. Applicants must submit a W2, 1099 or copies of checks or pay stubs to validate paid status for each year worked. Failure to submit any of the required above documents along with the New License Opportunity Application will result in the applicant being excluded from this priority category. I understand that fraud on the part of any existing license holder, including a captain who signs an affidavit in support of a claim of paid crew member status that turns out to be false or inaccurate, may result in the suspension or revocation of the license held by the existing license holder.***

Name of Captain: \_\_\_\_\_

Signature of Captain & contact telephone number: \_\_\_\_\_

License Number: \_\_\_\_\_

Registration Number of Declared Vessel: \_\_\_\_\_

Type of Fishery in which Applicant was/is Engaged as Crew Member: \_\_\_\_\_

Level of activity {check either box; if second box is checked, provide estimate for # of days}:

- Applicant fished with me at least 40 days during 2016 and 2017.
- Applicant fished with me \_\_\_\_\_ days during 2016 and/or \_\_\_\_\_ days during 2017.

***This affidavit must be notarized (Captain's Signature requires Notary Public):***

Sworn to before me a Notary Public this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Signature and title of official administering oath

\_\_\_\_\_  
My Commission Expires



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## New Taxation Certification Requirements

A new state law, enacted in 2004, requires everyone applying for any license from the state to first certify that they have filed all required state tax returns and paid all taxes due to the State, or entered into a written installment agreement with the Tax Administrator to pay delinquent state taxes. Accordingly, all applicants for new or renewed commercial fishing licenses must first complete one of the following two requirements:

- a) Sign a Taxation Certification, certifying compliance with all state tax obligations as noted above; the form must also include the applicant's social security number or FEIN, or
- b) Furnish a Letter of Good Standing from the Tax Administrator. (401)574-8756

The Taxation Certification form is available from DEM; it may be completed at the counter while applying for a license, or may be filled out online and submitted as part of the online renewal process. Letters of Good Standing must be obtained from the RI Division of Taxation, Collections Division, One Capital Hill, Providence, RI 02908 (401)574-8756. **DEM will not issue any new or renewed license until the applicant has submitted a properly completed Taxpayer Affidavit or a Letter of Good Standing.**

Any questions regarding the new tax law should be directed to the RI Division of Taxation at 401-574-8941.



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## Taxpayer Certification

You are required to furnish your Social Security # or FEIN pursuant to Chapter 76 of Title 5 and Chapter 3 of Title 31 of the RI General Laws, as amended. Any person applying for any license or permit to conduct a business or occupation within Rhode Island or any person renewing a motor vehicle operator's license or motor vehicle registration within Rhode Island must have filed all required state tax returns and paid all taxes due the state or must have entered into a written installment agreement to pay delinquent state taxes that is satisfactory to the Tax Administrator. Failure to provide the Department with your Social Security # or FEIN will result in you having to obtain a Letter of Good Standing from the RI Division of Taxation, One Capitol Hill Providence, RI 02908 **PRIOR** to the issuance or renewal of your license. If you have any questions regarding your tax status, please contact Taxation directly at 401-574-8941.

*I hereby declare, under penalty of perjury, that I have filed all required state tax returns and have either paid all taxes due the state or have entered into a written installment agreement with the Rhode Island Division of Taxation.*

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

Social Security # or FEIN \_\_\_\_\_

Marine License # \_\_\_\_\_