

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Marine Resources, Permit Office

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## DECLINATION TO DESIGNATE RECIPIENTS OF REISSUED MARINE LICENSES OR PERMITS

The Environmental Conservation Law (ECL)13-0328(6)(a) and 6 NYCRR 40.1(j)(8)(i) and 40.1(l)(11) gives DEC the authority to allow holders of commercial food fish licenses, lobster permits, crab licenses, and whelk licenses (“holder”) to select an immediate family member to be the recipient of their marine licenses or permits in the event of the death of the holder. An eligible **immediate family member** is a:

- A husband or wife (spouse), brother or sister (sibling), parent, child, grandparent, grandchild;
- A person who is related by blood, marriage or adoption to the license or permit holder **AND** domiciled in the house of the license or permit holder.

A license or permit holder may elect to **NOT** designate another person as a recipient of their marine licenses or permits upon death. If a license or permit holder declines to designate an immediate family member, his or her licenses or permits will terminate upon their death, and their immediate family members will not have any claim on the deceased’s previous licenses or permits.

**THIS FORM ACKNOWLEDGES A REFUSAL TO IDENTIFY A RECIPIENT OF A MARINE LICENSE OR PERMIT HOLDER’S COMMERCIAL LICENSES OR PERMITS.**

This Declination to Designate Form indicates that the license or permit holder has affirmatively elected to not designate an eligible immediate family member as a recipient of his or her marine licenses or permits upon death. The holder’s permits will terminate on the death of the permit holder and will not be available for reissuance to his or her immediate family members. This completed form will be kept on file at the DEC Marine Permit Office and utilized in the event of death of the license or permit holder. This declination form may be changed or rescinded and resubmitted to DEC at any time. This form must be signed by the holder and notarized.

I, \_\_\_\_\_, hereby affirm that I fully understand the  
*Name of License or Permit Holder*

options allowed under ECL 13-0328(6)(a) and 6 NYCRR 40.1(j)(8)(i) and 40.1(l)(11) as they relate to reissuance of applicable marine licenses and permits, as well as the consequences of declining to designate an eligible member of my “immediate family” for the purpose of license or permit reissuance in the event of my death prior to transferring my license or permit or surrendering my license or permit to DEC.

By completing this form, I hereby affirmatively **decline to designate a member of my immediate family**, and I understand and acknowledge that my licenses or permits as noted herein **will not be reissued** upon my death. My immediate family will have no claim to such licenses or permits in the event of my death.

**License or Permit Number**

Crab: \_\_\_\_\_

Lobster: \_\_\_\_\_

Whelk: \_\_\_\_\_

**License or Permit Number**

Food Fish: \_\_\_\_\_

Striped Bass: \_\_\_\_\_

Summer Flounder: \_\_\_\_\_

By signing this form, I **decline to designate an eligible member of my immediate family for the reissuance of my applicable limited entry marine licenses or permits**, and I affirmatively waive all of my eligibility under ECL §3-0328(6)(a) as it applies to the reissuance of my licenses or permits upon my death.

I hereby affirm under penalty of perjury that all of the information provided in this Declination to Designate Form is true and accurate. I affirm and understand that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law and the offering of a false instrument for filing is punishable as a felony pursuant to Section 175.35 of the Penal Law.

\_\_\_\_\_  
*Signature of License or Permit Holder*

\_\_\_\_\_  
*Date*

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**ACKNOWLEDGMENT TO BE COMPLETED BY NOTARY PUBLIC**

State of \_\_\_\_\_ County of \_\_\_\_\_

On the \_\_\_\_\_ [Day] day of \_\_\_\_\_ [Month] in the year \_\_\_\_\_ [Year] before

me, the undersigned, personally appeared \_\_\_\_\_ [Name of Individual], personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
**Notary Public**