

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Marine Resources, Permit Office
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DESIGNATION FORM FOR LICENSE REISSUANCE

Environmental Conservation Law (ECL) 13-0328(6)(a) gives DEC the authority to allow a limited entry license or permit holder to designate a member of their immediate family to whom the license or permit should be reissued in the event of the death of the license or permit holder. DEC regulations at 6 NYCRR Part 40 allows the one-time reissuance of commercial striped bass and commercial summer flounder permits in accordance with the provisions of ECL 13-0328(6)(a).

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. The domicile requirement only applies to individuals who are related by blood, marriage, or adoption.

The following conditions must be met for the designation of a recipient to be valid and in effect:

1. The designated recipient is an eligible immediate family member.
2. The designated recipient must be at least 16 years of age.
3. The license or permit holder must notify DEC of the designated recipient in writing.

If a designated family member does not wish to engage in commercial fishing, as authorized by the reissued commercial license or permit, DEC may allow the family member to identify an alternate person to whom the license or permit may be reissued. The designated family member must notify DEC of their intent regarding the license or permit in writing. Reissuance of the license or permit must be within six months of DEC being notified of the death of the original license or permit holder. If a license or permit holder chooses to not to designate an immediate family member, the license or permit holder's licenses or permits will terminate upon their death. Immediate family members will not be eligible to receive the affected licenses or permits and will have no recourse to claim eligibility in the absence of a sufficient written designation.

This Designation Form will allow a license or permit holder to identify an appropriate immediate family member to be the recipient of the reissued license or permit and to specify each license or permit to be reissued. 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 designation form may be changed and resubmitted at any time. This form must be signed and notarized. Please keep a copy of this form with your records for your family's future reference.

Pursuant to the provisions of Environmental Conservation Law 13-0328 (6) (a) and 6 NYCRR

40.1(j)(8)(i) and 40.1(l)(11), I, _____, hereby affirm that I

Name of License or Permit Holder

fully understand the provisions of the ECL 13-0328(6) as it relates to reissuance of commercial marine

licenses and permits and hereby designate _____, my

Name of Designated Recipient

_____, born on _____, and

Relationship with Recipient

Date of Birth for Recipient



Department of
Environmental
Conservation

domiciled at _____,

Address of Recipient

as the immediate family member to whom my limited entry commercial licenses and permits, as specifically identified below, shall be reissued. I hereby request that the following limited entry commercial licenses or permits be reissued to the person named herein, who is a member of my immediate family, in the event that I shall die.

License or Permit Number

License or Permit Number

Crab: _____

Food Fish: _____

Lobster: _____

Striped Bass: _____

Whelk: _____

Summer Flounder: _____

I understand the provisions of ECL 13-0328(6) and 6 NYCRR 40.1(j)(8)(i) and 40.1(l)(11), as they relate to the reissuance of commercial Food Fish Licenses, any associated Striped Bass or Summer Flounder commercial permits, Lobster Permits, Crab Permits, and Whelk Licenses, and willingly designate the above-mentioned person, who is an appropriate member of my immediate family, for the purposes of license reissuance in the event of my death.

I hereby revoke all former Designation Forms, whether or not such forms were filed with DEC, for the commercial marine licenses or permits set forth herein and affirm under penalty of perjury that all of the information provided in this Designation Form is true and accurate. I understand and affirm that any false statement made herein is punishable as a Class A misdemeanor pursuant to §210.45 of the New York Penal Law and the offering of a false instrument for filing is punishable as a felony pursuant to §175.35 of the New York Penal Law.

Signature of License or Permit Holder

Date

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