North Carolina Department of Environment and Natural Resources
Division of Marine Fisheries

Beverly Eaves Perdue, Governor
Dr. Louis B. Daniel III, Director
Dee Freeman, Secretary

Dear Applicant:

Enclosed is an application to the North Carolina Standard Commercial Fishing License Eligibility Board. The application and supporting documentation you provide will be used to determine if you qualify for a Standard Commercial Fishing License. Please complete the application and all forms completely and legibly. Instructions for the verification and supporting documentation are included in Attachment 1, page 5.

You will need to provide a clear and legible copy of an official picture I.D., such as a driver's license, military ID or a picture ID issued by the N.C. Division of Motor Vehicles with your application.

A copy of North Carolina Marine Fisheries Commission Rule 03O. 0401 governing eligibility and application requirements is included as Attachment 2, page 6.

When you have completed the application and obtained all supporting documents, you will need to submit the original and (4) copies of the application and supporting documents to the Eligibility Board Clerk for processing. Please separate into four completed packages. *Use the enclosed pre-addressed envelope to submit your application package to the License Eligibility Office, N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557-0769.*

If you have any questions on completing the Eligibility package, please contact Cristy Giddens, at the License Eligibility Pool Office, Division of Marine Fisheries, Wilmington, NC 1-800-248-4536 or 910-796-7267.

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DIVISION OF MARINE FISHERIES
ELIGIBILITY PARTICIPATION APPLICATION PAGE 1

Check one: ☐ Individual (complete the Individual Participant Information) ☐ Business Agent (complete the Business Participant Information and Individual Participant Information)

I request the opportunity to apply for the Standard Commercial Fishing License (SCFL) through the eligibility pool process, pursuant to General Statute 113-168.2, 1998 Session Law 225, and 15A NCAC 3O.0401 et seq

Individual or Business Agent Participant Information

Participant I.D. (if available)	First Name		Middle Name		Last Name		Suffix	
	Driver's License or State I.D. No.		Military I.D. No.		.		Passport No.	
	No.	Expire Date / /	No.	Expire Date / /			No.	Expire Date / /

Resident Alien I.D. No.		Race	Gender		Height	Weight	Eye Color	Hair Color
No.	Expire Date / /		☐ Male	☐ Female				

Date of Birth	Primary Residence	Secondary Residence	E-mail Address

Physical Address:		Mailing Address:	
Country:		Country:	
Address 1:		Address 1:	
Address 2:		Address 2:	
City:	State:	City:	State:
Zip:	County:	Zip:	County:
Home Phone:	Business Phone:	Fax:	Prior Name (if name change)
( )	( ) Ext.	( )	

Business Participant Information This section to be completed only if a license is for use by a business, corporation, LLC

Participant I.D. (if available)	Business Name		State of Incorporation	Charter State

Primary Business Address	Secondary Business Address	E-mail Address

Physical Address:		Mailing Address:	
Country:		Country:	
Address 1:		Address 1:	
Address 2:		Address 2:	
City:	State:	City:	
Zip:	County:	Zip:	
Home Phone:	Business Phone:	Fax:	Prior Name (if name change)
( )	( ) Ext.	( )	
Business Owner Name (F, M, L)	Business Owner Name (F, M, L)	Business Owner Name (F, M, L)	Business Owner Name (F, M, L)

Applicant Signature:_____ Date _____(Must be signed to be valid)

OFFICIAL USE ONLY:			
Requires signature of Chairperson or Acting Chairperson:			
Approved:		Date:	/ /
Denied:		Date:	/ /

Applicant's Name_____ Date of Birth_____

ELIGIBILITY APPLICATION - PAGE 2

1. ELIGIBILITY CRITERIA:

In order for the SCFL Eligibility Board to determine if you are qualified to be placed in the License Eligibility Pool, please select one or more of the criteria listed below that describes your involvement in commercial fishing. *PROVIDE SUPPORTING DOCUMENTATION FOR EACH OF THE CRITERIA SELECTED*. All supporting documentation must be signed by the provider and notarized (Instructions on Attachment 1, page 5).

A. _____ Significant involvement in the commercial fishing industry three of the last five years; or

B. _____ Significant involvement in commercial fishing or in the commercial fishing industry prior to the last five years; or

C. _____ In the case of an applicant who is under 16 years of age, significant involvement in commercial fishing for two out of the last five years with a parent, legal guardian, grandparent or other adult; or

D. _____ Significant Involvement of the applicant's family in commercial fishing. For the purpose of this Sub-item, family shall include mother, father, brother, sister, spouse, children, grandparents, or legal guardian.

2. COMPLIANCE WITH LAWS AND REGULATIONS

List all federal and state fishing laws, regulations, or rule violations, convictions, or warnings and any suspensions or revocations of fishing licenses. Likewise, list any and all environmental and natural resource violations, convictions, or warnings issued by any federal or state agency. If there are no violations put "NONE", do not leave blank.

STATE AND FEDERAL VIOLATIONS, CONVICTIONS, WARNINGS, SUSPENSIONS, REVOCATIONS			
STATE/FEDERAL AGENCY	LICENSE NO.	TYPE OF OFFENSE	DESCRIPTION

3. COMMERCIAL FISHING INCOME

Please submit tax records (1099, W2, Schedule C, tax return, etc.) as proof of commercial fishing income if available.

North Carolina Division of Marine Fisheries

Certification Statement Form For SCFL Eligibility Pool

Certification Statement (This section must be completed by Applicant)

I, _____ certify that:

1. All the information provided on this application and any supporting documentation provided is true, accurate, and complete. And further, for renewals, any changes in information or supporting documents have been provided at the time of renewal.

2. I currently have no marine fisheries licenses, permits, endorsements, or registrations under suspension or revocation and the privilege to hold such licenses, permits, endorsements, or registrations is not revoked or suspended.

3. I have not been convicted of four or more violations in any jurisdiction related to state or federal law or regulations involving or related to marine or estuarine resources.

4. I am a resident of the State of: _____

   If claiming resident status in North Carolina, I certify further that (check one):

   ☐ I have been a legal resident for more than six months, or

   ☐ If domiciled in North Carolina between 60 days and six months, I have completed and submitted with this application a notarized Certificate of Eligibility for North Carolina Residency.

5. If applying for a Standard or Retired Standard Commercial Fishing License as a North Carolina Resident, I also certify that: (**INITIAL** the appropriate entry)

   _____ I filed a North Carolina State Income Tax Return for the previous calendar or tax year.

   _____ I was not required to file a North Carolina State Income Tax Return for the previous calendar or tax year.

I understand if any question arises concerning the filing of a North Carolina State Income Tax Return, I may have to provide appropriate tax records, as requested by the Division of Marine Fisheries.

I understand that any false information or fraudulent disclosures may result in termination of appropriate licenses and related documents, revocation or suspension of marine fisheries licensing and other privileges, and in possible criminal prosecution.

Date Signed: _____

Signature of Applicant _____

NOTARY (must be notarized to be valid)

State: _____
County:_____

Sworn to and Subscribed before me this _____ day of _____, _____

Notary Public:_____My Commission expires:_____

ATTACHMENT 1

INSTRUCTIONS FOR VERIFICATION AND SUPPORTING DOCUMENTATION

The following will be accepted as verification and supporting documentation:

1 A personal statement about your commercial fishing history **is required**. Include your reason for wanting to obtain a commercial fishing license. This statement should detail specific years you fished either under your own license, an assignment or as crew. Include the types of fish caught, the waters you fished and to whom the catch was sold.

2.. Verification of involvement from a third party. Please include the name, address, and telephone number of the person supplying verifying statements and your relationship to the person (e.g., family member, fish dealer, fellow commercial fisherman, crewmember, employer, etc.), Include the specific years you fished either under your own license or another person's license, types of fish caught, waters you fished, and to whom the catch was sold.

3. Tax statements (e.g. Schedule C or 1099's) that indicate income from commercial fishing during the years you are claiming.

4. Copies of trip tickets, invoices or fishing logs during the years you are claiming commercial fishing history. If you fished from 1994 to the present and landed commercial catch in North Carolina, the Division will obtain trip ticket history from the Trip Ticket Office for you. If you landed in other states, you must provide documentation for those landings.

5. Copies of commercial licenses. For any North Carolina commercial fishing history prior to 1994, you must provide proof of commercial fishing licenses through various documents such as copies of old licenses. The Division will obtain information from the license database of any North Carolina commercial license history from 1994 to present. If applying with commercial fishing license history from other agencies (e.g., other state agencies or the National Marine Fisheries Service), provide copies of that documentation.

6. Any other information that would further document your commercial fishing history.

Reminder: All statements must be signed in front of a notary and notarized.

In order to help you understand the process and procedures involved in the Eligibility Pool, we have enclosed a copy of the Marine Fisheries Commission rule for the Standard Commercial License Eligibility, Rule 15A NCAC 3O .0400 (Attachment 2, next page). See especially the rule section pertaining to Eligibility Criteria.

ATTACHMENT 2

SECTION .0400 - STANDARD COMMERCIAL LICENSE ELIGIBILITY

15A NCAC 03O .0401 ELIGIBILITY BOARD

(a) The Chairman of the Marine Fisheries Commission, the Secretary of the Department of Environment and Natural Resources, and the Director of the Division of Marine Fisheries may each name a designee and an alternate designee to serve on the Eligibility Board as their representative in their absence.
(b) The Eligibility Board shall not review an application for eligibility without a quorum of the Eligibility Board members or designees being present. Two or more members of the Eligibility Board or their designees constitute a quorum.

History Note: Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4.24;
Temporary Adoption Eff. April 1, 1999;
Eff. August 1, 2000

15A NCAC 03O .0402 APPLICATION PROCESS

(a) Application forms for determination of eligibility for the Standard Commercial Fishing Licenses Eligibility Pool shall be available at all offices of the Division of Marine Fisheries and must be submitted to the Morehead City Office of the Division of Marine Fisheries for processing.
(b) Only one application per individual for determination of eligibility for the Standard Commercial Fishing Licenses Eligibility Pool shall be accepted or may be pending at any one time. An applicant may have only one entry in the eligibility pool at any one time.
(c) Individuals who currently hold or are eligible to purchase a Standard or Retired Standard Commercial Fishing License shall not be eligible to apply for additional Standard Commercial Fishing Licenses through the Standard Commercial Fishing Licenses Eligibility Pool.
(d) If an applicant has died or becomes ineligible and is subsequently selected from the eligibility pool, that license eligibility shall automatically revert to the eligibility pool.
(e) Persons claiming retirement from commercial fishing or transferring their Standard Commercial Fishing License may not apply for pool eligibility for two years from the date of the last transfer except as provided in 15A NCAC 03O .0404(3).
(f) Applicants shall notify the Division of Marine Fisheries within 30 days of a change of address.

History Note: Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24;
Temporary Adoption Eff. April 1, 1999;
Eff. August 1, 2000;
Amended Eff. October 1, 2008; February 1, 2008.

15A NCAC 03O .0403 ELIGIBILITY BOARD REVIEW

(a) After determination by the Eligibility Board, applicants will be notified in writing as to the applicant's meeting or not meeting required eligibility criteria for the Standard Commercial Fishing License Eligibility Pool.
(b) The Marine Fisheries Commission shall determine the number of licenses available from the pool at their first scheduled meeting following July 1 of each year.
(c) The Eligibility Board shall meet to review applications as often as deemed necessary by the Chairman of the Eligibility Board.

History Note: Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4:24;
Temporary Adoption Eff. April 1, 1999;
Eff. August 1, 2000;
Amended Eff. February 1, 2008.

15A NCAC 03O .0404 ELIGIBILITY CRITERIA

In determining eligibility of an application for the Standard Commercial Fishing License Eligibility Pool, the Eligibility Board shall apply the following criteria:

(1) Involvement in Commercial Fishing:
- (a) Significant involvement in the commercial fishing industry for three of the last five years; or
- (b) Significant involvement in commercial fishing or in the commercial fishing industry prior to the last five years; or
- (c) In the case of an applicant who is under 16 years of age, significant involvement in commercial fishing for two out of the last five years with a parent, legal guardian, grandparent or other adult; or

(d) Significant involvement of the applicant's family in commercial fishing. For the purpose of this Sub-item, family shall include mother, father, brother, sister, spouse, children, grandparents or legal guardian.

For the purposes of this Rule, significant involvement means persons or corporations who are engaged in the actual taking of fish for sale, from the waters of the State, or other states, jurisdictions, or federal waters, or any licensed dealer or the dealer's employees who purchases fish at the point of landing. Significant involvement does not include activities such as those who transport fish from the point of landing; those who sell or make commercial or recreational fishing gear; those who operate bait and tackle shops unless they are engaged in the actual taking of bait for sale; or those who work in fish markets or crab picking operations.

(2) Compliance with Applicable Laws and Regulations:

(a) The applicant shall not have any licenses, endorsements or commercial fishing vessel registrations issued by the Division of Marine Fisheries or the right to hold such under suspension or revocation at the time of application or during the eligibility review; or

(b) If selected for the Standard Commercial Fishing License Eligibility Pool, the applicant shall become ineligible for the Standard Commercial Fishing License Eligibility Pool if any licenses, endorsements or registrations or the right to hold such issued by the Division of Marine Fisheries are suspended or revoked; or

(c) Four convictions within the last three years or the number of convictions which would cause suspension or revocation of license, endorsement, or registration within the last three years shall result in the application being denied; or

(d) A record of habitual violations evidenced by eight or more convictions in the last 10 years shall result in the application being denied.

For purposes of eligibility for the Standard Commercial Fishing License Eligibility Pool, the term convictions shall include but not be limited to any conviction for violation of any provision of Chapter 113 of the North Carolina General Statutes and any rule implementing or authorized by such statutes; any conviction for violation of G.S. 76-40 and any rule implementing or authorized by such statute; any conviction of Chapter 75A of the North Carolina General Statutes and any rule implementing or authorized by such statutes; any conviction for violation of any provision of Article 7 of Chapter 143B of the North Carolina General Statutes and any rule implementing or authorized by such statutes; any conviction of resist, obstruct, or delay involving a Marine Patrol Officer or Wildlife Officer under G.S. 14-223; and any conviction involving assaultive behavior toward a Marine Patrol Officer or other governmental official of the Department of Environment and Natural Resources or the Wildlife Commission.

Applicants for the Standard Commercial Fishing License Eligibility Pool must provide certification that the applicant does not have four or more marine or estuarine resource violations during the previous three years.

(3) The responsible party shall not have transferred a Standard Commercial Fishing License granted by the Eligibility Board.

(4) All applicants for the Standard Commercial Fishing License Eligibility Pool must meet all other statutory eligibility requirements for the Standard Commercial Fishing License.

History Note: *Authority G.S. 113-134; 113-168.1; 113-168.2; 143B-289.52; S.L. 1998-225, s. 4.24;*
Temporary Adoption Eff. April 1, 1999;
Eff. August 1, 2000;Amended Eff. October 1, 2008; February 1, 2008.

15A NCAC 03O .0405 APPLICATION DOCUMENTATION

Documentation for applications:

(1) Statements from individuals verifying the applicant=s involvement must contain the individual=s name, address and telephone number and must be notarized.

(2) Proof of income derived from commercial fishing or the commercial fishing industry. Proof of this income shall be tax records.

(3) The extent to which the applicant has complied with federal and state laws, regulations, and rules relating to coastal fishing and protection of the environment. Federal compliance will be verified by a notarized statement from the applicant that he has complied with federal laws.

(4) All documents required by this Rule must be notarized.

(5) Applications shall be legible and complete or they will be returned.

(6) It is unlawful to submit false statements on applications or supporting documents. If eligibility is based on false information provided by the applicant, this eligibility is automatically revoked.

History Note: *Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4.24;*
Temporary Adoption Eff. April 1, 1999;
Eff. August 1, 2000.

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15A NCAC 03O .0406 STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY POOL CERTIFICATION

Annual certification to maintain an eligible application in the Standard Commercial Fishing License Eligibility Pool shall be as follows:

(1) The applicant shall certify that the information on his original application is correct and that he desires to remain in the Standard Commercial Fishing License Eligibility Pool.

(2) A certification form shall be provided and mailed to the applicant at the last known address by the Division.

(3) This certification, with any changes such as address, phone number, or updated fisheries involvement information since the last application or certification must be notarized and submitted to the Division within 12 months of the initial application and annually thereafter.

(4) Failure to return certification that application is correct or with changes within 30 days shall result in the application being deleted from the Standard Commercial Fishing License Eligibility Pool.

(5) An applicant that has been deleted from the Standard Commercial Fishing License Eligibility Pool shall receive a notice from the Division.

History Note: *Authority G.S. 113-134; 143B-289.52; S.L. 1998-225, s. 4.24;*
Temporary Adoption Eff. April 1, 1999;
Eff. August 1, 2000.

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