

**Readopt Fis 807.11, effective 1-26-15 (Document #11029), to read as follows:**

Fis 807.11 Fees, Amendments, Renewals or Transfers.

(a) The annual fee for an aquaculture license for a commercial inland operation shall be \$100. For purposes of this section, "commercial inland operation" shall include fishing preserves or fee fishing operations.

(b) The annual fee for an aquaculture license for an inland operation which is not commercial shall be \$20.

(c) The annual fee for an aquaculture license for a land-based marine operation shall be \$100.

(d) Fees for any aquaculture operation to be situated in marine or estuarine waters such as a bottom culture, suspended culture, or pen culture operation shall be as follows:

(1) A non-refundable \$200 application fee;

(2) An annual license fee based on acreage covered by the license based on;

a. \$200 per acre for bottom culture;

b. \$500 per acre for suspended culture; or

c. \$750 per acre for pen culture; and

(3) Any person harvesting the state's wild natural resources or cultured resources shall be charged \$.015 per individual organism for American oysters and a \$.01 per pound processing fee for fish taken from a pen culture.

(e) Annual commercial aquaculture licenses shall expire on December 31, but may be renewed annually as long as the operation is conducted under the conditions of the current license.

(f) Oyster aquaculture operations in Great Bay Estuary may obtain a license good for 5 consecutive calendar years pursuant to RSA 211:62-e II-b.

(g) Fees for the 5 year license shall be as follows:

(1) A non-refundable \$200 application fee;

(2) A license fee based on acreage covered by the license based on:

a. \$1000 per acre for bottom culture; or

b. \$2500 per acre for suspended culture; ~~and~~

(3) Any person harvesting the state's wild natural resources or cultured resources shall be charged \$.015 per individual organism for American oysters[.]; **and**

**(4) A surcharge in the amount of \$15 to be placed into the derelict fishing gear and coastal cleanup fund, unless exempted in accordance with RSA 211:62(e), II-b.**

(h) The 5 year license for commercial oyster aquaculture operations in Great Bay Estuary shall expire on December 31, but may be renewed as long as the operation is conducted under the conditions of the current license.

(i) The fees in (d)(3), ~~and~~ (g)(3), **and (g)(4)** shall be paid annually.

(j) To amend the species on a current aquaculture license or add or change species covered by the license to a similar species within the same family, the licensee shall submit a new application, at no cost.

(k) The licensee shall submit an application for a new license for requesting a change in the type of operation or species.

(l) Renewal of an existing aquaculture license for an aquaculture operation in marine or estuarine waters shall be \$100. This renewal fee shall be in addition to any fee required by Fis 807.11(d)(2), (d)(3), (g)(2), ~~and~~ (g)(3), **and (g)(4)**.

(m) A commercial aquaculture license may be transferred along with a sale of a business to a new owner for the duration of that license provided all requirements and conditions of the license shall be met.

**Readopt with amendment Fis 1110.09, effective 1-1-16 (Document #11029), to read as follows:**

Fis 1110.09 Marine Permit Fees.

(a) The fee for a license to take lobsters and crabs pursuant to RSA 211:18 shall be **as follows, plus a surcharge in the amount of \$15 for each license purchased, to be placed into the derelict fishing gear and coastal cleanup fund, unless exempted in accordance with RSA 211:18, III-c:**

- (1) \$350 for a resident commercial lobster and crab license;
- (2) \$600 for a nonresident commercial lobster and crab license;
- (3) \$200 for a resident limited commercial lobster and crab license;
- (4) \$400 for a nonresident limited commercial lobster and crab license;
- (5) \$125 for a resident part-time commercial lobster and crab license;
- (6) \$350 for a nonresident part-time commercial lobster and crab license; and
- (7) \$40 for a recreational lobster and crab license.

(b) The fee for a lobster helper's license pursuant to RSA 211:20 shall be \$20.

(c) The fee for a lobster or crab retail dealer license pursuant to RSA 211:39 shall be \$50 for residents and \$75 for nonresidents.

(d) The fee for a nonresident commercial saltwater license pursuant to RSA 211:49-a, II shall be \$500 **plus a surcharge in the amount of \$15 for each license purchased, to be placed into the derelict fishing gear and coastal cleanup fund, unless exempted in accordance with RSA 211:49-a, II.**

(e) The fee for a resident commercial saltwater license pursuant to RSA 211:49-b, II shall be \$50 **plus a surcharge in the amount of \$15 for each license purchased, to be placed into the derelict fishing gear and coastal cleanup fund, unless exempted in accordance with RSA 211:49-b, II.**

(f) The fee for a nonresident marine wholesaler license pursuant to RSA 211:49-aa, I, shall be \$260, and the fee for each extra facility license shall be \$100.

(g) The fee for a resident marine wholesaler license pursuant to RSA 211:49-c, I, shall be \$130, and the fee for each extra facility license shall be \$75.

(h) The fee for a lobster and crab landing license, pursuant to RSA 211:49-d, shall be \$50 for residents and \$500 for nonresidents.

(i) The fee for a commercial shrimp license, pursuant to RSA 211:49-e, II and III, shall be \$100 for residents and \$500 for nonresidents.

(j) The fee for a resident oyster license, pursuant to RSA 211:62-a, shall be \$29.

(k) The fee for a resident recreational clamming license, pursuant to RSA 211:64-b, shall be \$29.

(l) The fee for a resident commercial clamming license, pursuant to RSA 211:62-d, shall be \$300.

(m) The fee for a resident saltwater recreational license, pursuant to RSA 214:9, XVI, shall be \$10.

(n) The fee for a nonresident saltwater recreational license, pursuant to RSA 214:9, XVI, shall be \$10.

(o) The fee for each charter boat or other for-hire vessel, except party boats, pursuant to RSA 214:9, XVI, shall be \$50.

(p) The fee for each party boat, pursuant to RSA 214:9, XVI, shall be \$100.

**Adopt Fis 1110.10, to read as follows:**

Fis 1110.10 Exemption from License Surcharge.

(a) A licensee who is subject to a license surcharge pursuant to RSA 211:18, III-b, RSA 211:49-a, II, RSA 211:49-b, II, or RSA 211:62-e, II-b shall be exempted from the annual surcharge if the licensee engages in satisfactory participation in the previous year's department qualifying coastal cleanup program(s).

(b) For the purpose of this section, "satisfactory participation" means:

(1) Physical presence at a department sponsored or sanctioned coastal cleanup event as documented by sign-in and sign-out sheets maintained by the event sponsor and provided to the department; or

(2) Contribution of cash in an amount equal to or greater than the amount of the license surcharge for deposit into the derelict fishing gear and coastal cleanup fund established in RSA 211:77.

(c) For the purpose of this section, "qualifying coastal cleanup program" means:

(1) One or more marine coastal cleanup events directly sponsored and administered by the department, as advertised annually on the department website; or

(2) Any marine coastal cleanup event approved by the department and advertised as an approved event on the department website, provided that records of the names and addresses of participating individuals, and the hours of actual participation, are kept and provided to the department within 30 days of the end of the event.

**APPENDIX**

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Fis 807.11	RSA 206:10, I; RSA 211:62-e, II-b
Fis 1110.09	RSA 206:10, I; RSA 211:18, III-a and III-c; RSA 211:20; RSA 211:39, II; RSA 211:49-a, II; RSA 211:49-b, II; RSA 211:49-aa, I; RSA 211:49-c, I; RSA 211:49-d; RSA 211:49-e; RSA 211:62-a; RSA 211:64-b; RSA 211:62-d; RSA 214:8, II; RSA 214:9, XVI
Fis 1110.10	RSA 206:10, I; RSA 211:18, III-c; RSA 211:49-a, II; RSA 211:49-b, II; RSA 211:62-e, II-b