

## ***RIDEM Safe Harbor Provision***

*This "Safe Harbor Provision" is based on a concept that has long been a part of the maritime tradition of the United States and most all countries around the world. Rhode Island ports will not reject any deserving, damaged or needful ship. The perils of the sea apply to everyone without regard to treaties, rules, regulations or law.*

**All sea going vessels will be allowed to land at a Rhode Island port under the following declared circumstances:**

**Mechanical Breakdown:** A vessel having a mechanical problem that makes the continuation of the voyage unsafe and poses risk to life and property.

**Unsafe weather conditions:** A vessel facing an extended period of high winds (35+knots), waves (10+ feet) ice or other adverse condition that makes the continuation of the voyage unsafe and poses risk to life and property.

**Loss of essential equipment:** A vessel losing essential gear such as support system that renders the vessel unable to remain at sea or safely fish resulting.

Any vessel seeking landing permission under this ***Safe Harbor Provision*** shall call the Department of Environmental Management - Division of Law Enforcement at 401-222-2284 and declare the intention to land. The declaration shall include an explanation of the nature of the problem, the port they intend to land in, and the approximate time of arrival. No offloading of cargo shall be allowed for vessels seeking safe haven under the provisions of this policy.

Any fishing vessels not having a license to land in Rhode Island may be allowed to land in a Rhode Island port under the ***Safe Harbor Provision***. However, it will not be allowed to offload fish unless the vessel is determined to be required to remain in port for repairs related to their original landing request or if weather conditions persist for a period which would result in the fish on board becoming unmarketable. A landing vessel's captain may request permission from the Director of DEM or their designee to offload fish under these circumstances. A request will be considered only when accompanied by an affidavit from a qualified mechanic that verifies the mechanical breakdown, system failure or adverse weather claims that may be verified by the National Weather Service forecast or record.

Any vessel-seeking refuge under provisions of this ***Safe Harbor Provision*** is subject to an inspection by RIDEM Environmental Police Officers to insure compliance with all laws and regulations. Fish possession limits will be evaluated as subject to the possession limits of the port that the vessel is licensed to land in. Weather condition or mechanical situations are not accepted as a reason to be in violation of any State or Federal Marine Fisheries Laws or Regulations.