

# North Carolina Division of Marine Fisheries



## Application for an Estuarine Gill Net Permit

An Estuarine Gill Net Permit will be required for anyone setting anchored gill nets in estuarine waters beginning September 1, 2014, whether for commercial or recreational purposes. The permit is free of charge and is available at any division license office, on our website, or by calling a division office and requesting an application. Refer to proclamation number M-24-2014 and the attached list of Frequently Asked Questions for more information.

If you intend to submit the application by mail, please complete all the required information in the application, sign and have the certification page notarized, and return it to the address listed below. *Incomplete applications will not be processed.*

Division of Marine Fisheries  
License Office  
PO Box 769  
Morehead City, NC 28557

### Applicant Information

First Name	Middle Name	Last Name	Suffix	Date of Birth / /
Participant ID No. (if applicable)			Commercial License No. (if applicable)	

*If you are an existing participant and already hold a license from DMF, you do not have to complete the remaining applicant information.*

Driver's License No.	Or State I.D. No.	Or Military I.D. No.	Or Resident Alien I.D.	Or Passport No.
Exp. Date / /		Email Address		
Race:	Gender: M / F	Physical Address		Mailing Address
Height	Weight	Address1: _____ Address2: _____		Address1: _____ Address2: _____
Eye Color	Hair Color	City: _____ State: _____ Zip: _____		City: _____ State: _____ Zip: _____
Home Phone: ( ) -		Business Phone: ( ) -		Fax: ( ) -
				Cellular Phone: ( ) -

### Estuarine Gill Net Permit Application Information

Primary contact phone number where you can be reached: ( ) - (required information)	
<b>Commercial Use of Gill Nets</b> (check box) <input type="checkbox"/> <i>must have a valid Standard Commercial Fishing License or Retired SCFL</i>  P-Number Vessel #1: _____ Length: _____ P-Number Vessel #2: _____ Length: _____ P-Number Vessel #3: _____ Length: _____	
<b>Recreational Use of Gill Nets</b> (check box) <input type="checkbox"/> <i>must have a valid Recreational Commercial Gear License</i>  Vessel Length: _____	
<b>Management Units Fished</b> (A,B,C,D1,D2,E) <i>Refer to attached map</i>  Fished Most Frequently _____ Next Most frequentl _____ Next Most frequently _____ Next Most frequently _____ Next Most frequently _____ Next Most frequently _____	<b>Gill Net Mesh Size Fished</b>  <input type="checkbox"/> <=4" (small mesh) <input type="checkbox"/> >4" (large mesh) <input type="checkbox"/> Both

North Carolina Division of Marine Fisheries  
**License or Permit Application Certification Statement Form**



**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 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.

3. 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.

4. For commercial fishing licenses, permits, endorsements or registrations:

- a) 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.
- b) 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 during the previous three years.
- c) I understand that as a condition of accepting a permit from the Division of Marine Fisheries, I agree to abide by all conditions of the permit and agree, that if specific conditions of the permit as identified for the permit are violated, or if false information was provided in the application for initial issuance, renewal or transfer, the permit may be suspended or revoked by the Fisheries Director.

5. NC General Statute §113-221 requires the NC Division of Marine Fisheries to provide a current copy of the rules governing activities authorized by the license you are purchasing. You have the right to request a current rulebook in hardbound or electronic format.

6. For for-hire fishing licenses and endorsements, I affirm that I have liability insurance and that I am knowledgeable of USCG safety requirements for the vessel(s) used in the operation in accordance with G.S. 113-168.6.

7. If application is for a Standard/Retired Commercial Fishing License with a Shellfish Endorsement or a Shellfish License for NC Residents I affirm that I have received the required harvester training.

8. For Ocean Fishing Pier License, linear length of the pier has not changed.

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

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

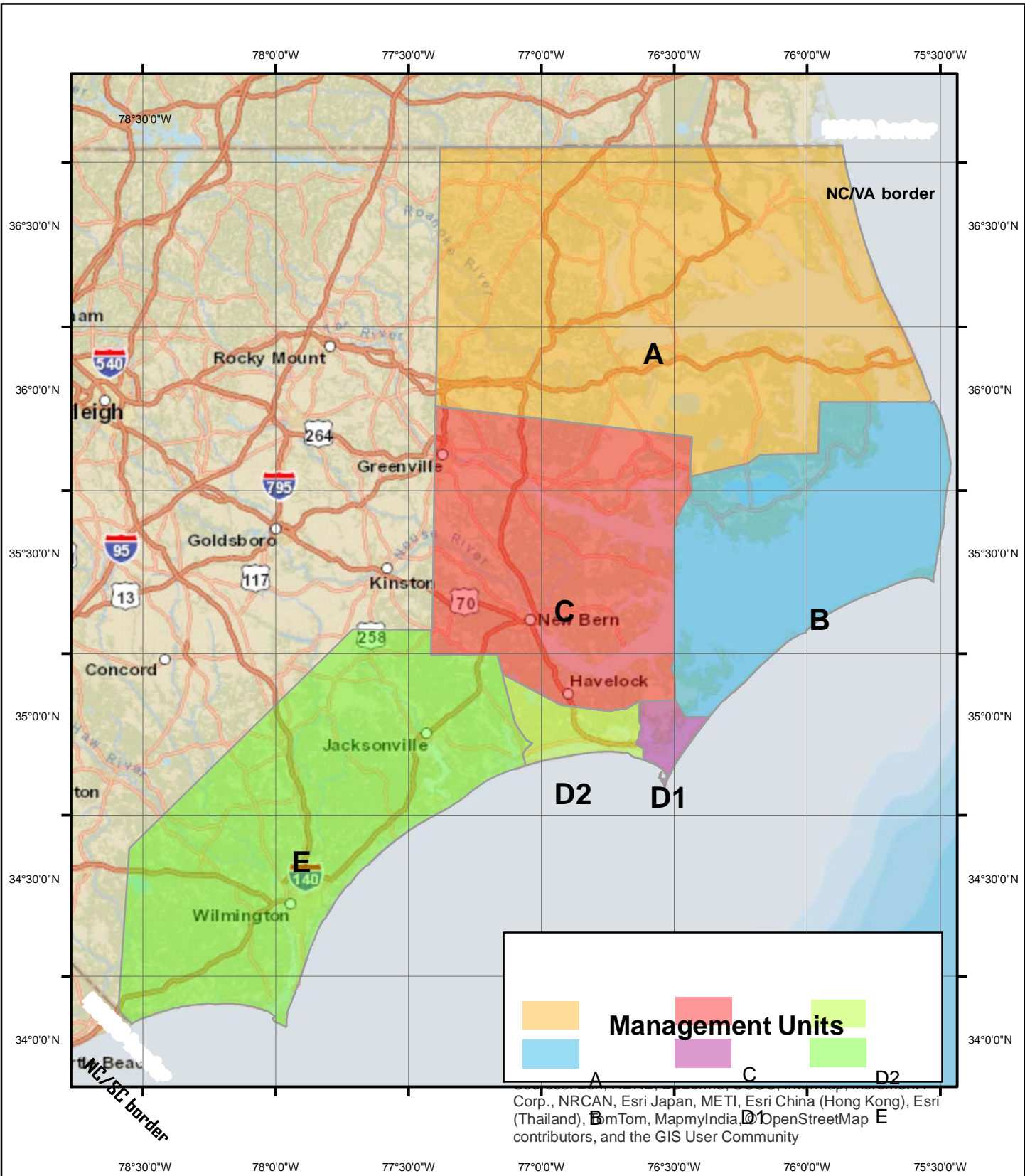
**NOTARY (Only NEW applications must be notarized)**

State: \_\_\_\_\_







County: \_\_\_\_\_

Sworn to and Subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Notary Public: \_\_\_\_\_ My Commission expires: \_\_\_\_\_



**Management Units**

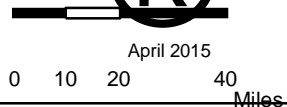
		
		
A	C	D2

Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), BmTom, MapmyIndia, D1 OpenStreetMap E contributors, and the GIS User Community



**NCDMF ESTUARINE GILLNET PERMIT MAP**

April 2015



0 10 20 40 Miles

## Estuarine Gill Net Permit (EGNP) Frequently Asked Questions

Q: Have the Specific Permit Conditions for the EGNP been modified?

A: Yes, while most of the Specific Permit Conditions remain unchanged it is important to read all the Specific Permit Conditions each time you receive your permit to make sure you are aware of all the requirements of the permit.

Q: Which Specific Permit Conditions have been added or modified?

A: The following two conditions have changed:

It is unlawful to violate the provisions of any rules or proclamations issued in regards to the use of large or small mesh gill nets.

It is unlawful for an EGNP holder as well as the master and crew members of the boat to harass the observer in the course of setting up trips, collecting data and samples, or during any other type of communication.

Q: What does the Specific Permit Condition concerning harassment refer to?

A: Harassment of an observer will not be tolerated. Observer harassment is defined in a Specific Permit Condition stating it is unlawful for an EGNP holder as well as the master and crew members of the boat to harass the observer in the course of setting up trips, collecting data and samples, or during any other type of communication.

Q: What does the Federal Observer Program's define as harassment?

A: The Federal Observer Program's definition of harassment is as follows:

1. Intimidate, resist, oppose, impede, sexually harass, bribe, or interfere with an observer.
2. Interfere with or bias the sampling procedure employed by an observer.
3. Tamper with, destroy, or discard an observer's collected samples, equipment, records, photos, papers, or personal effects.
4. Prohibit or bar by command, impediment, threat, coercion, or by refusal of reasonable assistance, an observer from performing duties.
5. Harass an observer by conduct that has sexual connotations, or otherwise creates an intimidating, hostile, or offensive environment.
6. Require, pressure, coerce, or threaten an observer to perform crew member duties.

Q: Why was the EGNP developed?

A: The EGNP was developed to meet the requirements of the Incidental Take Permits for sea turtles and Atlantic sturgeon that were issued by the National Marine Fisheries Service, to improve the accuracy of the estimated number of fishery interactions with protected species and to improve fisherman compliance with the Federal Incidental Take permits.

Q: How much does an EGNP cost?

A: There is no charge for an EGNP.

Q: Where can I get an EGNP?

A: You can obtain an EGNP at any of the Division of Marine Fisheries License offices in Elizabeth City, Manteo, Washington, Morehead City, and Wilmington.

Q: How long is an EGNP valid?

A: The EGNP is valid from July 1 through June 30 each year.

Q: Do I need an EGNP for fishing gill nets in the ocean?

A: No, the EGNP is only for the use of gill nets in Internal Coastal Waters.

Q: What types of gill nets require an EGNP?

A: An EGNP is required for all gill nets in Internal Coastal Waters except for the following:

1. Runaround, Strike, or Drop Gill Nets, nets that are set and then immediately retrieved.
2. Drift Gill Nets, nets that are used to capture fish while being moved along by water currents and the net is actively fished and attended from deployment through retrieval.

Q: Do Recreational Commercial Gear License (RCGL) holders who fish gill nets need an EGNP?

A: Yes, if they are fishing gill nets in Internal Coastal Waters

Q: Do I need an EGNP if a standard commercial fishing license was assigned to me?

A: Yes, you will need an EGNP in your name. Permits are non-transferable.

Q: Why do I have to allow my gill net trip to be observed?

A: Failure to consistently achieve the minimum observer coverage could result in a suspension or revocation of the Incidental Take permits by the National Marine Fisheries Service. The Incidental Take Permits require minimum observer coverage of 7 percent with a goal of 10 percent for large mesh gill nets and 1 percent with a goal of 2 percent for small mesh gill nets for each management unit by season. If the minimum coverage percentages are unable to be maintained, the estuarine gill net fishery may have to close per the terms of the Incidental Take Permits. Refusing to allow an observer to observe a gill net trip shall result in a Notice of Violation (NOV).

Q: Why do I need to provide a valid phone number?

A: A valid phone number is needed for the observers to contact fishermen to schedule an observer trip. A valid phone number makes it easier for the observer to schedule a trip, which is important for meeting the observer coverage requirements of the Incidental Take permits.

Q: Will I receive a Notice of Violation (NOV) if an observer tries to reach me during the 14 day call period and I do not answer?

A: Yes, a Specific Permit Condition of the EGNP is that a phone number must be provided where the person can be reached during the 14 day call period.

Q: Will I receive a Notice of Violation (NOV) if an observer tries to reach me during the 14 day call period and I do not call them back?

A: Yes, a Specific Permit Condition of the EGNP is that a phone number must be provided where the person can be reached during the 14 day call period.

Q: What if I am out of town for an extended period of time and will not be fishing?

A: You can call the Division of Marine Fisheries' Protected Resources staff at 252-808-8049 or 252-808-8088 and let them know you will not be fishing.

Q: What if I only fish during the fall?

A: You can call the Division of Marine Fisheries' Protected Resources staff at 252-808-8049 or 252-808-8088 and let them know you only fish the fall months.

Q: What if I decided to start fishing in the summer instead of the fall?

A: You can call the Division of Marine Fisheries' Protected Resources staff at 252-808-8049 or 252-808-8088 and let them know you decided to start fishing again.

Q: Will I receive a Notice of Violation (NOV) if the observer misses a scheduled trip?

A: No, a Notice of Violation (NOV) will not be issued if the observer fails to meet the fisherman for an observer trip at the scheduled departure time. However, the fisherman shall contact the observer in advance if the scheduled departure time changes.

Q: Will I receive a Notice of Violation (NOV) if I do not allow the observer to sample my catch due to safety reasons (ex.: bad weather, mechanical issues, etc.)?

A: No, safety concerns are a legitimate reason to suspend sampling efforts. In these cases, the observer can resume sampling once conditions are safe again.

Q: What if my boat is too small to accommodate an onboard observer?

A: You can call the Division of Marine Fisheries' Protected Resources staff at 252-808-8049 or 252-808-8088 and arrange for the observers to observe the trip from a division-owned boat (alternative platform trip).