



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

JOHN G. BATHERSON
Acting Director

SF-6-2021

PROCLAMATION

RE: PERMIT REQUIREMENT - SHELLFISH LEASE RESTORATION PERMIT

This proclamation establishes the Shellfish Lease Restoration Permit to allow the transportation of oysters or other shellfish for restoration purposes not related to human consumption from an individual's shellfish lease or franchise to restoration sites. All shellfish lease and franchise activities shall adhere to all Shellfish Sanitation requirements including the most current proclamations until time of transportation of the shellfish for restoration purposes.

John G. Batherson, Acting Director, Division of Marine Fisheries, hereby announces effective at **12:01 A.M., Monday, April 12, 2021**, individuals are required to obtain the following special permit prior to transporting oysters or other shellfish from a shellfish lease or franchise for restoration purposes in Internal Coastal Waters:

I. SHELLFISH LEASE RESTORATION PERMIT

It is unlawful to use shellfish cultivated on a shellfish lease or franchise for restoration purposes without possessing a Shellfish Lease Restoration Permit issued by the Division of Marine Fisheries.

II. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C. General Statutes 113-134; 113-170.4; 113-170.5; 113-182; 113-201; 113-221.1; 113-221.2; 143B-289.52; and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03O .0502, and 03O .0506.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. In accordance with N.C. General Statute 113-221.1(c) all persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.
- D. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0502, it is unlawful to operate under a permit except in areas, at times, and under conditions specified on the permit. The Shellfish Lease Restoration Permit Condition Form is given to the permit holder when it is issued.
- E. Shellfish Lease Restoration Permits are available at no cost from all Division of Marine Fisheries License Offices and are non-transferable.
- F. Contact Jacob Boyd, Shannon Jenkins, or Col. Carter Witten at N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557 (252)-726-6827 or 800-682-2632 for more information or visit our website at <https://deg.nc.gov/about/divisions/marine-fisheries/>.

- G. **This proclamation establishes the Shellfish Lease Restoration Permit to allow the transportation of oysters or other shellfish for restoration purposes not related to human consumption from an individual's shellfish lease or franchise to restoration sites. All shellfish lease and franchise activities shall adhere to all Shellfish Sanitation requirements including the most current proclamations until time of transportation of the shellfish for restoration purposes.**

By: _____



John G. Batherson, Acting Director
DIVISION OF MARINE FISHERIES

April 8, 2021
3:34 P.M.