APPLICATION FOR PERMIT TO USE MECHANICAL GEAR

For Harvesting Shellfish on Shellfish Leases and Franchises

Individual Participant Inform	nation:							
First Name	M	Last Name	Sf	Date of	Birth		Email	
A	ddress			City, State	e	Zip	Phone #	
Business Participant In	formati	on: Business Name			Business Age	ent Name (First	t, MI, Last)	
Lease/Franchise#			Location				County	
Vessel Registration Number	er(s) <u>or</u> (Commercial Fishing	Vessel Reg	gistration <u>or</u> U	SCG Docun	nentation Nur	mber(s) (up to three)	
(1)		(2)			(3)			
Operator Information (Al	l operat	ors must have a valid	d SCFL/RS	SCFL with shel	llfish endors	ement):		
Name (Fir	st, MI, L	ast)	Date	Of Birth	Tel	ephone	Fisheries License #	
				L			<u> </u>	
Proposed Gear:								
For Harvesting Oysters			For	Harvesting Clar	ms			
· · · · · · · · · · · · · · · · · · ·) Paten	Tongs) Hydraulic			With Clam Tra	wl () Other:	
() Power Rake) I aten) Hydraulic			Without Clam		
() Other: () C) Clam Dred	lam Dredge () Stick (Power) Rake				
		I						
Signature of Permittee			Date					



North Carolina Department of Environmental Quality **Division of Marine Fisheries** PERMIT APPLICATION CERTIFICATION & GENERAL PERMIT **CONDITIONS FORM**

ON CAROLE	North Couling Deventors of Free income and Couling	OFFICE USE ONLY Year
	North Carolina Department of Environmental Quality Division of Marine Fisheries	PID#
PATRICIA FIERE	PERMIT APPLICATION CERTIFICATION & GENERAL PERMIT	PERMIT #
	CONDITIONS FORM	
o	(REV 2024-12)	
Certificatio	on Statement (This section must be completed by applicant)	DMF CA-#
l.	certify that:	DMF Staff:
changes disclosu	formation provided on this application and any supporting documentation provided is true in information or supporting documents have been provided at the time of renewal. I underes may result in termination of appropriate licenses, permits and related documents, revolvileges, and in possible criminal prosecution.	erstand that any false information or fraudulent
2. Iama re	esident of the State of:	
	aiming 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 a	and submitted with this application a notarized
a) İl cu lice	nits, I certify that: irrently have no marine fisheries licenses, permits, endorsements, or registrations under s nses, permits, endorsements, or registrations is not revoked or suspended. ave not been convicted of four or more violations in any jurisdiction related to state or fede	
c) I ur agr	uarine resources during the previous three years. Inderstand that as a condition of accepting a permit from the Division of Marine Fisheries, ee, that if conditions of the permit as identified for the permit are violated, or if false inform ewal or transfer, the permit may be suspended or revoked by the Fisheries Director.	
 NC General governing 	eral Statute §113-221 requires the NC Division of Marine Fisheries to provide a current or g activities authorized by the license you are purchasing. You have the right to request a nd. The document is available on the Division of Marine Fisheries website on the "Rules"	current rulebook in
5. I have be result in	een provided a copy of the permit rules and conditions that apply. I acknowledge failure t suspension or revocation of the permit. For violation of general or specific permit condition or up to 6 months depending on the 3-year history of violations.	
	30 .0502 Permit Conditions; General	
	e unlawful to violate any permit condition.	
(b) The folio	wing conditions shall apply to all permits issued by the Fisheries Director: it shall be unlawful to:	
	 (A) operate under the permit except in areas, at times, and under conditions operate under a permit without having the permit or copy thereof in poss times of operation and the permit or copy thereof shall be ready at hand for the permit or copy the	ession of the permittee or the permittee's designees a
	 (C) operate under a permit without having a current picture identification in portion (D) refuse to allow inspection and sampling of a permitted activity by an agen (E) fail to provide complete and accurate information requested by the Division 	t of the Division of Marine Fisheries.
	(F) provide false information in the application for initial issuance, renewal, or	transfer of a permit.
	(G) hold a permit issued by the Fisheries Director if not eligible to hold any I Rule .0501 of this Section.	icense required as a condition for that permit as state
	(H) fail to provide reports within the timeframe required by the specific permit	conditions.
	 fail to keep such records and accounts as required by the rules in this Cha efficient administration and enforcement, or promotion of commercial or re 	
	(J) assign or transfer permits issued by the Fisheries Director, except for a Po	
(2)	the Fisheries Director or the Fisheries Director's agent may, by conditions of the recreational purposes any of the following restrictions for the permitted purposes:	permit, impose on a commercial fishing operation and
	(A) specify time; (B) specify area;	
	(C) specify means and methods;	
	(D) specify record keeping and reporting requirements;(E) specify season;	
	(F) specify species;	
	(G) specify size; (H) specify quantity;	
	(I) specify disposition of resources;	
	(J) specify marking requirements; and	
(3)	(K) specify harvest conditions.unless specifically stated as a condition on the permit, all statutes, rules, and proc	lamations shall apply to the permittee and the permitte
	designees.	,,,,
I understand t	that any violation of permit conditions may result in suspension or revocation of the permit.	
Signature of	Applicant:Dat	e:
NOTARY	County:	
~		

Signature of Applicant:	Date:	
VOTARY State:	County:	
Sworn to and Subscribed before me this	day and year of,,	
Notary Public:	My Commission expires:	



North Carolina Department of Environmental Quality Division of Marine Fisheries MECHANICAL HARVEST OF SHELLFISH FROM SHELLFISH LEASES AND FRANCHISES PERMIT SPECIFIC CONDITIONS FORM (REV 2024-12)

OFFICE USE ONLY		Year	
PID#			
PERMIT#			
DMF Staff:			

For violation of specific permit conditions (as specified on this form), permits may be suspended or revoked in accordance with 15A NCAC 03O .0504.

Legal Authority:

Authority for the Mechanical Harvest of Shellfish from Shellfish Leases and Franchises Permit is specified in G.S. 113-169.1, 15A NCAC 03K .0100, 03K .0200, 03K .0300, 03K .0400, 03K .0500, 03O .0501, and 03O .0502.

Specific Permit Conditions:

Permits to Use Mechanical Methods for Shellfish on Shellfish Leases or Franchises shall be issued in compliance with the general rules governing all permits in 15A NCAC 03O.500. The procedures and requirements for obtaining permits are also found in (15A NCAC 03O .0501).

It is unlawful to harvest shellfish by the use of mechanical methods from shellfish leases or franchises without first obtaining a Permit to Use Mechanical Methods for Shellfish on Shellfish Leases or Franchises. **15A NCAC 03K .0204(1)**

Mechanical gear shall not be used in any bed of aquatic vegetation nor within one hundred (100) feet of any bed of submerged aquatic vegetation. **15A NCAC 03K .0108(b)(1)** (G.S. 113-169.1)

Mechanical gear shall not be used in areas where mechanical harvest will cause siltation of critical habitats such as grass beds or natural oyster rocks or in areas where suspension of sediments in the water column may release bacteria, heavy metals, or other substances harmful to the environment or human health. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

It is unlawful for a permittee or designee to fail to notify NC Marine Patrol Communications Center by phone at 800-682-2632 prior to the shellfish lease holder or designees harvesting oysters or clams under this permit. **15A NCAC 030 .0502(a)** (G.S. 113-169.1)

The entire area of the deeded bottom, franchise, or lease shall be marked in compliance with 15A NCAC 03O .0204. Failure to maintain proper marking will result in cancellation of the permit. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

Mechanical gear shall not be used in areas designated as Primary Nursery Areas by 15A NCAC 03R .0103. **15A NCAC 03K .0108(b)(3)**

It is unlawful for lease or franchise holders or their designees to take or possess oysters from public bottom while possessing aboard a vessel shellfish taken from shellfish leases or franchises. **15A NCAC 03K .0205(c)**

It is unlawful to take oysters or clams between the hours of sunset and sunrise on any day. 15A NCAC 03K .0106(a)

It shall be unlawful for a permittee or, anyone engaged in permitted activity, to refuse to allow the Fisheries Director or their agents to obtain biological data, harvest information, statistical data, or harass these agents in any way. Harassment shall be defined consistent with the federal regulations, 50 CFR §600.725(o), (t), and (u), and may be verbal or physical including, but not limited to, sexual connotations, intimidating, resisting, impeding, threatening, bribing, or coercion. **15 NCAC 030 .0502(b)(1)** (G.S. 113-169.1)

I understand that any violation of permit conditions may result in suspension or revocation of the permit.			
Signature:	Permittee signature (must be signed to be valid)	Date	