

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).