



**North Carolina Department of Environmental Quality  
Division of Marine Fisheries  
ESTUARINE GILL NET PERMIT APPLICATION  
(REV 2021-12)**

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. The application 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.

**Select One:**    New\*    Renewal    Replace    Update

\*if you have not previously held a Estuarine Gill Net gear permit then this is a new application. New applications require the signature to be notarized.

**Individual or Business Agent Participant Information**

Participant I.D.	First Name	Middle Name	Last Name	Suffix
<b>Check One:</b> Driver's License <input type="checkbox"/>	State I.D. <input type="checkbox"/>	Military I.D. <input type="checkbox"/>	Resident Alien I.D. <input type="checkbox"/>	Passport <input type="checkbox"/>
No.	Expire Date / /			
Date of Birth	Primary Residence (State)		E-mail Address	
____/____/____				
Home Phone:	Business Phone:	Fax:	Cellular Phone:	
( ) -	( ) -	( ) -	( ) -	
Primary contact phone number where you can be reached (check one-required): <input type="checkbox"/> home; <input type="checkbox"/> cell; <input type="checkbox"/> business				

<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) * Fished Most Frequently _____ Next Most Frequently _____ Next Most Frequently _____ Next Most Frequently _____ Next Most Frequently _____  <i>*Refer to attached map</i>	<b>Gill Net Mesh Size Fished *</b> <input type="checkbox"/> Less than 4 inches stretched (small mesh) <input type="checkbox"/> Greater than or equal to 4 inches stretched (large mesh) <input type="checkbox"/> Both  <i>*as defined by NCDMF's Sea Turtle Incidental Take Permit</i>

Please sign and date the following permit certification:

1. All the information provided, and any supporting documentation provided is true, accurate, and complete. For renewals, any changes in information or supporting documents have been provided at the time of renewal.
2. I, and all listed designees, 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.
3. I, and all listed designees, 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.



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- 4. I have been provided a copy of the NC Rules for Coastal Fishing Waters containing the rules and conditions that apply to this permit and/or a copy of the Permit Condition Form for permits whose conditions are stated in proclamation.
5. I understand that as a condition of accepting this permit from the Division of Marine Fisheries, I agree to abide by all conditions of this permit and agree, that if specific conditions of this permit as identified for this permit are violated, or if false information was provided in the application for initial issuance, renewal or transfer, this permit may be suspended or revoked by the Fisheries Director.

I understand that any false information or fraudulent disclosures may result in termination of this permit and possible criminal prosecution.

You are required to notify the Division of Marine Fisheries of any address changes within 30 days. Incomplete applications submitted without required documentation will be deemed incomplete and returned to you unprocessed.

Mail to: North Carolina Division of Marine Fisheries
License Office
PO Box 769
Morehead City, NC 28557

Signature: Applicant signature Must be signed to be valid Date

Date Signed:

Signature of Permittee:

NOTARY (for NEW permit applications only)

State:

County:

Sworn to and Subscribed before me this day of

Notary Public: My Commission expires:



**North Carolina Department of Environmental Quality  
Division of Marine Fisheries  
PERMIT APPLICATION CERTIFICATION & GENERAL PERMIT  
CONDITIONS FORM  
(REV 2022-04)**

<b>OFFICE USE ONLY</b>	Year _____
PID # _____	
PERMIT # _____	
DMF Staff: _____	

**Certification Statement (This section must be completed by applicant)**

- I, \_\_\_\_\_ certify that:
- 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. 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.
  - 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.
  - For permits, I certify that:
    - 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.
    - 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.
    - 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 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.
  - 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. The document is available on the Division of Marine Fisheries website on the "Rules and Regulations" webpage at <http://deq.nc.gov/dmf-rules>.
  - I have been provided a copy of the permit rules and conditions that apply. I acknowledge failure to abide by all permit rules as well as conditions may result in suspension or revocation of the permit. For violation of specific permit conditions, permits may be suspended or revoked for 10 days, 30 days, or up to 6 months depending on the 3-year history of violations.

**15A NCAC 030 .0502 Permit Conditions; General**

The following conditions apply to all permits issued by the Division of Marine Fisheries:

- It is unlawful to operate under the permit except in areas, at times, and under conditions specified on the permit;
- It is unlawful to operate under a permit without having the permit or copy thereof in possession of the permittee or his or her designees at all times of operation and the permit or copy thereof shall be ready at hand for inspection, except for Pound Net Permits;
- It is unlawful to operate under a permit without having a current picture identification in possession and ready at hand for inspection.
- It is unlawful to refuse to allow inspection and sampling of a permitted activity by an agent of the Division;
- It is unlawful to fail to provide complete and accurate information requested by the Division in connection with the permitted activity;
- It is unlawful to hold a permit issued by the Fisheries Director when not eligible to hold any license required as a condition for that permit as stated in 15A NCAC 030.0501;
- It is unlawful to fail to provide reports within the timeframe required by the specific permit conditions;
- It is unlawful to fail to keep such records and accounts as may be required by the Division for determination of conservation policy, equitable and efficient administration and enforcement, or promotion of commercial or recreational fisheries;
- It is unlawful to assign, or transfer permits issued by the Division, except Pound Net Permits as authorized by 15A NCAC 03J .0504;
- The Division, may, by conditions of the permit, specify any or all of the following for the permitted purposes:  
(a)Species (b)Quantity or Size (c)Time Period (e)Location (d)Means and Methods (f)Disposition of Resources (g)Marking Requirements (h)Harvest Conditions
- Unless specifically stated as a condition on the permit, all statutes, rules and proclamations apply to the permittee and their designees.
- As a condition of accepting the permit from the Division of Marine Fisheries, the permittee agrees to abide by all conditions of the permit and agrees that if specific conditions of the permit, as identified on 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.

I understand that any violation of permit conditions may result in suspension or revocation of the permit.

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

**NOTARY**

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

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

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



**North Carolina Department of Environmental Quality  
North Carolina Division of Marine Fisheries  
ESTUARINE GILL NET PERMIT SPECIFIC CONDITIONS FORM  
(REV 2022-04)**

<b>OFFICE USE ONLY</b>	Year _____
PID # _____	
PERMIT # _____	
DMF Staff: _____	

The Fisheries Director may, by proclamation, require individuals taking marine and estuarine resources regulated by the Marine Fisheries Commission, to obtain a special permit. **15A NCAC 03O.0506**

The Estuarine Gill Net Permit (EGNP) serves as a certificate of your inclusion in the Incidental Take Permits' Conservation Plans.

The Division of Marine Fisheries has received Federal Incidental Take Permits for certain threatened or endangered sea turtles, and endangered Atlantic Sturgeon. These permits allow legal continuation of the inshore gill net fisheries in North Carolina, subject to permit conditions. The permit conditions are designed to avoid, minimize, and mitigate interactions with these species. Gill net fishermen must apply for and receive an EGNP.

For violation of specific permit conditions (as specified on this form), permits may be suspended or revoked for 10 days, 30 days, or up to 6 months depending on the 3-year history of violations.

**Legal Authority / Statute Reference:**

General Statute 113-169.1 and 113-169.3, North Carolina Marine Fisheries Commission Rules 15A NCAC 03O .0501 and 03O .0503, and 03O .0506. See also Proclamation M-24-2014.

**Specific Permit Conditions:**

An EGNP is required for holders of a Standard Commercial Fishing License (SCFL), Retired Standard Commercial Fishing License (RSCFL), or Recreational Commercial Gear License (RCGL) who deploy gill nets in Internal Coastal Waters, except for the following types of gill nets: run around, strike, drop or drift gill nets. These exempted gill nets must meet the description found on the division's website (<https://deq.nc.gov/about/divisions/marine-fisheries/rules-proclamations-and-size-and-bag-limits/fisheries-management-proclamations>). The EGNP meets the permit requirements of the Incidental Take Permit Numbers 16230 and 18102 from the National Marine Fisheries Service (NMFS) under Section 10 of the Endangered Species Act.

**15A NCAC 03H.0103(1) to wit M-24-2014**

Permits are non-transferable (see General Permit conditions). An individual who is assigned a SCFL shall hold an EGNP in their own name. The master designated on the single vessel corporation SCFL is the individual eligible to receive the EGNP.

**15A NCAC 03O.0502(9)**

EGNP holders whose permit has been suspended or revoked shall contact the Division of Marine Fisheries Protected Resources staff at (252) 808-8067 or (252) 808-8088 within 5 calendar days of reinstatement of the EGNP to arrange an observer trip.

**15A NCAC 03O.0502(1)**

It is unlawful to violate the provisions of any rules or proclamations issued in regards to, the conditions set out in the federally issued ESA Section 10 Incidental Take Permits to reduce incidental takes in large- or small-mesh gill net fisheries. **15A NCAC 03O.0502(1)**

It is unlawful for an EGNP holder to refuse or deny Division of Marine Fisheries observers a trip aboard their vessel to collect data or a trip using alternative platform to collect data. **15A NCAC 03O.0502(1)**

It is unlawful for an EGNP holder, as well as the master and crew members of the boat, to interfere with, or obstruct the observer in the course of collecting data or samples. **15A NCAC 03O.0502(1)**

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. 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, and coercion of observers. **15A NCAC 03O.0502(1)**

It is unlawful for an EGNP holder to avoid or mislead observers including but not limited to failure to return phone calls, failure to notify the Division of Marine Fisheries of a phone number change within 14 calendar days of such change and providing incorrect information on fishing activity. **15A NCAC 03O.0502(1)**

It is unlawful to fail to provide a phone number that the EGNP holder can be reached. **15A NCAC 03O.0502(1)**

When the Division of Marine Fisheries determines an EGNP holder's boat does not meet the safety requirements to carry an observer, the EGNP holder will be notified and shall contact the Division of Marine Fisheries Protected Resources staff at (252) 808-8067 or (252) 808-8088 within 5 calendar days to make arrangements for an alternative platform observer trip.

**15A NCAC 03O.0502(1)**

It is unlawful to fail to comply with all observer notification system or call-in requirements set out by permit conditions, proclamations, and/or rule. **15A NCAC 03O.0502(1)**

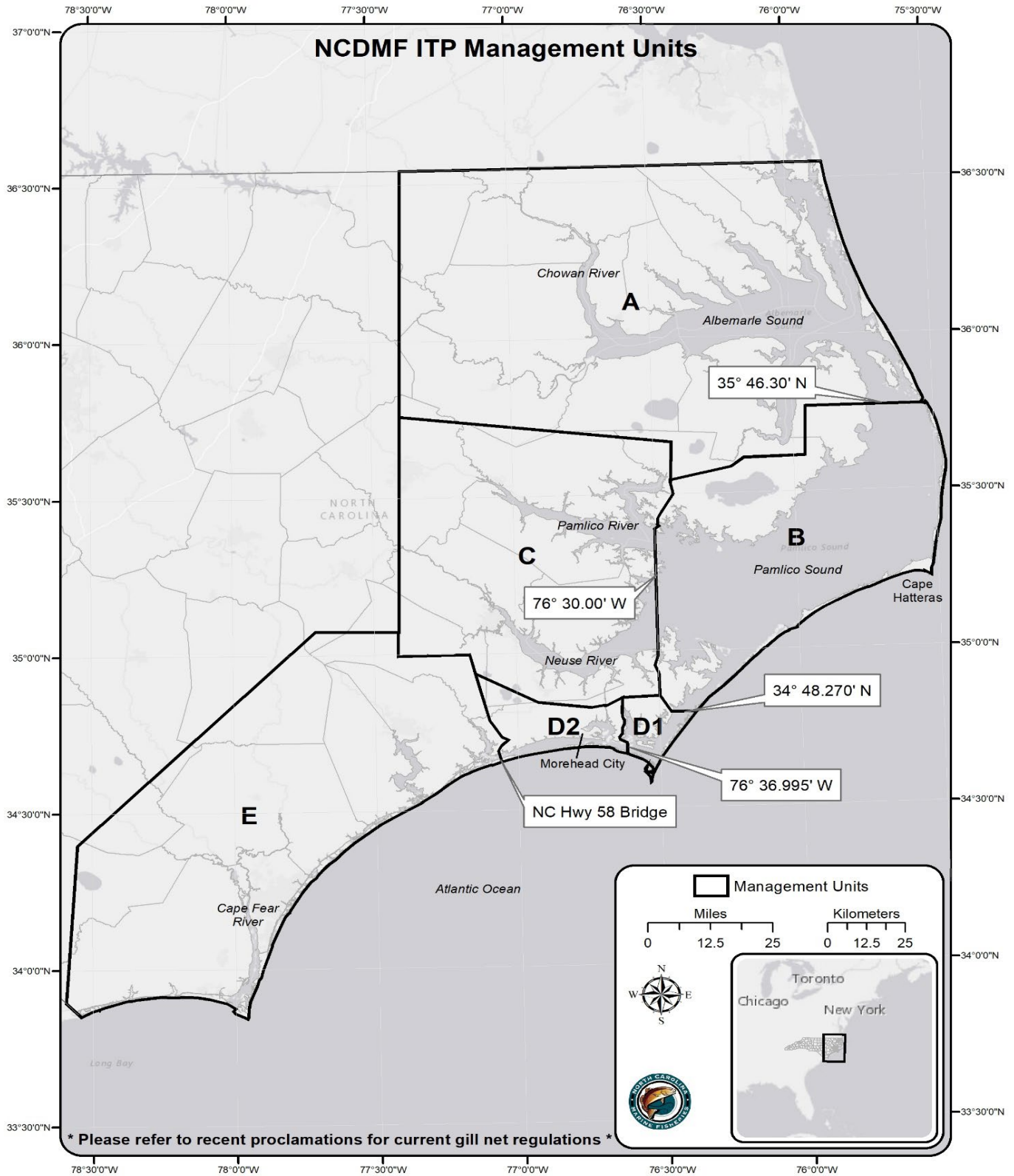
It is unlawful to fail to report any sea turtle or sturgeon captured. Reports shall be made within 24 hours of the capture to the Division of Marine Fisheries at (252) 726-7021 or (800) 682-2632. Self-reported takes of sea turtles and sturgeon by fishermen fishing without an observer do not count toward the allowable takes in the Incidental Take Permits. **15A NCAC 03O.0502(1)**

I understand that any violation of permit conditions may result in suspension or revocation of the permit.

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
 Permittee signature (must be signed to be valid)



North Carolina Department of Environmental Quality  
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ESTUARINE GILL NET PERMIT APPLICATION







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**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:** 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. 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, and coercion of observers."

**Q:** What are examples of harassment?

**A:** Examples of harassment are outlined 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 (defined as greater than or equal to 4 inches stretched mesh) and 1 percent with a goal of 2 percent for small mesh gill nets (defined as less than 4 inches stretched mesh) for each management unit by season. If the minimum coverage percentages are not 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, either onboard or alternative platform, shall result in suspension or revocation of the permit.

**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, which is important for meeting the observer coverage requirements of the Incidental Take Permits.

**Q:** Will I receive a suspension or revocation of the permit 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 suspension or revocation of the permit 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 252-808-8067 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 252-808-8067 or 252-808-8088 and let them know you only fish the fall months.

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

**A:** You can call the Division of Marine Fisheries' Protected Resources staff at 252-808-8067 or 252-808-8088 and let them know you decided to start fishing again.

**Q:** Will I be subject to a suspension or revocation of the permit if the observer misses a scheduled trip?

**A:** No, a suspension or revocation of the permit 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 be subject to a suspension or revocation of the permit if I do not allow the observer to sample my catch due to safety reasons (e.g., 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 252-808-8067 or 252-808-8088 and arrange for the observers to observe the trip from a division-owned boat (alternative platform trip).