APPLICATION FOR PERMIT TO USE MECHANICAL GEAR For Harvesting Shellfish on Shellfish Leases and Franchises

Individual Participant Inform		Harvesung Sn	пент	sn on S	neiiiisn L	eases and Fra	ncmses	
First Name	M	Last Name	;	Sf	Date	of Birth		Email
								T =
Ad	dress				City, St	tate	Zip	Phone #
Business Participant Information: Business Name				Business Agent Name (First, MI, Last)				ML Last)
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Lease/Franchise#				Location County				
								·
Vessel Registration Number			_	_			ntation Numb	per(s) (up to three)
(1)		(2)			(3)			
Operator Information (All	operat	ors must have a v	alid S	CFL/RS0	CFL with sl	hellfish endorsen	nent):	
Name (First, MI, Last)				Date Of Birth Telep				Fisheries License #
, , ,								
								1
Proposed Gear:			1					
or Harvesting Oysters				For Harvesting Clams				
) Oyster Dredge () Paten	t Tongs		Hydraulic I		() Kicking-Wi		
) Power Rake) Other:				Hydraulic I Clam Dred		() Kicking-Wi () Stick (Powe		awl
, other.			() (Jam Brea		() blick (I owe		
CERTIFICATION STATEMEN	T (Mu	st be completed and	d signe	ed by the P	Permittee)			
,(Please type or prin	t full n	ama)		ce	rtify that:			
			tation	nrovidad i	e true accur	rata and complete		
and all listed designees, curre	-			_		_	tions under su	spension or revocation, and the
rivilege to hold such licenses, p							nons under su	spension of revocation, and the
, and all listed designees, have or related to marine or estuarine			or mo	ore violatio	ons in any ju	risdiction related to	o state or feder	ral law or regulations involving
have been provided a copy of onditions on this permit may re					his permit a	nd I acknowledge	failure to abid	e by all permit rules as well as
understand that as a condition of nd agree, that if specific condi- nitial issuance, renewal or trans	tions of	this permit as iden	ntified	on this pe	rmit are viol	lated, or if false in		
understand that any false inf riminal prosecution.			-		-		permit and re	lated documents and possible
Signature of Dameitter				Note.				
Signature of Permittee			L	ate				

Conditions for Mechanical Harvest of Shellfish from Shellfish Leases and Franchises

GENERAL INFORMATION:

- Granting of this permit does not constitute or imply recognition by the State of North Carolina of the ownership of the bottom described on the reverse side. This permit is valid only to the extent of the validity of the grant, deed, or contract by the permittee and does not authorize work in any area other than the area described on the permit.
- 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.
- Mechanical gear shall not be used in areas designated as Primary Nursery Areas by 15A NCAC 3R .0103.
- 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.
- It is unlawful to take oysters or clams between the hours of sunset and sunrise on any day, 15A NCAC 03K .0106.

SPECIFIC PERMIT CONDITIONS:

- 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.
- 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.
- 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 lease holder or designees harvesting oysters or clams under this permit.

PERMIT CONDITIONS – GENERAL:

- 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 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 30.0501;
- 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 required by the Rules in this Chapter 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 Fisheries Director, except for Pound Net Permits as authorized by 15A NCAC 03J .0502(e)(5).
- The Fisheries Director, or his agent, may, by conditions of the permit, specify any or all of the following for the permitted purposes:

Species Time period Means and methods Disposition of resources
Quantity or size Location Harvest conditions Marking requirements

• Unless specifically stated as a condition on the permit, all statutes, rules and proclamations shall apply to the permittee and his or her designees.

NOTE: Applicant is responsible for obtaining any and all other necessary or required federal, state, and local permits. Violation of any rule condition or items on the permit may result in suspension or revocation of the permit.