

North Carolina Division of Marine Fisheries (NCDMF)

AQUACULTURE SEED TRANSPLANT PERMIT APPLICATION

Application Date		Enter additional supporting permits (if applicable)	
Expiration Date		Introduce/Transfer Permit #	
Email Address		Polluted Area Relay Permit #	

Individual Participant Information (If a business, please skip and proceed to the Business Participant blocks below)

First Name	Middle Name	Last Name	Suffix	Date of Birth
Address		City, State, Zip Code		Telephone Number

Business (Facility) Participant Information

Business Name	Business Agent Name (First, MI, Last)	Agent Date of Birth
Address	City, State, Zip Code	Telephone Number

Specify applicable Lease / Franchise / Water Column, Aquaculture Operation Permit, and/or Under Dock Oyster Culture Program Permit with area where seed will be placed:

	Number	Water Body	County	Zip
Aquaculture Operation Permit #				
UDOC Permit #				
Lease/Franchise/Water Column#				
Lease/Franchise/Water Column#				
Lease/Franchise/Water Column#				
Lease/Franchise/Water Column#				

Supplier:

Supplier Business Name	Address		State	Zip
Supplier Contact Name (First, MI, Last)			Telephone Number	
Water Body, Species, Estimated Size and Number of Seed to be shipped				
Species				
Water Body of Origin				
Water Body Classification	<input type="checkbox"/> Restricted <input type="checkbox"/> Prohibited <input type="checkbox"/> Conditionally Approved			
Please specify if multiple trips are to be used for transport of seed (seed must be transported prior to permit expiration)				
	Trip 1	Trip 2	Trip 3	
Estimated Size				
Number of Seed				
Planned Date of Shipment				
Planned Date of Placement				

Signature of Permittee

Date



North Carolina Department of Environmental Quality
Division of Marine Fisheries
PERMIT APPLICATION CERTIFICATION & GENERAL PERMIT
CONDITIONS FORM
(REV 2024-12)

OFFICE USE ONLY	Year _____
PID # _____	
PERMIT # _____	

DMF Staff: _____	

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

- I, _____ certify that:
1. 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.
 2. 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.
 3. For permits, I certify that:
 - a) 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.
 - b) 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.
 - c) 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.
 4. 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>.
 5. 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 general or 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 03O .0502 Permit Conditions: General

- (a) It shall be unlawful to violate any permit condition.
- (b) The following conditions shall apply to all permits issued by the Fisheries Director:
 - (1) it shall be unlawful to:
 - (A) operate under the permit except in areas, at times, and under conditions specified on the permit.
 - (B) operate under a permit without having the permit or copy thereof in possession of the permittee or the permittee's designees at all times of operation and the permit or copy thereof shall be ready at hand for inspection, except for a Pound Net Set Permit.
 - (C) operate under a permit without having a current picture identification in possession and ready at hand for inspection.
 - (D) refuse to allow inspection and sampling of a permitted activity by an agent of the Division of Marine Fisheries.
 - (E) fail to provide complete and accurate information requested by the Division in connection with the permitted activity.
 - (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 license required as a condition for that permit as stated in Rule .0501 of this Section.
 - (H) fail to provide reports within the timeframe required by the specific permit conditions.
 - (I) 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.
 - (J) assign or transfer permits issued by the Fisheries Director, except for a Pound Net Set Permit as authorized by 15A NCAC 03J .0504.
 - (2) the Fisheries Director or the Fisheries Director's agent may, by conditions of the permit, impose on a commercial fishing operation and for recreational purposes any of the following restrictions for the permitted purposes:
 - (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
 - (K) specify harvest conditions.
 - (3) unless specifically stated as a condition on the permit, all statutes, rules, and proclamations shall apply to the permittee and the permittee's designees.

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
Division of Marine Fisheries
**AQUACULTURE SEED TRANSFER 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 Aquaculture Seed Transfer Permit is specified in G.S. 113-132(a), 113-169.1, 113-182(b), 113-221.1, and 113-203, 15A NCAC 03O .0501, 03O .0502, and 03O .0503.

Specific Permit Conditions:

It is unlawful to transport seed oysters or clams obtained from nurseries/hatcheries operating in water bodies classified as restricted or conditionally approved without first obtaining an Aquaculture Seed Transplant Permit. **G.S.113-203(a4)**

It is unlawful to purchase or transport seed oysters or clams not meeting bag and size limit restrictions unless acquired from a nursery/hatchery that is in compliance with all conditions of the Aquaculture Operation Permit per 15A NCAC 03K .0207 and 03K .0305.
15A NCAC 03O .0502(a) (G.S. 113-169.1)

Aquaculture Seed Transplant Permits issued under this section shall expire on December 31 of the year in which the permit is issued and can be renewed on an annual basis. (G.S. 113-169.1)

The permitted nursery/hatchery selling the aquaculture seed shall keep a log showing the purchasing permittees and each date of purchase, with specific product, size, and intended shellfish lease noted. This log shall be submitted to the NC Division of Marine Fisheries (NCDMF) with the application for Aquaculture Operation Permit renewal each calendar year. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

The Aquaculture Seed Transplant Permit does not authorize the importation of shellfish seed from outside the Coastal Fishing Waters of the State of North Carolina unless issued in conjunction with the permit to Introduce, Transfer or Hold Marine and Estuarine Organisms into the Coastal Waters of the State of North Carolina. **15A NCAC 03O .0502(a)** (G.S. 113-169.1, 15A NCAC 03I .0104)

If the waterbody classification changes during the effective period of the permit such that the waters are permanently closed, the permit will be revoked for the remainder of its issuance period. (G.S. 113-169.1)

Any clam or oyster that has grown beyond 12 millimeters or 25 millimeters, respectively, must be destroyed in a manner approved by the NCDMF so that it cannot be returned to the water or end up becoming available for human consumption. **15A NCAC 03O .0502(a)** (G.S. 113-203)

It is unlawful to transport, transfer, plant, sell, or otherwise move clams larger than 12 millimeters in their largest dimension or oysters larger than 25 millimeters in their largest dimension. **15A NCAC 03O .0502(a)** (G.S. 113-203)

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 03O .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