

**Division of Marine Fisheries**

**APPLICATION FOR PERMIT TO TRANSPLANT  
From Seed Oyster Management Areas to Shellfish Leases and Franchises**

Application Date			
Expiration Date			
Email			
Participant I.D.			
Ph. Number			
	New		Update
	Renew		Replace

Record Most Recent Licenses Held (Year and License #)	
Fish Dealer License	
SCFL	
RSCFL	
SCFL w/ Shellfish Endorsement	
RSCFL w/ Shellfish Endorsement	
Shellfish License	
Recreational Commercial Gear Lic.	

**Issued to (select one):**

- Individual** (complete the Individual Participant Information below)
- Business Agent** (complete the Business Participant Information and Individual Participant Information below)

Aquaculture Operation Permit #
Introduction/Transfer Permit #
Polluted Area Relay Permit #

**Individual Participant Information**

First Name	Middle Name	Last Name	Suffix	Date of Birth
Address		City, State	Zip	
Business Participant Information: Business Name		Business Agent Name (First, MI, Last)		
Address		City, State	Zip	

Lease/Franchise#	Location	County

**Vessel Registration Number(s) or Commercial Fishing Vessel Registration or USCG Documentation Number(s)**

(1) _____	(2) _____	(3) _____
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**Transplanter Information (All transplanters must have a valid shellfish license or SCFL/RSCFL with shellfish endorsement):**

Name (First, MI, Last)	Date Of Birth	Telephone	Fisheries License #



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

<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 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**

- It shall be unlawful to violate any permit condition.
- The following conditions shall apply to all permits issued by the Fisheries Director:
  - it shall be unlawful to:
    - operate under the permit except in areas, at times, and under conditions specified on the permit.
    - 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.
    - operate under a permit without having a current picture identification in possession and ready at hand for inspection.
    - refuse to allow inspection and sampling of a permitted activity by an agent of the Division of Marine Fisheries.
    - fail to provide complete and accurate information requested by the Division in connection with the permitted activity.
    - provide false information in the application for initial issuance, renewal, or transfer of a permit.
    - 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.
    - 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 Chapter for determination of conservation policy, equitable and efficient administration and enforcement, or promotion of commercial or recreational fisheries.
    - assign or transfer permits issued by the Fisheries Director, except for a Pound Net Set Permit as authorized by 15A NCAC 03J .0504.
  - 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:
    - specify time;
    - specify area;
    - specify means and methods;
    - specify record keeping and reporting requirements;
    - specify season;
    - specify species;
    - specify size;
    - specify quantity;
    - specify disposition of resources;
    - specify marking requirements; and
    - specify harvest conditions.
  - 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  
SEED OYSTER MANAGEMENT AREA RELAY PERMIT  
SPECIFIC CONDITIONS FORM  
(REV 2024-12)**

<b>OFFICE USE ONLY</b>	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 Seed Oyster Management Area Relay Permit is specified in G.S 113-169.1, 113-203, 15A NCAC 03K .0208, 03O .0501, and 03O .0502.

**Specific Permit Conditions:**

It is unlawful to take oysters from Seed Oyster Management Areas designated in 15A NCAC 03R .0116 for planting on shellfish leases or franchises without first obtaining a Permit to Transplant Oysters from Seed Oyster Management Areas from the Fisheries Director. The procedures and requirements for obtaining permits are set forth in 15A NCAC 03O .0501. **15A NCAC 03K .0208(c)**

It is unlawful to use a trawl net, long haul seine, or swipe net in any designated Seed Oyster Management Area. **15A NCAC 03K .0208(d)**

Permittee shall allow any marine patrol officers and/or NC Division of Marine Fisheries staff to inspect all phases of the transplant operation. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

HAND METHODS ONLY will be permitted to harvest oysters from White Oak River, Swan Point, Possum Bay, Virginia Creek, and Topsail Sound Seed Oyster Management Areas. OYSTER DREDGES will be allowed in the Cedar Bush Bay, Wanchese Marshes, and Bay River Seed Oyster Management Areas. (See Seed Oyster Management Area Maps). **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

A limit of not more than 100 bushels per acre of lease/franchise, not to exceed 1,000 bushels per lease or franchise will be taken pursuant to G.S. 113-203 (d). **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

Upon completion of the relaying operation, an accurately completed transplant report shall be returned by October 31st of the year issued to the NC Division of Marine Fisheries, Resource Enhancement Section, PO Box 769, Morehead City, NC 28557. No new permits will be issued until report is received. It is unlawful to fail to provide reports within the timeframe required by the specific permit conditions. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

The permittee and his or her designees must hold a valid Standard or Retired Standard Commercial Fishing License with a Shellfish Endorsement or a Shellfish License to hold a Permit for Transplanting Oysters from Seed Oyster Management Areas. 15A NCAC 03O .0501(e)(3)

Shellfish leases closed for Polluted Area Relay will not be eligible for harvest until the lease is reopened by proclamation. 15A NCAC 18A .0912

No permittee will be authorized to use more than three vessels and/or six designees per transplanting operation. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

No harvest from closed or "Polluted" waters as designated by the DMF Shellfish Sanitation and Recreational Water Quality Section authorized under this Seed Oyster Management Area Permit. (G.S. 113-169.1)

Shellfish lease contracts and rent must be up to date to apply for a new permit. (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 on the day of harvest prior to the shellfish lease holder or designees relaying oysters under this permit. **15A NCAC 03O .0502(a)** (G.S. 113-169.1)

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 \_\_\_\_\_