

VMRC Shellfish Aquaculture Permit Checklist

PURPOSE

This quick reference guide is to assist Virginia's shellfish aquaculture growers in keeping track of the required VMRC permits for the most common shellfish culture situations. This guide will support improved regulatory compliance.

HABITAT

If your gear sits more than 12 inches off the bottom, is marked at the surface with buoys, or is floating at the surface you will need one of the following:

General Permit #4 - If you have a regular oyster ground lease from the state and wish to grow shellfish in cages or containers greater than 12-inches above the bottomlands and/or to be marked on the surface with buoys.

- ❖ Obtain from MRC Habitat Management Division

Joint Permit Application - If you wish to grow shellfish for sale in floating gear on the surface above state-owned subaqueous bottomlands, whether you have an oyster ground lease or not. This applies to floating upweller systems (FLUPSYs) as well.

OR If you wish to place cage structures upon state-owned subaqueous bottomlands, without an oyster ground lease.

- ❖ Submit the JPA with a detailed plan of the operation to MRC Habitat Management Division. JPA fillable form can be found online here: [Corps JPA Link](#). Or via VMRC Form Index – Click on Habitat Management <http://www.mrc.virginia.gov/forms/index.shtm>
- ❖ Permit costs varies depending on the situation & process can take several months - give plenty of lead time. For cost structure and specific regulation: <http://www.mrc.virginia.gov/regulations/hm-permits.shtm>.

HARVEST – STEP 1

1. Complete the Mandatory Shellfish Harvester Training *valid for 5 years. Completion of this training is required prior to purchasing VMRC shellfish licenses and permits.*

If you have a VMRC ID number, go directly to the [Online link](#). If not, see instructions on the [VMRC shellfish aquaculture webpage](#) (scroll down to the bottom of the page).

2. Pay the Annual Oyster Aquaculture User Fee (Private Ground = \$50.00)

The annual fee revenue is used for oyster replenishment program which impacts the health of the entire oyster industry. More details can be found here: https://mrc.virginia.gov/CRD/Oyster-Resource-User-Fees_2017-04.shtm

- ❖ Pay by mail to the Marine Resources Commission, in person at agency headquarters, or at any of the agency's licensing agents. They cannot be paid at the Marine Police Operations Center in Newport News.

3. Purchase an annual Aquaculture Product Owners License – (\$10.00) *renew each year*

There are both oyster and clam product owner licenses so if you grow both – get both. If you are just starting out – wait to get this until you have product in the water because mandatory reporting is required. You only need 1 per company – the person who will file mandatory reporting – typically either the lease holder or business owner.

- ❖ Obtain from Agent or Law Enforcement Field Office.

4. Purchase Annual Harvester permits for your workers 1 of 2 ways:

a. **Purchase Aquaculture Harvester License for all workers involved in harvest** (\$5.00 each); *renew each year*. This doesn't include the Product Owner.

- ❖ Obtain from Agent or Law Enforcement Field Office

b. **Purchase an Oyster and/or Clam Aquaculture Vessel Permit** (No cost); *renew each year*
Issued to Product Owner for vessel to transport harvesters who do not possess individual oyster or clam aquaculture harvest permits.

- ❖ Obtain from agent or Law Enforcement Field Office.
- ❖ Regulation link <https://mrc.virginia.gov/regulations/FR610.shtm>

HARVEST – STEP 2

- **Tag shellfish** – BEFORE leaving lease OR before going to another harvest area (required year- round)
 - ❖ Obtain from Agent
 - ❖ Regulation https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Shellfish_Mix/fr1250_05-31-12.pdf
- **Have a marine sanitation device aboard shellfish harvesting vessels.** *This can be as simple as a labeled bucket with a lid.*
 - ❖ Regulation https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Shellfish_Mix/fr1100_07-01-06.pdf
- **If you harvest oysters with a dredge or hand scrape - Have a Dredge or Hand scrape Permit** – IF a dredge or hand scrape is used to harvest oysters from private ground. Obtained from Marine Police Officer in the field or Law Enforcement Field Office. No fee for permit.

WARM-WATER HARVEST - SPECIFIC

Warm weather harvest restrictions are in effect from May 1 through September 30. This is when naturally-occurring bacteria (vibrios) that have the potential to make people ill are in higher numbers. We can't do anything to get rid of vibrio in the environment but we can put controls in place to limit the growth of the bacteria in shellfish. It's all about time and temperature. Harvest when it's coolest and keep shellfish cool.

- ❖ Regulation:
https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Shellfish_Mix/FR1230_04-01-18.pdf
- ❖ Warm-Water Harvest Curfews:
 - May 1 through May 31, by 11:00 a.m.
 - June 1 through June 30, by 10:00 a.m.
 - July 1 through July 31, by 10:00 a.m.
 - August 1 through August 31, by 10:00 a.m.
 - September 1 through September 30, by 12:00 noon
- **Cage Oyster Aquaculture Husbandry Permit**

Required for cage culturists who want to handle oysters for husbandry purposes (not market harvest) after the designated harvesting times specified in the warm water harvest regulations. Essentially everyone needs this.

 - ❖ Application obtained on-line at:
<https://webapps.mrc.virginia.gov/public/fisheries/shellfishpermits.php>
- **Icing Permit**

Required for the harvest of oysters using ice outside of the designated harvesting times specified in the warm water harvest regulations. Requires VDH-Div. of Shellfish Safety Vessel Refrigeration Approval Certificate PRIOR to issuance of VMRC icing permit.

 - ❖ Application obtained on-line
<https://webapps.mrc.virginia.gov/public/fisheries/shellfishpermits.php>
- **Bulk Seed Permit**

Required for harvest of any natural (wild) seed oysters that include oysters greater than 2-1/2 inches.

 - ❖ Application obtained on-line at:
<https://webapps.mrc.virginia.gov/public/fisheries/shellfishpermits.php>
- **GPS Permit**

Required for the harvest of oysters outside of the designated harvesting times specified in the warm water harvest regulations (for those who work on the tidal cycle).

 - ❖ Application obtained on-line at:
<https://webapps.mrc.virginia.gov/public/fisheries/shellfishpermits.php>
 - ❖ Tracking device shall be on board the harvest vessel or with the individual and must be in continuous operation - during harvest and until the oysters harvested are offloaded from that vessel or onto the dock/shore and placed into trucks or other conveyances equipped with VDH-approved temperature-controlled storage.

GENERAL LINKS

- ❖ Marine Resources Commission Regulation Index
<https://mrc.virginia.gov/regulations/regindex.shtm>