

REGULATIONS & PERMITTING

VMRC SHELLFISH AQUACULTURE PERMIT CHECKLIST

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 PERMITS

If your gear sits more than 12 inches off the bottom, or 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). 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 vary depending on the situation & the process can take several months, so give plenty of lead time. JPA cost structure and the specific regulation. JPA cost structure and the specific regulation: <http://www.mrc.virginia.gov/regulations/hm-permits.shtm>

HARVEST PERMITS - STEP 1:

1. Complete the Mandatory Shellfish Harvester Training. *Training is 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).
If you need assistance, contact Jamie Hogge at MRC 757-247-2120

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

The annual fee revenue is used for oyster replenishment program which benefits 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 at one of the agency's licensing agents found here: <https://mrc.virginia.gov/mrcagents.shtm> or by mail to MRC. User fees 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 (refer to harvest reporting section). You only need 1 license per company and it should be the person who will file the mandatory reporting, which is typically either the lease holder or business owner.

- Obtain from one of the [MRC License Agents](#) or Northern Area Field Office (call first 804-580-2901).

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

a. Purchase an Aquaculture Harvester License for all workers involved in harvest. (\$5.00 each); renew each year. The Aquaculture Product Owner does not also need a harvester permit.

- Obtain from one of the **MRC License Agents** 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 one of the **MRC License Agents** or Law Enforcement Field Office.
- Regulation link: <https://mrc.virginia.gov/regulations/FR610.shtm>

HARVEST PERMITS - STEP 2

■ **Tag shellfish** - BEFORE leaving lease OR before going to another harvest area (required year-round)

- Obtain from one of the **MRC License Agents**
- Regulation (copy and paste into browser): 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 ("human waste") with a lid.*

- Regulation (copy and paste into browser): https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Shellfish_Mix/fr1100_07-01-06.pdf

■ **Have a Dredge Permit if you harvest oysters with a dredge or hand scrape.** Required 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. There is no fee for the permit.

HARVEST REPORTING

■ All Aquaculture Product Owners are required to report the total monthly harvest of their product by the 5th of the following month.

■ All harvest of oysters is required to be reported online. Individuals can request an account on-line at: <https://webapps.mrc.virginia.gov/harvest/>

■ If you have any questions about reporting or need assistance requesting an online account, contact the mandatory reporting staff at 757-247-2241

GENERAL LINKS

- Marine Resources Commission Regulation Index: <https://mrc.virginia.gov/regulations/regindex.shtm>
- Marine Resources Commission License Agents: <https://mrc.virginia.gov/mrcagents.shtm>
- MRC Shellfish Management Division: <https://mrc.virginia.gov/smoveview.shtm>
- MRC Shellfish Aquaculture: https://mrc.virginia.gov/Shellfish_Aquaculture.shtm

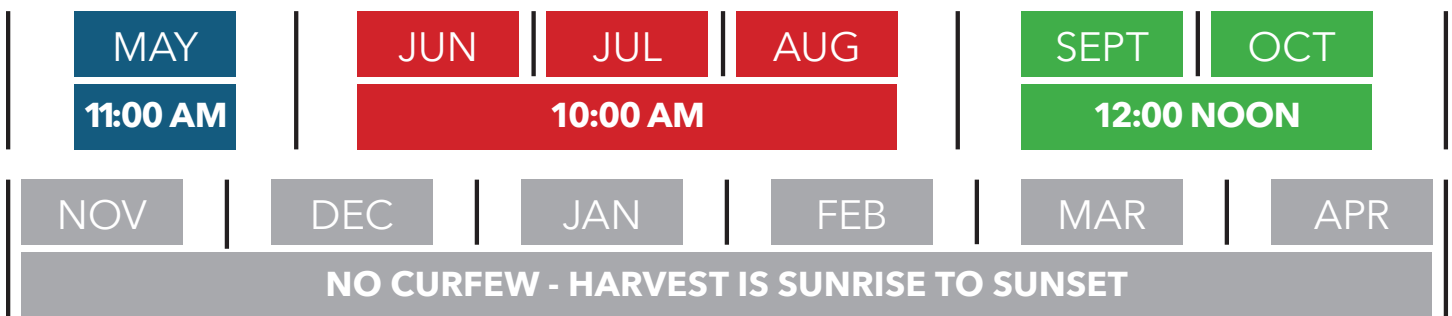
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CHECKLIST SPECIFIC TO WARM-WATER HARVEST

Warm weather harvest restrictions are in effect from May 1 through October 31. 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.**

WARM WATER HARVEST CURFEWS



Regulation: https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Shellfish_Mix/FR1230_04-01-18.pdf

■ 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.*

- Obtain application 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.

- Obtain application on-line at: <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.

- Obtain application 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).

- Obtain application 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.