

North Carolina Aquaculture Development Conference

NC Aquaculture

Overview of State Regulations and Agency Partners



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North Carolina Marine Finfish Aquaculture Best
Management Practices (BMP) Training Workshop

NC Marine Aquaculture – An Overview of State Regulations & Agency Partners

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Who is required to get an AOP?

- ◆ Any facility as defined in G.S. 106 – 758 which cultivate or rear marine or estuarine resources. G.S. 113 – 132
- ◆ 15A NCAC 03I .0101 DEFINITIONS (2)
- ◆ (a) Aquaculture operation. An operation that produces artificially propagated stocks of marine or estuarine resources or obtains such stocks from permitted sources for the purpose of rearing in a controlled environment. A controlled environment provides and maintains throughout the rearing process one or more of the following:
 - (i) food,
 - (ii) predator protection,
 - (iii) salinity,
 - (iv) temperature controls, or
 - (v) water circulation,
 - utilizing technology not found in the natural environment.

Steps to obtain an AOP

- ◆ Obtain an Aquaculture Operation Permit Application by contacting the Division or from our website.
- ◆ Submit the application to NCDMF Habitat and Enhancement Section.
- ◆ Staff will review the application and contact the applicant to ensure the facility is functional.
- ◆ Staff will perform a site visit and prepare a report containing all aspects of the inspection and escapement for further staff review and the Director's consideration.
- ◆ Staff works with the applicant to address any concerns so a permit may be issued.

Shellfish Hatcheries

- ◆ Now allowed in waters closed due to bacteriological concerns.
 - Restricted or conditionally approved.
 - Reviewed by shellfish sanitation on a case by case basis.
 - Leases are not allowed in closed areas.

Aquaculture Seed Transplant Permit

- ◆ G.S. 113-203 Transplanting of oysters and clams.
- ◆ (a3) It is lawful to transplant seed oysters or seed clams taken from permitted aquaculture operations that use waters in the restricted or conditionally approved classification to private beds pursuant to an Aquaculture Seed Transplant Permit issued by the Secretary that sets times during which transplant is permissible and other reasonable restrictions imposed by the Secretary under either of the following circumstances:
 - ◆ (1) When transplanting seed clams less than 12 millimeters in their largest dimension.
 - ◆ (2) When transplanting seed oysters less than 25 millimeters in their largest dimension.
- ◆ (a4) It is unlawful to conduct a seed transplanting operation pursuant to subsection (a3) of this section if the seed transplanting operation is not conducted in compliance with its Aquaculture Seed Transplant Permit.

Importation Permit

15A NCAC 03I .0104 INTRODUCE, TRANSFER OR HOLD IMPORTED MARINE AND ESTUARINE ORGANISMS

(a) In order to protect the marine and estuarine resources of North Carolina from unacceptable risks from predators, pests, parasites, and disease, it is unlawful, without first obtaining a permit from the Fisheries Director or without obtaining live marine and estuarine organisms from a permit holder:

(1) To place into the coastal fishing waters of the state live marine and estuarine organisms not native to the state. For the purpose of this Rule, this action is an introduction.

(2) To place into the coastal fishing waters of the state live marine and estuarine organisms which are native but which originated outside the State's boundaries. For the purpose of this Rule, this action is a transfer.

(3) To hold or maintain any live marine or estuarine organism imported into the state in a quarantine or isolation system for live bait or use in an aquaculture operation as defined in 15A NCAC 03I .0101.

(4) To sell for bait any live marine or estuarine organism imported into the state.

(b) Any person desiring to obtain a Permit to Introduce, Transfer or Hold Imported Marine and Estuarine Organisms must make written application to the Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557-0769. In order for the Fisheries Director to determine the level of risk to any native marine resource or the environment, the applicant shall provide:

(1) A certification from a pathologist that a sample of 60 organisms from proposed shipments are disease free or a certification from a governmental veterinary service that the organisms to be shipped were produced in an area or facility free of diseases posing a risk to North Carolina's estuarine resources, or their environment, as determined by the Fisheries Director; and

(2) A certification from a biologist or veterinarian that macroscopic and microscopic examination indicates the shipment contains only those species identified on the permit application.

(c) The Fisheries Director shall require disinfection, quarantine or destruction of organisms and transfer materials as a condition of the permit, upon finding the importation poses a risk to North Carolina's estuarine resources, or their environment.

(d) The Fisheries Director may hold public meetings prior to granting permits for activities specified in Paragraph (a) of this Rule to gather information concerning risks to native marine resources or the environment.

Steps to obtain an Importation Permit

- ◆ Obtain an Importation Permit Application by contacting the Division or from our website.
- ◆ Submit the application to NCDMF Habitat and Enhancement Section along with a disease assessment.
- ◆ Staff will review the permit and address any issues with disease or non-native species.
- ◆ A report will be prepared and sent to the Director for consideration.

Disease Assessment

- ◆ Assessment on Shipment Organisms must be performed and dated within 30 days of shipment.
 - This runs from the day the test organisms are removed from the population.
- ◆ Assessments for shellfish and shrimp include RFTM or PCR test.
- ◆ Finfish certification from a pathologist that a sample of 60 organisms from proposed shipments are disease free or a certification from a governmental veterinary service that the organisms to be shipped were produced in an area or facility free of diseases posing a risk to North Carolina's estuarine resources or their environment.

Aquaculture Collection Permit

- ◆ (e) Aquaculture Operations/Collection Permits:
 - ◆ (1) A permittee shall hold a valid Aquaculture Operation Permit issued by the Fisheries Director to hold an Aquaculture Collection Permit.
 - ◆ (2) The permittee or designees shall hold appropriate licenses from the Division of Marine Fisheries for the species harvested and the gear used under the Aquaculture Collection Permit.

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Questions?