

UDOC Application Instructions:

- Is your dock in an approved shellfish harvest area? Contact the Division of Environmental Health – Shellfish Sanitation Section (252-726-6827) to determine the shellfish harvest classification for the area where your dock is located. You will need to provide Latitude/Longitude coordinates of the dock for accurate determination of the classification of your site.
- Do you own the dock and the adjacent property? You will need to provide documentation (deed or plat) to verify ownership.
- If you answered yes to the above questions, proceed with completing the application. Call the Division of Marine Fisheries – Resource Enhancement Section (252-726-7021), if you have questions about the application.
- Review the Permit Conditions and return the signed and notarized Permit Conditions Certification Form to the DMF along with the completed application.
- Review the information package.
- Complete the quiz and mail to N.C. Division of Marine Fisheries with the application and permit certification forms.
- The permit application will be processed when the following permit requirements have been received and verified:
 1. Completed and signed Application;
 2. Signed and notarized Permit Conditions Acceptance Certification Form;
 3. Completed quiz with a passing score of 70% or higher correct answers;
 4. Severe Weather Plan submitted;
 5. Origin of seed documented;
 6. Introduction Permit for oysters originating out of N.C.;
 7. Proof of ownership of dock; and
 8. Picture identification (photocopy).

Mail all required documents to:

N.C. Division of Marine Fisheries
Resource Enhancement Section – UDOC
PO Box 769
Morehead City, N.C. 28557-0769

North Carolina Department of Environment and Natural Resources

Division of Marine Fisheries (NCDMF)

APPLICATION FOR UNDER DOCK OYSTER PERMIT

Check one:	<input type="checkbox"/> New Application	<input type="checkbox"/> Renew	<input type="checkbox"/> Update	<input type="checkbox"/> Replace
Application Date	/ /	Effective Date	/ /	

Do you currently hold a NCDMF license in the name you are applying? Check one Yes No

If yes, enter your Participant # from these licenses _____

Individual Participant Information

Participant I.D.		First Name	Middle Name	Last Name	Suffix
Driver's License No.	State I.D. No.	Military I.D. No.	Resident Alien I.D. No.	Passport No.	
Expire Date / /	Expire Date / /	Expire Date / /	Expire Date / /	Expire Date / /	
Date of Birth / /	Social Security Number / /	Primary Residence	Secondary Residence	E-mail Address	
Race:	Gender:	Physical Address		Mailing Address	
	M / F				
Height	Weight	Address 1: _____		Address 1: _____	
		Address 2: _____		Address 2: _____	
Eye Color	Hair Color	City: _____ State: _____ Zip: _____		City: _____ State: _____ Zip: _____	
		County: _____ Country: _____		County: _____ Country: _____	
Home Phone: ()	Business Phone: () Ext	Fax: ()	Cell Phone: ()	Prior Name (if name change)	

Dock Information					
Latitude		Longitude		Water Body	
Degrees (°) Minutes (. ')		Degrees (°) Minutes (. ')		Length (ft)	
Address					
Address					
City		State		NC	
Zip Code		County			

Date Training Completed, Document Version	/ / ,
Is there a Severe Weather Plan in effect?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What is the origin of the oyster seed?	
Is the source of the oysters documented?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Permit number for the INTRO Permit if oysters obtained out of state	
Is the person named on this application the dock owner?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Applicant Signature _____ Date: _____

DMF OFFICE USE ONLY BELOW

DMF OFFICE USE ONLY BELOW				
Verify water body not in prohibited waters	Date		Initials	
Verify latitude and longitude of dock	Date		Initials	
Verify marking compliance	Date		Initials	
Verify containers do not interfere with other marine uses	Date		Initials	
Disposition of oysters	Date		Initials	
Disposition documented?	Yes		No	
Number deployed				
Number removed				
Date permit terminated	Date			
Reason for termination				



Under Dock Permit Condition Form

Authority

The enabling General Statute 113 - 210 and Marine Fisheries Rule 15A NCAC 03O.0503 are contained in Appendix A of the UDOC Training Manual. The General Statute and the Marine Fisheries Rules provide the authority to develop the permit and educational materials, apply appropriate conditions to the permit, and issue the permit.

Specific Permit Conditions

Because there can be adverse health consequences if oysters are harvested and eaten under certain conditions, prospective oyster gardeners must review, and be tested, on the materials in this publication.

In order to receive an Under Dock Oyster Culture (UDOC) Permit, applicants must first pass a test to ensure they understand the legal requirements and safety precautions that must be taken when harvesting oysters. Test information and directions are attached at the end of this publication.

Other conditions of the permit include:

- The permit holder must own the dock or pier where the oyster containers or cages will be attached.
- The dock or pier cannot be located in an area the state health director has recommended be closed to shellfish harvest due to pollution, or that has been closed to harvest by statute, rule, or proclamation due to suspected pollution.
- If the permit holder obtains oyster seed or spat from an out-of-state source, they must receive an Importation Permit from the N.C. Division of Marine Fisheries to ensure adequate disease testing has been conducted.
- The permit holder shall only grow the Eastern oyster, *Crassostrea virginica*. Non-native oysters are not allowed in the UDOC Program.
- Permit holders can attach up to 90 square feet of oyster cultivation containers to a dock or pier owned by the permit holder. The containers shall be limited to a 6 inch maximum height allowing a maximum volume of 45 cubic feet.
- Permit holders shall comply with the biological data sampling and survey programs of the Marine Fisheries Commission and the Division of Marine Fisheries.
- Permit holders shall post signs indicating the presence of oyster cultivation containers and that the oyster cultivation containers and their contents are private property. Signs shall include the permittee's name and permit number.
- UDOC permit holders may consume oysters they grow, but they are prohibited from selling their oysters.
- Permit holders must attempt to cultivate oysters on a continuous basis.
- An UDOC Permit is not assignable or transferable.
- If the permit holder fails to comply with the above requirements, the director of the Division of Marine Fisheries shall revoke the permit, and the owner of the dock or pier shall remove the oyster cultivation containers within 15 days of revocation.
- The permit holder shall provide a severe weather response plan (tropical, winter, ice, etc.) and is responsible for implementing the plan when conditions warrant.
- Action by a permit holder to encroach on or usurp the legal rights of the public to access public trust resources in coastal fishing waters shall result in permit revocation.
- The permit holder is responsible for the maintenance, removal, and clean-up of the culture containers.
- No one shall take or attempt to take shellfish from the permitted containers without written notarized authorization from the permit holder.

Problems with theft or vandalism of your oysters or your containers, should be reported to your local law enforcement agency, either the county sheriff or the local police. The N.C. Marine Patrol does not have jurisdiction over theft or vandalism of private property.

Permit Renewal

Permits must be renewed on an annual basis. In order to be eligible for renewal, the permit holder and the dock location must meet the permit requirements listed above and the permittee must document they have attempted to grow oysters on a continuous basis. The permit holder must provide documentation of permit activities for the previous year, which includes:

- 1) Number of oysters deployed into the containers, number of oysters removed from the containers.
- 2) Documentation of the source of the oysters (must have a valid *Permit to Introduce or Transfer Marine and Estuarine Organisms* if the oyster seed or spat is from out-of-state).
- 3) Document the disposition of oysters grown under this permit.

GENERAL PERMIT CONDITIONS and PERMIT APPLICATION CERTIFICATION FORM

The following conditions apply to all permits issued by the Fisheries Director:

- It is unlawful to operate under the permit except in areas, at times, and under conditions specified on the permit;
- It is unlawful to operate under a permit without having the permit or copy thereof in possession of the permittee or his or her designees at all times of operation and shall be ready at hand for inspection, except for Pound Net Permits;
- It is unlawful to operate under a permit without having a current picture identification in possession and ready at hand for inspection.
- It is unlawful to refuse to allow inspection and sampling of a permitted activity by an agent of the Division;
- It is unlawful to fail to provide complete and accurate information requested by the Division in connection with the permitted activity;
- It is unlawful to hold a permit issued by the Fisheries Director when not eligible to hold any license required as a condition for that permit as stated in 15A NCAC 30.0501;
- It is unlawful to fail to provide reports within the timeframe required by the specific permit conditions;
- It is unlawful to 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;
- It is unlawful to assign or transfer permits issued by the Fisheries Director, except for Pound Net Permits as authorized by 15A NCAC 3J .0107(h);

The Fisheries Director, or his agent, may, by conditions of the permit, specify any or all of the following for the permitted purposes:

Species	Time period	Means and methods	Disposition of resources
Quantity or size	Location	Harvest conditions	Marking requirements

Unless specifically stated as a condition on the permit, all statutes, rules and proclamations shall apply to the permittee and his or her designees.

As a condition of accepting the permit from the Fisheries Director, the permittee agrees to abide by all conditions of the permit and agrees, that if specific conditions of the permit as identified on 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.

Violation of any Rule Condition or items on the permit may result in suspension or revocation of the permit.

CERTIFICATION STATEMENT (Must be completed and signed by the Permittee and notarized for each permit transaction)

I, _____ certify that:

1. All the information provided and any supporting documentation provided is true, accurate, and complete. For renewals, any changes in information or supporting documents have been provided at the time of renewal.
2. I, and all listed designees, 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.
3. I, and all listed designees, 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.
4. I have been provided a copy of permit rules and conditions that apply to this permit and I acknowledge failure to abide by all bolded permit rules as well as conditions highlighted on this permit may result in termination of the permit.
5. I understand that as a condition of accepting this permit from the Division of Marine Fisheries, I agree to abide by all conditions of this permit and agree, that if specific conditions of this permit as identified on this permit are violated, or if false information was provided in the application for initial issuance, renewal or transfer, this permit may be suspended or revoked by the Fisheries Director.

I understand that any false information or fraudulent disclosures may result in termination of this permit and related documents and possible criminal prosecution.

Date Signed: _____

Signature of Permittee: _____

NOTARY (must be notarized to be valid)

State: _____

County: _____

Sworn to and Subscribed before me this _____ day of _____, _____

Notary Public: _____ My Commission expires: _____