

# N.C. Division of Marine Fisheries

Aquaculture Conference

February 9, 2007

## General Statute 113 – 132 (a)

The Marine Fisheries Commission has jurisdiction over the conservation of marine and estuarine resources. Except as may be otherwise provided by law, it has jurisdiction over all activities connected with the conservation and regulation of marine and estuarine resources, including the regulation of aquaculture facilities as defined in G.S. 106 – 758 which cultivate or rear marine and estuarine resources.

## General Statute 106 - 758

### Definitions:

- (1) “Aquaculture” means the propagation and rearing of aquatic species in controlled or selected environments, including, but not limited to, ocean ranching;
- (2) “Aquaculture facility” means any land structure or other appurtenance that is used for aquaculture, including, but not limited to, any laboratory, hatchery, rearing pond, raceway, pen, incubator, or other equipment used in aquaculture;
- (3) “Aquatic species” means any species of finfish, mollusk, crustacean, or other aquatic invertebrate, amphibian, reptile, or aquatic plant, and including, but not limited to, “fish” and “fishes” as defined in G.S. 113 – 129 (7);

## General Statute 113 - 129

### Definitions relating to resources.

- (7) Fish; Fishes. – All marine mammals, all shellfish; all crustaceans; and all other fishes.

## Aquaculture Operation Permit

- North Carolina Fisheries Rules for Coastal Waters 2005: 15A NCAC 30 .0503 (f) (1)  
In is unlawful to conduct aquaculture operations without first securing an Aquaculture Operation Permit from the Fisheries Director

## Aquaculture Operation:

- An operation that produces artificially propagated stocks of marine or estuarine resources or obtains such stocks from authorized 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: predator protection, food, water circulation, salinity, or temperature controls utilizing technology not found in the natural environment.

## AOP Process

- Submit Application
- Site Inspection by DMF
- Application Review: Fisheries Management, Marine Patrol & Resource Enhancement
- Recommendation to the Director
- Issues/Denies Permit
- Annual renewal with report of activities

## Product Source

- Brood stock, Eggs, Larvae, Fry, Seed, Fingerlings....
- Aquaculture Collection Permit
- Permit for the Introduction and Transfers of Marine and Estuarine Organisms
- Purchase from properly licensed fisherman/dealer

## Aquaculture Collection Permit

- Allows for the limited collection of marine and estuarine resources for aquaculture purposes from coastal waters
- Sale of collected resources is unlawful
- Permits issues/renewed on calendar year basis
- Requires report of amount and disposition of resources collected under the permit

## Permit for the Introduction and Transfer of Marine and Estuarine Organisms

- Importation of native species from outside the State
- Importation of non-native species
- Hold or maintain imported organism in a quarantine or isolation system for brood stock or grow out.
- Requires disease assessment and applicant must show that activities will not pose a threat to native species or environments.
- Thirty day shipment window for transfers requiring disease assessments.

## Sale and Disposition

- The sale of brood stock collected under an ACP is prohibited.
- The sale of cultured estuarine and marine species does not require a Dealer's License from N.C. Div. of Marine Fisheries – sales receipts are required for the possession and transport of the cultured product.
- The sale of live non-native product from aquaculture facilities may be restricted by specific permit conditions.

## Past, Present, and Future

- DMF's past experience with aquaculture was primarily limited to shellfish culture and the shellfish lease program.
- Increased popularity of high ground culture such as striped bass and flounder expanded the scope.
- Cooperation will be the key to supporting the use of new species and technologies while protecting our wild natural resources from unwanted and unintentional introductions of non-native, pest, or predator species or diseases.