

## CHAPTER 53 - AQUACULTURE

### 02 NCAC 53 .0101 AQUACULTURE LICENSES

(a) A person who owns or operates an aquaculture facility for the purpose of possession, production, transportation, sale or commercial catchout of the species listed in G.S. 106-761, shall obtain a license from the Department of Agriculture.

(b) Applications for licenses may be obtained from the Department of Agriculture, Division of Aquaculture and Natural Resources, P.O. Box 27647, Raleigh, NC 27611. Completed applications shall be returned to the same address.

(c) The application shall include:

- (1) License(s) being requested:
  - (A) Aquatic Propagation and Production Facility License;
  - (B) Commercial Catchout License;
  - (C) Holding Pond/Tank Permit;
- (2) Name of facility;
- (3) County of facility;
- (4) Address and telephone number of facility;
- (5) Name of responsible agent for the facility;
- (6) Address and telephone number of responsible agent;
- (7) Description of primary activities at the facility (hatchery, gamefish production, catchout, food fish production, etc.);
- (8) Primary species to be possessed on the facility.

(d) An Aquaculture Propagation and Production Facility License must be obtained for all freshwater aquaculture facilities as defined in G.S. 106-758(2) except for Commercial Catchout and Holding Pond/Tank operations. The license shall be issued without charge and shall be valid for five years.

(e) A Commercial Catchout Facility License must be obtained for a privately owned pond, lake, raceway, manmade stream or other water holding facility where fish are stocked for the purpose of harvest by hook and line. Such facilities sell the fish on a fee per unit time basis or fee per unit weight basis. This does not include privately owned ponds where fish populations naturally regenerate.

- (1) Receipts shall be provided to the purchasers of fish from Commercial Catchout Facilities. The receipt shall include the name of the facility, the date and the number, species and weight of the fish sold.
- (2) No fish taken from a Commercial Catchout Facility may be resold by the purchasing angler for any reason.
- (3) The license shall be issued without charge and shall be valid for five years.

(f) A Holding Pond/Tank Permit shall be obtained for all facilities holding live food or bait species for sale, except those facilities which are licensed as Aquaculture Propagation and Production Facilities. This permit shall be valid for two years and shall be issued without charge.

*History Note: Authority G.S. 106-761;  
Eff. June 1, 1994;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.*