Shellfish Harvesting, Oyster Buyer & Shucking House User Fee, Licenses & Permits

VMRC Virginia Marine Resources Commission

Shellfish Harvesting Quick Facts

Before purchasing any shellfish licenses:

Shellfish Harvester Safety training must completed and current. Valid for 5 years.

Warm Water Harvest Season: May 1 - October 31

- Additional Permits required if working **past** the curfew
  - Husbandry, Shellfish Icing, GPS
  - Request Warm Water Harvest Permits through **VMRC website**.
- Shading over shellfish required.
  - **For the exception of seed**

Refer to the regulation for further information.

Public Ground Harvest requirements for oysters: (Commercial)

- Current Commercial Fishing License (CFL)
- Current Oyster User Fee All-Gear or HAND ONLY
- Current Gear License
- Shellfish tags

Additional James River Permits required:

- *Current James River Seed, Hand Scrape, Transport Permits.*
- Permits are issued by Marine Police Officers
- **Call MRC Dispatch at (757)247-2265 to be connected to a Marine Police Officer that can issue the permit(s).**

Aquaculture Harvest requirements for oysters: (Private Ground - Commercial)

Lease owners or those REPORTING harvest:

- Current Aquaculture User Fee
- Current Aquaculture Product Owner Permit
- Current Aquaculture Vessel Permit (Optional)
- Shellfish tags

Harvesters NOT reporting harvest:

- Current Aquaculture Harvester Permit
- Shellfish tags

Aquaculture Harvest requirements for clams: (Private Ground - Commercial)

- Current Clam Product Owner Permit
- Current Clam Vessel Permit (Optional)

Licenses / Permits can be purchased at a MRC Licensing Agent **OR** online through the Gateway.

Harvesting Gear License Quick Facts

Public Ground Gear

Refer to the regulation for current season dates and gear information.

Oysters by Hand
Oyster Patent Tongs - Single
Oyster Patent Tongs - Double
Oyster Dredge Public Ground (Poc. Tangier ONLY)
Oysters by Hand Tong
Oysters by Hand Scrape
Clam Patent Tongs - Single

Gear Definitions:

Oyster Patent Tong:

- Maximum weight of 100 pounds in gross weight, with attachments (not including rope).
- Maximum tooth length of 4 inches.

Oyster Dredge:

- Maximum weight of 150 pounds, with attachments.
- Maximum width of 50 inches.
- Maximum tooth length of 4 inches.

Hand Tong:

- Any pincers, nippers, tongs, or similar device used in catching oysters
- Consists of two shafts or handles attached to opposable and complementary pincers, baskets, or containers
- Operated entirely by hand, from the surface of the water
- No external or internal power source.

Hand Scrape:

- any device or instrument used or usable for the purpose of extracting or removing shellfish from a water bottom or the bed of a body of water.
- Catching bar with an inside diameter of **no more than** 22 inches.

Private Ground

IF using mechanical equipment to harvest oysters:

- **Must obtain a dredge permit from MPO.**
- **Each vessel working the lease needs a permit.**
- **Must be at least 3 acres in one tract or adjoining tracts.**
- **Lease rent must be paid.**
- **Free permit.**
- **No other gear license required.**

Certified Oyster Buyer Quick Facts

Must be a current Certified Shellfish Dealer from Virginia Dept. of Health/Division of Shellfish Safety (VDH/DSS)

Must be pre-authorized by a member of the Conservation and Replenishment Department annually.

User Fee, License & Permit requirments:

- Must purchase Oyster Buyer User Fee.
- Must purchase the corresponding Oyster Buyer license.
- Obtain a Place of Business, and vessel or truck permit (free).

Oyster Buyers Licenses can be purchased at a MRC Licensing Agent, Heathsville Office or through the Gateway portal (Mandatory Reporting System).

Shucking House Quick Facts

Must be a current Certified Shellfish Dealer from Virginia Dept. of Health/Division of Shellfish Safety (VDH/DSS)

User Fee, License & Permit requirments:

- Must purchase Shucking House User Fee.
- Must purchase the corresponding Shucking House license.

Shucking House Licenses can be purchased at the Main Office, MRC Licensing Agent, Heathsville Office or through the Gateway portal (Mandatory Reporting System).

Personal Use Harvest - NOT FOR SALE (Non - Commercial)

Oysters (household use ONLY)

§ 28.2-226. Exemptions from licensing requirements.

- 1 bushel of oysters in any one day.
- Taken by hand or with ordinary tongs.
- During the legally prescribed oyster season on public grounds.
- Open for harvest or unleased bottom open for harvest.
- Licenses, permits or tagging of shellfish NOT required.

Daily time limits - **Regulation**

Regulation: **4VAC20-720-60. Day and time limit.**

- Harvest permitted on Saturday and Sunday.

Clams (household use ONLY)

§ 28.2-226. Exemptions from licensing requirements.

- Maximum of 250 clams in any one day.
- Taken by hand or with ordinary tongs.

Refer to VMRC Chesapeake Bay Map for further information pertaining to: Private Oyster Leases, Shellfish Condemnation Zones by VDH, Open Harvest Areas, Public Grounds, Public Clamming Grounds.

QUESTIONS ABOUT SHELLFISH OYSTER USER FEES, PERMITS OR LICENSES?

JAMIE HOGGE
CONSERVATION & REPLENISHMENT
(757)247-2120
Jamie.Hogge@mrc.virginia.gov

ANDREW BUTTON
CONSERVATION & REPLENISHMENT
(757)247-2121
Andrew.Button@mrc.virginia.gov

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User Fee, Licenses & Permits

VMRC
Virginia Marine Resources Commission

Oyster User Fees:

Types of Oyster User Fees

For Harvesters

Public Ground Harvest	
(378) By Hand Only (SEASIDE residents):	$50.00
(379) All Gear:	$300.00
Private Ground Harvest	
(387) Aquaculture User Fee:	$50.00

****Must have Shellfish Harvester Training to purchase Shellfish licenses.**

For Certified Oyster Buyers

With Single Boat/Truck	
(385) Oyster Single Buyer User Fee: $100	
With Multiple Boats/Trucks	
(386) Oyster Multiple Buyer User Fee: $300	

****Single Oyster Buyer**: using a single truck or location

****Multiple Oyster Buyer**: using multiple trucks or locations

For Shucking Houses

(381) Less than 1,000 Gallons:	$500.00
(382) Less than 10,000 Gallons:	$1,000.00
(383) Less than 25,000 Gallons:	$2,000.00
(384) More than 25,000 Gallons:	$4,000.00

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Permits and licenses

Types of Licenses / Permits

For Harvesters

Public Ground Harvest

(101) Oyster By Hand Only :	$10.00
(102) Oyster By Patent Tongs - Single :	$35.00
(105) Oyster By Patent Tongs - Double :	$70.00
(103) Oyster By Dredge (Poc./Tangier ONLY):	$50.00
(104) Oyster By Hand Tong:	$10.00
(106) Oyster By Hand Scrape:	$50.00
(112) Clam Patent Tongs - Single :	$58.00

Private Ground Harvest

(108) Oyster Aquaculture Product Owner Permit	$10.00
(109) Oyster Aquaculture Harvester Permit	$5.00
(110) Oyster Aquaculture Vessel Permit	$0.00
(119) Clam Aquaculture Product Owner Permit	$10.00

For Certified Oyster Buyers

With Single Boat/Truck	
(412) Oyster Single Buyer License: $50.00	
(414) Oyster Buyer Boat/Truck Identifier Permit: $0	
With Multiple Boats/Trucks	
(413) Oyster Multiple Buyer License: $100	
(414) Oyster Buyer Boat/Truck Identifier Permit: $0	

****(414) needed for Place of Business and vehicle(s) / vessel(s)**

**Single Oyster Buyer: using a single truck or location
**Multiple Oyster Buyer: using multiple trucks or locations.

Licenses For Shucking Houses

(401) Less than 1,000 Gallons:	$12.00
(402) Up to 10,000 Gallons:	$33.00
(403) Up to 25,000 Gallons:	$74.00
(404)Up to 50,000 Gallons:	$124.00
(405) Up to 100,000 Gallons:	$207.00
(406) Up to 200,000 Gallons:	$290.00
(407) More than 200,000 Gallons:	$456.00

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