

BLACK DRUM HARVESTING PERMIT
EXCEPTION REQUEST



20 _____

THE REQUEST WILL BE REVIEWED BY THE COMMISSIONER OR HIS DESIGNEE. SEND APPLICATION TO:

VIRGINIA MARINE RESOURCES COMMISSION
2600 WASHINGTON AVE. 3RD FLOOR
NEWPORT NEWS, VA 23607

FAILURE TO PROVIDE ALL INFORMATION WILL DELAY YOUR APPLICATION

FULL NAME: _____

MAILING ADDRESS: _____ MRC ID: _____

PLEASE COMPLETE A WRITTEN REQUEST THAT EXPLAINS WHY THE COMMISSIONER SHOULD GRANT YOU AN EXCEPTION INTO THE BLACK DRUM FISHERY. (see regulation 4 VAC 20-320-10 ET SEQ. section 70 see page 2)

PLEASE ATTACH ANY ADDITIONAL DOCUMENTS

DATE

SIGNATURE OF APPLICANT

OFFICE USE

APPROVED

DENIED

**VIRGINIA MARINE RESOURCES COMMISSION
"PERTAINING TO THE TAKING OF BLACK DRUM"
REGULATION 4 VAC 20-320-10 ET SEQ.**

4VAC20-320-70. Commercial harvest permits required.

A. It shall be unlawful for any registered commercial fisherman to take, catch, sell, or possess more than one black drum per day, without first having obtained a Black Drum Harvesting and Selling Permit from the Marine Resources Commission. Such permit shall be completed in full by the permittee and a copy kept in the possession of the permittee while fishing and selling black drum. Permits shall only be issued to applicants meeting the following criteria:

1. The applicant shall be a registered commercial fisherman and shall have held a Black Drum Permit in at least one year from 1988 to 1993;
2. The applicant shall have documented catch of black drum in at least one year for which a Black Drum Permit was held from 1988 to 1993; and
3. The applicant shall have reported, in accordance with this chapter, any black drum fishery activity in 1992 and 1993, if a Black Drum Permit was held in those years.

Nothing in this subsection is intended to prohibit a registered commercial fisherman fishing pursuant to 4VAC20-320-40 as a legally eligible recreational fisherman from possessing only one black drum not to be sold.

B. Any registered commercial fisherman who is not permitted to harvest black drum, in accordance with subsection A of this section, may harvest, possess, and sell one black drum per day. Any such daily harvest shall not be a part of the commercial harvest quota but shall be reported to the VMRC as specified in 4VAC20-610.

C. The Commissioner, or his designee, may grant exceptions to the limited entry criteria listed in subsection A of this section based upon scientific, economic, biological, sociological, and hardship factors. Any person requesting an exception shall provide in writing an explanation for exception and all pertinent information relating to the criteria in subsection A of this section.

D. Requests to transfer a Black Drum Harvesting Permit shall be documented on a form provided by the Marine Resources Commission, notarized by lawful Notary Public, and subject to approval by the Commissioner, or his designee.

E. It shall be unlawful for any person, firm, or corporation to buy any black drum from the harvester without first having obtained a Black Drum Buying Permit from the Marine Resources Commission. Such permit shall be completed in full by the permittee and a copy kept in possession of the permittee while buying black drum.

F. Any person, firm or corporation that has black drum in possession with the intent to sell must either be a permitted harvester or buyer, or must be able to demonstrate that those fish were imported from another state or purchased from a permitted buyer or seller.