

<b>FOR OFFICE USE ONLY</b> <b>Date Issued</b> _____ <input type="checkbox"/> <b>Check</b> <input type="checkbox"/> <b>Money Order</b> <b>Approved Initials</b> _____
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF MARINE WATER MONITORING  
P.O. BOX 405 STONEY HILL ROAD  
LEEDS POINT, NEW JERSEY 08220

APPLICATION FOR SPECIAL PERMIT TO PARTICIPATE IN A STATE APPROVED SHELLFISH RELAY PROGRAM UTILIZING SPECIFIED SPECIAL RESTRICTED AND SEASONAL SPECIAL RESTRICTED WATERS WITHIN THE STATE OF NEW JERSEY.

DATE: \_\_\_\_\_ Current Permit # \_\_\_\_\_

NAME OF APPLICANT \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

DRIVERS LICENSE \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_ SS# \_\_\_\_\_

NEW JERSEY DIVISION OF FISH AND WILDLIFE COMMERCIAL SHELLFISH HARVESTING LICENSE NO.  
\_\_\_\_\_

Applicant shall provide a copy of their valid commercial shellfish harvesters license with the application.

I hereby apply for a special permit to participate in a State approved shellfish relay program utilizing specified Special Restricted and Seasonal Special Restricted waters within the State of New Jersey.

Type of special relay permit for which application is being made:

Mark one and complete as necessary:

<input type="checkbox"/> <b>1. Permit (Permit 5a)</b> To Harvest, Buy, Sell And Relay Hard Clams From Specified Special Restricted, Seasonal Special Restricted Waters In Conjunction With A State Approved Shellfish Relay Program. Special relay leased plot number in Approved waters _____. Lease issued to _____. Special relay leased lot location (bay) _____.
I understand that ALL hard clams harvested under this permit shall be relayed to the above stated special relay leased plot on a schedule determined by the Department, for a minimum of 30 days for purification prior to harvesting. I further understand that harvesting from Special Restricted and Seasonal Special Restricted waters shall not be permitted until I have received a written permit (Permit 5a) and that reharvesting from my special relay leased plot shall not be permitted until written notification is received from the Bureau of Marine Water Monitoring.

- 2. Permit (Permit 5b)** To Harvest Hard Clams From Specified Special Restricted, Seasonal Special Restricted Waters For Sale Purposes Only In Conjunction With A State Approved Shellfish Relay Program.

I understand that ALL hard clams harvested under this permit shall be sold, on the same day, to a permitted buyer(s) holding a valid Permit 5a or Permit 9 as described in 1 above. I further understand that it shall be my responsibility to make prior arrangements with said permitted buyer(s) to purchase my shellfish before harvesting same. I will not hold the Department responsible for purchasing or providing a buyer(s) for said shellfish by reason of my holding this permit (Permit 5b).

There is no necessity for the holder of this permit (Permit 5b), to hold a special relay leased plot in Approved waters nor to purchase the seals.

I understand that it is my responsibility to keep the Bureau of Marine Water Monitoring informed of my current mailing address. A change of address from that submitted on this application, as well as subsequent changes therefrom must be reported to the Leeds Point office within one week of change in writing. Failure to notify the Bureau of Marine Water Monitoring, in writing, of an address change may be cause for suspension of the permit.

Further, I acknowledge the harvester three part relay shall have the harvester's name, date and the harvest area. The harvest area listed shall be the one sub area from which the majority of the clams were harvested. The designation **10-12** is no longer acceptable. Non-compliance with his requirement may result in the suspension of your permit.

This application must be accompanied by a fee (check or money order) of \$25 in accordance with N.J.S.A. 58:24-3. PLEASE DO NOT SEND CASH. Please make check or money order payable to **TREASURER, STATE OF NEW JERSEY**

SEND TO: Robert Connell, Chief  
Marine Water Monitoring  
P.O. Box 405 Stoney Hill Road  
Leeds Point, New Jersey 08220

#### **Requirements and Conditions:**

1. All 5a permittees are required to possess a special relay lease issued by the department (see N.J.A.C 7:25-15.1) as a condition of this permit. The applicant is solely responsible for maintenance of all signs, stakes and markers as established in N.J.S.A. 50:1-5.
2. Species limited under said permit to hard clams (Mercenaria mercenaria).
3. Sections of harvest are limited to those delineated on a chart attached to each permit or amended charts sent to current mailing address of permittee on record at the Leeds Point Office. These areas specified for harvest may consist of Special Restricted, and/or Seasonal Special Restricted waters as classified by this department.
4. A schedule of harvest dates by section and landing sites will be sent by the department to the permittee at the address on file with the Bureau of Marine Water Monitoring (Leeds Point). A change of address must be reported to the Bureau of Marine Water Monitoring (Leeds Point) within one week of change.
5. The harvester must possess a valid **New Jersey Commercial Shellfish Harvesting License** issued by the New Jersey Division of Fish, Game and Wildlife.
6. Harvesting from waters designated for relay purposes shall be subject to All State laws and regulations applicable to the harvest of hard clams from Approved waters.
7. The relay of hard clams from the waters designated for relay purposes shall be permitted as established by N.J.A.C. 7:25-15.1. Hard clams shall be planted on the specified leased plots in Approved waters as scheduled by the Department. A schedule for planting on the specified leased plots in Approved waters will be given or sent under separate cover to the permittee at the address on file with the Bureau of Marine Water Monitoring

(Leeds Point). The shellfish shall be removed from the bags at time of planting.

8. The participant must have this permit in his possession while working in all phases of the relay program.
9. This permit shall apply only to the waters specified on an attached chart provided with each permit and further specified on a schedule determined by the department to manage the resource and protect the public health, safety and welfare.
10. All hard clams taken from the designated relay waters shall be relayed to the special relay leased plots on a schedule set by this department and shall remain upon said leased plots until written permission for harvest has been granted by the Bureau of Marine Water Monitoring. Relayed hard clams are required to remain for a minimum of 30 days on the special relay leased plots. The minimum 30 day purging period will begin on a schedule established by the department. Additionally, the water temperature of the Approved waters during the minimum 30 day purging period shall be at or above 10 degrees Celsius (50 degrees Fahrenheit) as determined by the Bureau of Marine Water Monitoring. Reharvesting of the relayed shellfish will be regulated by the Department of Environmental Protection's Bureau of Marine Water Monitoring. Reharvesting of shellfish from the special relay leased plots may commence only after receipt of written permission from this office.
11. The State Department of Environmental Protection reserves the right to suspend or revoke this permit at any time that in the department's judgement its continued use may imperil the public health.
12. I understand and acknowledge that this program is strictly regulated and that I am subject to inspection and collection of Shellfish while engaged in this regulated activity. I understand that I have consented to a search of my vessel, vehicle and any containers therein by enforcement personnel who are enforcing the provisions of this program. Shellfish found under participant's control contrary to these and other applicable statutes and regulations shall be subject to seizure.
13. Signs having a white background with 6" legible black lettering, giving the participants first initial and last name and Special Relay permit number shall be placed and maintained (amidships) on both sides of the participants boat while participating in any phase of the program.
14. Said boats shall remain in the designated relay section during the time harvesting operations are underway. Harvesting beyond the designated section is prohibited.
15. Upon completion of the day's harvesting, all shellfish shall be transferred to the authorized vehicle(s). No clams are to remain in the marked clam boats or be transferred to other vehicles or boats. The location(s) of all loading and unloading sites associated with the transfer of shellfish from one vehicle/vessel to another, shall be assigned by the enforcement unit(s) designated in the Bureau of Shellfisheries regulations appearing at N.J.A.C. 7:25-15.1. There shall be no variance from said designated area unless so authorized by same.
16. Dredging and other illegal methods of harvesting are prohibited.
17. Shellfish taken from the designated relay section shall be bagged by the participant, to the line imprinted on the bags available to the participant from the Department. These bags will be provided, at cost, to the participant through the Leeds Point Office of this bureau. No unmarked bags will be allowed in the harvester's or buyer's vehicles or boat except during reharvest. Shellfish not in compliance with the bagging requirements will be seized and returned to the Condemned waters by the designated enforcement unit. Participants will place the shellfish in vehicles provided by them and approved by the Department. The vehicles will be sealed by the department, or an agent designated by the Department at the harvest landing site and opened by the department or a designated agent at the off-loading site. The enforcement unit may specify the route to be taken from the harvest landing site to the planting off-loading site. Shellfish purchased from a holder of a valid Hard clam depuration permit (Number 9) shall be handled under the same conditions. Where there is a simultaneous possession of hard clams and relay bags, all hard clams shall be deemed to have been harvested from Special Restricted waters.
18. The bags will be counted by the relay harvester and listed on the numbered three-part relay receipt forms which shall be certified by the harvester. Receipts for all clams must be in the transporting vehicle. When clams are sold to the holder of a 5a permit, the form shall be signed by both the harvester and the buyer-planter at the landing site. The possession or submission of incomplete, fraudulent or misleading relay receipt forms shall be a violation of this permit.
19. Participants shall not harvest approved clams from their leased plots on the same trip they plant clams from the day's relay. Persons harvesting clams from relay lots after written permission has been received from the Bureau of Marine Water Monitoring shall not have any "RELAY" transport bags, as described in N.J.A.C. 7:25-15-1 of the relay rules, in their vehicles or vessels at the time they harvest. Any shellfish contained by the above described "RELAY" bag shall be considered contaminated and are subject to all of the transport and receipt

form restrictions listed therein.

- 20. Only the lessee or a substitute harvester shall remove clams from the leased plots. A substitute harvester must possess a Letter of Permission (issued by the Division of Fish, Game and Wildlife) from the lessee giving the dates for which he is allowed harvest privileges, and the lessee's permit number from the Bureau of Marine Water Monitoring (Permit 5a).
- 21. This permit shows on its face specific conditions that are deemed necessary for the proper operation of the shellfish relay program. These permit conditions are hereby incorporated in this paragraph by reference, and violation(s) of said conditions shall be deemed violation(s) of these regulations. All permittees are also required to comply with all other applicable statutes and regulations. Included with every permit are charts of the harvest sites showing specific sections within the estuaries that may be harvested on a particular day as determined by the department.

PLEASE NOTE:

If, upon review of this application, the Bureau issues the applicant a permit, that permit is issued subject to the requirements and conditions as set forth in paragraphs 1 through 21, above. Violation of any of these requirements and conditions may subject the permit holder to enforcement action under N.J.S.A. 58:24-3. Such enforcement action may include, but will not necessarily be limited to, suspension or revocation of the permit. By signing this application below, the applicant states that he or she understands and agrees to comply with all such requirements and conditions.

**BE ADVISED, FOR THE 2007 RELAY PERMITS ISSUED, THE PROGRAM WILL CONTINUE IF THE AVERAGE DAILY PARTICIPATION MEETS/EXCEEDS 10 HARVESTERS/DAY. THE FIRST ASSESSMENT OF PARTICIPATION WILL BE AFTER 30 DAYS (RATHER THAN A WEEKLY BASIS). IF PARTICIPATION DOES NOT AVERAGE 10 HARVESTERS/DAY OVER THAT OR ANY SUBSEQUENT 30 DAY PERIOD, THE PROGRAM WILL BE SUSPENDED.**

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

**FOR YOUR CONVENIENCE:**

Applications can now be downloaded from our website @ <http://www.nj.gov/dep/bmw/index.html>  
Go to Shellfish Harvesting, then click on Permit Applications.

- Check here if you plan to get next year's application from our website and you **DO NOT WANT AN APPLICATION MAILED TO YOU NEXT YEAR.**