

Aquaculture Tour Plans & Boat Safety Guidance for Shellfish Farm Tours

This information is an introduction to tour and boat safety regulations for shellfish farm tour providers. It summarizes regulations to be aware of, presents visitor considerations, and provides links to resources for more information.



Aquaculture Tour Plans

Anyone with an active Aquaculture Operation Permit (AOP) must submit a Shellfish Lease Tour Plan to host shellfish farm tours.

- Tour plans are to be submitted annually to the NC Division of Marine Fisheries (NCDMF) and must be followed as approved.
- A new plan must be submitted for review if there are changes to the tour plan.
- If tour plans do not change, they do not need to be resubmitted during annual permit renewals.
- An example of a Shellfish Lease Tour Plan is found at the end of this fact sheet.

Those harvesting oysters and handling gear during a tour must be designated as an Authorized Worker on the lease.

- An authorized worker needs one of the following commercial licenses: a Commercial Shellfish License, a Standard Commercial Fishing License (SCFL), or a Retired Standard Commercial Fishing License (RSCFL).[1],[2]
- All workers must keep a copy of their work authorization form and appropriate license.

Those harvesting oysters and handling gear during a tour must be designated as an Authorized Worker on the lease.

- An operator of the AOP should be present with a copy of the permit and the tour plan during any tour in which oyster gear is handled, or oysters are harvested.
- The work authorization form must be submitted at least 3 business days before the start of the workers' authorization. For example, if a shellfish farm tour is scheduled on a Saturday, the work authorization form must be submitted 3 business days prior (Wednesday). Once a form has been submitted and approved, it does not need to be submitted again for future tours.

Sale of oysters during a tour must be conducted by a Certified Shellfish Dealer or the agent of a dealer.

- All requirements in NCDMF proclamations related to Shellfish Sanitation and Temperature Controls must be followed.[3]



Additional requirements for selling oysters during tours are the following:

- Harvest or harvest/dealer tags must be retained for 90 days.
- Seafood HACCP (Hazard Analysis Critical Control Points) Plan requirements must be followed.
- Trip tickets are to be filled out at the time of sale. The customer should keep the receipt during the remainder of the tour.
- A daily record of all shellfish sales should be completed and kept on file for one year.

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Information should include:

- Location of shellfish harvest
- Time the harvest began
- Time received
- Time of sale
- Time to 50° F prior to sale. Between May 1 and October 14, oysters must be cooled to 50° F or below before sale and refrigerated at 45° F or below until sale.



Photo by Dustin Kase, Condor

- Providing oyster samples is a common component during a shellfish farm tour, and must be approved by the lease's corresponding County Health Department. Any free samples during a paid tour require a Temporary Food Establishment (TFE) permit. County health departments have developed a faster TFE permitting route which will cover the shoreside of the tour operation.
- The quickest route of approving a Tour Plan would be to submit and operate a plan without samples to NCDMF while securing the TFE from the County Health Department. Once a TFE is received, the approved Tour Plan can be amended with NCDMF easily to include the samples.
- A Consumer Advisory must be present on the Dealer Tag and posted where participants can easily see it on the vessel.[4],[5] This is a sign warning consumers with certain medical conditions of possible health risks from consuming raw shellfish.

BOAT SAFETY GUIDANCE

For shellfish farm tours involving boats, inspections, registrations, and safety requirements for vessels must meet all state requirements. The boat's registration number and vessel names must be displayed. They should also be fully equipped for passenger safety. The NC Wildlife Resources Commission provides a checklist to review to ensure boats meet specifications.[6] The boat captain must have a captain's license issued by the U.S. Coast Guard (USCG) which supports the maximum number of passengers. For example, the captain should secure a Operator of Uninspected Passenger Vessels (OUPV/Six-pack) USCG Captain's license or greater to run a 6-person charter to a shellfish farm on the water.[7] The USCG annually inspects boats for passenger safety and conducts person overboard drills for group tour boats holding six or more guests.[8]

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- [1] NC Division of Marine Fisheries. 2022. [Shellfish License Application Instructions](#).
- [2] NC Division of Marine Fisheries. 2024. [SCFL Eligibility Pool](#).
- [3] NC Division of Marine Fisheries. 2024. [Shellfish Sanitation](#).
- [4] NC Division of Marine Fisheries. 2019. [Consumer Advisory](#).
- [5] NC Division of Marine Fisheries. 2019. [Shellstock Tag Information Requirements](#).
- [6] NC Wildlife Resources Commission. 2024. [North Carolina Boating Checklist](#).
- [7] National Maritime Center. [Charter Boat Captain](#). United States Coast Guard.
- [8] [Vessel Safety Checks](#). United States Coast Guard Auxiliary.
- [9] [ADA Accessibility Standards: Recreational Boating Facilities](#). U.S. Access Board.
- [10] [ADA Checklist for Existing Facilities: Recreational Boating Facilities](#). U.S. Access Board.

VISITOR CONSIDERATIONS

Assessment of potential hazards and risks during all portions of the visitor's experience is critical to ensure safety. For boarding, consider accessible options such as ramps or other modifications like handrails for boarding. Stable seating and a secure ride are important. Review Americans with Disabilities Act (ADA) requirements and suggestions to accommodate all potential guests.[9],[10] In providing mariculture tours via boat, consider having a second mate on board for assistance. This way, the captain can run the boat and the mate can pull up cages, engage with customers, and handle transactions.



2023 AOP Shellfish Lease and Franchise Tour Plan

EXAMPLE

Any shellfish lease or franchise holders that wish to conduct shellfish lease tours for 2024 must submit a Shellfish Lease and Franchise Tour Plan to be reviewed and certified as an addition to an active AOP. Please use the space below to describe your plan (or attach your plan to the end of the form). Note that any lease tour plans will only be certified for the activity described below. Modifications to the lease tour plan will require reapplication for review.

EXAMPLE

Lease Tour Plan for Leases 23-000BL and 23-000WC

Tour vessels will be operated by:

Andy Dwyer (USCG 6-pack License Reference #11111111) and April Ludgate (USCG 25-ton Master's License Reference #11111112)

Copies of Licenses Attached

Tours operated by Andy will be up to 6 people at a time. Tours Operated by April will be up to 10 people at a time.

Ben Wyatt (leaseholder with SCFL-SF) and Leslie Knope (Certified Shellfish Dealer and SCFL designee) will be working the lease.

All gear handling and harvesting will be done by Ben and Leslie. Ben will carry AOP. Leslie will carry SCFL designee form and authorized worker form.

Tour goers will be offered free samples of oysters. Between May 1 and October 14 sample oysters will be brought from shore facility refrigeration in certified mechanical refrigeration onboard tour vessel. Consumer advisories are posted aboard both vessels and on dealer tag.

Purchases of oysters directly from the lease will be done through Leslie and will have a trip ticket and dealer record filled out.

Purchases of oysters between May 1 and October 14 will be made at the shore facility certified refrigeration. Trip tickets and dealer records will be conducted at the shore facility as well. All SS-1-2023 and SS-2-2023 requirements will be followed after harvest of oysters.

A copy of the approved lease tour plan will be kept on all tour vessels.

EXAMPLE

APPROVED

By: 

Date: 10/23/23

Applicant Initials _____