

# A Summary of Georgia's Licenses and Permits For Aquaculture

Prepared by the Georgia Department of Natural Resources - Wildlife Resources Division

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The following is a short summary of the most common natural resource related state and federal permits and licenses that aquaculturists *may* need in Georgia. No attempt has been made to incorporate local regulations into this list. The description of each permit or license is not intended to be complete. Prospective aquaculturists should contact the appropriate agency for more information. The following summaries of licenses and permits are listed alphabetically. Full agency contact information is listed on page 4 and corresponds to the numbers listed (in brackets [#] ) along with each permit description.

**AGRICULTURAL BMP'S FOR PROTECTING WATER QUALITY:** Although agriculture is exempted from the Georgia Erosion and Sedimentation Act, agriculture enterprises such as fish farms are required to conduct activities consistent with Best Management Practices (BMP's) established by the Georgia Department of Agriculture. BMP's are management strategies for control and abatement of nonpoint source pollution resulting from agriculture. The manual "Agricultural Best Management Practices for Protecting Water Quality in Georgia" provides information on using and maintaining BMP's. The manual is available from the Georgia Soil and Water Conservation Commission [5]. If waters of the state are impaired by agricultural activities and there appears to be no immediate solution or mitigation, the Georgia Environmental Protection Division will resolve the problem as a water quality violation.

**AGRICULTURAL WATER USE PERMIT:** (free, Georgia Environmental Protection Division, Watershed Protection Branch). [2] Required for all ground and surface water withdrawals of 100,000 gallons or more daily on a monthly average. These permits have no expiration date, require no reporting of water use, may be transferred to subsequent landowners upon notification of EPD and will not be revoked for nonuse. An application form for the Surface Water Withdrawal Permit may be obtained from the County Extension Agent (check the telephone directory under state listings), who will forward the application to the Environmental Protection Division.

**AQUACULTURE REGISTRATION:** (free, Georgia Wildlife Resources Division, Special Permits Unit). [7] Aquaculturists producing and selling or re-selling domestic fish may register (free) with the Department of Natural Resources. "Domestic fish" are lawfully obtained farmed fish which are held in confinement in private ponds, but only if they are fish species which are either indigenous to Georgia or are fish species which have been recognized before 1992 as having an established population in Georgia's public waters. White perch (*Morone americana*) cannot be considered a domestic fish. A commercial fish hatchery license, wholesale fish dealers license (DNR), or retail fish dealers license are not needed to sell domestic fish if the seller has registered as an aquaculturist. Persons in possession of domestic fish from registered aquaculturists must have a bill of sale or lading which provides the date of the sale, identifies the seller and which details two of the following three criteria for each species of fish: number, weight, or average length. Grocery stores do not have to register to sell domestic fish. Aquaculture registration certificates expire on April 1 following two years of registration. Information provided by the aquaculturist for registration must be updated if there are changes during the registration period. Registration certificates should be displayed in a prominent location at the place of business, and a copy should be in possession of the owner or his agents when conducting business off the premises.

\* **CATCH-OUT POND LICENSE:** (\$236, Georgia Wildlife Resources Division, License Unit). [6] This license is not required. However, without this license persons fishing in the catch-out pond must purchase a state fishing license or trout stamp, and comply with state creel limits, possession limits, size limits, or seasons if the owner has stocked fish other than farm raised domestic fish (see definition of domestic fish under Aquaculture Registration). No one needs a state fishing license to fish in private ponds containing domestic fish, even if the owner is operating the pond as a commercial catch-out pond.

**COMMERCIAL FISHING LICENSE and COMMERCIAL FISHING BOAT LICENSE:** (Georgia Wildlife Resources Division, License Unit). [6] Each person engaged in commercial fishing in the state's fresh or salt waters must obtain a Commercial Fishing License (\$12 resident, \$118 nonresident). In addition, a Commercial Fishing Boat License (resident \$50 plus \$3 per foot over 18 feet, nonresidents add \$25) is required if a boat is used to commercially fish in salt waters. Specific records must be maintained for all species of seafood sold for human consumption.

\* **COMMERCIAL FISH HATCHERY LICENSE:** (\$59, Georgia Wildlife Resources Division, License Unit). [6] This license is needed for any facility with two or more ponds or a raceway system producing fish for sale more than once annually. This license is not needed for hatcheries raising only domestic fish if the owner has an aquaculture registration (see definition of domestic fish under Aquaculture Registration). Fish sold from licensed

facilities must be accompanied by a bill of sale or lading which provides the date of the transaction, identifies the seller and which details two of the following three criteria for each species of fish: number, weight, or average length. Licensed hatcheries may sell legally obtained game fish.

**\* FISH DEALERS LICENSES, Ga. Dept. of Natural Resources:** (Georgia Wildlife Resources Division, License Unit). [6] A wholesale (\$59) or retail (\$10) fish dealers license is needed to sell live fish or fish eggs. Exceptions include persons with a commercial fish hatchery license, persons selling fish for use in aquaria, and registered aquaculturists selling only domestic fish (see definition of domestic fish under Aquaculture Registration). A wholesale license is needed for persons selling fish to others for the purpose of resale, and for those persons importing live fish or eggs into the state. A retail license is needed in other instances. Nonresident persons may sell and import live fish and eggs into the state without purchasing a license if they sell to a Department of Natural Resources licensed wholesale fish dealer. Fish sold from licensed dealers must be accompanied by a bill of sale or lading which provides the date of the transaction, identifies the seller and which details two of the following three criteria for each species of fish: number, weight, or average length.

**404 AND SECTION 10 PERMITS:** (\$100, U.S. Army Corps of Engineers, Savannah District Office). [8] Prospective aquaculturists whose operation will involve locating a structure in navigable waters must first obtain a Section 10 permit. If the activity involves the discharge of dredge or fill materials into waters of the United States (includes wetlands and tributaries to navigable waters), a 404 permit is required. If the activity involves both, applicants need to apply for a joint permit.

**MASTER COLLECTING PERMITS:** (free, Georgia Coastal Resources Division). [1] This free permit and a commercial fishing license must be obtained by persons taking oysters or clams for commercial purposes. The permittee must report to DNR the volume and location of oysters and clams harvested the previous season. Master collecting permits will only be issued to persons who have an exclusive right to harvest oysters or clams, or to lessees of such persons. State owned property may be leased for shellfish harvesting.

**MOBILE SALES LICENSE:** (\$50, Georgia Department of Agriculture, Consumer Protection Division). [4] Persons and businesses engaged in the retail sale of fresh and frozen seafood, meat or poultry from mobile vehicles (including land, air and water vehicles) must obtain a mobile sales license for each vehicle. Specific criteria and equipment are required for sanitation and refrigeration, sales, and advertising.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT:** (free, Georgia Environmental Protection Division, Watershed Protection Branch). [3] Any person discharging or proposing to discharge at least 30 days per year from a hatchery, fish farm, or other facility into the waters of the State may need an NPDES permit. Cold water facilities which produce less than 9,090 kilograms (approximately 20,000 pounds) of aquatic animals per year; and feed less than 2,272 kilograms (approximately 5,000 pounds) of food during the calendar month of maximum feeding do not need an NPDES permit. Warm water facilities which produce less than 45,454 harvest weight kilograms (approximately 100,000 pounds) of aquatic animals per year, or are composed of closed ponds which discharge only during periods of excess runoff, do not need an NPDES permit.

**PROCESSING FACILITY LICENSE:** (\$50, Georgia Dept. of Agriculture, Consumer Protection Division). [4] A license is needed to operate any processing facility. Specific criteria and equipment are necessary to meet the conditions of the license. The facility will be subject to timely and random inspections to ensure that the facility is meeting all sanitary requirements outlined in the Georgia Food Act.

**STATE WATER QUALITY CERTIFICATION:** (free, Georgia Environmental Protection Division, Watershed Protection Branch). [3] Required before the Corps of Engineers will take final action on a Section 10 or 404 permit. A copy of the application for a Section 10 or 404 permit will automatically be sent by the Corps to the Georgia Environmental Protection Division for State Water Quality Certification.

**TROUT WATERS - APPROVAL TO IMPOUND OR DISCHARGE:** (free, Georgia Environmental Protection Division, Watershed Protection Branch). [3] The natural temperatures of streams designated as Primary Trout Waters may not be elevated, and the temperature elevation in Secondary Trout Waters is limited to 2°F or less. No person may construct an impoundment on Primary or Secondary Trout Waters without the approval of the Environmental Protection Division.

**WHOLESALE FISH DEALERS LICENSE, Ga. Dept. of Agriculture:** (\$50 resident, varies non-resident, but free to resident fish producers and commercial fishermen, Georgia Dept. of Agriculture, Consumer Protection Division). [4] Any person or business that sells fish or seafood of any kind to retail dealers, other wholesale dealers, hotels, restaurants or other public eating places needs this license from the Department of Agriculture. This license is not the same as fish dealer licenses offered by Department of Natural Resources for the sale of live fish. Registered aquaculturists and others will need this license if they sell fish or seafood in the manner listed in the first sentence of this paragraph. Specific criteria and equipment are required for sanitation and refrigeration of fish and seafood.

**WILD ANIMAL LICENSE:** (\$236, Georgia Wildlife Resources Division, Permit Office). [7] This license is required to possess, import, transport, transfer, sell or purchase any wild animal including exotic fish species. No license is needed for exotic fish (see exceptions below) if they are held in containers for holding fish from which no water is discharged, except during periodic cleaning, and which discharged water is passed through a filtering system capable of removing all fish and fish eggs and is disposed of only in a septic tank permitted by the county or in a waste water treatment system permitted by the Environmental Protection Division. Exotic fish are all fish species not native to Georgia. However, rainbow trout, brown trout, common carp, goldfish, and fathead minnow are examples of non-native fish that are not considered exotic fish for regulatory purposes. A wild animal license is always needed to possess banded tetra (*Astyanax fasciatus*); piranhas (all species including the Genera *Serrasalmus*, *Serrasalmo*, *Pygocentrus*, *Taddyaella*, *Rooseveltiella*, and *Pygopristis*); grass carp (*Ctenopharyngodon idella*, see exception below); silver carp (*Hypophthalmichthys molitrix*); bighead carp (*Aristichthys nobilis*); air-breathing catfishes (all species of the Family Clariidae); parasitic catfishes (all species of the Genera *Vandellia* (*candiru*) and *Urinophilus*); giant walking catfishes (all species of the Genus *Heteropneustes*); snakeheads (all species of the Genera *Ophicephalus* and *Channa*); and fresh water stingray (all species of the Family Potamotrygonidae). Licenses are individually conditioned to ensure that the requirements of the Game and Fish Code are met. No permit is required for persons buying triploid grass carp from wild animal dealers licensed by Georgia to sell grass carp if the buyer retains the bill of sale as proof, and the grass carp are stocked into a private pond.

- \* Georgia Dept. of Natural Resources licenses (catch-out pond, commercial fish hatchery, wholesale, and retail licenses) marked with an asterisk are **not** needed to sell farmed raised domestic fish. These licenses “Domestic fish” are lawfully obtained farmed fish which are held in confinement in private ponds, but only if they are fish species which are either indigenous to Georgia or are fish species which have been recognized before 1992 as having an established population in Georgia’s public waters. White perch (*Morone americana*) cannot be considered a domestic fish. Largemouth bass, bluegill, rainbow trout, brown trout, common carp, crappie, golden shiner, and channel catfish are examples of eligible fish species if they meet the definition of domestic fish.

## ADDRESSES and PHONE NUMBERS

[1] Georgia DNR Coastal Resources Division  
One Conservation Way, Suite 300  
Brunswick, Georgia 31520  
phone: 912/264-7218

[2] [3] Georgia DNR Environmental  
Protection Division - Watershed  
Protection Branch  
4220 International Parkway,  
Atlanta, Georgia 30354  
phone: 404/675-6232

[4] Georgia Department of Agriculture -  
Consumer Protection Division  
19 MLK, Jr. Drive  
Atlanta, Georgia 30334  
phone: 404/656-3621

[5] Georgia Soil and Water Conservation  
Commission  
4310 Lexington Road  
P.O. Box 8024  
Athens, Georgia 30603  
phone: 706/542-3065

[6] Georgia DNR Wildlife Resources  
Division - License Unit  
2189 Northlake Parkway  
Building 10, Suite 108  
Tucker, Georgia 30084  
phone: 770/414-3333

[7] Georgia DNR Wildlife Resources  
Division - Special Permits Office  
Game Management Section  
2109 U.S. Highway 278 SE  
Social Circle, Georgia 30025  
phone: 770/761-3044

[8] U.S. Army COE - Savannah District,  
District Engineer  
P.O. Box 889  
Savannah, GA 31402-0889  
Attention: SASOP-F  
phone: 1-800-448-2402

U.S. Army COE - Mobile District,  
Regulatory Division  
109 Saint Joseph Street  
Mobile, AL 36602  
251-690-2658 phone  
251-690-2660 fax

## WEBSITES and ONLINE INFORMATION

GEORGIA DEPARTMENT OF NATURAL RESOURCES (DNR): [www.gadnr.org](http://www.gadnr.org)

- [1] Coastal Resources Division (CRD): <http://crd.dnr.state.ga.us/>
- [2, 3] Environmental Protection Division (EPD): [www.ganet.org/dnr/environ/](http://www.ganet.org/dnr/environ/)
- [6, 7] Wildlife Resources Division (WRD): [www.georgiawildlife.com](http://www.georgiawildlife.com)

GEORGIA DEPARTMENT OF AGRICULTURE: <http://agr.georgia.gov/>

- [4] Consumer Protection Division:  
[http://agr.georgia.gov/00/article/0,2086,38902732\\_0\\_40604868,00.html](http://agr.georgia.gov/00/article/0,2086,38902732_0_40604868,00.html)

GEORGIA SOIL AND WATER CONSERVATION COMMISSION:

- [5] [www.gaswcc.org/](http://www.gaswcc.org/)

U.S. ARMY CORPS OF ENGINEERS: [www.usace.army.mil/](http://www.usace.army.mil/)

- [8] Savannah District Engineer: <http://www.sas.usace.army.mil/>  
Jacksonville District Engineer: <http://www.sam.usace.army.mil/>