

E-Reporting with FACTS™ – Shellfish Harvester Pilot Permit

The above-named individual is an authorized (COMAR 08.02.01.10) participant in a Maryland Department of Natural Resources Shellfish Harvester Electronic Reporting Pilot study evaluating Chesapeake Bay Commercial fisheries harvest reporting systems. You may only participate under this permit in the fishery or fisheries for which you hold a valid authorization under Natural Resources Article, §4-701.

Conditions:

1. Participants, their designated authorized users (Natural Resources Article, §4-701) and/or designated authorized representatives (condition 5a) shall be able to provide verification of their participation in the program and their eligibility to use the flexibilities described below.
2. Participants
 - a) Participants shall provide daily reports of clam and oyster harvest and effort data as required, per the program's User Manual and Best Reporting Practices, via electronic means in lieu of paper harvest reports for the duration of their participation in the pilot study.
 - b) Participants shall provide daily reports required by the Department in the appropriate FACTS™ form.
3. In the event there is an inability to report electronically through the FACTS™ system due to device failure, the participant is required to submit such other reports as required under provisions of Natural Resources Article, §4-206.
4. The Department will not use the reporting devices to track a participant's location during the study.
5. Flexibilities for Shellfish Harvesters:
 - a) Pilot participants can designate authorized representatives to take their harvest to dealers under their license. Authorized representatives must be commercially licensed individuals allowed to harvest shellfish and be participating in the Shellfish FACTS™ pilot program.
 - b) Early Start Time
 - i) January 1, 2024 through end of the 2023-2024 oyster season: pilot participants licensed to harvest shellfish in the Chesapeake Bay can start harvesting up to ½ hour before sunrise by electing to daily report using FACTS™ as part of their start haul for each trip.
 - ii) Pilot participants electing to start ½ hour before sunrise must display the letters "EHRS" on their vessel. The letters shall be painted or firmly attached to the port side near the stern of the vessel. The letters shall be plain vertical block characters of not less than 3 inches in height and shall contrast with the color of the background.
 - iii) Pilot participants will observe the same workday total hours as non-FACTS™ users. If they elect to start early they must cease harvesting:
 - a. Oysters by 2:30 p.m. when using shaft tong, patent tong, dredge boat, diving apparatus, or power dredge;
 - b. Oysters at least 1/2 hour before sunset when using a dredge boat propelled by means of an auxiliary yawl boat; and
 - c. Clams at least 1/2 hour before sunset.
6. The Department may, at its discretion, terminate participation of any permittee at any time. (COMAR 08.02.01.10 and Natural Resources Article, §4-215)
7. This permit shall be signed by the participant and designated representative of the Department of Natural Resources.

8. The Department, Oyster Recovery Partnership, Versar Inc., and Electric Edge Systems Group Inc. are held harmless from participant's use of the electronic reporting platforms or acts occurring during that use.

9. Participants docking and landing on private property grant access to staff of the Department, Oyster Recovery Partnership, Versar Inc., and Electric Edge Systems Group Inc. for the sole purpose to conduct harvest verification.

Please contact Stephanie Richards at 410-260-8314 with any questions regarding this pilot.

I hereby acknowledge that I have read and understand the above provisions and accept the terms of this permit. I also acknowledge that, with the exception of the terms of this permit, I understand that all other State fishery laws and regulations still apply to my commercial fishing and dealing activities.