

# Sovereignty Submerged Lands Aquaculture Lease Water Column Modifications



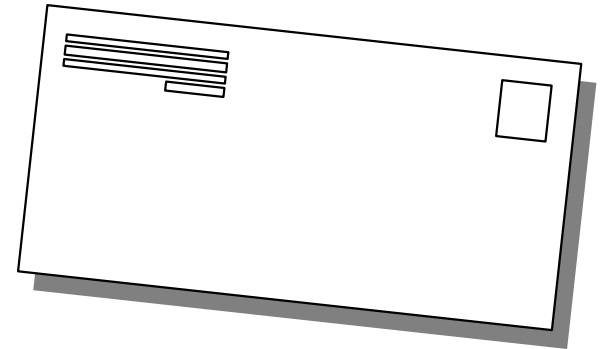
*Auburn University Oyster Research and Demonstration Farm*

Information provided in this presentation may be subject to change.  
For current information, contact the DACS Division of Aquaculture.



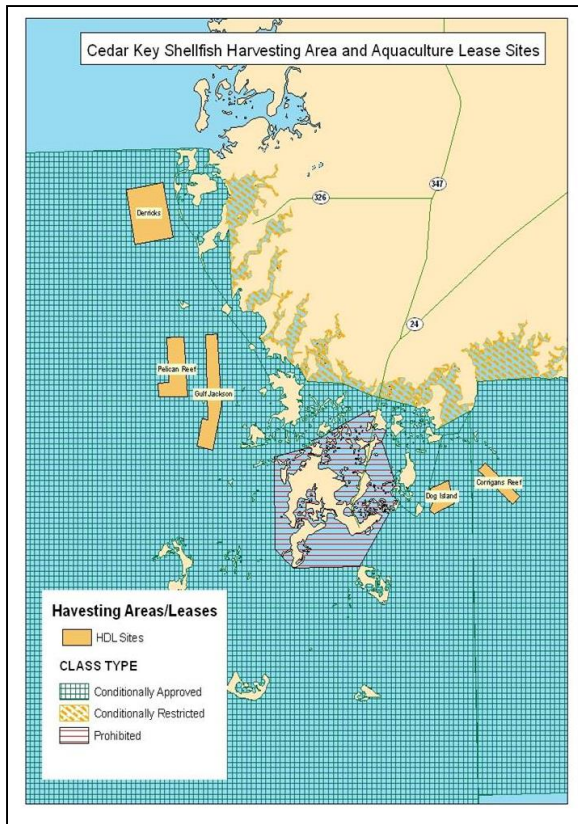
# How Do I Apply?

- Send a written request to FDACS-Division of Aquaculture and provide the following:
  - Lease number
  - Proposed activity
  - Proposed species
- Mail to Portia Sapp, FDACS Division of Aquaculture, 600 South Calhoun Street, Suite 217, Tallahassee, FL 32399-1300



# Status of Lease Areas in Levy and Dixie Counties

- FDACS has **delegated authority** for water column modifications for following lease areas:
  - Horseshoe Beach
  - Long Bar
  - Pelican Reef
  - Dog Island
- The following lease areas must be approved by **Board of Trustees** (Governor and Cabinet):
  - Shired Reef
  - Pine Island
  - Derricks
  - Gulf Jackson\*
  - Dog Island North\* and East
  - Corrigan's Reef and Corrigan's North



\* FDACS has received written requests to modify leases

# Approval of Lease Modifications in Levy and Dixie Counties

## Delegated Authority

- Handled administratively by FDACS
- Requires written request
- Preparation, signature, and execution of water column lease agreement

## Board of Trustees

- Requires written request
- Requires Public Notice
- Agency Review
- Approval by Board of Trustees
- Preparation, signature, and execution of water column lease agreement

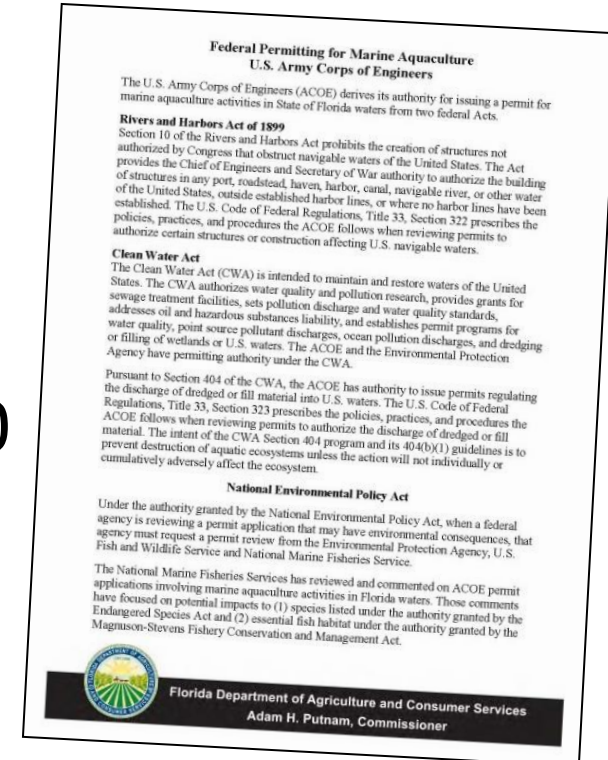




# Federal Permitting – U.S. Army Corps of Engineers (ACOE)

- Requires a no fee permit from ACOE
- Apply individually, batch to submit
- FDACS has a template to follow
- No fee

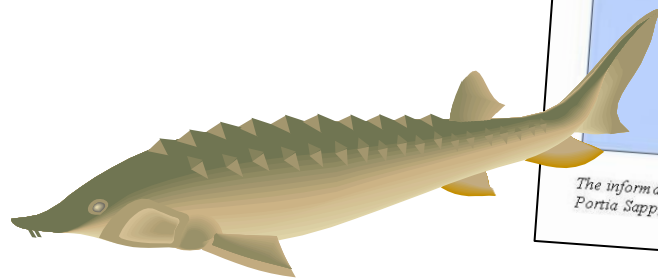
- Submit to Gainesville Office  
2833 NW 41st Street, Unit 130  
Gainesville, FL 32606  
Phone: (352) 264-7672  
Fax: (352) 264-773





# Federal Permitting – ESA Section 7 Consultation

The National Marine Fisheries Service, Protected Resources is reviewing every marine aquaculture permit under the authority granted by the Endangered Species Act.



**Department of Army Permit  
Programmatic General Permit SAJ-99  
SAJ-2007-03138  
Live Rock and Marine Bivalve Aquaculture – State of Florida**

The Florida Department of Agriculture and Consumer Services possesses an ACOE permit for all marine bivalve and live rock aquaculture in State of Florida waters with one exception. The permit does not cover marine aquaculture lease applications submitted to the Florida Department of Agriculture and Consumer Services after November 9, 2012 that are located in Endangered Species Act listed species critical habitat. The permit is for five years.

If a Floridian is interested in leasing sovereign submerged state lands from the State of Florida for marine aquaculture purposes, they must apply to the Florida Department of Agriculture and Consumer Services. If the location of that lease occurs within Endangered Species Act listed habitat, the department will assist the applicant in applying for the ACOE permit.

For the Panhandle and Big Bend region, the Endangered Species Act listed Gulf of Mexico sturgeon critical habitat is outlined in blue below.

**Gulf Sturgeon**  
Designated Critical Habitat  
Historic Range

*The information presented here is accurate as of September 19, 2013. Please contact Portia Sapp, Division of Aquaculture, at 850-488-5471 for updates or revisions.*



# Navigational Marking – U.S. Coast Guard (USCG)

- Requires a no fee permit from USCG
- Private Aids to Navigation application form (CG-2554)
- Information required includes contact info, ACOE Permit, location (lat/long), and depth of each proposed marker
- USCG will provide specifications for special mark and installation
- Form and additional information at [www.uscg.mil/d8/waterways/PATRON.Home.asp](http://www.uscg.mil/d8/waterways/PATRON.Home.asp)
  - Contact: Andrew Engle, Seventh USCG District  
Aids to Navigation and Waterways Management Branch  
909 SE 1<sup>st</sup> Ave, Suite 406, Miami, FL 33131  
Phone: (305) 415-6755



# Marking Leases

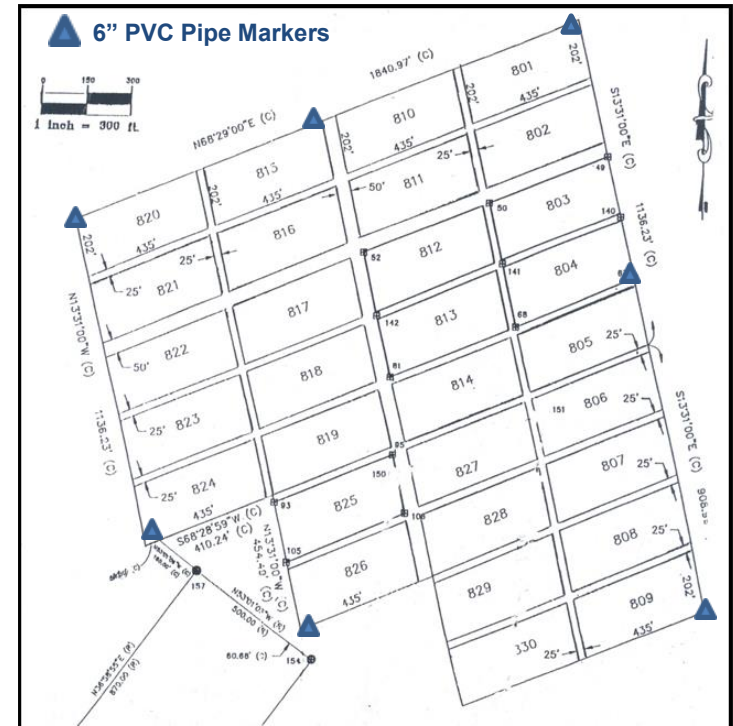
- Can use 6"-D PVC pipes
- Requires new signage
  - 36"x36" diamond, 2" pris yellow, border of pl yellow, 12" black letter, square corners
  - Approx. \$160 each
- Navigation lights mounted to 6" PVC cap attached to pipe
  - Solar flat mount, 9SOL, 7"wx7"h
  - Approx. \$186 each, includes shipping
- List of vendors can be provided by UF IFAS Shellfish Extension





# Example of Marking Lease Areas

- Dog Island HDLA – 30, 2-acre lease parcels
  - Seven 6”-D PVC pipe corner and perimeter markers
  - Costs for new signage (\$1,120), navigation lights (\$1,300), and installation (~\$350)
  - Total: about \$2,880
- If 10 leases are modified, marking costs can be divided by 10 leaseholders, or \$288 each

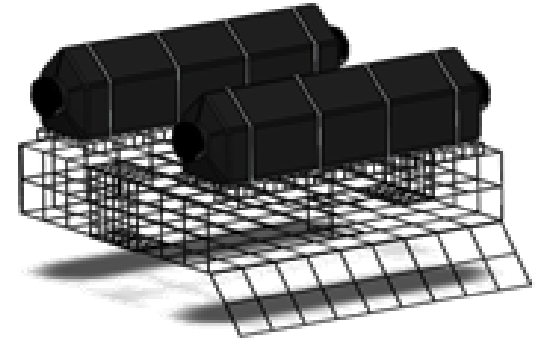


*Dog Island HDLA, Cedar Key*



# Annual Lease Rental Fees

- Bottom lease
  - \$16.73 rental fee per acre
  - \$10.00 surcharge per acre
  - **\$53.46 total per 2-acre parcel**
- Water column lease
  - \$33.46 rental fee per acre
  - \$10.00 surcharge per acre
  - **\$86.92 total per 2-acre parcel**



# Water Column Lease Agreement

- This lease authorizes use of the **entire water column**, from surface to bottom for the purpose of culturing shellfish in off-bottom or floating structures.
- The leaseholder's **identification information** shall be attached to all culturing structures. In the event that culturing structures become dislodged from the lease site, it is the leaseholder's responsibility to retrieve the structures with minimal damage to the resources affected. The structures shall be removed and properly disposed of or returned to the lease site.



# Overall Timeline

- Written request to modify lease
- DACS or Board of Trustees approval
- Apply to U.S. Army Corp for federal permit
- Apply to U.S. Coast Guard for Private Aids to Navigation
- Install new signs and marine lights
- Execute modified lease agreement



For more information contact:

Portia Sapp

Division of Aquaculture

(850) 617-7622

[Portia.Sapp@FreshfromFlorida.com](mailto:Portia.Sapp@FreshfromFlorida.com)

