

# Aquaculture Leasing Process



# Proposed Aquaculture Use Zone in Franklin County





# *Where do I find shellfish harvest area information and maps?*

**Visit the Division's SHA webpage:** [FDACS.gov/Business-Services/Aquaculture/Shellfish-Harvesting-Area-Classification](https://fdacs.gov/Business-Services/Aquaculture/Shellfish-Harvesting-Area-Classification)



The screenshot shows the FDACS website. The header includes the department name, a search bar, and navigation links: Home, Pay/Register Online, About, Divisions & Offices, Forms, Cannabis, News & Events, and Contact Us. A breadcrumb trail indicates the current location: Home > Business Services > Aquaculture > Shellfish Harvesting Area Classification. A language selection dropdown is also present.

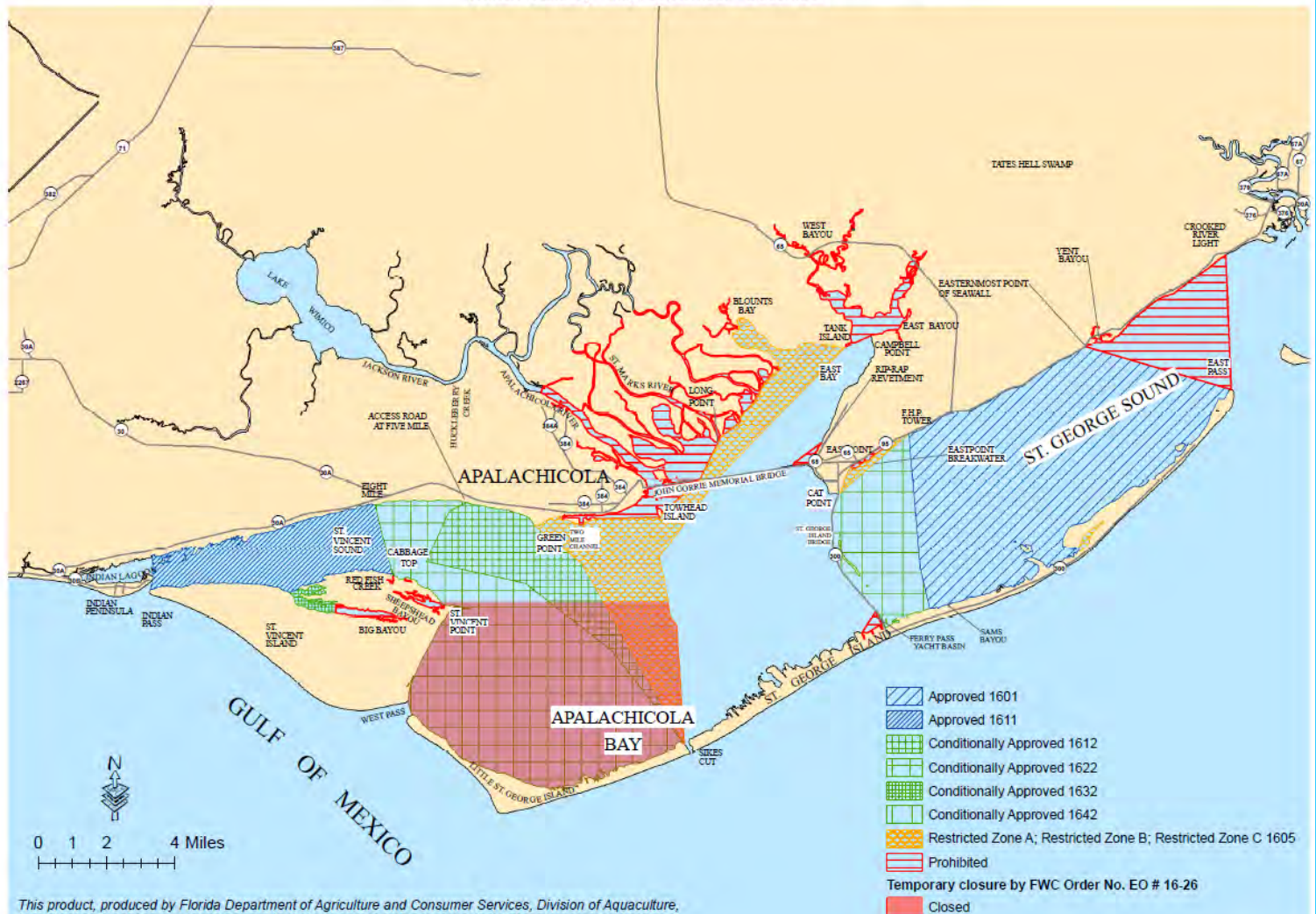
On the left sidebar, the Commissioner's name, Nicole "Nikki" Fried, is listed. Below her name are several links: Shellfish Harvesting Area Classification, Shellfish Processing Facility Certification, Area Information, Shellfish Harvesting Area Maps, Harvesting Management, Daily Status, and a link to Return to Aquaculture.

The main content area features a video thumbnail showing hands holding a water sample bag, with the caption: "FDACS staff routinely collect water samples from harvesting areas." Below the video is the title "Shellfish Harvesting Area Classification".

A text block explains that shellfish are nutritious but can be contaminated, and that FDACS monitors and evaluates harvesting areas to ensure proper handling. To the right of this text is a "Program Resources" section with links to "Boating Basics" (1.36 MB) and the "Florida Marine Research Institute (FWRI Red Tide Site)".



SHELLFISH HARVESTING AREA CLASSIFICATION MAP #16A  
 Apalachicola Bay System (#16) Shellfish Harvesting Area in Franklin County  
 Winter: January - May, September - December



This product, produced by Florida Department of Agriculture and Consumer Services, Division of Aquaculture, is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date: 8/31/2016



# *Where do I find shellfish harvest area information and maps?*

**OR you can also call a Division regional field office:**

Region	Office Location	Phone #
Western Gulf Coast	Panama City	850-236-2200
Central Gulf Coast	Apalachicola Bay	850-653-8317
Big Bend	Cedar Key	352-543-5181
Southern Gulf Coast	Port Charlotte	941-613-0954
Atlantic Coast	Melbourne	321-984-4890

We also strongly recommend that you join the Division's **SHA notification listserv**. By joining, you will automatically be notified of changes in SHA status (open/closed).

To be added, contact Jill Fleiger at:  
**[Jillian.Fleiger@FDACS.gov](mailto:Jillian.Fleiger@FDACS.gov)**





# Survey and Marking

Water column leases must obtain U.S. Coast Guard Private Aid to Navigation Permit and install/maintain prescribed warning signs and lights.

Two prints of a survey, which shall constitute the field survey, shall be submitted subsequent to final approval of the application but prior to issuance of the lease.



# Lease Rental Fees

Water Column leases-\$33.46/acre or fraction thereof.

Plus \$10.00/acre or fraction thereof surcharge.

Paid annually-due prior to lease execution and January 1 thereafter.

Total annual rent for a 1.5-acre water column lease is \$86.92.



# Aquaculture Certificate of Registration



- Aquaculturists, their farms, and products recognized as an agricultural commodity through Aquaculture Certificate of Registration
- Required to sell aquaculture products
- Complete Shellfish Harvester Education Training annually
- Annual certification, expires on June 30<sup>th</sup> of each year, \$100 fee
- Match the lease title.





# Annual Audits

- Annual Audits due in March.
- Audits must document effective cultivation.
- Audits request basic information including:
  - amount of seed/stock purchased and planted
  - copies of seed/stock receipts
  - amount harvested



# Best Management Practices

- Only native species can be stocked.
- Prohibited to stock oysters from Atlantic Coast in Florida Gulf Coast waters.
- An Official Certificate of Veterinary Inspection and diagnostic results must be sent to the division prior to out of state shellfish entering Florida.
- Oyster seed from out of state source must use Florida broodstock in genetic selection program.
- Out of State Source -Triploid seed derived from a tetraploid crossed with a diploid oyster require the use of broodstock from the Gulf of Mexico.



# Lease Agreement Terms and Conditions

- Lease cannot be assigned, transferred or subleased for five years. Must be approved by Board of Trustees.
- Perform effective cultivation.
- Maintain lease markers and marine lanterns.
- Maintain an Aquaculture Certificate of Registration.
- Pay lease rental fees annually. Due January 1<sup>st</sup>
- Maintain current address and contact information.



# Docks

- If over state owned submerged lands, must have authorization to conduct commercial aquaculture.
- Letter of Consent- for docks under 2,000 square feet.
- Lease- Docks over 2,000 square feet.

253.74 Penalties.—(1) A person who conducts aquaculture activities in excess of those authorized by the board or who conducts such activities on state-owned submerged lands without having previously obtained an authorization from the board commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#), is subject to a civil fine in the Class I category pursuant to s. [570.971](#), or both. In addition to such fine and imprisonment, all works, improvements, and animal and plant life involved in the project may be forfeited to the state.

(2) Any person who is found by the department to have violated the provisions of chapter 403 or chapter 597 shall be subject to having his or her lease of state-owned submerged lands canceled.







Lease Title

Must be 18 to apply

Complete entire page



Florida Department of Agriculture and Consumer Services  
Division of Aquaculture

**APPLICATION FOR A STATE-OWNED  
SOVEREIGNTY SUBMERGED LAND  
AQUACULTURE LEASE**

Section 253.69, Florida Statutes – Rule 18-21.021, F.A.C.

Application No. \_\_\_\_\_ (Official Use Only)

Please Type or Print Legibly

**PART I - Applicant Information**

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Lease Title: \_\_\_\_\_

Aquaculture Certificate of Registration Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

I certify that I am 18 years old or older (please initial): \_\_\_\_\_

Describe your capability to conduct your proposed aquaculture activities (including training, experience and education that you have obtained or will obtain).

**PART II- Parcel/Site Information**

☐ Bottom Lease (use of up to 6 inches off the bottom)

☐ Water Column Lease (use of the full water column) Please contact the division to determine if the parcel can be issued for full water column usage.

**A. Existing/Approved Parcels**

County \_\_\_\_\_

Aquaculture Use Zone \_\_\_\_\_

Parcel # \_\_\_\_\_ Alternate Parcel # \_\_\_\_\_

You may enter an alternate parcel in case your first choice is already taken.

Lease Title: A lease can be issued to persons or to a company or LLC. Please use the full legal name for a lease to be issue in a personal name. If entering a company or LLC name, please provide incorporation or registration documentation as proof that the business entity is registered and that you are authorized to conduct business on behalf of the entity.

Remit payment of application fee of \$200.00 by check or money order to:  
Florida Department of  
Agriculture & Consumer  
Services  
P. O. Box 6700  
Tallahassee, FL 32314-6700

Org. Code: 42150300000  
EO A2  
Object Code: 001237 \$200.00

Briefly describe your reasons for selecting the proposed site (i.e., substrate type, location, water quality, etc.). The proposed area selected should have minimum environmental, social and use impacts (e.g., seagrasses, natural shellfish resources, navigation, recreation and commercial uses, etc.).

List any recreational and commercial uses of the proposed area (e.g., fishing, tourism, etc.).

Describe the potential impacts of the proposed use on the ecology of the area (including fish habitat, threatened and endangered species and other natural resources).

Provide a statement explaining why the lease is in the public interest or is not contrary to the public interest.

For dock applications, describe any aquaculture-related structures proposed (a detailed and dimensioned site plan is required pursuant to subsection 18-21.021(1) (d) (3), Florida Administrative Code).

**PART III-Lease Development Plan (complete this section for all applications)**

**Proposed aquaculture activities are (check only one):**

☐ Commercial ☐ Experimental

**Product(s) to be cultivated:**

(Please check all that apply)

- ☐ Hard Clam (*Mercentaria spp.*)  
☐ Sunray Venus Clam (*Macrocallista nimbosa*)  
☐ Eastern Oyster (*Crassostrea virginica*)  
☐ Live Rock  
☐ Other



Describe gear to be deployed.

Cultivation must be at least 70,000 oysters planted per acre per year.

Shellfish must be sold to a certified shellfish processor.

Provide a description of your proposed gear. You will also be required to submit a picture of the gear.



Describe the aquaculture activities to be conducted including planting and harvesting activities.

Effective cultivation is required to be performed on all aquaculture leases. Minimum effective cultivation is the planting of 100,000 seed clams or 70,000 seed oysters per acre per year. Provide below a detailed business development plan including the amount of product to be planted and harvested each year throughout the term of the lease (Year 1-Year 10).

Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

Describe the supply source of seed stock or rock products.

Describe the distribution of the product after harvest.

**PART IV-Proposed Gear (complete this section for all applications)**

Describe the maximum dimension (length x width x height) and characteristics of the gear to be used (material type, wire gauge, brand, etc.).

Please detail how you plan to mark your gear.

Please check the first 4 boxes and sign and date the application.

A cross section diagram of the proposed area is required to be included in this application package. See Attachment 2 for guidance and at a minimum include the following items in the diagram:

- ☐ Legend with applicant name, county, water body and date.
- ☐ Label the dimensions of the proposed area with GPS coordinates in Decimal Degrees.
- ☐ Water depth at Mean High Water and Mean Low Water.
- ☐ Location and number of proposed gear and support poles.

Images or sketches of proposed structures for aquaculture production are required to be included in this application package. This includes all cages, bags, anchors etc. See Attachment 3 for guidance.

The leaseholder is responsible and liable for equipment and gear placed on the lease. All off bottom gear must be permanently and individually marked with the name of the leaseholder. Additionally all gear must be properly disposed of following use or displacement off the lease. Please provide a description of marking methods for off bottom gear and a gear recovery plan to meet these requirements.

Additional Information

- ☐ I understand prior to signing the lease agreement, it is my responsibility to read and comply with all terms and conditions of the lease agreement.
- ☐ I understand that upon final approval of a new lease area, I will be responsible to provide two prints of a survey of the parcel pursuant to section 18-21.021(1)(i)&(j), Florida Administrative Code.
- ☐ I understand that I will be responsible to install and maintain lease markers pursuant to an approved U.S. Coast Guard Private Aids to Navigation permit.
- ☐ For existing parcels, an application fee of \$200.00 is required to be submitted with the lease application.
- ☐ For new site nominations, do not include the application fee at this time. However, upon review and approval of an application for a newly proposed area, the division will contact you for the required \$200 application fee.

For questions regarding this form or the application process, please call the  
Division of Aquaculture at (850) 617-7600.

Applicant's Signature: 

YOUR NAME

Date:



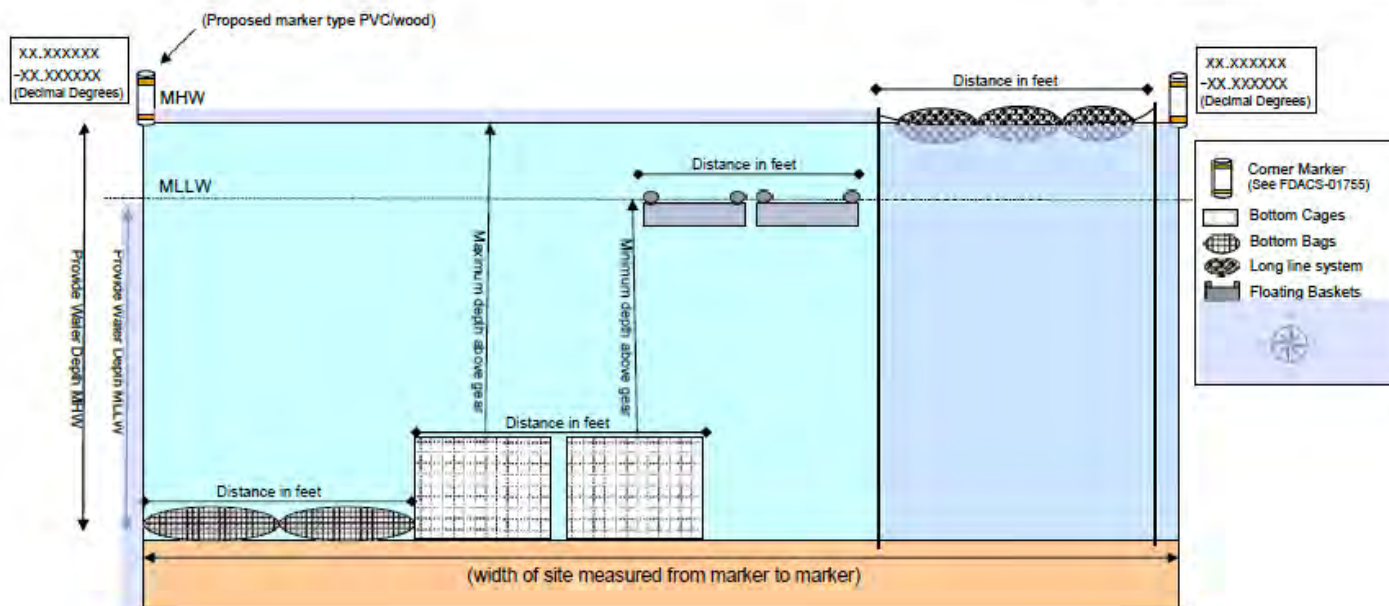


Please detail how you plan to deploy gear on the lease site.

*Attachment 2: Cross section diagram (may be hand drawn or computer generated)*

Include this information on all documents submitted with your application.

Name: Jane Doe  
County, State: Your County, FL  
Water body: Your Water body  
Date: 07/06/2016



Please provide a picture or sketch of the gear you plan to deploy on the lease site.

*Attachment 3: Proposed Gear (may be hand drawn or computer generated)*

- 3-D Sketch and/or photos of in-water equipment

Please include:

- Dimensions (l x w x h)
- Quantity
- Configuration within lease area



# Application Window

- FDACS will accept lease applications from March 6, 2020 through March 20, 2020. Do not send the lease application fee at this time.
- Applications received outside of the application window will be returned.
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# Preferences

Preference will be given to:

- Applicants that are Franklin County residents.
- Applicants that have attended a pre-application meeting (which will be held in Franklin County to provide an overview of the aquaculture leasing process and requirements).
- Applicants that have not previously held a 10-year renewable submerged land aquaculture lease.
- Applicants that have held a Saltwater Products License (SPL) for at least three of the last five years.
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# Parcel Selection

- After March 20, 2020, FDACS will develop a ranked list of applicants using a random selection number and preferences.
- The 38 highest ranked applicants will be notified and allowed 15 days to provide the \$200 application fee.
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- Upon receipt of the application fees for all 38 parcels, FDACS will conduct an open meeting where the applicants, in rank order, will select lease parcels. You must be present at the meeting to select your parcel.



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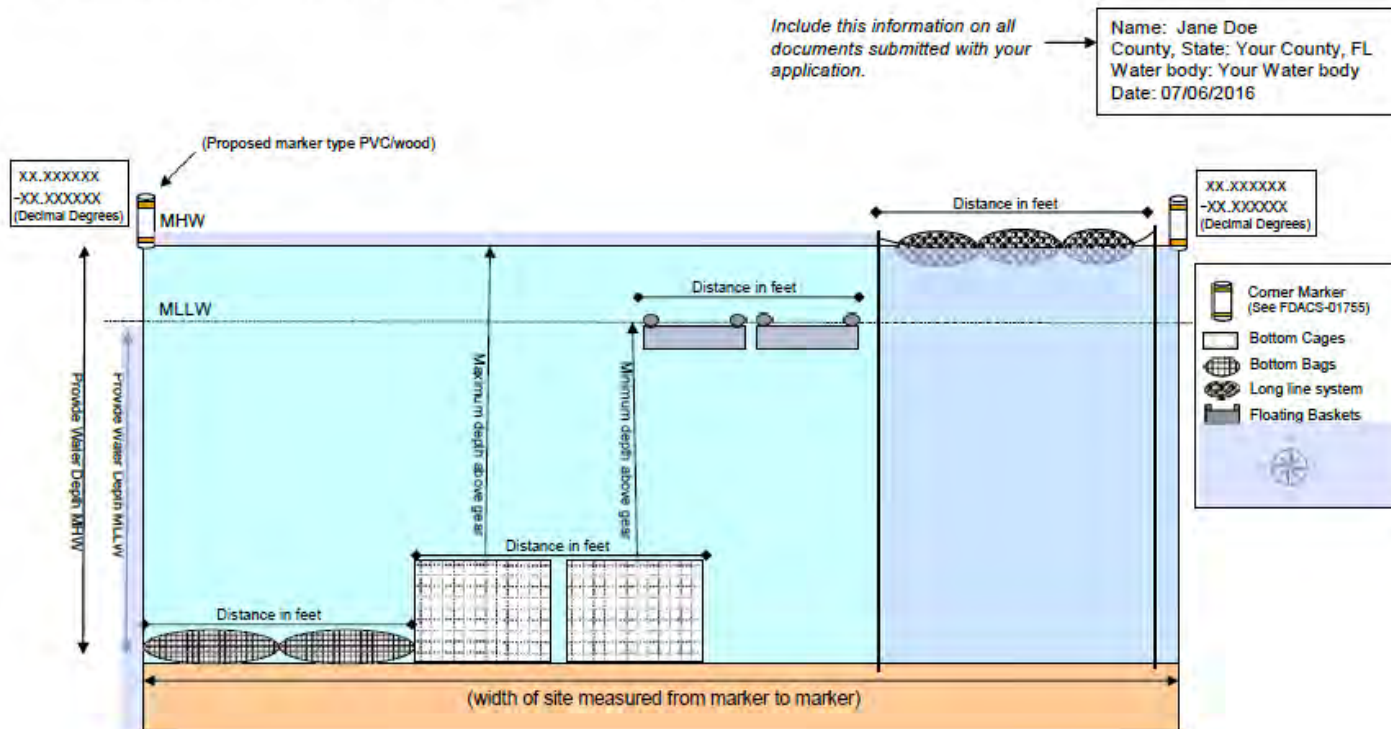
Signature

Date:



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