Delaware Department of Natural Resources and Environmental Control
Division of Fish and Wildlife

Delaware Inland Bays
Shellfish Aquaculture Development Area (SADA)
Subaqueous Lands Lease Application

***PLEASE CONTACT DNREC, DIVISION OF FISH AND WILDLIFE AT (302) 735-2960 WITH QUESTIONS.**

INSTRUCTIONS: Please print or type. Send completed application via certified mail to: Delaware Division of Fish and Wildlife, Fisheries Section, 89 Kings Highway, Dover, DE 19901, ATTN: Shellfish Aquaculture Permits

- ***APPLICATION MUST BE ACCOMPANIED BY A NON-REFUNDABLE APPLICATION FEE***.
- ***APPROVAL OF LEASE APPLICATION IMPLIES NO GUARANTEE OF BUSINESS SUCCESS***.

PRIMARY APPLICANT INFORMATION

Primary Applicant Name:					
Date of Birth:					
Street Address:					
City:		**State:**		**ZIP Code:**	
Mailing Address:					
City:		**State:**		**ZIP Code:**	
Telephone No.:		**Email:**			

Applicants are permitted to lease a maximum of 10 total acres for shellfish aquaculture in Delaware's Inland Bays. Applicants may lease a maximum of 5 acres in Rehoboth and Indian River Bays, combined. Applicants are permitted to lease a maximum of 5 acres in Little Assawoman Bay.

Primary Applicant: please list below all legal entities (corporations, partnership, etc.) that you have an interest in (own a share(s) of the entity, sit on the entity's board, are a partner in a partnership, or have some legal right to control or direct the entity's affairs), and which entities are leasing or have applied to lease any shellfish aquaculture sites in the Inland Bays. All acres that the applicant is involved in leasing, either as an individual, or as part of one or more entities, count toward the total maximum acres that an applicant may lease.

Partnerships, corporations, other entities with shellfish aquaculture leases in Delaware's Inland Bays:

CURRENT LEASES HELD BY APPLICANT

Acre ID (e.g. A4)	Area and Bay	Acre ID (e.g. A4)	Area and Bay
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One

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REGISTERED AGENT

If you have or are legally required to have a registered agent in the State of Delaware, please list your registered agent below:

Registered Agent Name:					
Age:		**Date of Birth:**			
Street Address:					
City:		**State:**		**ZIP Code:**	
Mailing Address:					
City:		**State:**		**ZIP Code:**	
Telephone No.:		**Email:**			
Signing as (pick one):	**C/O or Agent** ◯	**POA** ◯	**Corporate Officer** ◯		
	Other:				

NOTE: A copy of the bylaws or operating agreement of the business to verify the agent's signatory authority is required. If the required signature authority is not included with this application, processing beyond initial acceptance will cease until such authority is provided.

CO-APPLICANT INFORMATION (members of partnership, corporation, company, etc.)

Applicants are permitted to lease a maximum of 10 total acres for shellfish aquaculture in Delaware's Inland Bays. Applicants may lease a maximum of 5 acres in Rehoboth and Indian River Bays, combined. Applicants are permitted to lease a maximum of 5 acres in Little Assawoman Bay. All acres that the applicant is involved in leasing, either as an individual, or as part of one or more entities, count toward the total maximum acres that an applicant may lease.

All applicants applying to lease shellfish aquaculture acres as an entity (corporation, partnership, etc.) will have acres credited to each individual/entity involved, including:

All individuals who have an interest in the applicant entity (individuals who own a share(s), sit on the board, are a partner in a partnership, or have some legal right to control or direct the entity's affairs) and who are leasing or have applied to lease any shellfish aquaculture sites as an individual in the Inland Bays;

All individuals who have an interest in the applicant entity and another entity(ies) other than the applicant entity, which other entity(ies) is leasing or has applied to lease any shellfish aquaculture sites in the Inland Bays;

All entities that have an interest in the applicant entity and all entities that the applicant entity has an interest in that are leasing or have applied to lease any shellfish aquaculture sites in the Inland Bays.

Please list acres that you currently hold interest in below.

CURRENT LEASES HELD BY OR APPLIED FOR BY ANY NON-PRIMARY APPLICANT
Please specify the acre ID and bay the individual(s) or other entity(ies) involved with the lease application currently are involved with:

Acre ID (e.g. A4)	Area and Bay	Acre ID (e.g. A4)	Area and Bay
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One

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CO-APPLICANT INFORMATION

Co-applicants will be listed by name on the official lease agreement, but the primary lease applicant will be the recipient of all subsequent lease-related notices and correspondence from the Department. It is the responsibility of each co-lessee to ensure that he/she remains informed of all such follow-up communications, assists the primary lessee in fulfilling the terms of the lease agreement and furnishes the Department with any updates to the contact information provided here.

Co-Applicant Contact Name:					
Date of Birth:					
Street Address:					
City:		**State:**		**ZIP Code:**	
Mailing Address:					
City:		**State:**		**ZIP Code:**	
Telephone No.:		**Email:**			

Co-Applicant Contact Name:					
Date of Birth:					
Street Address:					
City:		**State:**		**ZIP Code:**	
Mailing Address:					
City:		**State:**		**ZIP Code:**	
Telephone No.:		**Email:**			

Co-Applicant Contact Name:					
Date of Birth:					
Street Address:					
City:		**State:**		**ZIP Code:**	
Mailing Address:					
City:		**State:**		**ZIP Code:**	
Telephone No.:		**Email:**			

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SAA LEASES REQUESTED

Acre ID (e.g. A4)	Area and Bay	Acre ID (e.g.A4)	Area and Bay
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One
	Please Select One		Please Select One

SPECIES TO BE CULTURED

☐ **Eastern oyster** (*Crassostrea virginica*)	☐ **hard clam** (*Mercenaria mercenaria*)

Intended use of the shellfish (nursery for sale, use on lease, etc.):	

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BUSINESS PLAN & OPERATIONS PLAN

NOTE: A complete and accurate shellfish aquaculture business plan and a complete and accurate operations plan is required for shellfish aquaculture development area subaqueous lands lease applications. If the shellfish aquaculture business plan and operations plan are not included with this application, processing will cease until such plans are provided.

BUSINESS PLAN

A complete and accurate shellfish aquaculture business plan must be attached. The business plan does not have to follow any set template but should include:

- A timeline with the first few years' projection for the business.
- Outline anticipated planting of shellfish stock, tending and grow-out period and the anticipated time of harvest.
    - Describe estimates of labor and harvesting methods.
    - A plan for meeting the requirements for active use of the lease through planting and harvest.
- The anticipated cost of shellfish stock, by species, a full description of equipment and any off-lease facilities used.
- A demonstration of sufficient financial resources may include:
    - A letter from a financial institution or funding agency showing intent or willingness to commit funds to support aquaculture activities
    - Most recent financial report and supporting documents indicating sufficient funds for proposed aquaculture activities;
    - Copies of bank statements or other evidence of available unencumbered funds for aquaculture activities;
    - Proof the equipment or shellfish stock are available to support the proposed aquaculture activities.

The business plan shall include a resume or other documentation detailing technical expertise and capability to accomplish proposed project.

Business plans do not need to follow a set template. Business plans submitted to the Division will be evaluated based on the criteria in 7 DE Admin Code 3801

Examples and explanations of business plans may be found here:
sba.gov
sbdcnet.org/small-business-information-center/business-plans
Delawaresbdc.org

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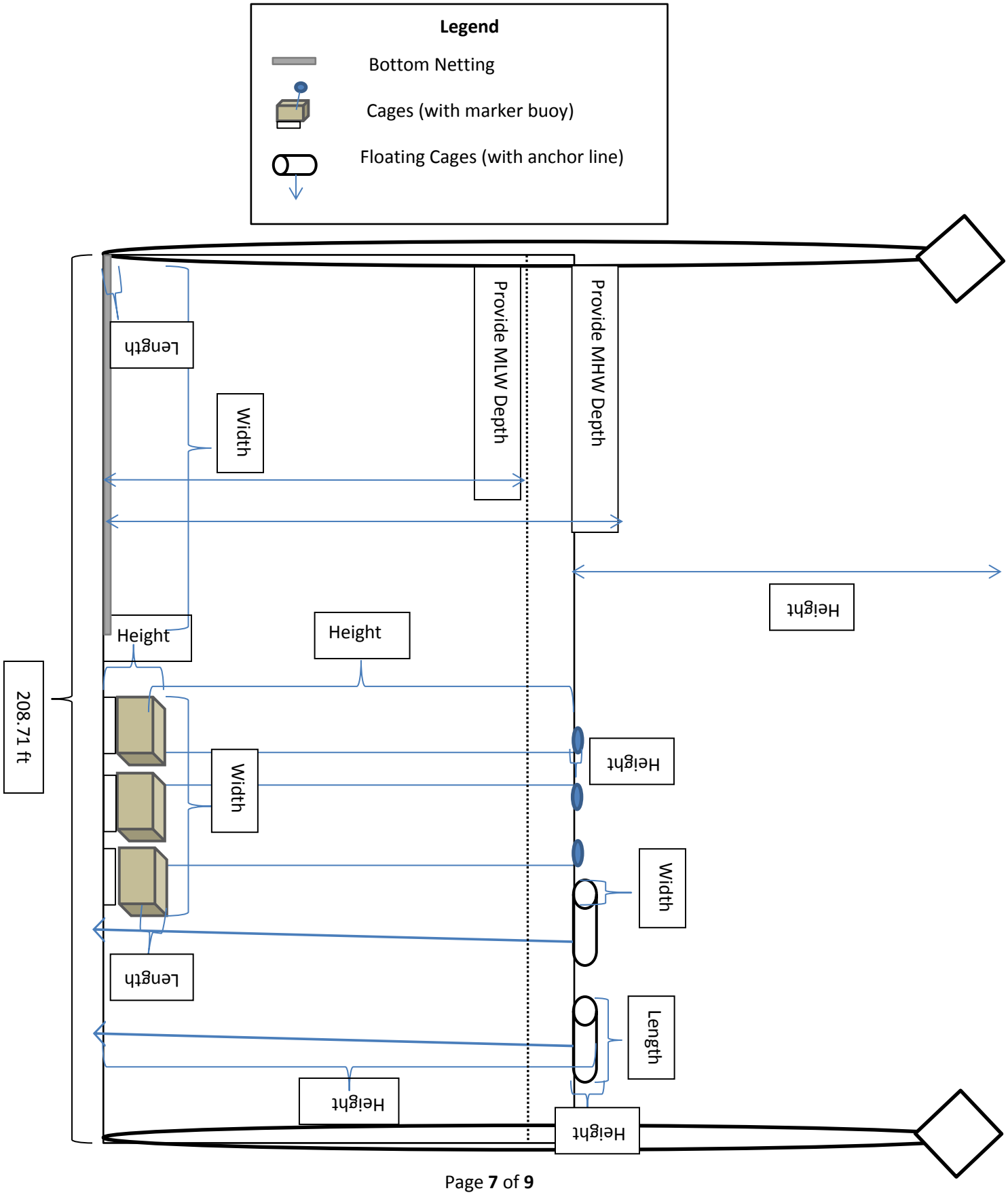
OPERATIONS PLAN

A complete and accurate shellfish aquaculture operations plan must be attached. Diagrams may be hand drawn or computer generated. Drawings do not have to be to scale, but should be clearly marked and easy to understand. Examples of diagrams are provided. Please include the following in the operations plan:

- Attach an 8.5" by 11" cross-section diagram (may be hand-drawn or computer-generated) that depicts the typical bottom profile of the proposed lease area with the grow-out gear and mooring equipment (Example 1) and overhead view of gear and mooring equipment (Example 2). If the profile of the area differs greatly from one end to the other or multiple gears or species will be used/grown, please attach more than one diagram to accurately depict the operation. Each diagram should show the following with mean high and mean low water lines.
    - The location, estimated maximum number, and size/scale of any cages, bags, nets, floats, anchors, or other containers or predator exclusion devices. Indicate the average depth of these below mean low and high water. Indicate the distance they extend above the bottom or surface.
- Provide the dimensions (length by width by height) and describe the makeup of the physical structures to be used (material type, wire gauge, brand, etc.) If you intend to stack cages, indicate how many cages will be used per stack and the total height of one stacked cage unit.
- The Department requires that all equipment and gear placed on the lease shall be permanently and individually marked with the lease number. Provide a description of the marking methods and a gear recovery plan (retrieving no longer used/ unmoored/broken equipment) that will be used to meet this requirement.
- Provide an address/description for locations of the site(s) where you plan to offload/land your product.
- Completely and accurately identify the safety and security equipment used on the lease, including appropriate markings of equipment and lease boundaries.
- Describe your proposed activities on the lease site, including any and all methods that will be used for shellfish cultivation, maintenance of the lease and predator control.
- If your Operation includes floating gear, please include plans to have the oysters fully submerged for a minimum of 3 weeks prior to harvest to mitigate for Vibrio risk.

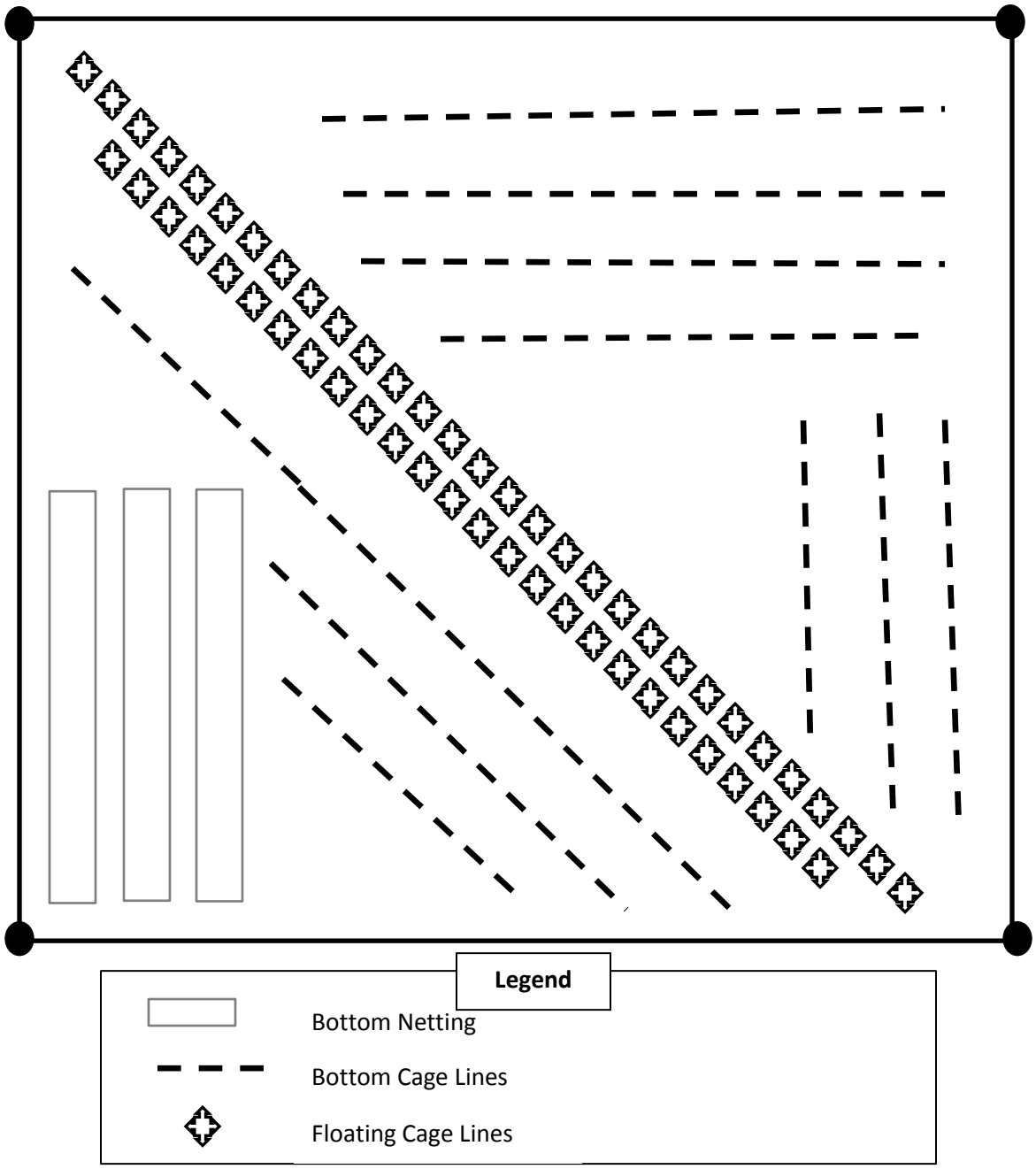
Example 1: Cross-sectional Diagram (may be hand drawn or computer generated)

Diagram does not need to be precisely to scale, as long as relative size/locations are marked.



Example 2: Top View Diagram (may be hand drawn or computer generated) to show arrangement of gear on lease.

Diagram does not need to be precisely to scale, as long as relative size/locations are used.



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ACKNOWLEDGEMENTS	
I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE INFORMATION PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE.	
Primary Applicant Signature:	**Date:**
Print Primary Applicant Name:	
Co-Applicant Signature:	**Date:**
Print Co- Applicant Name:	
Co-Applicant Signature:	**Date:**
Print Co- Applicant Name:	
Co-Applicant Signature:	**Date:**
Print Co- Applicant Name:	

ALL CO-APPLICANTS MUST SIGN THIS FORM BEFORE IT WILL BE PROCESSED

Department Use Only

Lease(s): ◯ **Approved** ◯ **Incomplete** ◯ **Denied**

Effective Dates: _____ **to** _____

Comments/Conditions: _____

_____

_____

_____

_____

Signature Approving Person: _____ **Date:** _____

Print Name: _____ **Title:** _____