

# 2011 Aquatic Farm Opening



Cynthia Pring-Ham  
Alaska Dept. of Fish and Game  
ASGA Meeting  
October 15, 2010

# Multi-Agency Authorizations

## STATE

- ▶ **DNR**
  - For coastal development projects
  - To use state-owned lands
- ▶ **ADF&G**
  - To construct and operate an aquatic farm
  - To transport stock
- ▶ **DEC**
  - To certify waters and to harvest, ship, and sell shellfish product



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## FEDERAL

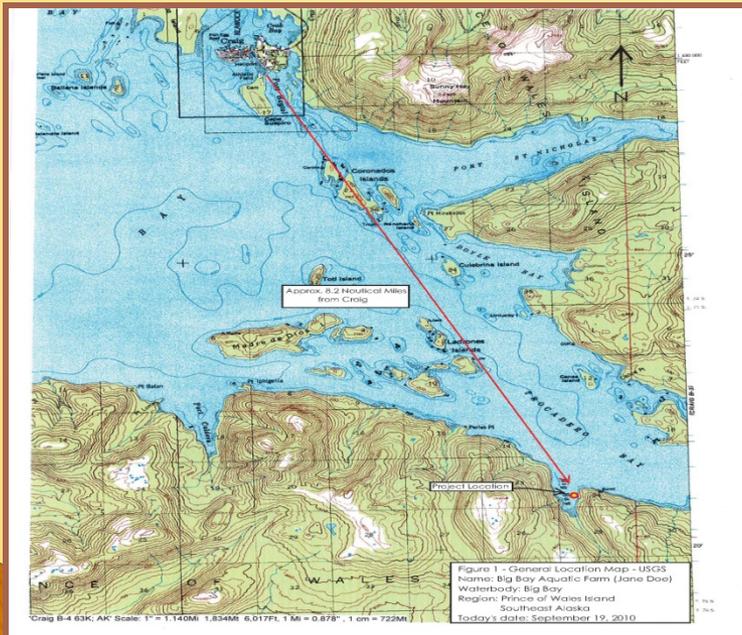
- ▶ **USCOE**
  - For uses within navigable waterways
- ▶ **USFS**
  - For upland use within national forest
- ▶ **USFWS**
  - For wildlife refuges and fish and wildlife siting restrictions

# 10 Step Review Process

- ▶ 1. Pre-Application Meeting
- ▶ 2. Application and Fees
- ▶ 3. ADNR Preliminary Decision
- ▶ Public Review and Comment
- ▶ 4. ACMP Consistency Determination
- ▶ 5. ADF&G Site Survey and Review (if needed)
- ▶ 6 and 7. DNR Final Findings and Decision
- ▶ ADF&G Review and Determination
- ▶ 8 and 9 . Authorizations
  - DNR Lease
  - ADF&G Operation Permit
- ▶ 10. ADEC Water Classification, Pre-Harvest and Sale Permits

# Step 1 - Getting Assistance

## Pre-Application Meeting (Applicant and State Agencies)



- Suitability of the Site
- Possible Conflict with Other Users
- Sensitive Areas Identified
- Existing Water Classification or Harmful Algae (PSP) History
- Maps
- State Authorization Requirements and Fee Structure

# Step 2 - Complete Application

## Joint-Agency Application and Fees (submitted to ADNR/DMLW)

- ✓ Applicant Information
- ✓ Project Information
- ✓ Site Overview
  
- ✓ Site Suitability
- ✓ Existing Uses
- ✓ Water Quality Information
  
- ✓ Coastal Consistency Eval.
  
- ✓ 10 Yr Operation and Development Plan
- ✓ Maps and Figures

		
<b>2011 AQUATIC FARM PROGRAM APPLICATION</b>		
<p>You are encouraged to submit the completed application as early in the filing period as possible. The 2011 application form must be used and properly completed before state agencies can process your proposal. <b>An incomplete application will not be processed.</b> A checklist is included at the beginning of this application to assist you in meeting this requirement. The best way to facilitate review of your aquatic farm program applications is to schedule a pre-application meeting with DNR and DFG to discuss your proposal and application.</p>		
<b>A. APPLICANT INFORMATION</b>		
Name _____	If you live in a remote area please provide a contact person (name, phone & email address) who can be easily reached during the review process.	
Business Name (If Applicable) _____	Contact Name _____	
Mailing Address (PO Box or Street Address) _____	Contact Phone Number _____	
City _____ State _____ Zip _____	Contact Email Address _____	
Email Address _____	Business Partner Name (If applicable) _____	
Phone _____ Cell Phone _____	Business Partner Phone Number (If applicable) _____	
<b>B. PROJECT DESCRIPTION</b>		
<p>Provide a general description of your proposed aquatic farm site and operations. Include details of the proposed use of area, species cultured, types of gear to be used, number of gear units, construction materials of gear, placement, maintenance, etc. Description must match information provided in the applicable sections above. This project description will be used for your proposed project public notice required by the state.</p>		
_____ _____ _____		

# Step 3 – Agency Prel. Decision

## Preliminary Best Interest Findings and Decision (DNR/MLW)

## Public Notice Public Review and Comment

Division Home Fact Sheets Forms Site Index Contact Us **Natural Resources** find >



### Division of Mining, Land & Water

Alaska Department of Natural Resources

State of Alaska > Natural Resources > Mining, Land & Water

## Aquatic Farm Lease Preliminary Decisions



The Department of Natural Resources (DNR) is accepting comments on preliminary best interest findings and decisions (PD) for the **renewal** of eighteen (18) aquatic farm leases in Southcentral and Southeastern Alaska. The renewal applications include suspended culture (oyster and/or mussel) sites located at Tatitlek Narrows, South Bay (Perry Island), Simpson Bay, and

Home Go Back

### Online Public Notice

State of Alaska

**Public Notices**  
**Aquatic Farm Public Notice**  
Submitted by: jlderose/10  
Date Submitted: 09/14/2005 01:59 PM  
Date Modified:  
Ak Admin Journal: [not printed]

Attachments: No files attached

#### Aquatic Farm Public Notice

**Category:** Public Notices  
**Publish Date:** 09/14/2005

**Department:** Natural Resources  
**Location:** Anchorage, Juneau, Ketchikan, Petersburg, Sitka, Southeast Region, Wrangell  
**Coastal District:** N/A

**Body of Notice:**

AQUATIC FARMING PUBLIC NOTICE  
STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
PUBLIC NOTICE UNDER AS 38.05.945

The Department of Natural Resources (DNR) is accepting comments on preliminary best interest findings and decisions (PD) for the 2005 aquatic farm applications and lease amendment requests. Thirty (30) applications and five (5) amendment requests are being reviewed for sites in Southeast Alaska. The applications and amendment requests include suspended, intertidal, and subtidal culture sites located at or near Juneau (Bridget Cove); Baranof Is (Sitka Sound-various locations, Krestof Sound, Tenekee Springs); Coronation Is; Warren Is; Prince of Wales Is (Coffman Cove, Tokeen, Kasaan, Ruth, & Winter Bays); Etolin Is (Steamer & Rocky Bays, McHenry Inlet & Anchorage, Dewey Anchorage, Canoe Passage) Onslow Is; Brownson Is; Deer Is; Seward Passage; Cleveland Pen. (Union Bay); Rocky Pass; Revillagigedo Is (Cone Pt to Fox Pt); Pt Sykes south to Black Is; and Percy Islands.

Copies of the PDs are available from the Division of Mining, Land and Water (DMLW), Southcentral Regional Office, 550 W. 7th Avenue, Suite 900C, Anchorage AK 99501-3577 or you may view them online at <http://www.dnr.state.ak.us/mlw/aquatic/index.htm>. If you have any questions concerning the proposed actions, please contact Gulya McGrady, Program Manager at email: [Gulya\\_McGrady@dnr.state.ak.us](mailto:Gulya_McGrady@dnr.state.ak.us) or phone (907) 269-6543. Written comments must be received by the DMLW at the above address or email, or at Fax (907) 269-6913 on or before 5:00 pm, Thursday, November 3, 2005 in order to ensure consideration. You may also provide testimony at the public hearings scheduled below. Only those who provide written/oral comments during the public comment period will be eligible to appeal the applicable final decision(s). While those applications/amendment requests nearest to the hearing locations will be the main focus, you may present testimony regarding any proposed action at either location.

- #### Aquatic Farming Index
- › Aquatic Farming Home
  - › FAQ's About Aquatic Farming
  - › Fees and Bonding
  - › Application Form
  - › Application Process
  - › Development Plan
  - › Aquatic Farm Statutes and Regs
  - › Related Websites

# Step 4 - Coastal Consistency

Online Public Notice  
State of Alaska



Current View:  
By Category  
(Active only)

\*\*\*\* Search Here \*\*\*\*

View Archived  
View ALL  
(Active and Archived)  
Categories  
Coastal Districts  
Login

Home

Current User:  
Anonymous

next page ↓ previous page ↑ expand ⇅ collapse ✕

Notice Date Sort by Title

- ▶ Agency Meetings
- ▶ Attorney General Opinions
- ▶ Boards & Commissions
- ▶ Delegations of Authority
- ▶ Grants
- ▶ Grants: Request for Proposal
- ▶ Procurement
- ▶ Public Notices
- ▶ Public Notices: Advisory Committee Meeting
- ▶ Public Notices: Airport Leasing
- ▼ Public Notices: Coastal Consistency Review - ACMP

09/30/2010	<b>Cenaliurrit CRSA:</b> ACMP review: Tuluksak sewage lagoon & road AK 1009-07AA
10/06/2010	<b>Ketchikan Gateway Borough:</b> Thomas Basin / Oliver Art Building Development / AK 1010-01J
09/21/2010	<b>Lake &amp; Peninsula Borough:</b> Construction of Igiugig Barge Landing
09/21/2010	<b>Lake &amp; Peninsula Borough:</b> Construction of Kakhanok Barge Landing
09/23/2010	<b>Matanuska Susitna Borough:</b> Big Lake; Construction of Shake Dock
09/16/2010	<b>Matanuska Susitna Borough:</b> Yentna River Vicinity/Donkey Terraces RRCS Easements
09/30/2010	<b>North Slope Borough:</b> Hangar Pad Improvements, Deadhorse Airport
09/19/2010	<b>North Slope Borough:</b> Dalton Highway MP ~344 / Sag River Material Source 65-9-072-2
09/29/2009	<b>North Slope Borough:</b> Deadhorse Gravel Expansion, Lot 3A, Block 400
09/21/2010	<b>Petersburg:</b> Fredrick Sound (Johnson Residential Fill)
09/14/2010	<b>Petersburg:</b> Fredrick Sound (Regula Residential Fill)
10/04/2010	Dock Construction General Permit (Mat-Su Area)
09/30/2010	Strawberry Creek (Howard Residential Fill)
09/27/2010	Adot&PT Bridge And Embankment Riprap Placement Mp36 Copper River Highway, Cordova

▶ Public Notices: Licensing Examinations

Public Notice  
+  
Public Review and  
Comments

Coastal Project  
Consistency Review  
+  
Compile and  
Evaluate Comments

Alaska Coastal  
Management Program  
Standards  
and Enforceable Policies

Consistency Determination

# Step 5 - Site Survey



**For On-Bottom Culture Sites  
Estimate Existing Wild Stock  
Nos. (ADF&G)**

**Insignificant Threshold  
Determination**

# Steps 6 thru 9 – Final Review, Decision, and Authorization

Final Finding and Decision  
(DNR)

Aquatic Farm Lease  
(DNR)

Final Review and  
Determination (ADF&G)

Operation Permit  
(ADF&G)

**STATE OF ALASKA**  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
550 W. 7<sup>th</sup> Avenue, Suite 900C  
Anchorage, Alaska 99501-3577

**LEASE AGREEMENT**  
ADL # 107847

Michael Sheets  
LOCATION: West of Karheen Passage

Effective this 1<sup>st</sup> day of January, 2010, this lease agreement is entered into by the State of Alaska, hereinafter referred to as "lessor," and Michael Sheets, hereinafter referred to as "lessee," whether or not the parties are duly authorized to do so. The lessor and the lessee agree that the terms and conditions of this lease agreement are listed in section 1 of this agreement. The lessor and the lessee agree that the terms and conditions of this lease agreement are listed in section 1 of this agreement. The lessor and the lessee agree that the terms and conditions of this lease agreement are listed in section 1 of this agreement.

**STATE OF ALASKA** / SEAN PARNELL, GOVERNOR  
P.O. BOX 113326  
JUNEAU, AK 99811-5526  
PHONE: (907) 485-6150  
FAX: (907) 485-4168

**DEPARTMENT OF FISH AND GAME**  
DIVISION OF COMMERCIAL FISHERIES

**AQUATIC FARM OPERATION PERMIT**  
DFG-09-109-AF-SE  
Original Permit

**APPROVED**

Effective Date: April 30, 2010  
Expiration Date: April 29, 2020

This permit, in conjunction with provisions in the Alaska Statutes 16.40.100-199 and Title 16.40.200-400 and all other required authorizations, allows the holder to operate an aquatic farm, as described in the project description and attachments, subject to the terms and conditions herein.

Original Lease ADL Lease 107847 issued to Michael Sheets for a ten-year period, effective March 1, 2010 with an expiration date of February 29, 2020.  
Original DFG AFOP 09-109-AF-SE issued to Michael Sheets for a ten-year period, effective April 30, 2010 with an expiration date of April 29, 2020.

Issued on: April 30, 2010

Issued to: Michael Sheets  
NKT Box 409

(907) 629-4348  
msk1@starband.net

# Steps 6 thru 9 – Final Review, Decision, and Authorization

**Final Finding and Decision  
(DNR)**



**If Denied**



**Appeal Decision Rights**

(Following appeal processes with each department)

**Final Review and Determination (ADF&G)**



# Step 10 – Pre-Harvest and Sale



**Growing Area Classification**

**Permits - Shellfish Harvest  
Shellfish Shipper**

**Shellfish PSP Sampling Plan**

Alaska Dept. of Fish and Game

# State Fees



## State of Alaska Fees for Shellfish Aquatic Farm Authorizations and Operations<sup>1</sup>

Type of Farm Culture Methods Used	Farm Acreage	Year 1								Years 2-10						Years 1-10	
		DNR Over-the-counter location packet Fee <sup>2</sup>	DNR Application Fee <sup>3,17</sup>	DNR Public Notice <sup>18</sup>	DNR Annual Lease Fee <sup>4</sup>	DNR Security Bond <sup>13, 14</sup>	ADF&G Wild Stock Survey Fee <sup>6,7</sup>	DEC Sanitary Survey Initial Fee, Water Classification <sup>8</sup>	Total Fees Each Year <sup>9</sup> (Min/Max)	DNR Annual Lease Fee <sup>6, 17</sup>	DEC Sanitary Survey, Water Reclassification Annual Reapproval Fee <sup>12</sup>	DEC Shellfish Harvester Permit Annual Fee <sup>12</sup>	DEC Shellfish Shipper (SS) Annual Permit Fee <sup>12</sup>	DEC Shellfish Reshipper (RS) Permit Annual Fee <sup>12,14</sup>	DEC Shellfish Shucker-Packer (SP) Permit Annual Fee <sup>12,14</sup>	Total Cost Each Year <sup>13, 14</sup> (Min/Max)	Total Fees for All 10 Years <sup>13, 14</sup> (Min/Max)
Suspended	1 acre	\$25	\$100	\$1,000	\$450/\$875	\$2,500	\$0	\$500	\$4,575/\$5,000	\$450	\$150	\$162	\$162	\$162	\$649	\$1,259/\$1,521	\$18,424/\$21,731
Suspended	3 acre	\$25	\$100	\$1,000	\$700/\$1,125	\$2,500	\$0	\$500	\$4,825/\$5,250	\$450	\$150	\$162	\$162	\$162	\$649	\$1,259/\$1,771	\$18,674/\$24,731
Suspended	5 or more	\$25	\$100	\$1,000	\$950/\$1,375	\$2,500	\$0	\$500	\$5,075/\$5,500	\$450	\$150	\$162	\$162	\$162	\$649	\$1,259/\$2,021	\$18,924/\$27,731
On Bottom, Intertidal	1 acre	\$25	\$100	\$1,000	\$450/\$875	\$2,500	\$2,000	\$500	\$6,575/\$7,000	\$450	\$150	\$162	\$162	\$162	\$649	\$1,259/\$1,521	\$20,424/\$23,731
On Bottom, Subtidal	1 acre	\$25	\$100	\$1,000	\$450/\$875	\$2,500	\$5,000	\$500	\$9,575/\$10,000	\$450	\$150	\$162	\$162	\$162	\$649	\$1,259/\$1,521	\$23,424/\$26,731
Fees Required	When over-the-counter location packet requested.	When application submitted.	Paid to statewide or local paper after public notice.	When signed lease submitted to DNR.	When signed lease submitted to DNR.	When application submitted.	When water classification requested.	In January of each year.	When follow-up completed and before you sell product.	When you act as a harvester shellfish.	When you act as a shipper shellfish dealer.	When you act as a reshipper shellfish dealer.	When you act as a shucker packer, shellstock shipper (or shellfish shipper), reshipper or a repacker dealer				

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# Amendments

Amendment Requests	Agency Review Required		
	ADNR/COM	ADNR/MLW	ADFG/CF
Increase, modify, move, or alter the farm site boundary.	X	X	X
Add new facilities to state-permitted upland sites.	X	X	X
Request use of State uplands not previously approved.	X	X	X
Add or significantly modify floating facilities within approved farm boundaries (i.e., culture facilities, rafts).	X	X	X
Reduce farm site area.		X	X
Change in farm production.			X
Add or delete a species for culture.			X
Collection of wild spat (seedstock) or broodstock..			X
Changes in the types of cultural gear within approved farm boundaries (i.e. lantern nets, trays, predator netting, bags).		X	X
Transfer of an aquatic farm lease and permit (i.e. an assignment).		X	X
Renewal of an aquatic farm lease and permit.		X	X
Add or remove individuals as authorized representatives of permit holders.		Notification Required. Review Not Necessary.	
Change in corporation name/business name.		Notification Required. Review Not Necessary.	
Add more units of permitted gear including lantern nets, longlines, trays, floats, and anchors so long as gear is contained within the leased farm site area.		Indicate on Aquatic Farm Annual Report	
Minor adjustments to and routine maintenance of the approved anchoring system.		Indicate on Aquatic Farm Annual Report	

# Amendments

Opening



Amendment Requests	Agency Review Required		
	ADNR/COM	ADNR/MLW	ADFG/CF
Description of Activity			
Increase, modify, move, or alter the farm site boundary.	X	X	X
Add new facilities to state-permitted upland sites.	X	X	X
Request use of State uplands not previously approved.	X	X	X
Add or significantly modify floating facilities within approved farm boundaries (i.e., culture facilities, rafts).	X	X	X
Reduce farm site area.		X	X
Change in farm production.			X
Add or delete a species for culture.			X
Collection of wild spat (seedstock) or broodstock..			X
Changes in the types of cultural gear within approved farm boundaries (i.e. lantern nets, trays, predator netting, bags).		X	X
Transfer of an aquatic farm lease and permit (i.e. an assignment).		X	X
Renewal of an aquatic farm lease and permit.		X	X
Add or remove individuals as authorized representatives of permit holders.		Notification Required. Review Not Necessary.	
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# Amendments

Opening



Outside of Opening



Amendment Requests	Agency Review Required		
	ADNR/COM	ADNR/MLW	ADFG/CF
<b>Description of Activity</b>			
Increase, modify, move, or alter the farm site boundary.	X	X	X
Add new facilities to state-permitted upland sites.	X	X	X
Request use of State uplands not previously approved.	X	X	X
Add or significantly modify floating facilities within approved farm boundaries (i.e., culture facilities, rafts).	X	X	X
Reduce farm site area.		X	X
Change in farm production.			X
Add or delete a species for culture.			X
Collection of wild spat (seedstock) or broodstock..			X
Changes in the types of cultural gear within approved farm boundaries (i.e. lantern nets, trays, predator netting, bags).		X	X
Transfer of an aquatic farm lease and permit (i.e. an assignment).		X	X
Renewal of an aquatic farm lease and permit.		X	X
Add or remove individuals as authorized representatives of permit holders.		Notification Required. Review Not Necessary.	
Change in corporation name/business name.		Notification Required. Review Not Necessary.	
Add more units of permitted gear including lantern nets, longlines, trays, floats, and anchors so long as gear is contained within the leased farm site area.		Indicate on Aquatic Farm Annual Report	
Minor adjustments to and routine maintenance of the approved anchoring system.		Indicate on Aquatic Farm Annual Report	



Alaska Department of Fish and Game