

Fact Sheet

Title: Aquatic Farm



Division of Mining, Land & Water
December 2011

In 1988, the Alaska Legislature changed the state's aquatic farming laws to allow shellfish and sea plant farming on all state land, except park land.

Additional changes were made in 1997 that allowed the Department of Natural Resources (DNR) to enter directly into a lease for an aquatic farmsite.

What is an aquatic farmsite lease?

It is a ten-year property right granted by DNR that allows a lessee to develop the state's tide and submerged lands into a shellfish or sea plant farm.

How do I apply?

You must file an aquatic farmsite application with DNR during the filing period and pay a \$100 filing fee. The application is used by all applicable agencies to determine your proposal's feasibility. You may need to submit other applications to other agencies.

How often will a filing period be scheduled?

A filing period will be scheduled at least every other year from January 1 through April 30. The next filing period will be held in 2012.

What authorizations do I need to operate a farm?

In addition to the lease, you must obtain an operations permit and/or a Title 16 permit from the Department of Fish & Game, and a water quality certificate from the Department of Environmental Conservation. You may also need a permit from the U.S. Army Corps of Engineers or permission from an adjacent upland owner if you propose to use uplands in your operation.

How do I find out about the filing period?

Check the DNR, Division of Mining, Land, and Water website. Notices are broadcast on radio stations throughout the state. You may also ask DNR to place your name on the aquatic farm mailing list so you will be notified of the openings.

What costs are associated with a lease?

The charge for the lease will be based on a fair market value appraisal or current fee schedule. The current fee schedule is \$450 for the first acre plus an additional \$125 per acre, or portion thereof. Also, if you have related upland or floating caretaker facilities, you will be charged other fees as set out in regulations or fee schedules. As with any lease, if you do not want to use the fee schedule, you may pay to have an appraisal done. The appraisal is done in accordance with appraisal instructions issued by DNR.

You will pay advertising costs. You may also be required to pay for a boundary survey. The survey is done in accordance with survey instructions issued by DNR.

Additionally there is a bond requirement, which is determined by such factors as projected site cleanup and restoration. The minimum bond amount is \$2,500. However, if three or more lessees post an association bond to cover all of their leases, the minimum-security amount is 50 percent of the amount individually calculated for each lease. This bond is subject to periodic review.

Farmers should also be aware that other state agencies have fees as well. The Department of Fish & Game requires a biomass survey fee of \$2,000 - \$5,000 for all on-bottom, inter-tidal or sub-tidal proposals. The fee must be included with the multi-agency aquatic farm application. The Department of Environmental Conservation requires a fee of \$500 for the initial water classification.

Applicants should refer to Part I of the application (Application Process Guidelines and Contacts) for further information on agency fees.

Can I get an association bond if I have more than one site?

You may participate in an association bond if you have more than one site provided you form an association with two other lessees.

Can I apply for more than one site?

You may apply for as many sites as you wish. However, The Commissioner of DNR may limit the number of applications a person may file.

How long will it take to process my application?

It takes about 12 months to process an application after the filing period closes. A copy of the review schedule will be sent to you when the project review starts so you will be able to anticipate when the decision to allow or deny your lease will be issued.

Is finfish farming allowed?

No. Finfish farming is not allowed in the state.

Is state funding available?

No state funding is available. Aquaculture loans may be available through USDA Rural Development.

Do I need an aquatic farmsite lease from DNR to collect wild shellfish or sea plants for commercial purposes?

No. However, you do need authorizations from the Department of Fish & Game (DF&G) and the Department of Environmental Conservation (DEC).

Where can I get more information?

For information on the Growing Area Certification required to sell an aquatic farm product, call the Shellfish Program Coordinator for the Department of Environmental Conservation, Division of Environmental Health at 907-269-7638.

For information on the Department of Fish & Game acquisition and operations permits, call Cynthia Pring-Ham, the Mariculture

Coordinator for DF&G, Commercial Fisheries at 907-465-6150 or via email at: cynthia.pring-ham@alaska.gov.

For more information or to complete the multi-agency application, please go to the DNR website at: www.dnr.state.ak.us/mlw/aquatic/ or, contact the John S. Thiede, the Aquatic Farm Program Manager at:

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