



APPLICATION FOR VIRGINIA OYSTER PLANTING GROUND

Electronic applications may be submitted online at:
<https://webapps.mrc.virginia.gov/public/oystergrounds/apply.php>

Applications must include a non-refundable fee (see page 3 for fee schedule and information). Applicants agree to promptly pay the newspaper for the required advertising. All applicants are equally responsible to pay all fees for advertising, notification of adjacent leaseholders, notification of adjacent highland property owners, surveying, mapping, assigning, and recording as specified in the Code of Virginia, Title 28.2.

APPLICANT INFORMATION

All Applicants must be Virginia residents or eligible business entities, See Code §28.2-604

Name of Applicant or Company: _____

Mailing Address: _____
Street or PO Box City State Zip

911 Address: _____
Street City State Zip

E-mail Address: _____ Cell:(____) _____ Home:(____) _____

Additional Names Applying: 1) _____
2) _____
3) _____

Do you presently lease oyster ground in this name? No Yes _____
Billing Number

Do you presently have an MRC-ID? No Yes _____
MRC-ID Number

Federal Employer Identification Number (FEIN), if applicable: _____

CONTACT PERSON INFORMATION (If Applicable)

Name: _____ Affiliation: Agent Power of Attorney Corporate Officer

Mailing Address: _____
Street or PO Box City State Zip

E-mail Address: _____ Cell:(____) _____ Home:(____) _____

LEASE INFORMATION

Body of Water: _____ Acres: _____ County/City: _____

Description of Area

- Please provide a printed map. https://webapps.mrc.virginia.gov/public/maps/chesapeakebay_map.php
- Please list any adjoining leases, Public Ground, proximity to mean low water, navigation channels, and any other nearby physical landmarks such as channel markers, land features, etc., if applicable, and existing submerged aquatic vegetation

FOR OFFICE USE ONLY:

App. Number: _____ Billing Number: _____ Waterbody Number: _____
Map Number: _____ District Number: _____ Assigned Surveyor: _____
Latitude: _____ Longitude: _____

Chief or Director, Engineering/Surveying Dept.

Date

The Code of Virginia requires that leased areas “be occupied for the purpose of planting or propagating oysters” (Chapter 6, §28.2-603). Shellfish lease applications will not be accepted for the sole purpose of attempting to exclude other legal uses of the area.

LEASE USE QUESTIONNAIRE

1. Will the lease be used for traditional shelling of the bottom, cultivating existing shell resources or the placement of other cultch material?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Will there be any planting of spat and/or seed oysters on bottom?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Will there be the placement of structures on-bottom for shellfish production?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• If yes, will they exceed a height of 12-inches from the substrate?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Any floating structures or structures that extend more than 12-inches above the substrate, or that are marked with buoys or stakes, will require additional authorization from the Shellfish Management Division and <u>are not authorized by this application.</u>		
4. Will there be clam cultivation using traditional harvest or seed planting methods?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• With Protective Nets? <input type="checkbox"/> Yes <input type="checkbox"/> No		
5. Are other uses proposed not included above? <input type="checkbox"/> Yes <input type="checkbox"/> No		
• If yes, please explain: _____		

ADJACENT PROPERTY OWNERS

Please provide a map from of your locality’s tax map or GIS property map with the appropriate highland properties highlighted along with the name and address of each such property owner.

***Please note that applications will not be accepted without this attached map and list**

ALL APPLICANTS MUST SIGN BELOW

Applicant Name (Print)	Applicant Signature	Date
1.		
2.		
3.		
4.		
5.		

INSTRUCTIONS

**Return the completed Application for Oyster Planting Ground with appropriate non-refundable fee
(Checks or money orders are accepted and payable to the “Treasurer of Virginia”)**

Virginia Marine Resources Commission (VMRC)

Attn: Engineering/Surveying Department

380 Fenwick Road, Bldg. 96 Fort Monroe, VA 23651

THE FOLLOWING CHARGES ARE EFFECTIVE AS OF 2-27-2019

Please note that the application fee is non-refundable, and you are encouraged to contact the Engineering/Surveying Department for a pre-application consultation before submitting an application for oyster planting ground lease.

APPLICATION FEE: (Non-Refundable):

Requested Acreage 0.01-4.99 Acres.....	\$300.00
Requested Acreage 5.00-25.00 Acres	\$500.00
Requested Acreage 25.01-250.00 Acres	\$1,000.00
Advertising: Submitted by VMRC to the Newspaper, Billed Directly to the Applicant.....	COST VARIES

SURVEYING:

VMRC Survey Fee.....	\$750.00
Additional Plat Charge: (if needed, per Plat).....	\$100.00
Rental Amount: (Per Acre/Per Year) (No Annual Charge for Riparian Leases).....	\$1.50
Notification of Adjoining Leaseholders and Highland Property Owners within 200’(per Letter).....	\$5.60

- Pursuant to the Code of Virginia all applications are subject to compliance with all applicable provisions of law and whether in the judgement of the Commissioner the assignment is in the public interest. In making the determination for assignment the Commissioner shall consider (i) the factors set out in the Code of Virginia subsection A of §28.2-1205 and (ii) the public benefits and impacts of shellfish aquaculture.
- Pursuant to the Code of Virginia, §28.2-606, the application will be advertised in the local newspaper for two consecutive weeks. VMRC will submit the notice to the newspaper and the paper bill you directly for the advertisement. **Contact the newspaper for charge amounts.** No lease can be assigned if the notice has not been run as required by the Code. All applications within 200 feet of highland property require notification of such property owners. All leaseholders adjacent to an application request must also be notified. The cost of these notifications, when required, (by either registered or certified mail) must be paid by the applicant(s) who will be billed accordingly based on the number of parties to be notified. Payment of such notifications is required even if the application lease is denied.
- Each application will be given priority based upon the order that it is received by the agency, but such priority may be impacted if the request is protested. If signing as a Power of Attorney, provide documentation; for Corporations, corporation affidavit may be required and/or proof that the corporation adheres to the Code of Virginia, §28.2-604.

Riparian Leases: Riparian oyster ground leases require a minimum of 205 linear feet along the mean low water line and the name on the application must be shown exactly as on the highland deed. A plat and/or deed of your highland property are required to complete the survey. No newspaper advertisement is required for a riparian ground lease application.

Applications: A map for unassigned or vacant areas can be accessed by contacting the Engineering/Surveying Department or online at: https://webapps.mrc.virginia.gov/public/oystergrounds/search_applications.php

Surveys: After a 60-day Code mandated waiting period, a VMRC surveyor will complete the field survey and prepare a plat. A 30-day waiting period after the plat is approved is required, by Code, before the ground can be assigned. (If you wish to use a Virginia private licensed land surveyor, they must contact this office to ensure the survey and plat meet VMRC standards). If the application is protested a public hearing may be required for full Commission action for approval.

Agency Contacts: Program Support Technician: 757-247-2226