



## Shellfish Aquaculture Plat Lease Application Instructions

Read these instructions carefully and review the process flowchart before completing the application. ORS 622.210-220 authorizes the Oregon Department of Agriculture (ODA) to receive, evaluate and either approve or deny shellfish aquaculture plat lease applications for state-owned estuary lands. ODA will contact you if your application is incomplete. If you have questions please call the ODA Food Safety Program at (503) 986-4721.

### INSTRUCTIONS

1. The applicant should verify with the county assessor's office the estuary land in the plat application is state-owned before submitting the application. The map used by ODA to identify state-owned lands for shellfish plats is provided by the Oregon Division of State Lands (503) 378-3805. If the land is not state-owned you must work with the county or other local government that has legal authority over that land.
2. Fill out one application for each plat being requested.
3. Fully answer every question and write clearly and legibly.
4. Use a second sheet of paper if you need to provide more information.
5. The 'Legal Business Name' is the name recorded with the Secretary of State's office. For more information visit: <https://sos.oregon.gov/business/Pages/registering-your-business-name.aspx>
6. Enter the name of the bay or estuary where the plat is located and enter the gps (latitude and longitude) information describing where the bay boundaries are located in the bay.
7. Provide a legal description of each plat requested including a description of the boundaries of the plat area. Applicants may use professional survey assistance in preparing the legal description and associated map (see '7.' below) but it is not required for the initial application. Once an application for lease obtains final approval OAR 603-082-0060(3) requires a boundary survey of the approved plat be prepared and submitted to ODA before a Grant Certificate will be issued. A professional surveyor licensed in Oregon must conduct this survey.
8. The application must include a map outlining the plat **based on the legal description**.



- a. The map must be prepared with reference to the Public Lands Survey System (PLSS) and show the section lines and quarter section lines in the vicinity.
  - b. The map should show the shoreline and other topographical features.
9. The applicant must provide an affidavit proving public notice was completed. ODA will provide specific instructions on how to do the public notification. ORS 622.250 and OAR 603-082-0030 requires the applicant to publish a notice of the application once a week for two consecutive weeks in a newspaper of general circulation in each county where the proposed plat, or any part thereof, is located. Public notification is required to inform the general public of the applicant's intent and to allow the public the opportunity to submit opinions and testimony to ODA. It is suggested the applicant request an 'affidavit of publication' be issued by the newspaper in duplicate. The original copy should be provided to the ODA with the application. The public notice must contain the following:
- a. Applicant's name
  - b. Type of operation (raft culture, bottom culture, stake culture, etc.)
  - c. A general description of the area of the proposed shellfish cultivation
  - d. The notice shall also state that any comments regarding the proposed plat may be submitted to the Oregon Department of Agriculture
  - e. The notice shall include the legal description
10. Each plat application must be accompanied by a \$250.00 non-refundable filing fee. Checks should be made out to the Oregon Department of Agriculture.

## **GENERAL INFORMATION**

Upon receipt of the shellfish plat application, fee, map, legal description and affidavit, ODA will circulate the application materials to appropriate state, local and federal agencies, land use planning agencies, environmental groups, industry members, and other interested parties for public notice comments. Feedback from these sources and the public notice will be used to determine whether or not the proposed lease complies with relevant statewide land use planning goals. OAR 603-082-0040 through 0050 lists the criteria used in the review of an application.

See the rules online at:

<https://secure.sos.state.or.us/oard/view.action?ruleNumber=603-082-0040>

<https://secure.sos.state.or.us/oard/view.action?ruleNumber=603-082-0050>