

EXAMPLE

LETTER FROM AQUACULTURE LEASE/PERMIT APPLICANT TO WATERFRONT PROPERTY OWNERS IN PROJECT VICINITY

Name of Applicant _____

MDNR Lease Application Number _____

Corps of Engineers Application Number _____

Neighbor Name _____

Address _____

Dear _____:

I am writing to you concerning applications submitted to Maryland Department of Natural Resources (MDNR) and the U.S. Army Corps of Engineers to establish and maintain a commercial aquaculture operation of approximately XXX acres in the _____ (waterway) near _____ (named point of interest along waterway) in/near _____ (town), _____ County, Maryland.

Enclosed for your review and consideration is a copy of the plans, which show the location of the proposed work in relation to your property. The purpose of the proposal is to culture commercially, on an on-going basis, the Eastern Oyster (*Crassostrea virginica*) [or fill in here -- for other species as approved by MDNR].

The proposed work includes the following:

Check all as applicable (x)

_____ deposition of approximately ____ inches of shell and/or spat on shell on the bottom

_____ installation of on-bottom cages

_____ installation of floating cages/or installation of other types of floating structures

_____ Other (explain) _____

The attached plans identify how general navigation in the area will be maintained and also identifies how ingress to and egress from neighboring properties has been considered to avoid/minimize any adverse effects. The project plans also identify that the water depth within the project area varies from approximately ____ foot/feet ____ inches to ____ foot/feet ____ inches at mean lower low water.

[for on-bottom aquaculture]:

The vertical clearance, for purposes of any ingress or egress to your property by boat/vessel would be reduced by approximately ____ (inches/feet) wherever work would be initiated within the project area associated with the establishment and future operation of the proposed aquaculture operation. The vertical extent/clearance may change over time depending on growth of the oysters and future harvesting.

[for cages on-bottom aquaculture]:

The vertical clearance, for purposes of any ingress or egress to your property by boat/vessel would be reduced by approximately ____ (inches/feet – whatever the cage heights are relative to MLW) wherever work would be initiated within the project area associated with the establishment and future operation of the proposed aquaculture operation.

[for floating aquaculture gear]:

The proposed layout includes approximately ____ feet/inches of space between rows of floating gear.

Given that the activity is proposed adjacent to your property, and in the interest to consider navigation and ingress and egress to your property, I am requesting your comments, if any, regarding this proposed work within 15 days from the date of this letter. To facilitate your communication, a response sheet is provided, at the end of this letter, for your use.

Please note that if during the lease application review process, the proposed project changes in scope (increases in size and/or changes in type or location) the Corps will assess any changes to determine if they could adversely affect either general navigation in the area or ingress to and egress from your property, and will notify you accordingly for your information. The application numbers referenced above should be used in all communications with the Corps. If you have any questions concerning this matter, please contact _____, at (____) ____-____ or via email at _____.

Sincerely,

Name
Business Name

Enclosures
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Adjacent Property Owner's Acknowledgement Form

Name of Applicant _____

MDNR Lease Application Number _____

Corps of Engineers Application Number _____

I, _____, own
land adjacent to the proposed aquaculture project located in _____
_____ (waterway) near _____ (named point of interest along waterway) in
_____ (town), _____ County, Maryland.

I have reviewed the proposed work, shown by plans dated _____

I have:

_____ no objections/comments/concerns, including any concerns about
general navigation and/or ingress/egress to my property.

_____ the following comments/concerns:

_____ the following comments/concerns regarding general navigation and/or
ingress/egress to my property. I have marked, on the project plans (copy
attached), the approximate path that is currently used for navigation and/or
ingress/egress.

_____ My comments/concerns/objections could be addressed by:

I understand that an objection will not necessarily result in the Corps denial of a permit for the proposed work. However, valid concerns/objections will be given full consideration during the Corps/ permit review process.

Signature _____ Date _____

Address:

Please mail this form to:

Aquaculture Applicant Name
Business Name
Mailing Address

You may also provide this form to:

Baltimore District, U.S. Army Corps of Engineers
Operations Division
Regulatory Branch
2 Hopkins Plaza
Baltimore, MD 21201

Maryland Department of Natural Resources Aquaculture Division
Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401