

# **APPENDIX A**

## **APPLICATION FOR AQUATIC FARMER LICENSE NEW JERSEY DEPARTMENT OF AGRICULTURE OFFICE OF AQUACULTURE COORDINATION**

**The New Jersey Department of Agriculture  
Fish & Seafood Development Program  
P.O. Box 330  
Trenton, New Jersey 08625-0330**

**June 2004**

**Edited May 2005 to remove Part B and customize application for shellfish aquaculture on leases ONLY**

The Aquatic Farmer License is issued by the New Jersey Department of Agriculture to provide the following benefits to the New Jersey aquaculture industry.

- 1) Demonstrate definitive ownership of the organisms being raised. This protection is especially important when dealing with products that are under bag limits, size limits and seasonality limitations such as summer flounder and hybrid striped bass.
- 2) Prevention of the introduction of aquatic pests that may be detrimental to wild stocks and other aquaculture operations.
- 3) A reduction in the regulatory burden by providing a mechanism to assist in the identification of additional permits, if any, that are required.
- 4) Guidance so that an operation can be planned in a manner to reduce the regulatory burden and reduce or eliminate excessive fees while maintaining environmental integrity.
- 5) Establish a production history for the aquatic farm which is critical in the event that disaster relief or other available funding is sought.
- 6) Eligibility for a number of programs operated by the New Jersey Department of Agriculture and the United States Department of Agriculture.
- 7) Eligibility for marketing assistance from the New Jersey Department of Agriculture.

In return for these benefits, you are required, as an active member of New Jersey's agricultural community, to provide production information for the census of agriculture. All information will be held in confidence pursuant to any limitations set forth by federal or state law. Once this information is aggregated by the National Agricultural Statistics Service, it is used for a variety of purposes including disaster relief, development of additional opportunities for the industry and demonstrating the impact of aquaculture to state and federal decision makers.

Any significant changes in your operation, such as a change in genus, system capacity or type of system, must be reported to the NJDA at least 30 days prior to the implementation of that change. Any change in ownership of the aquatic farmer license must be made within 14 days of any such transfer.

### **Applicant Information**

Name:							
Mailing Address:							
Date Filed (D/M/Y):							
City:		State:		Zip code:			
Telephone No.	( )	Fax No.	( )	Email:			
Name of Project:							
Facility Street Address:		**(you may include physical locations, ex. Maurice R. Cove, Great Bay)					
Municipality (ies):				County (ies):			
Block No.	(N/A)	Lot No.	(N/A)				
Riparian Grant	(N/A)						

Are you the landowner?  Yes  No

If 'no', explain: lease from the State of New Jersey

**If NO – Landowners Name**

Name:		<b>State of New Jersey</b>					
Address:		<b>(N/A)</b>					
City:		<b>(N/A)</b>		State:		<b>NJ</b>	
Zipcode:		<b>(N/A)</b>					

**\*\* (Any lease information you can provide would be helpful. You may attach a separate page)**

Name of Consultant or Contact Person:		<b>** (if different than applicant)</b>					
Address:							
City:				State:			
Zipcode:							
Telephone No.	( )	Fax No	( )	Email:			

Type of Culture:       Finfish                       Shellfish                       Other

**Specify the name and origin of each species to be cultured:**

**\*\*EXAMPLES.**

hard clam (*Mercenaria mercenaria*)  
eastern oyster (*Crassostrea virginica*)

Species (Common and Latin name)

From which Country, State, & Supplier?  
*(Please give telephone number of supplier if available)*

_____	_____
_____	_____
_____	_____
_____	_____

Please state your **estimated annual production** (in pounds or amount of finished product):

\_\_\_\_\_

*\*\* (you may include bushels, count, or pounds live weight in this estimate)*

### General Activity Description

Project Type :     New Construction                       New Owner  
                          Renovation/Addition                       No Construction Required  
                          Additional or New Use/Activity                       Culture on leased bottom  
                          Culture on Riparian Grant                      or natural waters

**Estimated Beginning construction date:** \_\_\_\_\_

### Zoning:

Is this operation a permitted use according to local zoning laws?

Yes                       No                       Not sure?

### Size of Operation:

Size of Facility (in acres) \_\_\_\_\_      Floor space (square feet) \_\_\_\_\_  
Number of Buildings \_\_\_\_\_      **Surface Area (acres)** \_\_\_\_\_

**Water:**

Water source : natural bay flow across lease

Amount of water to be used per day (N/A)

Amount of discharge per day (N/A)

Discharge will go to:  Ground Water  Surface Water  (N/A)  
 Sewer System/Treatment Plant (please specify type public/private)

**Type of Operation**

**(SKIP)** SECTION 1: ~~If your operation involves culture in Ponds, Lakes, or Impoundments, please answer the questions below. If not, skip to Section 2.~~

- | Yes                      | No                       | ?                        |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Is your product intended for human or food animal consumption?                        |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Will the culture be done in Freshwater?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Will the operation be totally isolated with no discharge to other water bodies?       |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Will there be discharge to surface waters or discharge during times of excess runoff? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Will the culture be done in cages?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Will you use predator control systems (e.g. netting)?                                 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Will you have a fee fishing operation at your site?                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Will your product be used for conservation purposes (e.g. private stockings)?         |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Will your marketable product be for wholesale food purposes?                          |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Will your marketable product be sold at a retail level on your site?                 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. Will there be a processing plant on site?  |

**(SKIP)** SECTION 2: ~~If your operation involves culture in Tanks or Raceways, please answer the questions below. If not, skip to Section 3.~~

- | Yes                      | No                       | ?                        |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Is your product intended for human or food animal consumption?        |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Will culture be done in Freshwater?                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Will this facility be a recirculating system?                         |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ (gal) 4. If 'yes', what will the total Volume of the system be?    |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Will this be a flow through system?                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Will there be any discharge to surface waters?                        |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ 7. If "yes" what will be the daily volume of discharge?            |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ 8. If "no" where will the discharge go?                            |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Will you use predator control systems (e.g. netting)?                 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Will your marketable product be for wholesale food purposes?         |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. Will your marketable product be sold at a retail level on your site? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 12. Will there be a processing plant on site?                            |

**SECTION 3:** If your operation involves culture of **Marine or Estuarine Organisms**, please answer the questions below. If not, skip to **Section 4**.

Yes	No	?	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Will you culture Molluscan Shellfish?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Will you culture Finfish? (if no, SKIP 6)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Will you culture organisms other than finfish or molluscan shellfish?
			4. If "yes", please identify organisms: _____
			5. Which one(s) best describes your shellfish system?
			<input type="checkbox"/> Recirculating system <input type="checkbox"/> Flow through system
			<input type="checkbox"/> Bottom Culture <input type="checkbox"/> Tray Culture
			<input type="checkbox"/> Rack Culture <input type="checkbox"/> Hanging Culture (lines,bags,cages)
			<input type="checkbox"/> Other (Be specific) _____
			6. Which one(s) best describes your finfish system?
			<input type="checkbox"/> Recirculating system <input type="checkbox"/> Flow through system
			<input type="checkbox"/> Net Pen <input type="checkbox"/> Cage
			<input type="checkbox"/> Other (Be specific): _____
			7. Describe your system if you are growing organisms <i>other</i> than finfish or molluscan shellfish: _____
Yes	No	?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Will you culture your product within a land-based structure?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Will you culture your product in New Jersey's estuaries or marine waters?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Will you sell finfish/shellfish/other organisms at a retail level on your site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Will you sell finfish/shellfish/other organisms at a wholesale level on your site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Will there be any processing done on your site?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Will you have a fee fishing (fee collecting) operation at your site?

**SECTION 4: ADDITIONAL QUESTIONS**

Yes	No	?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Has this site been farmed during any of the last five (5) years?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Will you produce an agricultural commodity that is sold in the amount of at least \$500 per year for the first 5 acres and an average of at least \$5 per acre per year for cropland and at least \$0.50 per acre per year for woodland on all qualifying acreage above the initial 5 acres?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Will you have at least five (5) acres solely and completely used for agricultural production?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Will you produce <b>more than</b> 20,000 lbs. (9072 kg) of cold water (marketable product) finfish per year?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Will you feed <b>more than</b> 5000 lbs. (2268 kg) of feed during the month of maximum feeding?

- 6. Will you produce **more than** 100,000 lbs. (45360 kg) of warm water (marketable product) finfish per year?
- 7. Will your operation produce filter feeding molluscan shellfish exclusively?
- 8. Is your site or any portion thereof a designated wetland?

The following sections (I through XVI) below are to help the applicant as well as the NJDA determine which permits from regulatory agencies such as NJDEP are necessary for your project. Please understand that in most cases, you will not need to get ALL of the permits that are listed below.

## PERMITTING QUESTIONS:

Yes      No      ?

**(SKIP)**

### I. Land Use

- a.    Will you disturb more than 5,000 square feet of soil to construct a pond or building?
- b.    Is your intended development in the Coastal Area Facility Review Act (CAFRA) area?  
**If "yes" please answer the following question. If "no", please skip to Section II**
- c.    Will you have more than 50 parking spaces at your site?

### II. Waterfront Development

- a.    Does your proposed project involve waterfront development?

**(SKIP)**

### III. Wetlands Permit

- a.    Does your proposed project involve any of the activities described in coastal wetlands?
- b.    Will you have project activities within 150 feet of a freshwater wetland?
- c.    Is any part of your project on a currently farmed wetland?

**(SKIP)**

### IV. Stream Encroachment Permit (Freshwater)

- a.    Will your project involve any alteration of a stream?
- b.    Does your project include alteration along, in, or across 100 year flood plain?

### V. Water Quality Certificate

- a.    Does your project require a Federal permit for the discharge of dredged or fill material into State Waters and/or their adjacent wetlands?

### VI. Tidelands Instruments

- a.    Does your project require the purchase, grant, license or lease of, or statement of No Interest in tidelands?

**(SKIP)**

### VII. Pinelands

- a.    -Is your project located in the Pinelands?

**If "yes", please answer the Questions below. If "no", skip to section VIII.**

- b.    -Does your project involve dredging?
- c.    Do you intend to remove fill from the site?

**(SKIP)**

### VIII. Stormwater Drainage Areas

- a.    Is your project/facility located in the Hackensack/Meadowlands Drainage Review Area?
- b.    Is your project/facility located in a Delaware and Raritan Canal Drainage Review Area?

**(SKIP) IX. Water Supply [Agricultural Water Certification & Registration]**

- a.    Do you have the pumping capacity for 70 gallons of FRESHWATER per minute or more?  
Yes No ?
- b.    Do you plan to use more than 100,000 gallons of FRESHWATER per day during any calendar month (i.e. over 3 million gallons for *that* month)?

**(SKIP) X. Well Drilling**

- a.    Does your project include the drilling, boring, coring or excavating or sealing of a well?

**(SKIP) XI. Water Quality**

- a.    For Cold Water Fish Species, will you produce ~~more than~~ 20,000 lbs. (9072kg) of marketable product each year?
- b.    For Cold Water Fish Species, will you feed ~~more than~~ 5000 lbs. (2268kg) of feed during the calendar month of maximum feeding?
- c.    For Warm Water Fish Species, will you produce ~~more than~~ 100,000 lbs. (45360kg) of marketable product per year?
- d.    Will your facility discharge culture system water into a surface water body?
- e.    Will your facility discharge sanitary/domestic wastewater to same surface water body?
- f.    Will the project/facility have a sanitary wastewater design flow which discharges to groundwater in excess of 2,000 gallons per day?
- g.    Will the project discharge water to a publicly owned treatment works (POTW)?
- h.    Will the project discharge culture system water combined with sanitary sewage to a POTW?

**(SKIP) XII. Pesticide Control**

- a.    Will the project involve the application of pesticides?

**(SKIP) XIII. Site Remediation**

- a.    Is this project a remediation site? If "yes", please provide the following information:  
*Case manager's name:* \_\_\_\_\_  
*Bureau:* \_\_\_\_\_  
*Telephone number:* \_\_\_\_\_

**XIV. Natural Resources**

- a.    Does your proposed project involve the shut-off or draw-off of the waters of any pond, stream or lake, or the placing of an inlet/outlet screen in a pond, lake or stream?
- b.    Will you collect, transport or handle any non-game or endangered species?
- c.    Do you plan to work with any of the fish listed in the guidebook that have special regulations in New Jersey and may require special permits to either culture, stock, capture, or sell?
- d.    Does your proposed project site have any plants or does it provide habitat for any animals, on a seasonal or year-round basis, that are listed on State or Federal endangered or threatened species lists?
- e.    Do you have a collecting permit?



- f.    Will you import (from out of state or country) any freshwater or marine species?
- g.    Will you lease any state waters for your culture?
- Yes  No  ?
- h.    Will you have a fee fishing operation at your site?

**(SKIP) XV. Dam Safety**

- a.    ~~Will your project/facility involve the construction, repair or modification of a dam which impounds water on a permanent or temporary basis and that raises the water of a river or stream more than five feet?~~

**XVI. Additional Questions**

- a.    Are State or Federal funds to be used in the design or construction of the project?
- b.    Do you know of any federal permits (ACOE, NMFS, USCG, etc) that are required for the project?
- c.    If “yes” to either question above, was an environmental assessment or environmental impact statement prepared, or will one be prepared, for the proposed project pursuant to the National Environmental Policy Act?
- d.    ~~If State funds are to be used for construction and estimated construction costs exceed \$1 million, was an environmental assessment or environmental impact statement prepared, or will one be prepared, for the proposed project?~~
- e.    Is this project in navigable waters?

**ACKNOWLEDGMENT**

This document will serve as a *formal Application* for an Aquatic Farmer License from the New Jersey Department of Agriculture. Depending on the size and nature of the proposed aquaculture operation, additional permits may be required by local, state, and/or federal regulatory agencies. I understand that the filing of this Aquatic Farmer License Application does not constitute a formal application for any other permits that may be required. However, this Application will identify such permits and will allow the NJDA to provide assistance in obtaining those permits. I understand that individual permits required by other regulatory authorities may require separate applications.

By signing below, I understand the benefits and requirements of the Aquatic Farmer License and I agree to cooperate with the New Jersey Department of Agriculture in the development of appropriate production information and other data to ensure the growth and well being of the New Jersey aquaculture industry.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Applicant’s Signature

\_\_\_\_\_  
Applicant’s Name (Please Print)

**\*\* Please include the appropriate portion of a USGS site map when you submit this application form indicating where your project will be located.**