Reporting Year: _____

SUFFOLK COUNTY
SHELLFISH AQUACULTURE LEASE PROGRAM
LEASEHOLDER ANNUAL REPORT FORM

All leaseholders must report their shellfish farming activities to the County on an annual basis. Each Leaseholder is required to submit a Leaseholder Annual Report to the Division of Planning & Environment each year that they retain their lease with the County. All aquaculture activities that were conducted during the period of _____should be reported on this form; if no activities were undertaken this year, indicate the same on this form. If permit modifications have been applied for and/or made to alter your cultivation activities (type of culture, species cultivated, gear type), please notify the County of the same on this report and submit copies of current permits. This annual report should also include information regarding activities conducted on any sublease involving the leased premise.

This form, along with the annual lease rental fee and SC Form 22, is due 30 days before the lease anniversary date. Leaseholders are also required to submit this report 30 days before the termination or expiration of a lease and prior to the application for a lease renewal, assignment or sublease.

Please note the Leaseholder Annual Report Form has been reorganized and revised to include some additional information pertaining to your aquaculture gear and product distribution. Your individual information will not be made public and will only be used collectively to summarize the economic impacts of this program.

Annual Lease Rental Fee: **$ 250.00**
Please make your check or money order payable to the **Suffolk County Treasurer**.

Mailing Instructions:

Provide one completed copy of the Leaseholder Annual Report Form, completed copy of the *SC Form 22 Contractor's/Vendor's Public Disclosure Statement*, copy of current regulatory permits, along with a check or money order made payable to the Suffolk County Treasurer for the annual lease rental fee, to the Suffolk County Division of Planning & Environment at the address below 30 days before your lease anniversary date.

Suffolk County Department of Economic Development & Planning
Division of Planning & Environment
P.O. Box 6100 – 4th Floor
Hauppauge, NY 11788-0099
ATTN: Ms. Susan Filipowich

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SHELLFISH AQUACULTURE LEASE PROGRAM
LEASEHOLDER ANNUAL REPORT FORM

Name of Leaseholder: _____
(If any changes have been made to your corporation, partnership or LLC, please complete a new Attachment A.)

Mailing Address:_____

Street Address: _____

City, County: _____

State, Zip: _____

Telephone: business _____ home _____ cell _____

Email address: _____

Aquaculture Lease Sites map ID#: _____ Total lease acreage: _____

Location of lease site: _____
(town) (waterbody)

Permit Status (please check all that apply):

Applied for: ☐ DOS ☐ USCG ☐ ACoE ☐ NYSDEC

Received: ☐ DOS ☐ USCG ☐ ACoE ☐ NYSDEC

I have not started the application process for any of the required regulatory permits: ☐

Lease Type of Culture Operation:

☐ Commercial ☐ Experimental/Educational ☐ Resource Restoration

Type of Culture Operation:

☐ On-Bottom ☐ Off-Bottom ☐ On/Off-Bottom

List of Species being Cultivated:

☐ Eastern Oyster ☐ Razor Clam
☐ Hard Clam ☐ Bay Scallop
☐ Blue Mussel ☐ Other: _____
(Please list species)

Shellfish Stock Source (Attach additional sheets if necessary):

Hatchery Name:	Location:	# of Shellfish Purchased (Year):
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Aquaculture Gear on lease site, e.g., mesh bags, trays, cages, buoys, etc. (Attach additional sheets if necessary):

Gear Type:	Amount of Gear and dimensions:
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

Please use the figure below to show approximate location of gear within your Lease Area (oyster grant owners see attached figure):

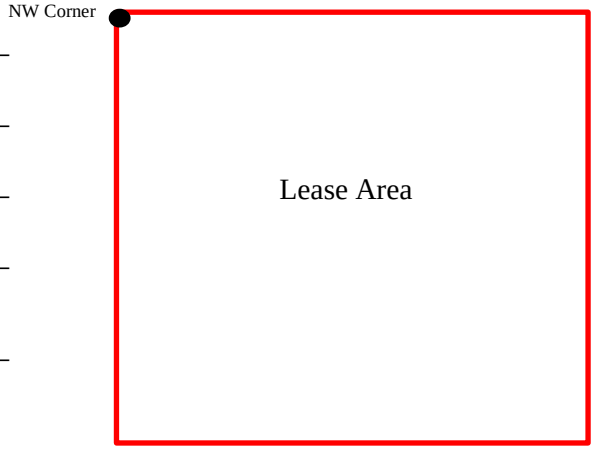
_____

_____

_____

_____

_____



Harvest Method and/or Equipment, e.g., by hand, mechanical winch, hoist, etc.:

_____

_____

_____

Most recent gear purchased from business in: NY ☐ CT ☐ MA ☐ RI ☐ Other: _____

Year of most recent gear purchase: _____

Report the quantity of shellfish seed planted on the lease for this reporting year.

# of Seed Planted	Shellfish Species Planted					
	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
1 - 50,000						
50,001 - 100,000						
100,001 - 250,000						
250,001 - 500,000						
500,001 - 1,000,000						
1,000,000 +						

Please check the appropriate ranges for each species

Report the quantity of shellfish harvested from the lease for this reporting year.

# of Shellfish Harvested	Shellfish Species Harvested					
	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
1 - 50,000						
50,001 - 100,000						
100,001 - 250,000						
250,001 - 500,000						
500,001 - 1,000,000						
1,000,000 +						

Please check the appropriate ranges for each species

Provide a brief description of the typical shellfish aquaculture activities that took place on your lease site, include activities conducted to maintain shellfish products, e.g., date seed was placed on site, sorted by hand or by tumbler, sorted on boat or land/dock, gear relocation, etc.(Attach additional sheets if necessary):

_____

_____

_____

_____

_____

Describe predator control measures, if any, conducted on the lease site, e.g., power washing, brine dips, scrubbing, etc.:

_____

_____

Total number of employees, including yourself, working on your Aquaculture Lease Site: _____

Approximately, how much time did each employee work on the lease site (i.e., hours/day and days/week or month): _____

Product Distribution Area (check all that apply):	Product Distribution Type (check all that apply):
☐ Nassau/Suffolk	☐ Direct Sale to Consumer
☐ New York City	☐ Wholesale
☐ NYS (outside Metropolitan area)	☐ Retail
☐ Out of State	☐ Restaurants/Boutiques/Wineries
☐ Other: _____ (please specify)	☐ Other: _____ (please specify)

What name do you sell your shellfish under? _____

Do you have a website? ☐ Yes ☐ No
If so, please list the web address: _____

Is your completed *Suffolk County Form 22 Contractor's/Vendor's Public Disclosure Statement* enclosed: ☐ Yes

Are copies of your regulatory permit application ***or*** 2015 regulatory permits enclosed: ☐ Yes

Is your Annual Lease Rental Fee enclosed: ☐ Yes ☐ N/A
Please make check or money order payable to the **Suffolk County Treasurer**.

Please answer as appropriate for the period covered by the _____Annual Report Form:

Has the lessee or sublessee ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes ☐ No

If the lessee or the sublessee is a *corporation*, has the corporation or any officer, director or shareholder ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes ☐ No ☐ N/A

If the lessee or the sublessee is a *LLC*, has the LLC or any member ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes ☐ No ☐ N/A

If the lessee or the sublessee is a *partnership*, has the partnership or either partner ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?

☐ Yes ☐ No ☐ N/A

If yes, please explain: _____

_____

_____

I hereby state that the information included in this Annual Report is true and correct and that I have read and understand regulations of the New York State Department of Environmental Conservation, and the requirements of the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay governing shellfish aquaculture.

Name of Leaseholder: _____

Print Name of Signer: _____

Signature: _____ Date: _____

McKinney's Penal Law § 175.35 Offering a false instrument for filing in the first degree
A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation.
Offering a false instrument for filing in the first degree is a class E felony.

McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree
A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become part of the records of such public office or public servant.
Offering a false instrument for filing in the second degree is a class A misdemeanor.

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Attachment A - Corporate, Partnership or LLC Leaseholders

I. Corporate Entity *(discard if not applicable)*

Please provide the following additional information if you are *updating* your corporate entity information.

C-1. The date and state in which incorporated (*include a copy of the Certificate and Articles of Incorporation*): _____

C-2. Does this corporation conduct business under a different name other than the legal corporate name (e.g., DBA or TA)? ☐ Yes ☐ No

If so, please submit a General Business Certificate issued by the Suffolk County Clerk for your Business Name.

C-3. Please list the names, addresses and titles of all officers:

_____

_____

_____

_____

C-4. Please list the name and addresses of all directors:

_____

_____

_____

_____

C-5. Has the corporation, or any shareholder, director, or officer applied for a Suffolk County shellfish aquaculture lease for underwater lands in Peconic Bay or Gardiners Bay in the past?

☐ Yes ☐ No

If yes, state the outcome or current status of that application or lease:

_____

_____

C-6. Please list the names and addresses of all shareholders, who own or control at least 5% of the outstanding stock and the percentage of the outstanding stock currently owned or controlled by each such shareholder:

_____

_____

_____

C-7. Please list the names and addresses of shareholders, directors, or officers owning an interest, either directly or beneficially, in any other New York State shellfish cultivation operation as well as the quantity of acreage attributed to each such person:

_____

_____

C-8. Has the corporation or any officer, director or shareholder ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel?

☐ Yes ☐ No

If yes, explain: _____

(Attach additional sheets if necessary)

Name of Leaseholder: _____

Print Name of Signer: _____

Title of Signer: _____

Signature: _____ Date: _____

The Application must be executed by an officer and must be accompanied by a certified, duly adopted corporate resolution authorizing the application.

McKinney's Penal Law § 175.35 Offering a false instrument for filing in the first degree

A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation.

Offering a false instrument for filing in the first degree is a class E felony.

McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.

II. **Partnership** *(discard if not applicable)*

Please provide the following additional information if you are *updating* your partnership information.

P-1. The date and state in which the partnership was formed (*include a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership*):

_____

P-2. Does this partnership conduct business under a different name other than the legal partnership's name (e.g., DAB or TA)? Yes ☐ No ☐

If so, please submit a General Business Certificate issued by the Suffolk County Clerk for your Business Name.

P-3. Please list the names, addresses, and ownership shares of all partners:

_____

_____

_____

P-3. Has the partnership or any partner applied for a Suffolk County shellfish aquaculture lease for the underwater lands of Peconic Bay or Gardiners Bay in the past? ☐ Yes ☐ No

If yes, state the outcome or current status of that application or lease:

_____

_____

_____

P-4. State whether the partnership (or any partner) owns an interest, either directly or beneficially, in any other New York State shellfish cultivation operation as well as the quantity of acreage from the existing operation:

_____

_____

_____

P-5. Has the partnership or any partner been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel?

☐ Yes ☐ No

If yes, explain: _____

(Attach additional sheets if necessary)

Name of Leaseholder: _____

Print Name of Signer: _____

Title of Signer: _____

Signature: _____Date: _____

The Application must be executed by a partner.

McKinney's Penal Law § 175.35 Offering a false instrument for filing in the first degree

A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation.

Offering a false instrument for filing in the first degree is a class E felony.

McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.

III. **Limited Liability Company (LLC)** *(discard if not applicable)*

Please provide the following additional information if you are *updating* your LLC information.

L-1. The date and state in which the LLC was formed (*include a copy of the Articles of Organization and Operating Agreement*): _____

L-2. Does this LLC conduct business under a different name other than the legal LLC name (e.g., DAB or TA)? Yes ☐ No ☐

If so, please submit a General Business Certificate issued by the Suffolk County Clerk for your Business Name.

L-3. Please list the names, addresses, and ownership interest of all members:

_____

_____

_____

_____

L-4. Please list the names, addresses, titles and ownership interest (if any) of all persons authorized to manage the LLC and to enter into contracts. You must submit a resolution that lists all of the members, states who is authorized to manage the LLC, and authorizes entry into the subject Shellfish Aquaculture Lease with the County of Suffolk. This resolution must be executed by all of the members and managers. All signatures on the resolution must be acknowledged.

_____

_____

_____

_____

L-5. Has the LLC or any member applied for a Suffolk County shellfish aquaculture lease for the underwater lands of Peconic Bay or Gardiners Bay in the past? ☐ Yes ☐ No

If yes, state the outcome or current status of that application or lease:

_____

_____

L-6. State whether the LLC or any member owns an interest, either directly or beneficially, in any other New York State shellfish cultivation operation, as well as the quantity of acreage from the existing operation:

_____

_____

L-7. Has the LLC or any member been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel?

☐ Yes ☐ No

If yes, explain: _____
(Attach additional sheets if necessary)

Name of Leaseholder: _____

Print Name of Signer: _____

Title of Signer: _____

Signature: _____ Date: _____

The Application must be executed by a managing member, or a manager or other principal designated in question L-3.

McKinney's Penal Law § 175.35 Offering a false instrument for filing in the first degree
A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation.

Offering a false instrument for filing in the first degree is a class E felony.

McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree
A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.