



SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM LEASEHOLDER ANNUAL REPORT FORM

All leaseholders must provide an Annual Report on their lease activities on an annual basis and submit it to the Department of Planning. All culture activities that were conducted during 2011 should be reported on this form. If no activities were undertaken this year, indicate this on the form and return it to the Department of Planning. If permit modifications have been applied for/made to alter your cultivation activities (type of culture, species cultivated, gear type), please notify the County of the same on this report. This Annual Report should also include information on activities conducted on any sublease involving the leased premise. *This form, along with the annual lease rental fee, is due 30 days before the lease anniversary date. The lessee will also be required to submit this report 30 days before the termination or expiration of a lease and prior to approval of a lease renewal or assignment.*

Annual Lease Rental Fee: \$ _____

Please make your check or money order payable to the Suffolk County Treasurer.

Mailing Instructions:

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

SUFFOLK COUNTY DEPARTMENT OF PLANNING
ATTN: Ms. Susan Filipowich
P.O. Box 6100 – 4th Floor
Hauppauge, NY 11788-0099

Year:

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Year:

Shellfish Stock Source:

Hatchery Name

Location

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Harvest Method:

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

Provide a brief description of the shellfish aquaculture activities on the lease site:

Provide a description of equipment and its location on the lease site:

Describe the typical activities conducted to maintain shellfish aquaculture equipment and product:

Year:

Describe predator control measures, if any, conducted on the lease site:

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 |
| 0 - 50,000 | | | | | | |
| 50,001 - 100,000 | | | | | | |
| 100,001 - 250,000 | | | | | | |
| 250,001 - 500,000 | | | | | | |
| 500,001 - 1,000,000 | | | | | | |
| 1,000,000 + | | | | | | |

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 |
| 0 - 50,000 | | | | | | |
| 50,001 - 100,000 | | | | | | |
| 100,001 - 250,000 | | | | | | |
| 250,001 - 500,000 | | | | | | |
| 500,001 - 1,000,000 | | | | | | |
| 1,000,000 + | | | | | | |

Permit Status (please check all that apply):

Applied for: DOS USCG ACoE NYSDEC

Received: DOS USCG ACoE NYSDEC

Have not started the application process for any required permits:

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

Year:

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 2011 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

If the lessee or the sublessee is a partnership, has the partnership or any 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

If yes, 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.

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.

Attachment A – Corporate, Partnership or LLC Leaseholders

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

If any changes have been made to the **corporate entity**, please provide the following additional information.

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

C-2. Please list the names, addresses and titles of all officers:

C-3. Please list the name and addresses of all directors:

C-4. 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-5. 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:

Year: _____

C-6. 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-7. 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)

Signature: _____

Date: _____

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

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

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

If any changes have been made to the **partnership** over the past year, please provide the following additional 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. 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)

Year: _____

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

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

Year:

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

If any changes have been made to the **LLC** over the past year, please provide the following additional 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. Please list the names, addresses, and ownership interest of all members:

L-3. 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-4. 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:

Year:

L-5. 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-6. 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)

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

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