

Riparian Leases Quick Facts

- ★ Riparian leases are for waterfront property owners who have at least 205 feet along a tidal waterway.
- ★ Maximum acreage for riparian leases is a half an acre (0.5 acre).
- ★ Riparian leases **are not** subject to the 10-year lease renewal requirements of regular oyster ground leases.
- ★ Riparian leases **are** subject to the same JPA requirements for floating aquaculture gears as regular oyster ground leases.
- ★ Riparian leases must be applied for under the exact same name(s) to which the upland property is deeded



QUESTIONS ABOUT RIPARIAN LEASES?



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Riparian Leases FAQ's

Q: Can I apply for a riparian lease if the water body adjacent to my property is classified as "Restricted" by the Health Department?

A: Yes, riparian leases can be issued in "Restricted" waters. However, oysters should not be consumed from these areas due to human health concerns

Q: Can I apply for a riparian lease if there is an existing regular lease adjacent to my riparian property?

A: No, riparian leases cannot be cut out of existing regular leases. To see where leases currently exist, you may go to: https://webapps.mrc.virginia.gov/public/maps/chesapeakebay_map.php

Q: Can I apply for a riparian lease if there is an existing regular lease application adjacent to my riparian property?

A: Yes, riparian leases cannot be cut out of existing regular lease applications.

Q: How far can my riparian oyster ground lease extend offshore of my shoreline?

A: Riparian oyster ground leases can extend up to 210 feet offshore of the mean low water line.

Q: How can I apply for a riparian lease?

A: The application for a riparian lease is the same for a regular lease. You can find it by going to the VMRC website at: <https://webapps.mrc.virginia.gov/public/oystergrounds/apply.php>

Q: What costs are associated with applying for a riparian lease?

A: There is an acreage-dependent application fee that applies for all lease application. Since riparian leases cannot exceed half an acre, the fee is \$300. There are also surveying and plat fees that apply.

Regular On-Bottom Leases Quick Facts

- ★ Regular oyster ground leases are areas of subaqueous bottom owned by the state that are leased to individuals or entities for the purpose of attempting to propagate shellfish.
- ★ Regular oyster ground leases are primarily for commercial use.
- ★ Areas are leased for 10-year periods.
- ★ Regular oyster ground lease applications can contain a maximum of 250 acres.
- ★ Floating aquaculture requires an additional permit and additional public review procedures.



QUESTIONS ABOUT REGULAR LEASES?

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Regular On-Bottom Leases FAQ's

Q: Can I grow shellfish on my regular lease in structures greater than 12" off the bottom, in the water column, or floating on the surface?

A: If you wish to grow shellfish on a regular lease using structures greater than 12" off the bottom, in the water column, or on the surface, you must apply for a separate General Permit 4 (VGP4) or Joint Permit Application (JPA). See the following link for more information about JPAs

<https://www.nao.usace.army.mil/Missions/Regulatory/JPA.aspx>

Q: Can I apply for a regular lease within an area classified as "Restricted" by the Health Department?

A: No, regular leases cannot be applied for in areas the Virginia Department of Health has classified as "Restricted" due to poor water quality. This is to ensure public health.

Q: Can I apply for a regular lease in areas where submerged aquatic vegetation (SAV) beds exist?

A: Regular leases cannot be applied for in areas where SAV beds have been present in the last 5 years. This is to protect vital nursery areas in the Bay

Q: I am not a Virginia resident, can I apply for a regular oyster ground lease?

A: Leaseholders must be Virginia residents.

Q: How can I apply for a regular oyster ground lease?

A: There is an online application for oyster ground leases that you can find at:

<https://webapps.mrc.virginia.gov/public/oystergrounds/apply.php>

Q: What are the fees associated with regular oyster ground leases?

A: There is an acreage-dependent application fee along with surveying, plat creation, and advertisement fees associated with applying for a lease. Once a lease is assigned, there is acreage-dependent yearly rent due, and at the end of the lease term, there is a \$150 fee to reapply for the oyster ground for a new 10-year lease period.