

Oyster Aquaculture Submerged Lands Leasing Fact Sheet



L O U I S I A N A

Responsible Agency:

Louisiana Department of Wildlife and Fisheries

Leasing Fees & Rental Payments: Alternative oyster culture activities require that the applicant have a traditional oyster lease in place.

- Traditional oyster lease fees: \$40.00 application fee. Additional \$2.00 per acre per year lease fees.
- Alternative oyster culture fees: \$100.00 application fee. Additional \$2.00 per acre or fraction of an acre per year, capped at \$1000 per permitted area.

Distinctions between Traditional and Alternative Culture: Louisiana separates oyster culture into two categories – traditional and alternative – and does not consider these under the aquaculture regulations.

- Traditional oyster culture that occurs directly on reefs, cultch or other water bottoms fall under “traditional” oyster leases.
- Alternative oyster culture activity means any on-bottom, off-bottom, or other means of cultivating or growing oysters other than directly on reefs or other water bottoms, including but not limited to the use of on-bottom cages or bags or floating, suspended, or otherwise off-bottom cages or bags, and includes the harvesting of oysters so grown or cultivated.

Alternative Culture Lease Requirements:

- Applicant must be the holder of:
 - A traditional State of Louisiana oyster lease;
 - A Louisiana commercial fisherman license; and
 - A current oyster harvester license.
- Applicant must disclose all types of alternative oyster culture activities they will engage in:
 - On bottom cages, racks, or bags;
 - Off bottom cages, racks, or bags, suspended by poles or floats;
 - String or longline culture;
 - If a type other than those listed, applicant must provide a description.
- List of the equipment or gear the applicant plans to use.
- List of the facilities the applicant plans to use.

- Applicant must attach the following documents:
 - Plats showing oyster lease, proposed permit area, and proposed activities, facilities and equipment.
 - All local, state, and federal permits necessary for the activity sought to be permitted, or documentation from the relevant agencies establishing that such permits are unnecessary.
 - A cost estimate to remove and properly dispose of all equipment, facilities, and other items sought to be permitted, prepared by a contractor that has a valid Louisiana Commercial Contractor License for the classification of Heavy Construction or Coastal Restoration and Habitat Enhancement, and has no familial or business relationship with the applicant.

Distinctions between On-bottom and Off-bottom Culture:

Louisiana does not have specific provisions for leasing the water column. Regulations pertaining to alternative oyster culture permits recognizes a lessee's utilization of the water column and states that properly permitted persons may engage in such activities on water bottoms, in the water column, and on the water surface above the water bottoms within the permitted area.

Other Restrictions on Aquaculture Activities:

- Alternative Oyster Culture permits are not allowed in:
 - A navigable channel or waterway or within 1500 feet of the centerline of such channel or waterway.
 - Areas covered by a coastal use permit or drilling permit or within 1500 feet of the outside of the exterior boundaries of a covered area.
 - Areas designated for dredging, direct placement of dredged or other materials, or other work or activities for the construction or maintenance of a project for integrated coastal protection or within 1500 feet of the outside of the exterior boundaries of such an area.
 - Areas located on water bottoms that are not claimed by the state, as determined by the Office of State Lands.
 - Areas otherwise determined by LDWF to be unsuitable or inappropriate for alternative oyster culture activities.



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