

## Maryland

- **Type:** Bottom. Water column, both cages and float structures. Allows for both submerged land leases and cages and float structures in water column leases
- **Term:** 20 years, renewable for additional term, then reapplication required.
- **Fees:**
  - \$300 state application fee
  - Insurance payments
  - \$100 federal permit fee, unless less than 50 acres submerged land, 5 acres water column cages, 3 acres water column float.
- Leaseholder must actively use the lease
- Must be state citizen or business
- Generally takes 6-10 months to get the lease.
- **Application Process (6-10 months):**
  - State review for completeness of submission
  - Survey
  - Federal review/Army Corps review
  - Advertisement to adjacent property owners and 30 day public comment period
  - Army Corps permitting
- Sublease and transfer are strictly prohibited
- Termination procedures
  - Department shall notify a leaseholder of failure to comply with requirements of statute
  - Leaseholder may request review of the decision by the secretary within 30 days, or forfeit the right to do so.
- Additional requirements for leases in the Chesapeake Bay or Atlantic Coastal Bays
- A leaseholder may remove oysters by any means they prefer

## Virginia

- **Type:** Bottom.
- **Term:** 10 years, with renewal
- **Fees:**
  - \$25 application fee
  - \$1.50 assignment recording fee
  - \$1.50 annual rent per acre
  - Surveying costs
- **Acreage:** 250 acres per assignment, except in the Chesapeake Bay. 3,000 acres maximum, 5,000 in Chesapeake Bay.
- Must be a resident of the Commonwealth, municipality, or Commonwealth corporation
- Those with land bordering a body of water in oyster-growing area can get riparian rights assigned to them.
  - \$1.50 fee.
- **Application Process (6-8 months):**
  - In writing, duplicate, stating as nearly as possible the number of acres applied for and the definite location
  - Commission posts notice of applications for at least 60 days in county/city courthouse, as well as a local newspaper.
  - If no one protests, the Commissioner shall select a surveyor to survey the grounds and make a plat, for which the applicant pays.
  - If no assignment is made within 6 months of expiration of notice, application shall lapse and become void.
- Applicant with 250 acres shall not apply for another assignment for another six months from the day of previous recordation.
- Possession of a current lease gives no preference
- Sublease and transfer are allowed
- Leaseholder may remove only subject to current laws