

Oyster Lease Moratorium Lifting Committee

John Tesvich, Chairman

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Key points for discussion/decision making

- 1) Upon lifting the oyster lease moratorium should the state allow oyster lease applications to be taken in areas that will evidently have significant adverse impacts on oyster farming from future river diversion projects that are included in the state's Master Plan?
- 2) Could or should the state give up any of its authority (to private landowners) for the management of water-bottoms owned by the state in accordance with the state's constitution and public trust doctrine?
- 3) Should the state give private landowners and/or their agents preferential rights in obtaining state oyster leases on water-bottoms adjacent to their private property or present state water-bottoms that were formerly private land?
- 4) Should the state change the way the State Lands Office determines whether the state owns specific water-bottoms prior to issuing an oyster lease?
- 5) There have been many hydrological changes in the state's existing oyster growing areas due to coastal land-loss, and there will be many more forthcoming changes due to planned coastal restoration projects. Because of this fact, should the state consider changing the division ("the redline") demarking leasable water-bottoms from public seed grounds? Should that be done prior to lifting the moratorium?
- 6) Should owners of mineral leases and other entities that have Coastal Use Permits (CUP,) for an activity that precedes an over-lapping or adjacent oyster lease application, be given limitations of liability for damages to the oyster lease-owner? Should the limited liability expire after a certain time or be limited to a certain distance from the activity covered in the CUP?
- 7) Should existing oyster lease owners be given privileges to expand their lease boundaries? Should that privilege be limited to cases of shoreline washout or allowed in any direction? Other limitations?
- 8) Should a lottery system be initially instituted for giving out the first (500?,1000?) applications for oyster leases?
- 9) Should existing lease-owners that want to expand their oyster leases in accordance to item 7 be required to get their applications like the general public under the lottery system and etc.?