



Instructions for the Transfer of a Commercial Shellfish Aquaculture Lease

1. Current lessee should complete and submit a *Request to Transfer a Commercial Shellfish Aquaculture Lease* form according to the directions on that form so that the Department can prepare personalized lease transfer documents. Regardless of who submits a transfer request, the personalized lease transfer documents and related application materials will be mailed to the current primary lessee. Please allow 2-4 weeks for processing.

2. If a lease is to be transferred into the name of a corporation or other business entity, the business must be in good standing with the State Department of Assessments and Taxation (SDAT). An individual with signatory authority and who is able to bind the business in a contract with the State must also submit, as part of the request described above: proof of an SDAT ID number (see <http://dat.maryland.gov>), and a copy of the Articles of Organization, Operating Agreement, and Resolutions, if required by the Articles of Organization or Operating Agreement.

Is the Assignee a business entity?	Yes	No	(if no, skip to step #3)
Operating Agreement provided?	Yes	No	
Articles of Organization provided?	Yes	No	
Resolutions provided?	Yes	No	N/A

3. Upon receipt of the personalized lease transfer forms from the Department, the current leaseholder(s), designated on the transfer form as "Assignor", and the individual(s) that will receive the transferred lease, designated as "Assignee", must sign and date the form. All signatures must be on the same original document and witnessed and attested to by a Notary Public on the day of signing. If either the Assignor or Assignee is a business entity, the name of the individual with signatory authority, their business title, and the name of the company (per the business documentation received by the Department) will appear beneath the signature line on the personalized transfer form.

Have all parties to the agreement signed?	Yes	No	
Were all signatures attested to by a Notary Public?	Yes	No	

4. The Assignee must submit a completed *Application for the Transfer of a Commercial Shellfish Aquaculture Lease* form detailing the proposed usage of the lease and signing all acknowledgements pages. This requirement is waived if the primary leaseholder is not changing.

Is a completed Application Form attached?	Yes	No	N/A (no change to primary)
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5. The Assignee must submit a completed *Shellfish Aquaculture Harvester Permit (SAHP) Application* – this requirement is waived if primary leaseholder is not changing; however a new Permittee may be designated on a *SAHP Application*, if desired. An individual signing on behalf of a business must be named as the primary Permittee for that business.

Is a completed SAHP application attached?	Yes	No	N/A (no change to primary)
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6. Upon receipt of all required documents, the Department will verify that the lease is in good standing and ensure that usage of the lease for the current calendar year is documented. This means that any outstanding monthly harvest reports up to and including the month of transfer have been submitted, all previously issued Shellfish Aquaculture Harvester Permit and Registration Cards are accounted for, and a *Partial Year Usage Report for Lease Transfer* form is completed and attached. The latter two requirements are waived if the primary leaseholder is not changing.

All Monthly Harvest Reports submitted?	Yes	No	
All SAHP and RC accounted for/returned?	Yes	No	N/A (no change to primary)
Partial Year Usage Report attached?	Yes	No	N/A (no change to primary)

Return all forms and documents to: Department of Natural Resources, Fishing and Boating Services – Aquaculture and Industry Enhancement Division, Attn: Shellfish Leasing & Permitting Program, 580 Taylor Avenue, E-4, Annapolis, Maryland 21401

Lease transfer application packages received after October 15th will be held until annual invoicing and reporting for the calendar year has concluded. A transfer is not valid until all documents have been returned to the Department of Natural Resources, approved, and signed and executed by the Department. A copy of the executed transfer will be mailed to the Assignee designated as the primary leaseholder, with any new registration cards to follow soon after. Leaseholders who also hold a lease permit from the US Army Corps of Engineers must follow the transfer instructions provided in that permit.