Aquaculture Lease Expansion Guidance

You are encouraged to review the aquaculture lease expansion laws and regulations to obtain a complete understanding of the aquaculture lease expansion procedure. Laws and regulations are available at the Maine Department of Marine Resources (DMR) website: www.maine.gov/dmr/aquaculture

An expansion application is a joint application to be used by the DMR and the U.S. Army Corps of Engineers (USACOE). Written authorization from both agencies is required before aquaculture activities may be conducted within the expansion area. Information regarding the USACOE permit is available at: https://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/ME/Maine-General-Permit-2015.pdf

- The expansion application only applies to existing standard leases.
- Expansion acreage can be up to 25% of the existing lease or 4 acres, whichever is less.
- If the current lease contains multiple tracts, the expansion must be proportional to each tract. The dimensions of the proposed expansion must be reasonably based on the original lease dimensions.
- Approved expansions do not amend other aspects of the current lease operations. If a fundamental change to the current operation is desired, the applicant must apply for an amendment and expansion of the current lease, separately.
- The Department of Marine Resources has the discretion to require an environmental characterization of the proposed expansion.
- The application fee for a lease expansion is $500 for non-discharge leases and $2000 for discharge leases.

- **Procedure:** The procedure for a lease expansion follows DMR regulations as described in Chapter 2.61.
  - DMR determines expansion application is complete and establishes a 30-day comment period
  - Applicant notifies landowners within 1,000 feet and municipal officers in the town in which the lease is located of the expansion application and the 30-day comment period
  - DMR publishes notice of the expansion application and the 30-day comment period in the local newspaper
  - The Commissioner of DMR renders a decision regarding the expansion