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GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
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COMMISSIONER

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

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