



AQUACULTURE LEASE AMENDMENT **APPLICATION**



This is an application for an aquaculture lease amendment. You are encouraged to review the aquaculture lease amendment regulations (Chapter 2.44) to obtain a complete understanding of the aquaculture lease amendment procedure. A lease amendment cannot violate any of the lease issuance criteria, must comply with the conditions in the original lease decision, and must be consistent with DMR's findings in the original decision. Please review your lease decision carefully prior to submitting a lease amendment. Regulations are available at the Maine Department of Marine Resources (DMR) website: www.maine.gov/dmr/aquaculture.

This 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 any amended aquaculture activities may be conducted. Information regarding the USACOE permit is available at: [http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/ME/Maine General Permit 2015.pdf](http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/ME/Maine%20General%20Permit%202015.pdf)

Eligibility and Fee: Amendments may be requested for Standard and Scientific Experimental leases only. The Maine Department of Marine Resources requires a non-refundable \$200 fee for amendment applications.

Submission Instructions:

Provide one copy of your application to DMR at the appropriate address listed below. DMR will notify the applicant once the application has been received.

If sending via U.S. Post Office:	If sending via email:	If sending by FedEx, UPS or other overnight service (except the U.S. Post Office):
DEPARTMENT OF MARINE RESOURCES ATTN: Aquaculture Division 21 State House Station Augusta, Maine 04333-0021	DMRaquaculture@maine.gov	DEPARTMENT OF MARINE RESOURCES ATTN: Aquaculture Division 32 Blossom Lane Augusta, Maine 04333

Provide one copy of your application to the USACOE address listed below.

U.S. ARMY CORPS OF ENGINEERS
MAINE PROJECT OFFICE
442 Civic Center Drive, Suite 350
Augusta, Maine 04330

APPLICATION INSTRUCTIONS

Before submitting your application make sure you have answered all questions and included all of the necessary documentation. *Failure to do so may result in significant delays in processing.*

General suggestions for completing this application:

- Please label all maps, diagrams, and images according to the instructions provided.
- A lease amendment cannot violate any of the lease issuance criteria, must comply with the conditions in the original lease decision, and must be consistent with DMR's findings in the original decision. Please review your lease decision prior to applying for a lease amendment.
- If you have questions about the application or lease amendment process, please contact DMR at (207) 624-6567.

Depending upon the type of amendment requested, you are responsible for submitting the following supporting materials:

Species Amendment	Gear Amendment
<input type="checkbox"/> Tax map <input type="checkbox"/> Certified riparian landowner list	<input checked="" type="checkbox"/> Copy of existing Army Corps Permit <input checked="" type="checkbox"/> Layout plan <input checked="" type="checkbox"/> Cross section view <input checked="" type="checkbox"/> Drawing of new gear type <input checked="" type="checkbox"/> Tax map <input checked="" type="checkbox"/> Certified riparian landowner list



APPLICATION FOR CHANGE IN AUTHORIZATION FOR SPECIES and/or GEAR



Lease Acronym	PENHIx
Leaseholder	Hurricane Island Foundation
Contact Person	Phoebe Jekielek
Address	P.O. Box 1280, 19 Commercial St
City	Rockland
State, Zip	ME, 04841
Telephone	(207) 867-6050
Email	phoebe@hurricaneisland.net

What type of amendment are you requesting (check one)?

☒ Gear amendment only

Instructions: Review and complete sections 2, 3 and 4 of this application

☐ Species amendment only

Instructions: Review and complete sections 1, 3 and 4 of the application

☐ Gear and species amendment

Instructions: Review and complete each section of the application

1. Bird Deterrents

BIRD DETERRENTS: Suspended culture gear can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. If you are applying to add shellfish species and/or suspended gear to your site, please include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Suspended gear and associated product would be submerged at a depth sufficient to deter roosting for at least two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- Only shellfish seed would be cultured
- Only adductor-only scallops would be cultured

No gear being added is suspended culture gear.

2. SPECIES CHANGES

SPECIES INFORMATION: Indicate the species you wish to add or remove from your lease and list the source of stock for each species you wish to add.

Indicate “Add” or “Remove” from Lease	Species (common and Latin name)	Source of Stock (Name, address, & phone number)

CULTURE PLAN: Please describe how you intend to cultivate each of the species you proposed to add to the lease using the table below. Please attach a separate table for each species you propose.

Information Requested	Proposed Species:
Seed Size	
Number of Organisms to be Cultured	
Stocking Density	
Method of Culture and Dates (ex: April-Dec)	
Method of Harvest and Timing (ex: Fall)	
Predator Control Methods	
Overwintering Plans/Dates (ex. Nov – Mar)	

3. GEAR CHANGES

GEAR INFORMATION: Describe each gear type you wish to add to or remove from your current gear plan.

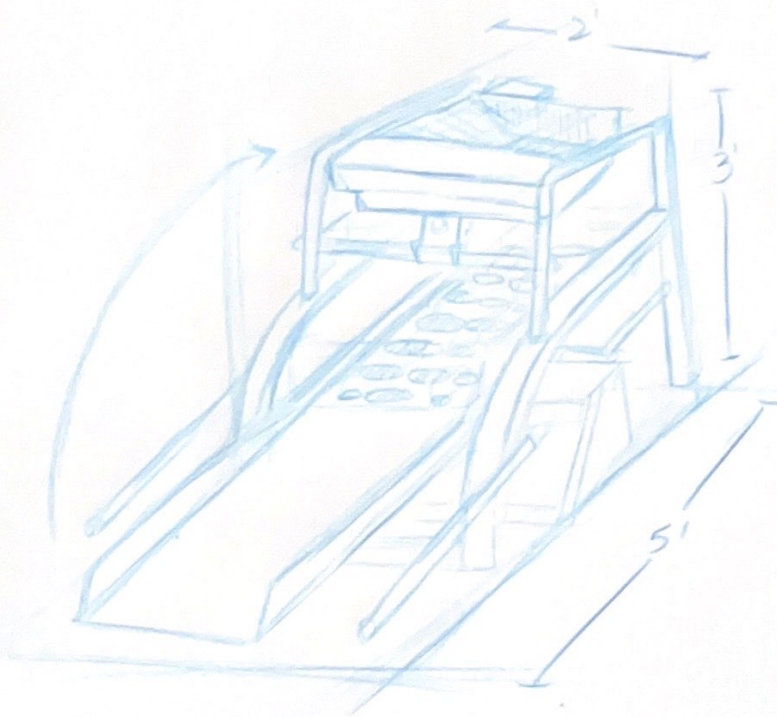
Specific Gear Type (<i>e.g. soft mesh bag</i>)	Add or Remove	Dimensions of Gear Added or Removed (<i>e.g. 16"x20"x2"</i>)	Dates That Gear Will Be in The Water (<i>Added gear only</i>)
Power Washer	Add	2'x2'x3'	On Float May-October
Scallop Grader	Add	2'x3'x5'	On Float May-October
Mast and Boom	Add	3'x3'x10'	On Float May-October

*** Attach the following drawings showing the proposed new gear. Use the plans in your Army Corps permit and/or DMR lease application as a starting point. Be sure to include:

- **Layout plan** showing:
 - placement of existing and new gear on lease site
 - north arrow
 - lease corners labeled
- **Cross-section view** showing:
 - mooring gear and
 - other gear
 - depths at MLW and MHW
- **Drawing of an individual piece of each new gear**, including:
 - dimensions and
 - materials and
 - numbers of each type of gear to be added

Stainless Steel Scallop Grader

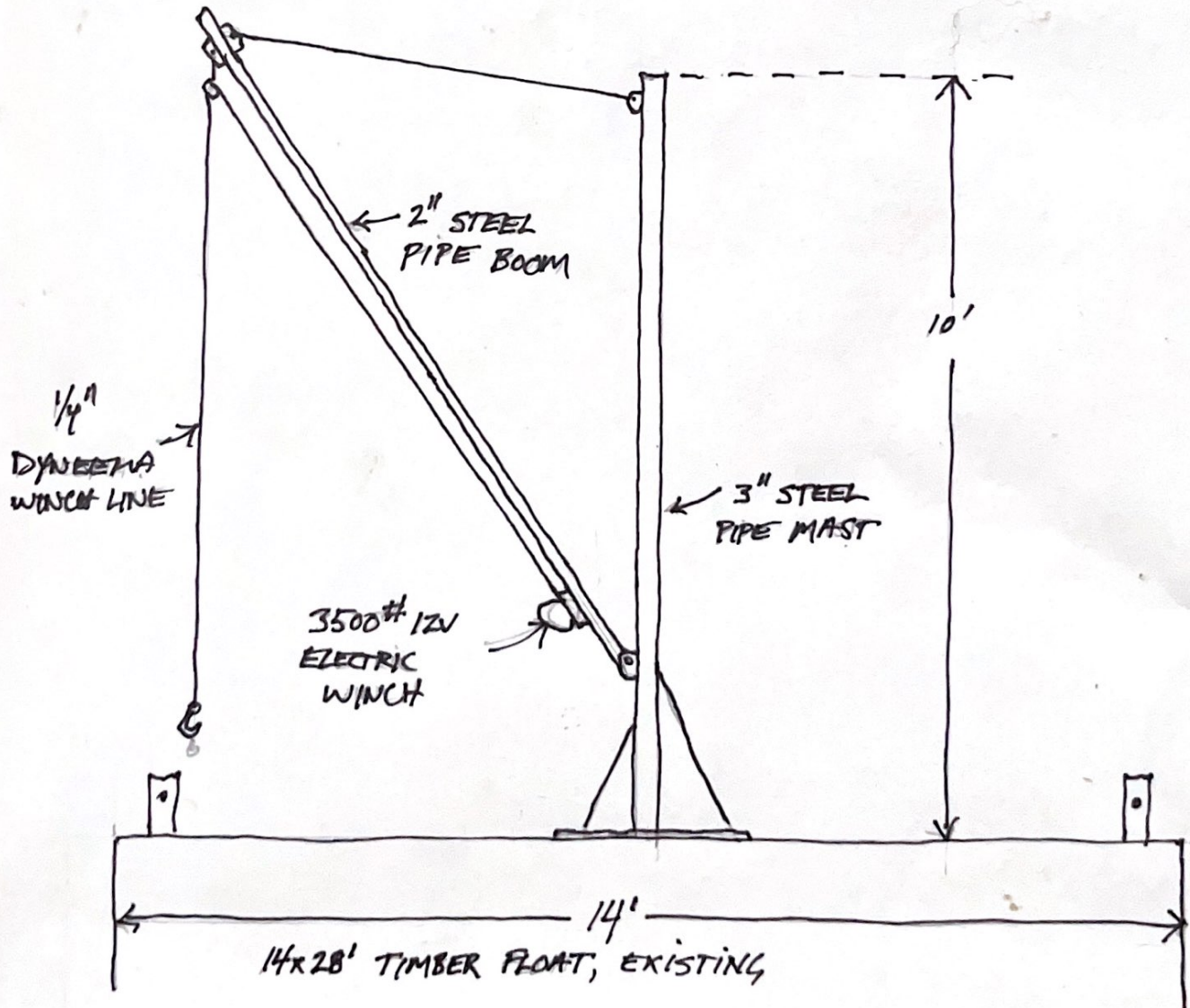
(One total)

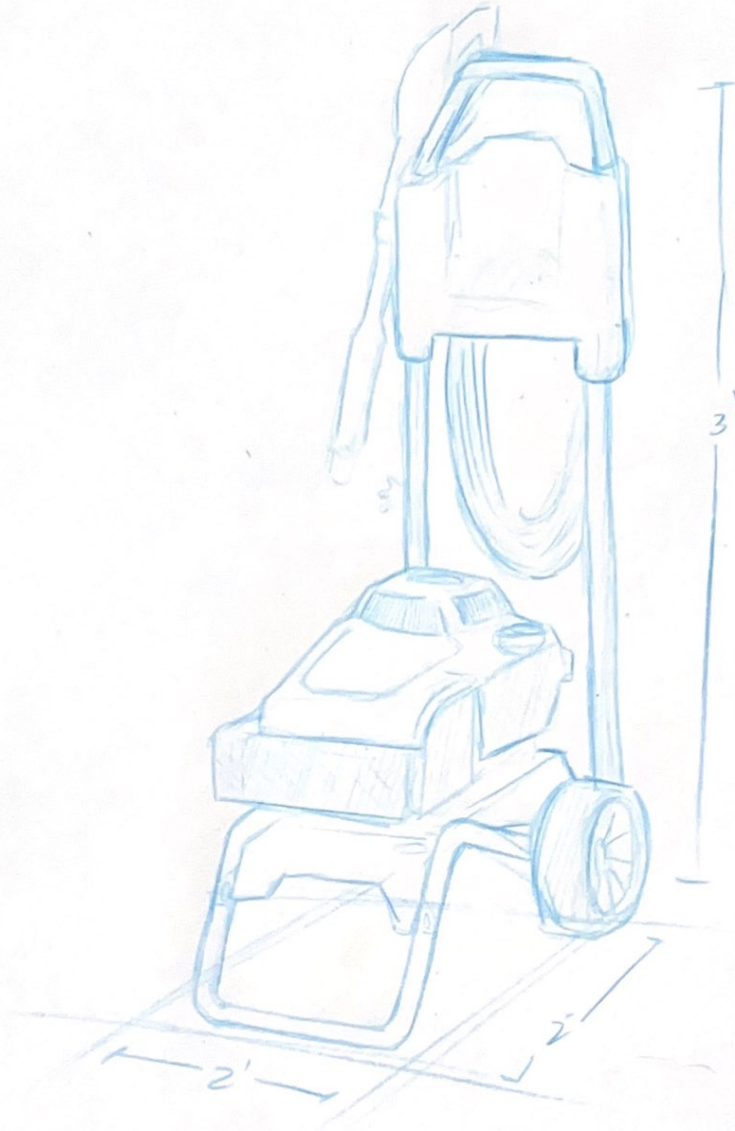


HURRICANE ISLAND MAST + BOOM SCHEMATIC

500# WORKING LOAD

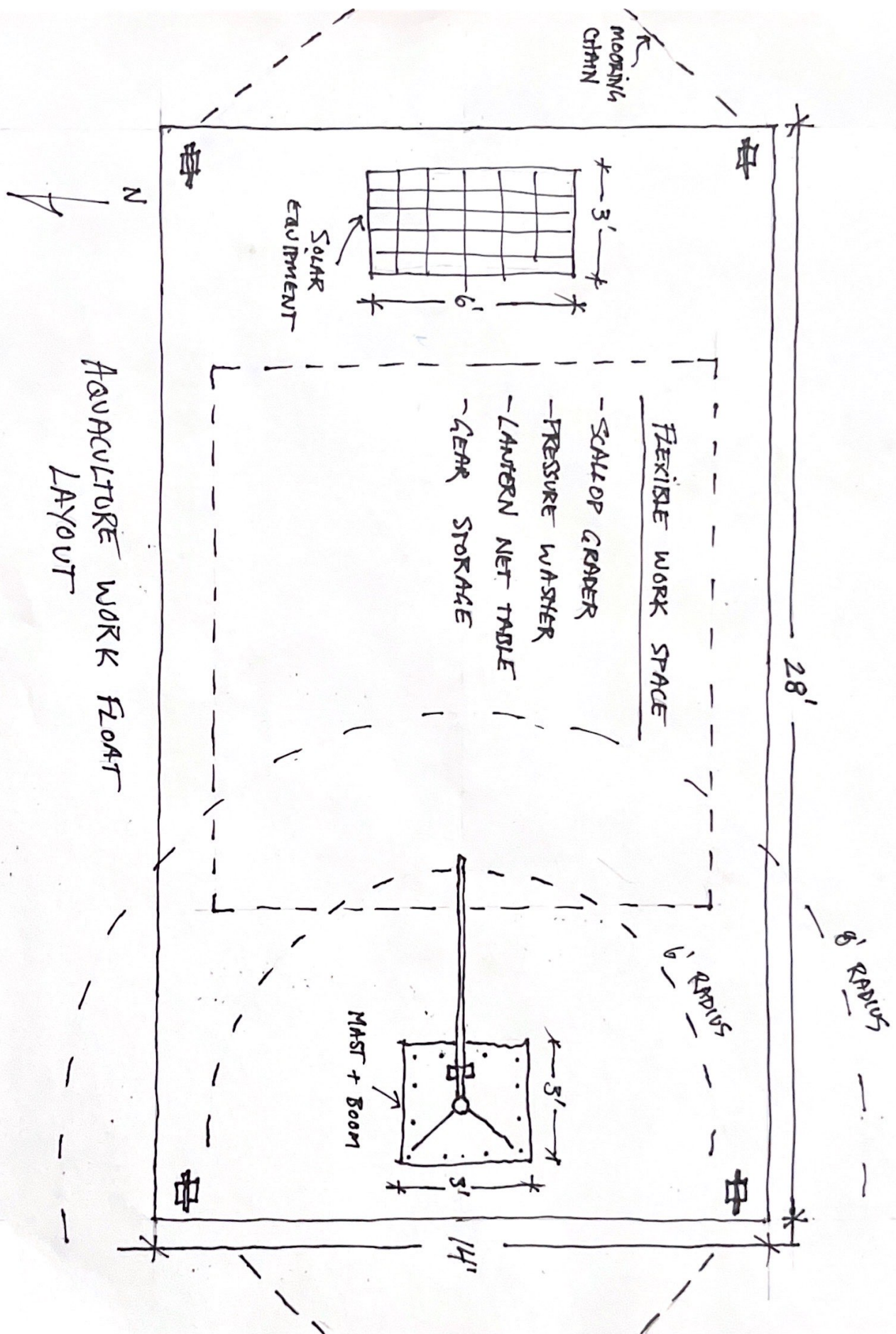
(One Total)





TRUCK PRESSURE WASHER

(One Total)



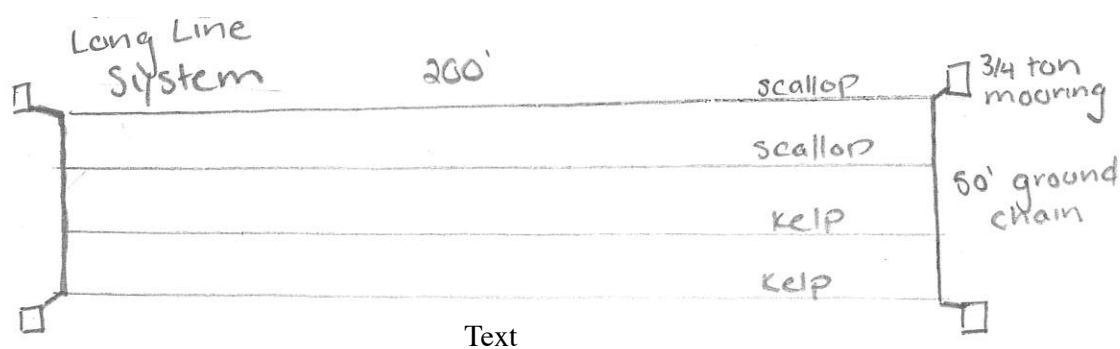
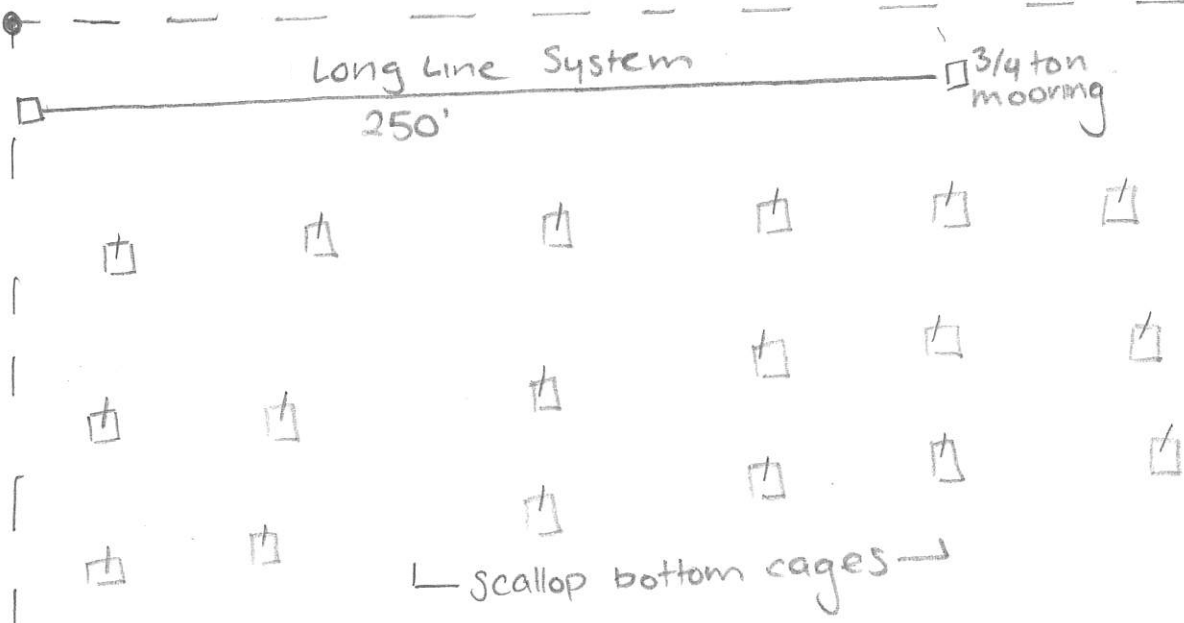
44°02'26.7"N
68°53'32.5"W

310'

MHW: 34 ft
MLW: 20 ft

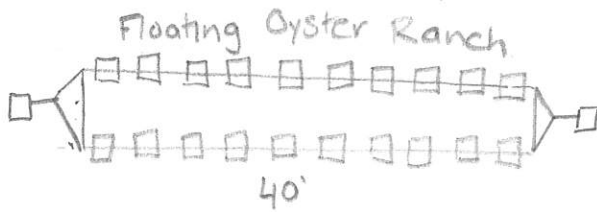
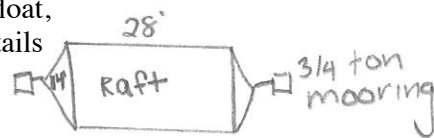
44°02'27.9"N
68°53'28.6"W

N↑



Text

All proposed gear is housed on the float,
see 'AQ Work Float Layout' for details



44°02'22.59"N
68°53'30.27"W

MHW: 22 ft
MLW: 8 ft

44°02'23.79"N
68°53'26.38"W

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Layout Plan

Complete responses to the following questions (attach a separate sheet if needed):

1. How does adding this gear change your existing operations?

This gear does not change the level or type of activities on-site. Work cleaning and restocking gear already occurs and will not significantly increase in volume or duration. The proposed equipment allows farm workers to access farm gear and organisms more safely and efficiently.

The addition of a power washer will allow regular, more effective, and physically easier gear cleaning due to decreased labor demand. It will be used 5 days a month from May-October for no longer than 5 hours a day.

A scallop grader will make our restocking of lantern nets and cages into appropriate densities more efficient, resulting in less time out-of-water for our scallops. The addition of a mast and boom permits safe movement of gear from our boat to the float, reducing the physical lifting needed.

2. Describe any changes in the number of trips to the lease site per day. If none, please write "none."

None

3. Describe any changes in noise and level of on-site activity. If there are no changes, please write "none."

The mast and boom and the scallop grader are powered by 12 and 24v DC electricity, produced by a small solar array and battery bank. Therefore, there are no changes to the level of noise on the farm. The tasks performed by this equipment (moving gear and sorting scallops) are already performed by hand, so there will be no change to the level of on site activity.

The gasoline power washer will very occasionally increase the noise level at the site. Cleaning gear, which the power washer will be used for, does not occur more than once a month. It will be used 5 days a month from May-October for no longer than 5 hours a day. The cleaning that would be done by the power washer is already performed by hand, so there will be no change to the level of on site activity.

4. Will gear remain on site during the winter? ☐ Yes ☒ No

If you selected “yes” use the space below to describe your overwintering plans. Please include the dates for overwintering.

The float, where this gear is used, is removed from the site during the winter.

3. Tax Maps and Riparian List

Is your existing lease within 1,000ft of shorefront land (which extends to mean low water or 1,650 ft. from shore, whichever is less)?

☒ Yes

☐ No

If yes, the following supporting documents are required:

A. **Tax Map**

A labeled copy of the appropriate tax map(s) depicting the location of the proposed lease site.

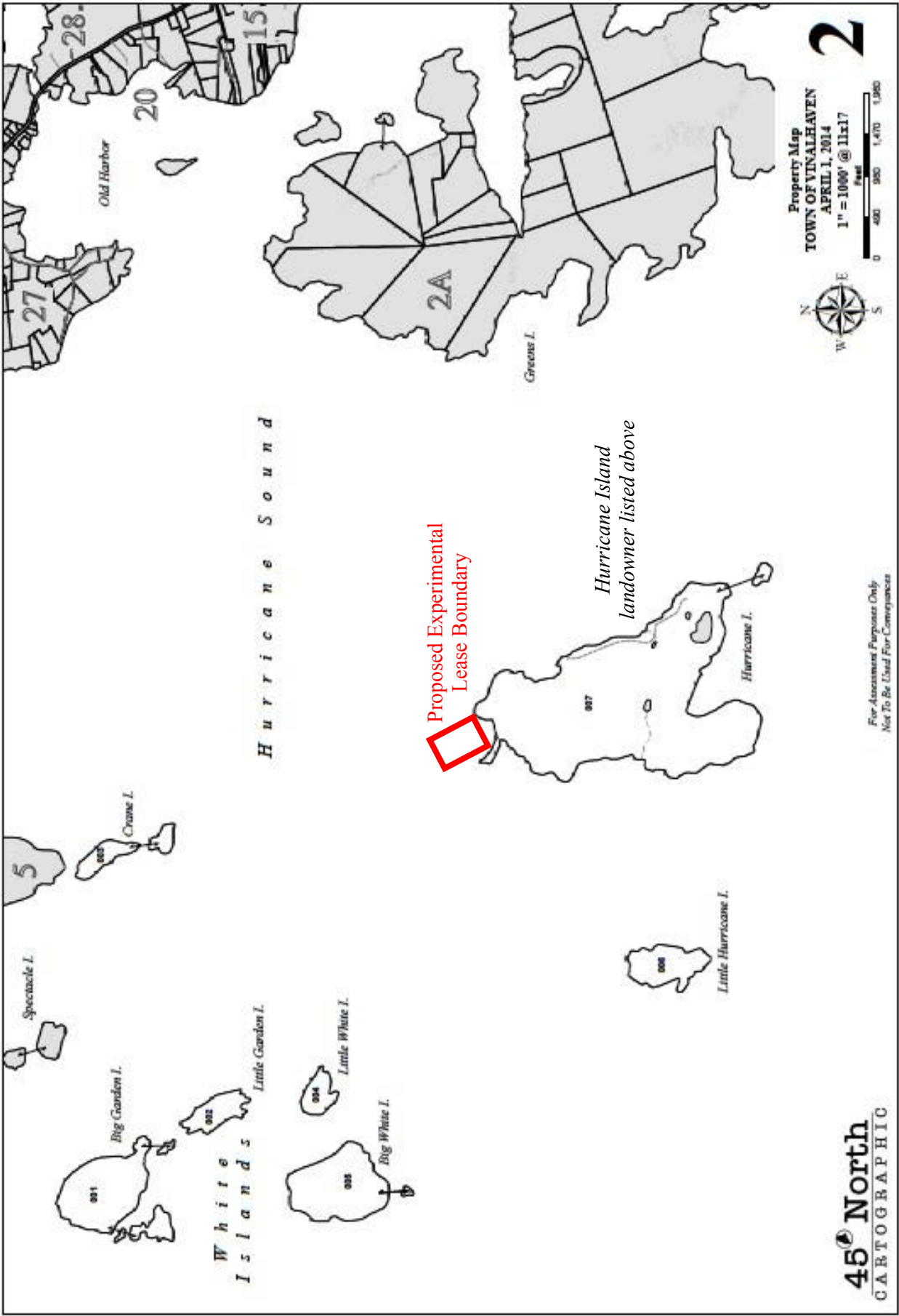
The map(s) needs to include the following elements:

- Label the map “Tax Map: Town of (name of town).”
- Legible scale
- Tax lot numbers clearly displayed
- The boundaries of the existing lease

B. **Riparian List**

Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000 feet of your existing lease. Have the tax collector or clerk of the municipality certify the riparian list.

Tax Map: Town of Vinalhaven



STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

JANET T. MILLS
GOVERNOR



PATRICK C. KELIHER
COMMISSIONER

—
RIPARIAN OWNERS LIST —

*THIS LIST MUST BE **CERTIFIED** BY THE TOWN CLERK*

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. It is the applicant's responsibility to assemble the information for the Town Clerk to certify. The Town Clerk only certifies that the information is correct according to the Town's records. Once you have completed the form, ask the Town Clerk to complete the certification section below. If riparian parcels are located within more than one municipality, provide a separate, tax map and certified riparian list for each municipality.

TOWN OF: Vinalhaven

MAP #	LOT #	Landowner name(s) and address(es)
002	007	HURRICANE ISLAND TRUST JAMES GASTON c/ FRANCIS GASTON + J. STRATER
—	—	PO BOX 306 LENOX HILL STATION
—	—	NEW YORK, NY 10021

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Darlene M. Cardage, Town Clerk for the Town of Vinalhaven, certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.


SIGNED: Darlene M. Cardage DATE: 3/23/2022

4. Applicant Signature

I hereby state that the information included in this application is true and correct. I have also read and understand the requirements of the Department's rules governing aquaculture and the application instructions pertaining to the lease amendment process.

Printed name: Phoebe Jekielek

Title (*if corporate applicant*): _____

Signature:  Date: 6/1/23

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Note:

- All applicants must sign and date this page. Please use the space below, if additional signatures are required.
- Corporate applicants, please be sure to include the title(s) (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

Additional Applicant:

Printed name: _____

Title (*if corporate applicant*): _____

Signature: _____ Date: _____

5. Application Submission

1. Please review your application for completeness and ensure all supporting documents are attached. You may submit your application to DMR via email or mail to the addresses provided at the beginning of the application.
2. After you submit your application, DMR will review the proposed changes and contact you if additional information or action is required.
3. DMR will notify you when the application has been deemed complete.
4. After the application is deemed complete, DMR will establish a 14-day comment period. Personal notice of the proposed amendment(s) are provided to any riparian landowners within 1,000 feet of the existing lease and the municipality where the lease is located. Notice of the request will also be published on DMR's website. After the close of the comment period, DMR will render a final decision on the requested amendment(s).

Please be sure you have included the following (if applicable):

Species Amendment	Gear Amendment
<input type="checkbox"/> Tax map <input type="checkbox"/> Certified riparian landowner list	<input checked="" type="checkbox"/> Copy of existing Army Corps Permit <input checked="" type="checkbox"/> Layout plan <input checked="" type="checkbox"/> Cross section view <input checked="" type="checkbox"/> Drawing of new gear type <input checked="" type="checkbox"/> Tax map <input checked="" type="checkbox"/> Certified riparian landowner list