

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES

TAUNTON BAY OYSTER CO., INC

Standard Aquaculture Lease Application
Suspended Culture of Shellfish
Taunton Bay, Hancock

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Findings of Fact, Conclusions of Law, and Decision

Taunton Bay Oyster Co., Inc applied to the Department of Marine Resources (DMR) for a twenty-year standard aquaculture lease on 7.46 acres located south of Burying Island in Taunton Bay, Hancock, Hancock County. The proposal is for the suspended culture of shellfish.

1. Proceedings

DMR held a pre-application meeting on this proposal on November 2, 2022, and a scoping session was held on July 18, 2023. On October 19, 2023, DMR accepted the final application as complete. Notice of the completed application and public hearing was provided to state agencies, the Town of Hancock, and subscribers to DMR's aquaculture email listserv. There are no riparian landowners within 1,000 feet of the proposed site. DMR sent a Harbormaster Questionnaire to the Harbormaster for the Town of Hancock, requesting information about designated or traditional storm anchorages, navigation, riparian ingress and egress, fishing or other uses of the area, among other considerations. DMR did not receive a response from the Harbormaster. Notice of the hearing was published in the *Ellsworth American* on February 12, 2026, and provided to state agencies, the Town of Hancock, and subscribers to DMR's aquaculture email listserv. The public notice for the hearing stated that the proceeding would be conducted in-person and remotely and directed interested persons to register to provide testimony or ask questions during the proceeding. The registration deadline was March 4, 2026. The deadline for requesting intervenor status was March 4, 2026. Two individuals registered to participate in the hearing. On March 19, 2026, DMR held a public hearing on this application.

Table 1. Individuals who provided sworn testimony at the hearing.

Name	Affiliation
Michael Briggs	Applicant, President of Taunton Bay Oyster Co.
Andrew Wood	Maine Department of Inland Fisheries and Wildlife

Additional DMR staff and members of the public attended the hearing but did not offer testimony. The hearing was recorded by DMR. The Hearing Officer was Maria Eggett. The record was closed on March 19, 2026.

The evidentiary record before DMR regarding this lease application includes the application, DMR's site report dated November 19, 2025, the record of testimony at the hearing, and the case file. The evidence from all sources is summarized below.

A. List of Exhibits

1. Case file (CF)
2. Application (App)
3. DMR site report, issued on November 19, 2025 (SR)

The case file, application and site report are referred to in the decision with their designated abbreviations.

2. Description of the Project

A. Site History

There are four limited purpose aquaculture (LPA) sites within 1,000 feet of the proposal. BRIG623, BRIG723, BRIG823, and BRIG923 are within the boundaries of this standard lease proposal. They are licensed to Michael Briggs, owner of Taunton Bay Oyster Co., Inc., and would be relinquished if this lease is granted (App 12-13).

B. Proposed Operations

The applicant proposes to culture American/Eastern oysters (*Crassostrea virginica*) using suspended culture techniques (App 1-2). The applicant proposes to use 6,480 Flip Farm baskets (29-inch by 13-inch by 12-inch), moorings, and buoys (App 4-5). Mooring lines (48, 40-foot long), hauling lines (24, 300-foot long), and backbone lines (24, 350-foot long) would also be used on-site (App 4-5). The applicant also proposes to use four 20-foot by 12-foot by 20-inch (above the waterline) float structures, arranged in pairs. A Flip Farm filling station (15-foot by 5-foot by 4-foot (above the waterline) and a Flip Farm flipper (10-foot by 5-foot by 4-foot (above the waterline) are also proposed and will be moored at the site (App 31, 32, Briggs testimony).

The applicant anticipates seeding oysters from July to October for approximately 12-16 days (App 8; Briggs testimony). The applicant expects to tend the site 2-5 days per week from March to December (App 8). The oysters will be moved to other sites for bottom culture after approximately two years, and therefore, no harvesting would occur at the lease site (App 8-9). The moorings, mooring lines, and marker

buoys would remain on-site year-round. The other gear, including the baskets, hauling and backbone lines, and the mooring buoys, would be removed from December to March (App 4-5).

According to the application and testimony at the hearing, up to 4 skiffs with four-stroke outboard motors will be used at the lease site (App 11; Briggs testimony).

Table 2. Power equipment proposed for the lease site

Equipment	Description	Frequency of Use
Vibrating sieves with hopper conveyors	Two, powered by the generators	1-5 days per week
Generators	Two	1-5 days per week
Line hauler	One, battery operated	1-5 days per week
Conveyor	One, battery operated	1-5 days per week

C. Site Characteristics

Description. On August 8, 2025, DMR scientists assessed the proposed lease site. The proposed lease is situated in southern Taunton Bay, north of Cedar Point, and south of Burying Island. The shorelines in the vicinity of the proposal are rocky, leading to mixed forest uplands. There are scattered sandy beaches and residential properties. Burying Island, north of the proposal, has a sandy beach and rocky coastline leading to coniferous uplands. DMR scientists revisited the proposed site on September 5, 2025, to deploy a depth logging device to gather additional information on tidal amplitude in Taunton Bay. DMR scientists retrieved the depth logging device on October 7, 2025 (SR 2).

Approximate water depths at corners of the proposal at mean low water (MLW, 0.0 feet) are from 1.0 to 1.8 feet. DMR scientists made the determination that the proposal is in subtidal waters (SR 2).

Growing Area Classification. Growing Area Classifications for bivalve shellfish are reviewed on an annual basis and subject to change. Classifications can also be updated at any time in response to changing environmental conditions, emergency situations, or other factors that impact water quality. If the lease is granted, it is the responsibility of the leaseholder to stay informed of and comply with harvest requirements applicable to the respective growing area. The proposed lease is located within an area that is currently classified as Approved for the harvest of shellfish by the DMR Bureau of Public Health and Aquaculture.

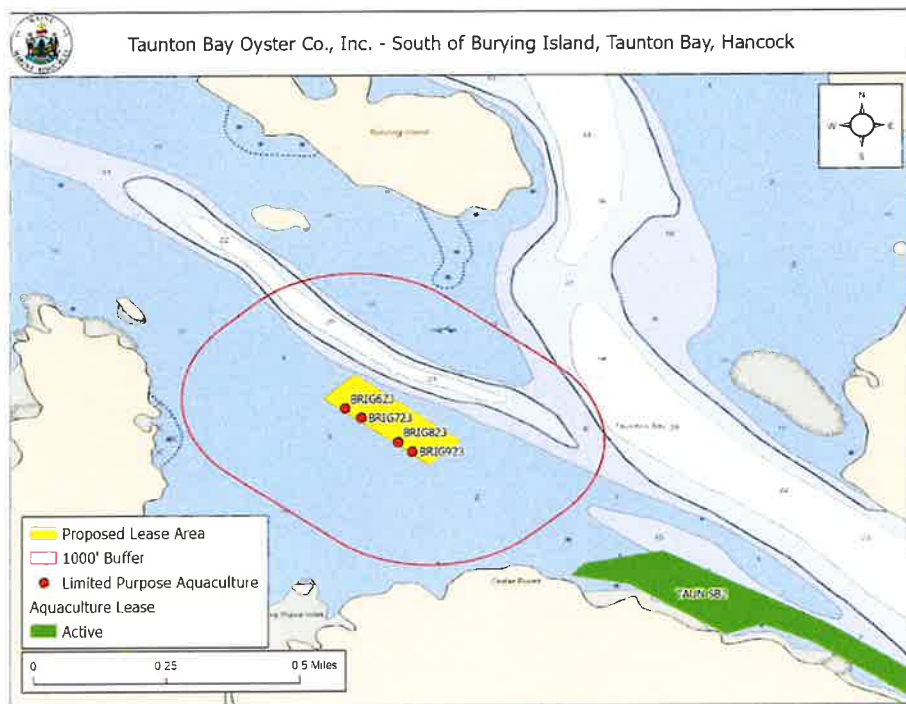


Figure 1. Proposed lease site and surrounding area.

3. Legal Criteria and Findings of Fact

Approval of standard aquaculture leases is governed by 12 M.R.S.A. § 6072 and DMR Regulations, Chapter 2.37¹. The statute and regulations provide that a lease may be granted by the Commissioner upon determining that the project will not unreasonably interfere with: the ingress and egress of riparian owners; navigation; fishing or other uses of the area; other aquaculture uses of the area; the ability of the lease site and surrounding areas to support existing ecologically significant flora and fauna; and public use or enjoyment within 1,000 feet of beaches, parks, docking facilities, or conserved lands owned by municipal, state, or federal governments. The Commissioner must also determine that the applicant has demonstrated that there is an available source of organisms to be cultured for the lease site; that the lease will not result in an unreasonable impact from noise or light at the boundaries of the lease site; and that the lease will comply with visual impact criteria adopted by the Commissioner.

¹ Chapter 2 of DMR Regulations is published at 13-188 C.M.R. ch. 2 and may be found at <https://www.maine.gov/dmr/rules-enforcement/regulations-rules>.

A. Riparian Owners Ingress and Egress

When examining riparian access, the Commissioner considers whether the proposed lease will unreasonably interfere with the ingress and egress of riparian owners. 12 M.R.S.A. § 6072(7-A)(A). The Commissioner shall examine whether the riparian owners can safely navigate to their shore and consider the type of shore, the type of vessel that can reasonably land on that shore and the types of structures proposed for the lease and their potential impact on the vessels which would need to maneuver around those structures. Chapter 2.37(1)(A)(1).

The land nearest to the proposal is the mainland shoreline approximately 1,100 feet south of the proposal at MLW. Burying Island is approximately 1,700 feet north of the proposal at MLW. During the site visit on August 8, 2025, DMR scientists observed residential properties south, east, and west of the proposal. DMR scientists also observed one mooring approximately 1,330 feet north of the proposal. There were three small boats tied up to the mooring. DMR scientists also observed beach chairs on the Burying Island shoreline (Figure 2)(SR 5).

Table 3. Approximate distances from proposal corners to surrounding features (Figures 2 & 3).

Feature	Distance
N corner to Burying Island shoreline at MLW	~1,700' to the northeast
N corner to nearest shoreline at MLW	~1,430' to the southwest
E corner to Burying Island shoreline at MLW	~2,225' to the north
E corner to nearest shoreline at MLW	~1,300' to the south
S corner to nearest shoreline at MLW	~1,100' to the south
W corner to nearest shoreline at MLW	~1,160' to the west

A Harbormaster Questionnaire was sent to the Town of Hancock on October 26, 2023. DMR did not receive a response (SR 5).

No testimony or evidence was offered at the hearing concerning riparian access.

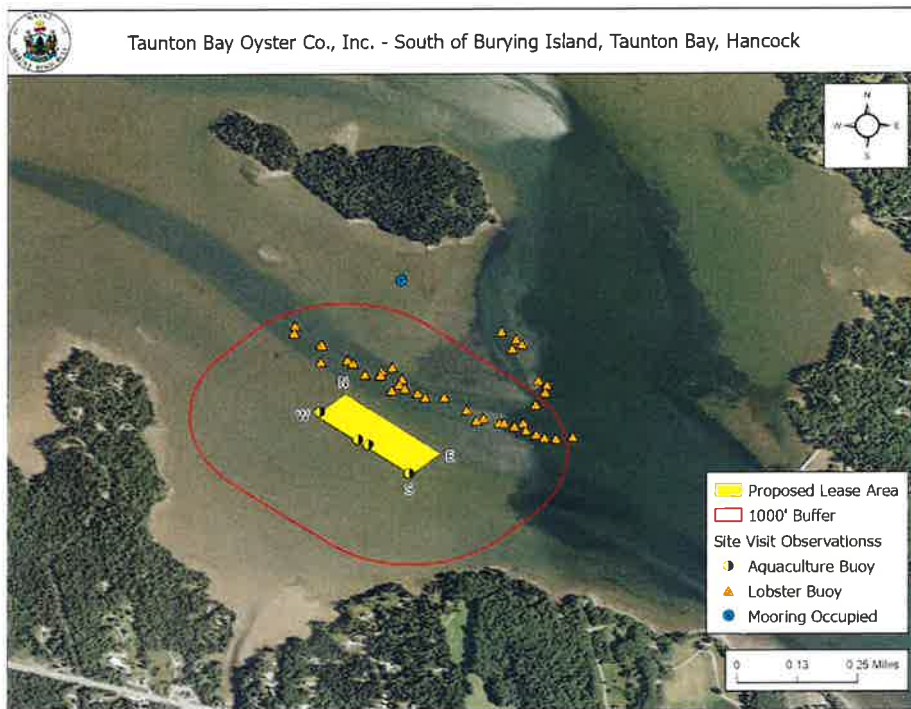


Figure 2. Proposed lease area with site visit observations.

Given the considerable distance to any riparian structures, the lease activities will not impact riparian access.

Therefore, the aquaculture activities as proposed will not unreasonably interfere with riparian owner ingress and egress.

B. Navigation

When examining navigation, the Commissioner considers whether the proposed lease will unreasonably interfere with navigation. 12 M.R.S.A. § 6072(7-A)(B). The Commissioner shall examine whether any lease activities requiring surface and or subsurface structures would interfere with commercial or recreational navigation around the lease area and consider the current uses of the navigational channels in the area. High tide “short cuts” shall not be considered navigational ways for purposes of this section. Chapter 2.37(1)(A)(2).

The proposal is located in shallow, subtidal water approximately 1,700 feet south of Burying Island and 1,100 feet north of the mainland shoreline at MLW. There are two deeper water navigational channels in the vicinity of the proposal. One navigational channel lies to the east of the proposal and allows for access to upper Taunton Bay/Hog Bay. It is approximately 930 feet from the proposal to the western border of this

navigational channel to upper Taunton Bay. Water depth in this channel is approximately 17-54 feet at MLW. The other navigational channel lies to the north of the proposal and allows for access to western Taunton Bay/Egypt Bay. It is approximately 100 feet from the proposal to the western border of the navigational channel. Water depth in this channel is approximately 6-23 feet at MLW. Water depth at MLW in the vicinity of the proposal is 1.0 to 1.8 feet (Figure 3)(SR 5).

During DMR's site visit on August 8, 2025, two powerboats were observed transiting in the Upper Taunton Bay navigational channel; one was observed traveling north and one was observed traveling south (SR 5).

No testimony or evidence was offered at the hearing concerning navigation.

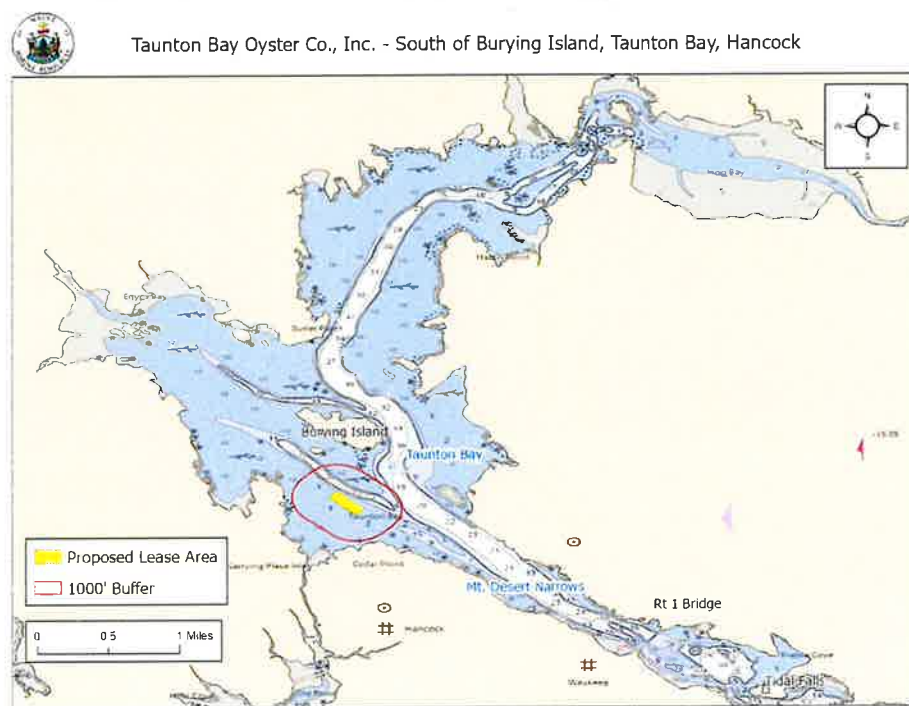


Figure 3. Navigational channels in the vicinity of the proposed lease area.

Because the proposed lease is located outside of the marked navigational channels, and due to the shallow depth at the proposed site, it will not impede navigation in the area.

Therefore, the aquaculture activities as proposed will not unreasonably interfere with navigation.

C. Fishing and Other Uses

When examining fishing and other uses, the Commissioner considers whether the proposed lease activities will unreasonably interfere with fishing or other uses of the area. 12 M.R.S.A. § 6072(7-A)(C).

The Commissioner shall examine whether the lease activities would unreasonably interfere with commercial or recreational fishing or other water-related uses of the area. Chapter 2.37(1)(A)(3).

Fishing. With respect to fishing, the Commissioner shall consider such factors as the number of individuals that participate in recreational or commercial fishing, the amount and type of fishing gear utilized, the number of actual fishing days, and the amount of fisheries resources harvested from the area. Chapter 2.37(1)(A)(3).

During the site visit on August 8, 2025, DMR scientists observed 38 lobster buoys in the general vicinity of the proposal. The closest buoy was located approximately 280 feet northeast of the proposal (Figure 2). DMR scientists observed one lobster boat actively tending traps north of the proposal in the navigational channel during the site visit. No other recreational or commercial fishing activity was observed (SR 6).

According to the application, there is no known commercial or recreational fishing at the lease site (App 15).

No testimony or evidence was offered at the hearing concerning fishing.

Other Uses. The application states that no other uses have been observed at the lease site, but that kayaks most likely do traverse the area occasionally (App 16).

No testimony or evidence was offered at the hearing concerning other uses of the area.

While there is documented lobster fishing in the area, it was observed outside of the proposed lease boundaries. The closest observed lobster buoy was approximately 280 feet northeast of the proposal, and all lobster buoys were concentrated in the navigational channel. Therefore, given the ample space available for commercial and recreational fishing outside of the proposed lease area, and the minimal use of the site for other water-related activities, the proposed lease activities will not unreasonably interfere with fishing or other uses.

Therefore, the aquaculture activities as proposed will not unreasonably interfere with fishing or other uses, including water-related uses of the area.

D. Other Aquaculture Uses

Pursuant to 12 M.R.S.A. § 6072(7-A), in evaluating the proposed lease, the Commissioner shall take into consideration the number and density of aquaculture leases in an area. The Commissioner shall consider any evidence submitted concerning other aquaculture uses of the area, the intensity and frequency of such uses, the degree of exclusivity required for each use as well as the number, size, location, and type of other aquaculture leases. Chapter 2.37(1)(A)(4).

There are four limited purpose aquaculture (LPA) sites within 1,000 feet of the proposal. BRIG623, BRIG723, BRIG823, and BRIG923 are within the boundaries of this standard lease proposal. They are licensed to Michael Briggs, owner of Taunton Bay Oyster Co., Inc., and would be relinquished if this lease is granted (App 12-13). There are no licensed aquaculture leases within 1,000 feet of the proposal. TAUN SB2, held by Taunton Bay Oyster Company, Inc., is approximately 1,470 feet southeast of this proposal (Figure 1)(SR 6-7).

No testimony or evidence was offered at the hearing concerning other aquaculture uses in the area.

Given that the LPA licenses are held by the applicant and would be relinquished if the proposal is granted, the lease as proposed will not interfere with existing aquaculture activities.

Therefore, the aquaculture activities as proposed will not unreasonably interfere with other aquaculture uses in the area.

E. Existing System Support

When examining the existing system support, the Commissioner considers whether the proposed lease activities will unreasonably interfere with significant wildlife and marine habitat or with the ability of the lease site and surrounding marine and upland areas to support existing ecologically significant flora and fauna. 12 M.R.S.A. § 6072(7-A)(D). Such factors as the degree to which physical displacement of rooted or attached marine vegetation occurs, the amount of alteration of current flow, increased rates of sedimentation or sediment resuspension, and disruption of finfish migration shall be considered by the Commissioner in this determination. Chapter 2.37(1)(A)(5).

Site Observations. On August 8, 2025, DMR scientists utilized a remotely operated vehicle (ROV) to assess the epibenthic ecology of the proposed lease. The relative abundance of epibenthic flora and fauna observed in the video footage is described below in Table 3.

Table 4. Species observed on underwater video footage.

Species Observed	Abundance
Sand Shrimp (<i>Crangon septemspinosa</i>)	Common
Red seaweed (<i>Dasysiphonia japonica</i>)	Occasional
Crab (<i>Cancer</i> sp.)	Occasional
Sugar kelp, unattached (<i>Saccharina latissima</i>)	Occasional
European green crab (<i>Carcinus maenas</i>)	Occasional
Small baitfish (unidentifiable)	Occasional

Marine Vegetation. Historical records of eelgrass collected by DMR in 2010² indicate mapped eelgrass presence in the boundaries of the proposal (Figure 5). No eelgrass was observed on underwater video footage within the proposal boundaries during DMR's site visit on August 8, 2025.

In 2010, eelgrass coverage was recorded as between 0-10% in a portion of the proposed lease site. Eelgrass throughout Maine has failed to recover since 2013 and the most likely culprit is the invasive European green crab³. The decline in this area is documented through the 2010 and 2025 mapping. There is no indication that eelgrass would recolonize in the area, nor that the lease as proposed would be an impediment to recolonization outside of the lease boundaries.

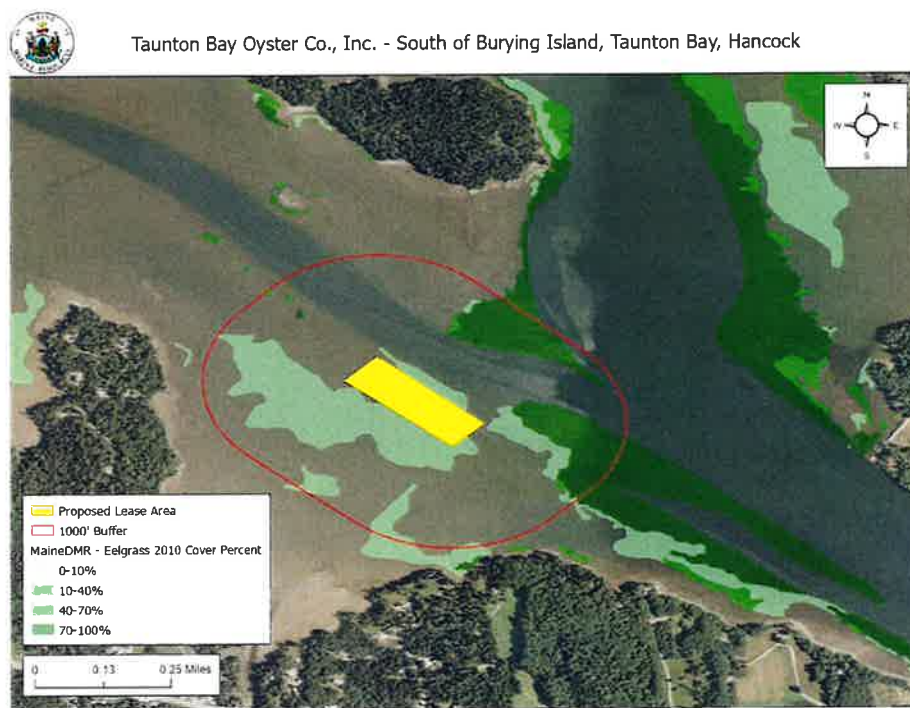


Figure 4. Mapped eelgrass (*Z. marina*) in the vicinity of the proposed lease area.

Wildlife. During DMR's site visit, scientists observed common tern (*Sterna hirundo*), herring gull (*Larus argentatus*), common loon (*Gavia immer*), laughing gull (*Leucophaeus atricilla*), Bonaparte's gull (*Chroicocephalus philadelphia*), double-crested cormorant (*Nannopterum auritum*), great cormorant (*Phalacrocorax carbo*), bald eagle (*Haliaeetus leucocephalus*), and harbor seal in the general vicinity of the proposal. The harbor seal was observed swimming (SR 9).

² Data obtained from The Maine Office of GIS "GISVIEW.MEDMR.Eelgrass". This is the most current record of mapped eelgrass within the vicinity of the proposal.

³ Hilary A. Neckles "Loss of Eelgrass in Casco Bay, Maine, Linked to Green Crab Disturbance," *Northeastern Naturalist* 22(3), 478-500, (1 September 2015). <https://doi.org/10.1656/045.022.0305>

The Department of Inland Fisheries and Wildlife (IFW) has jurisdiction over inland fisheries and wildlife resources of the state. IFW also has the authority to conserve wildlife populations and their ecosystems through applicable state laws and rules. DMR provides IFW with notice and the opportunity to comment on all complete lease applications. In addition, the Site Report also includes IFW designated and mapped habitat types that are within 1,000 feet of the lease proposal, if applicable.

According to Geographic Information System (GIS) data maintained by IFW and available through the Maine Office of GIS (MEGIS), there are two mapped habitat types within 1,000 feet of the lease proposal. The proposal is located entirely within Tidal Waterfowl and Wading Bird Habitat (TWWH), and is approximately 625 feet south of Shorebird Area, which are types of Significant Wildlife Habitat designated and regulated by IFW (Figure 5)(SR 9).⁴

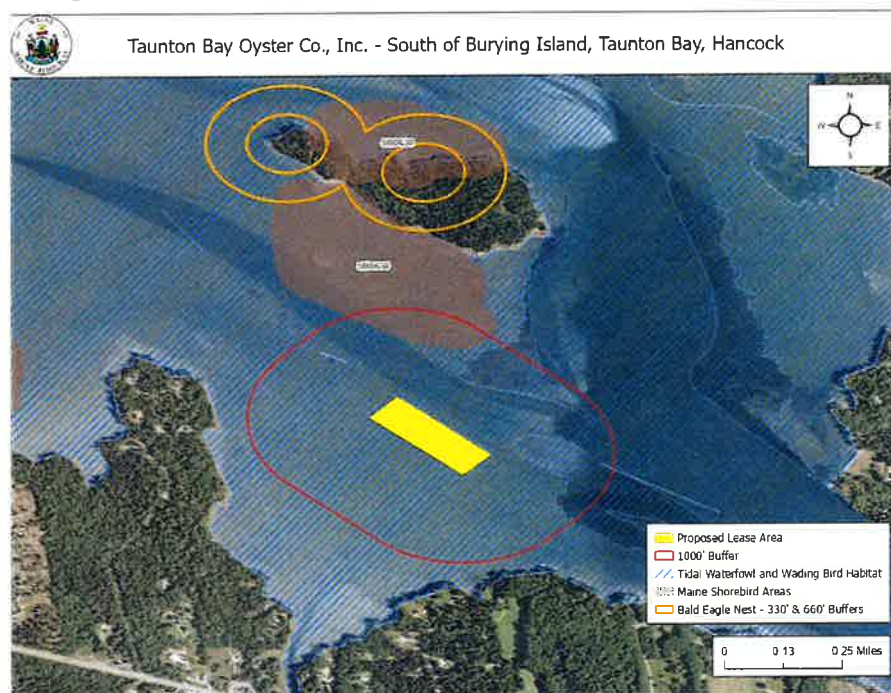


Figure 5. Mapped habitats in the vicinity of the proposed lease area.⁵

Though bald eagles are no longer listed on Maine’s Endangered and Threatened Species List, the United States Fish and Wildlife Service (USFWS) may also have jurisdiction over the management and conservation of the species based on applicable law and rule. Data collected by USFWS in 2023 by aerial nest survey shows the closest bald eagle nesting site to be over 2,500 feet north of the proposal (Figure 5)(SR 9).

⁴ <https://www.maine.gov/ifw/programs-resources/environmental-review/significant.html>

⁵ Data obtained from USFWS “Bald_Eagle_Nests_-_Maine_2023” and IFW “EHRTERN”, “EHPLVTRN”, “GISVIEW.MEIFW.Twwh”, “ShorebirdAreas”, and “SNI”.

IFW was provided with the opportunity to comment on this proposal. On November 1, 2023, a Resource Biologist with IFW responded by email to a “Request for Agency Review and Comment” stating that the lease is located within high value TWWH, which is comprised of aquatic bed, reef, and reef-mudflat complex. IFW recommends relocating the lease outside of the mapped resource to help preserve and protect TWWH (SR 9).⁶

At the hearing, Andrew Wood from IFW testified that since the comments were submitted in 2023, IFW has gained more insight into aquaculture practices and how wildlife interact with lease sites. Subsequently, IFW has reevaluated the potential impacts to wildlife from typical aquaculture practices and has minimal concerns in many situations about lease sites in TWWH (Wood testimony). Additionally, no predator controls or exclusion netting are proposed at this site, minimizing the likelihood of wildlife entanglement.

Andrew Wood also testified that the lease site is located near several mapped shorebird areas in Taunton Bay, including on the south side of Burying Island, approximately 625 feet from the lease boundary, and that these habitats are particularly important for migrating birds in the late summer and fall. IFW requests that the applicant avoid this area when accessing the site, especially between August and October. Otherwise, minimal impacts to wildlife are anticipated from the proposed lease (Wood testimony).

During cross-examination, Michael Briggs stated that they never transit through the shorebird area, and therefore, would not impact the [shorebird] habitat (Briggs testimony).

Based on the testimony and expertise of IFW, and the documented decline in eelgrass, the lease as proposed will not adversely impact mapped significant wildlife habitats in the area or existing ecologically significant flora and fauna.

Therefore, the aquaculture activities as proposed will not unreasonably interfere with significant habitat and the ability of the lease site and surrounding areas to support existing ecologically significant flora and fauna.

F. Source of Organisms to be Cultured

Pursuant to 12 M.R.S.A. § 6072(7-A)(E), in evaluating the proposed lease, the Commissioner considers whether that the applicant has demonstrated there is an available source of organisms to be cultured for the lease site. The Commissioner shall include but not be limited to, consideration of the source’s biosecurity, sanitation, and applicable fish health practices. Chapter 2.37(1)(A)(6).

⁶ Email correspondence between IFW and DMR

According to the application, American oysters (*Crassostrea virginica*) will be sourced from either Muscongus Bay Aquaculture in Bremen, Maine or Mook Sea Farm in Walpole, Maine (App 2). Both are approved sources of stock.

Therefore, the applicant has demonstrated that there is an available source of stock to be cultured for the lease site.

G. Interference with Public Facilities

When examining interference with public facilities, the Commissioner considers whether the proposed lease will unreasonably interfere with public use or enjoyment within 1,000 feet of a beach, park, docking facility or certain conserved lands owned by the Federal Government, the State Government or a municipal governmental agency. 12 M.R.S.A. § 6072(7-A)(F). In determining interference with the public use or enjoyment of conserved lands, the Commissioner shall consider the purpose(s) for which the land was acquired. Chapter 2.37(1)(A)(7)).

The proposed lease is not within 1,000 feet of any beach, park, docking facility, or conserved lands owned by federal, state, or municipal governments. Burying Island, approximately 1,700 feet north of the proposal, is held in a conservation easement by IFW (SR 11).

At the hearing, Andrew Wood from IFW requested that no aquaculture activities be conducted on the island (Wood testimony). As that was not part of the proposal, nor within DMR's jurisdiction to authorize, there is no impact from this proposal on Burying Island.

Therefore, the aquaculture activities as proposed will not unreasonably interfere with the public use or enjoyment within 1,000 feet of beaches, parks, docking facilities, or certain conserved lands owned by federal, state, or municipal government.

H. Light

When examining light, the Commissioner considers whether the proposed lease will result in an unreasonable impact from light at the boundaries of the lease site. 12 M.R.S.A. § 6072(7-A)(G). Compliance with exterior lighting regulations is evaluated along with the requirement that the applicant demonstrate that all reasonable measures will be taken to mitigate light impacts associated with the lease activities. Chapter 2.37(1)(A)(8).

According to the application, no lights are proposed for use on the lease site (App 12).

Therefore, the aquaculture activities as proposed will not result in an unreasonable impact from light at the boundaries of the lease site.

I. Noise

When examining noise, the Commissioner considers whether the proposed lease will result in an unreasonable impact from noise at the boundaries of the lease site. 12 M.R.S.A. § 6072(7-A)(G). Compliance with noise regulations is evaluated along with the requirement that the applicant demonstrate that all reasonable measures will be taken to mitigate noise impacts associated with the lease activities. Chapter 2.37(1)(A)(9).

As shown in Table 2 above, various types of power equipment are proposed for use at the lease site. According to the application, inverter generators will be used and are generally quieter than non-inverter generators. Additionally, they will be placed in a housing to further reduce sound output (App 11). The application states that the sieve (which will be powered by a generator) is circular and vibrating, and is quieter than shaker or tubular graders (App 11). Both the line hauler and the conveyor are battery-powered, and therefore, quieter than gas-powered equipment. All boats will use four-stroke engines to minimize sound output while on the lease site (App 11).

Because the applicant is utilizing equipment with lower sound outputs than their standard counterparts and also placing the generators in sound-buffering containment structures, the lease activities will not generate unreasonable noise levels.

Therefore, the aquaculture activities as proposed will not result in an unreasonable impact from noise at the boundaries of the lease.

J. Visual Impact

When examining visual impact, the Commissioner must determine that the proposed lease is in compliance with visual impact criteria relating to color, height, shape and mass. 12 M.R.S.A. § 6072(7-A)(H). Compliance with visual impact regulations including building profiles, height limitations, roof and siding materials and color are evaluated. Chapter 2.37(1)(A)(10).

According to the application, excepting the marker buoys, which are required to be yellow, the proposed gear will be black or natural wood color (App 7). These colors comply with the visual impact criteria. Also according to the application, the floats, Flip Farm filler, and Flip Farm flipper will be less than 20 feet in height and therefore, in compliance with regulations (App 29, 31, 32).

Therefore, the lease site as proposed will comply with DMR's visual impact criteria.

4. Conclusions of Law

Based on the above findings, DMR concludes that:

- a. The aquaculture activities proposed for this site will not unreasonably interfere with the ingress and egress of riparian owners.
- b. The aquaculture activities proposed for this site will not unreasonably interfere with navigation.
- c. The aquaculture activities proposed for this site will not unreasonably interfere with fishing or other uses, including water-related uses of the area.
- d. The aquaculture activities proposed for this site will not unreasonably interfere with other aquaculture uses of the area.
- e. The aquaculture activities proposed will not unreasonably interfere with the ability of the lease site and surrounding areas to support existing ecologically significant flora and fauna.
- f. The aquaculture activities proposed for this site will not unreasonably interfere with the public use or enjoyment within 1,000 feet of beaches, parks, docking facilities, or certain conserved lands owned by federal, state, or municipal government.
- g. The applicant has demonstrated that there is an available source of stock to be cultured for the lease site.
- h. The aquaculture activities proposed for this site will not result in an unreasonable impact from light at the boundaries of the lease site.
- i. The aquaculture activities proposed for this site will not result in an unreasonable impact from noise at the boundaries of the lease site.
- j. The aquaculture activities proposed for this site will comply with the visual impact criteria.

Accordingly, the evidence in the record supports the conclusion that the proposed aquaculture activities meet the requirements for the granting of an aquaculture lease set forth in 12 M.R.S.A. § 6072.

5. Decision

Based on the foregoing, the Commissioner grants a standard lease to Taunton Bay Oyster Co., Inc for 7.46 acres for twenty years for the cultivation of American oysters (*Crassostrea virginica*) using suspended culture techniques. The granted lease coordinates are contained in the Appendix to this decision. The lessee shall pay the State of Maine rent in the amount of \$100.00 per acre per year. The lessee shall post a bond or establish an escrow account pursuant to Chapter 2.40(2)(A) in the amount of \$5,000.00, conditioned upon performance of the obligations contained in the aquaculture lease documents and all applicable statutes and regulations.

6. Lease Conditions

The Commissioner may establish conditions that govern the use of the lease area and impose limitations on aquaculture activities, pursuant to 12 M.R.S.A. § 6072(7-B) and Chapter 2.37(B). Conditions are designed to encourage the greatest multiple compatible uses of the lease area, while addressing the ability of the lease site and surrounding area to support ecologically significant flora and fauna, and preserving the exclusive rights of the lessee to the extent necessary to carry out the purposes of the lease. No conditions have been imposed on this lease.

7. Revocation of Lease

The Commissioner may initiate revocation proceedings and revoke the lease upon determining pursuant to 12 M.R.S.A. § 6072(11), that no substantial aquaculture has been conducted over the course of the lease, that the lease activities have been conducted in a manner substantially injurious to marine organisms or public health, or that any condition of the lease or any minimum lease maintenance standard contained in Chapter 2.75, has been violated.

Dated: _____

9.8.2026



Carl J. Wilson, Commissioner
Department of Marine Resources

Appendix

Granted Lease Coordinates

<u>Corner</u>	<u>Latitude</u>	<u>Longitude</u>	
N	44.54300°	-68.26476°	then 1,002 feet at 130° True to
E	44.54118°	-68.26188°	then 323 feet at 224° True to
S	44.54055°	-68.26275°	then 997 feet at 311° True to
W	44.54235°	-68.26563°	then 328 feet at 043° True to N