



Marsden Brewer - Northwest of Sellers Rock, Deer Isle

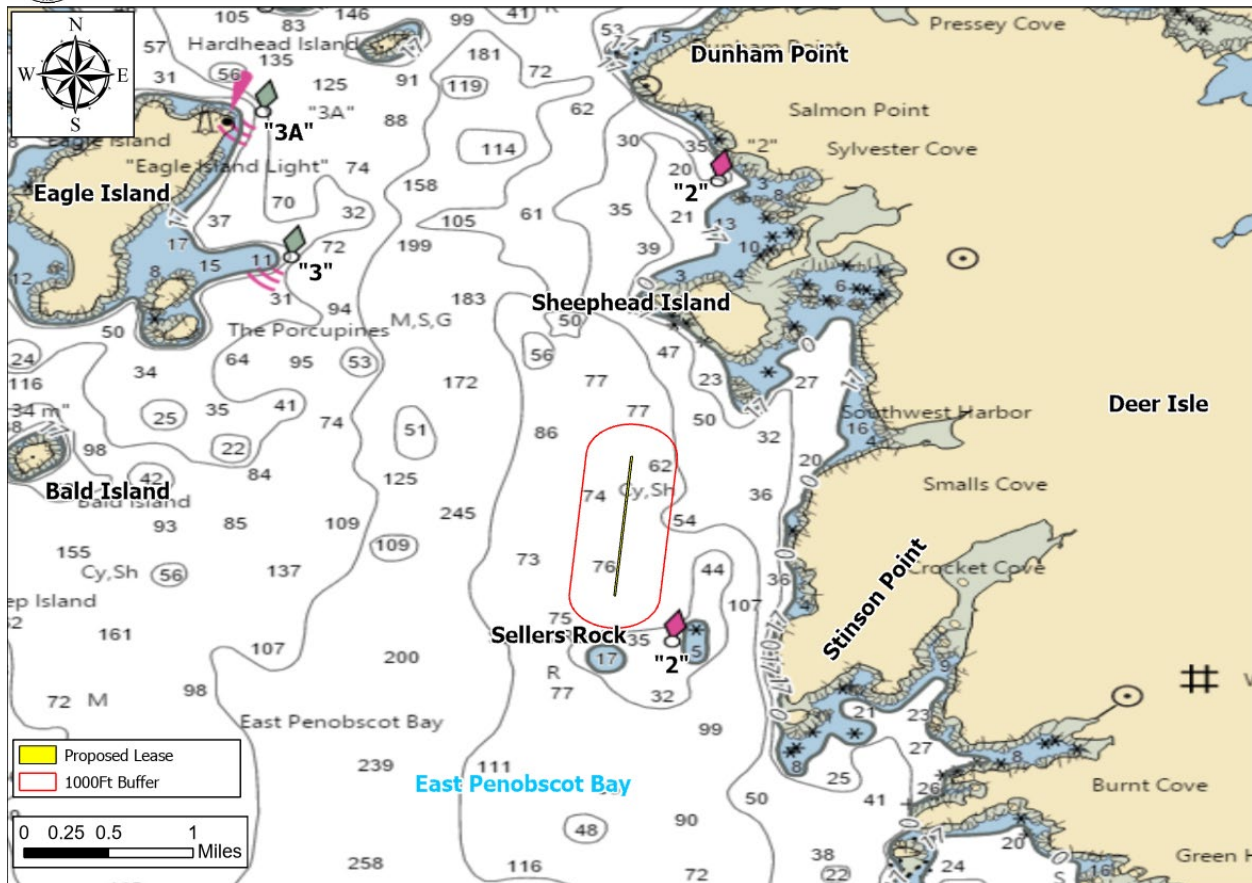


Figure 1. Vicinity map.¹

Location: Northwest of Sellers Rock, East Penobscot Bay, Deer Isle, Hancock County, Maine

Purpose: Standard lease for the suspended culture of sugar kelp (*Saccharina latissima*) and Atlantic sea scallops (*Placopecten magellanicus*)

Site Review: Geoffrey Shook and Katie von Hohenleiten

Report Preparation: Katie von Hohenleiten, Geoffrey Shook, and Meryl Grady

¹ Unless otherwise noted, all figures in this report were created in ArcGIS Pro version 3.3 using digitized NOAA Nautical Charts or geo-referenced aerial photographs provided by The Maine Office of GIS.



Application Overview

The applicant, Marsden Brewer, is requesting a 4.15² acre standard lease northwest of Sellers Rock in East Penobscot Bay, Deer Isle for the suspended culture of sugar kelp and Atlantic sea scallops. The applicant intends for the site to be active year-round with scallop spat bags in use from December through August.³ The applicant currently operates experimental lease PEN SRx in the vicinity of this standard lease proposal (Figure 4). This proposal is larger than PEN SRx. The applicant is proposing an expansion from 3.93⁴ acres to 4.15 acres. All product will be strung on longlines, either on the longlines or in lantern nets, and then submerged approximately 20 feet below the surface of the water at mean low water (MLW).⁵

General Characteristics

On August 6, 2025, Department of Marine Resources (DMR) scientists assessed the proposed lease site. DMR scientists arrived on site at approximately 10:30 AM. The proposal is situated along the western shoreline of Deer Isle and is approximately 1,970 feet northwest of Sellers Rock. Deer Isle, approximately 3,738 feet southeast of the proposal, consists of rocky shorelines leading to primarily coniferous forested uplands.

Depth

DMR scientists began collecting water depths at the proposed site during a falling tide at approximately 11:18 AM (Table 1). Measured depths at corners of the proposed lease site ranged from 80.4 to 84.2 feet. Correcting for tidal variation derives approximate water depths at corners of the proposal at mean low water (MLW, 0.0 feet) to be from 72.2 to 76.0 feet. Approximate depths at mean high water (MHW, 9.9 feet⁶) at corners of the proposal are 82.1 to 85.9 feet (Table 2). The proposal is located in the subtidal.

Table 1. Predicted tidal heights in Oceanville, Deer Isle, Maine.⁷

Date	Time	Height (ft)
2025/08/06	3:28 AM	0.6 L
2025/08/06	9:41 AM	8.2 H
2025/08/06	3:29 PM	1.4 L
2025/08/06	9:44 PM	9.8 H

Table 2. Collected and derived depths at corners of the proposed lease area.

Corner	Measured Depth (ft)	MLW Depth (ft)	MHW Depth (ft)
NW	80.7	72.5	82.4
NE	80.4	72.2	82.1
SE	83.8	75.6	85.5

² Applicant originally requested 4.0 acres. DMR calculations indicate the area is 4.15 acres.

³ Application page 4, 8.

⁴ Experimental lease PEN SRx decision, page 1.

⁵ Application pages 4, 6

⁶ MHW in Oceanville is 9.9 feet, NOAA Tide Station 8414249

⁷ <https://tidesandcurrents.noaa.gov/stationhome.html?id=8414249>



Corner	Measured Depth (ft)	MLW Depth (ft)	MHW Depth (ft)
SW	84.2	76.0	85.9

Bottom Characteristics

DMR scientists observed the bottom characteristics of the proposed lease site via a remotely operated vehicle (ROV). Bottom characteristics were categorized using the Coastal and Marine Ecological Classification Standard (CMECS), a national standard for describing features of the marine environment (Table 3). Sediment information was determined based on visual analysis of the video. The bottom of the proposed lease site is composed of mud.

Table 3. Bottom characteristics of the proposed site.

Substrate Origin	Substrate Class	Substrate Subclass	Substrate Group
Geologic Substrate	Unconsolidated Mineral Substrate	Fine Unconsolidated Substrate	Mud

Position and Distances to Shore

The measuring tool in ArcGIS Pro 3.3 was used to verify the distances and bearings between proposed lease corners. Distances to shore were determined using the measuring tool in ArcGIS Pro 3.3, a nautical chart provided by the National Oceanic and Atmospheric Administration (NOAA), and the application coordinates (Table 4, Figure 2).

Application Coordinates (WGS84) – 4.15 Acres

<u>Corner</u>	<u>Latitude</u>	<u>Longitude</u>	
NW	44.189045°	-68.733173°	then 44 feet at 099° True to
NE	44.189026°	-68.733007°	then 4,365 feet at 185° True to
SE	44.177098°	-68.734472°	then 40 feet at 290° True to
SW	44.177135°	-68.734616°	then 4,358 feet at 005° True to NW

Table 4. Approximate distances from proposed lease corners to surrounding features (Figure 2).

Feature	Distance
NW corner to green navigational buoy “3”	~9,886 feet to the northwest
NW corner to westernmost point of Sheephead Island at MLW	~4,828 feet to the north
NW corner to Bald Island shoreline at MLW	~12,807 feet to the west
NE corner to southernmost point of Sheephead Island at MLW	~3,836 feet to the northeast
NE corner to Deer Isle shoreline at MLW	~4,039 feet to the southeast
SE corner to Deer Isle shoreline at MLW	~3,738 feet to the southeast
SE corner to southern ⁸ red navigational buoy “2”	~1,858 feet to the southeast

⁸ Due to the proximity of multiple marked navigational channels in the vicinity of the proposal, there is more than one red navigational buoy designated as “2”. This measurement is to buoy “2” on the southwestern shore of Deer Isle, marking Sellers Rock.



Feature	Distance
SE corner to Sellers Rock	~1,970 feet to the southeast
SW corner to Bald Island shoreline at MLW	~13,256 feet to the northwest



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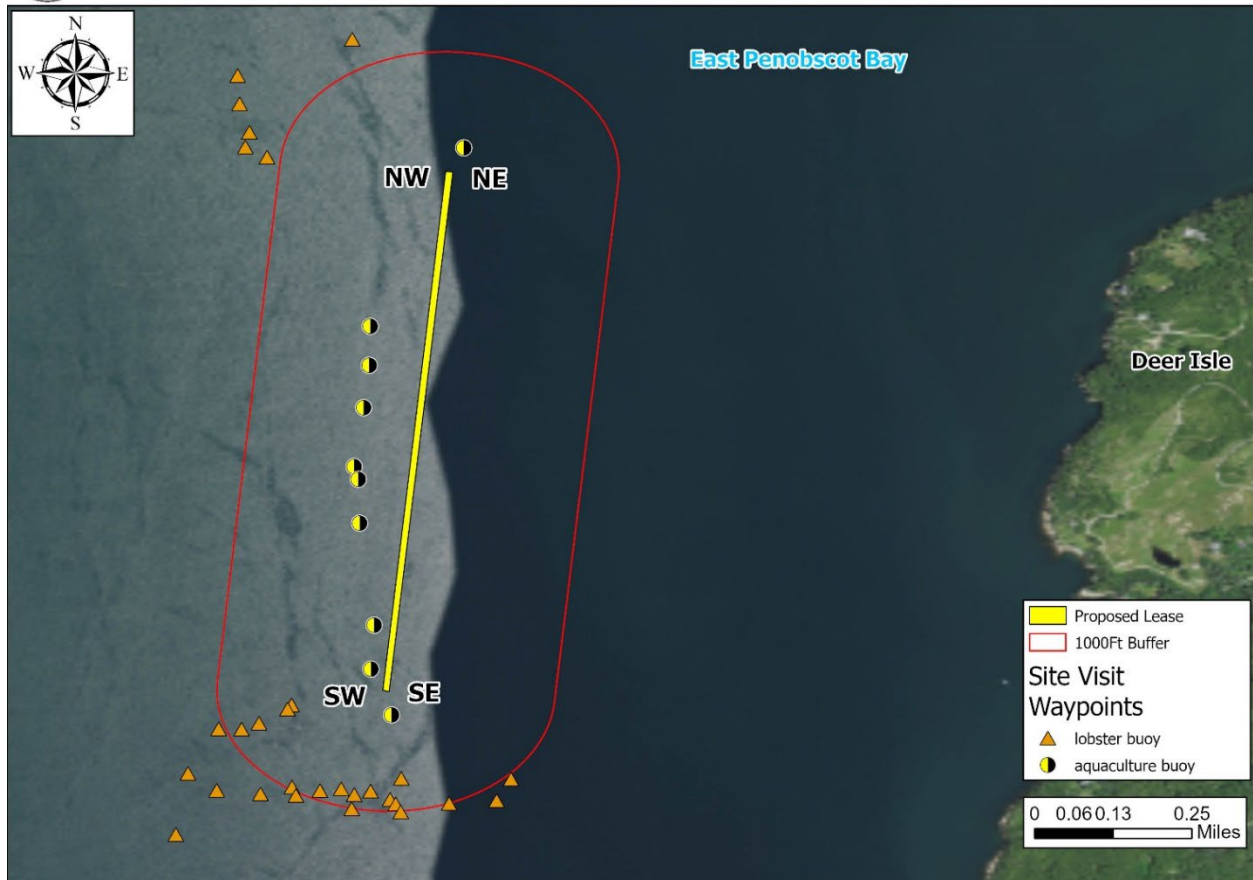


Figure 2. Proposed lease area with site visit observations.

Pursuant to statute and regulation, aquaculture leases are evaluated in consideration of applicable decision criteria. The Site Report documents DMR’s observations of the area and other information, in consideration of those criteria, as noted below:

(1) Riparian Ingress and Egress

During the site visit, DMR scientists did not observe any riparian property within the vicinity of the proposal (Figure 2). Though Deer Isle is a populated Island, the proposal is located approximately 3,738 feet west of the island at MLW.

A Harbormaster Questionnaire was sent to the town of Deer Isle. DMR did not receive a response.



(2) Navigation

The proposal is located in Eastern Penobscot Bay approximately 3,838 feet west of Deer Isle at MLW, and 1,970 feet northwest of Sellers Rock. The proposal is entirely within the north/south navigational thoroughway as measured from the southern red navigational buoy "2" and the western point of Sheephead Island. There is still approximately 12,807 feet of navigable deep water to the west of the proposal as measured from the Bald Island shoreline at MLW (Figure 3). The southern 1,100 feet of the proposal is also within the marked east/west navigational channel as measured from the southern red navigational buoy "2" to red navigational buoy "4", which is located approximately 16,270 feet northwest of the proposal. There is approximately 3,836 feet of navigable water from the northern border of the proposal to the southern shore of Sheephead Island at MLW.

During the site visit, DMR scientists observed ten powerboats and three sailboats transiting in the channel to the west of the proposal. One lobster boat and three sailboats were observed to transit through, or very near, the proposal. Two of the observed sailboats under sail had to alter their course to avoid aquaculture buoys from existing experimental leases PEN SRx and PEN SR2x (Figure 4).



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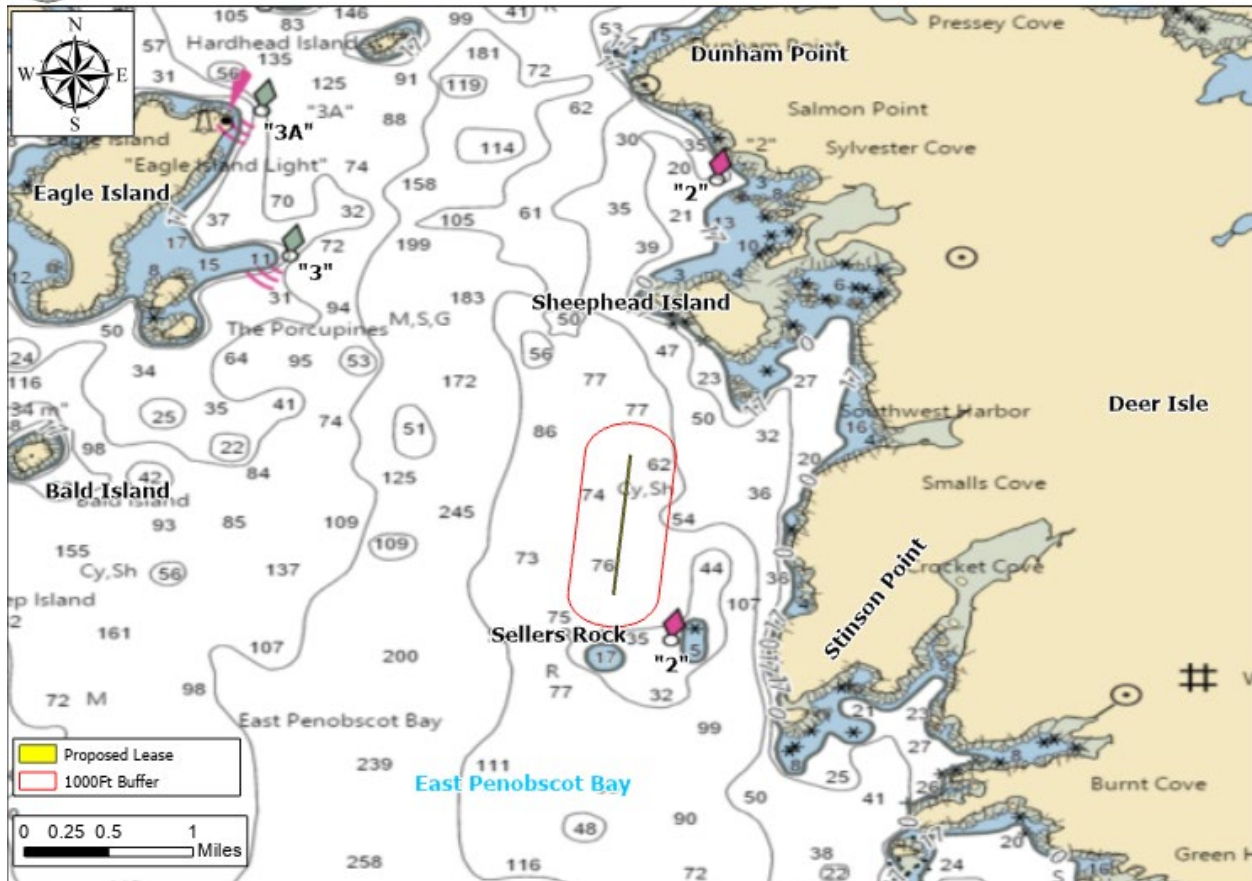


Figure 3. Navigational channels in the vicinity of the proposed lease area.



(3) Fishing and Other Uses

During DMR's site visit, scientists observed four lobster boats actively engaged in lobstering activities in the general vicinity of the proposal. Seven lobster boats were observed transiting in the area surrounding the proposal.

During DMR's site visit, 29 lobster buoys were observed within the vicinity of the proposed lease. The closest lobster buoy was observed approximately 563 feet southwest of the proposal (Figure 2).

(4) Other Aquaculture Uses

The applicant currently operates experimental lease PEN SRx slightly to the east of this proposal. This standard lease proposal is intended to replace PEN SRx. There is an existing experimental lease, PEN SR2x, approximately 790 feet to the west of this proposal held by Robert Brewer (Figure 4). Robert Brewer also has a pending standard lease application that was deemed complete on November 11, 2024. There are no Limited Purpose Aquaculture (LPA) licenses within 1,000 feet of the proposal.

During the site visit, DMR scientists observed 10 aquaculture buoys within the vicinity of the proposal (Figure 2).

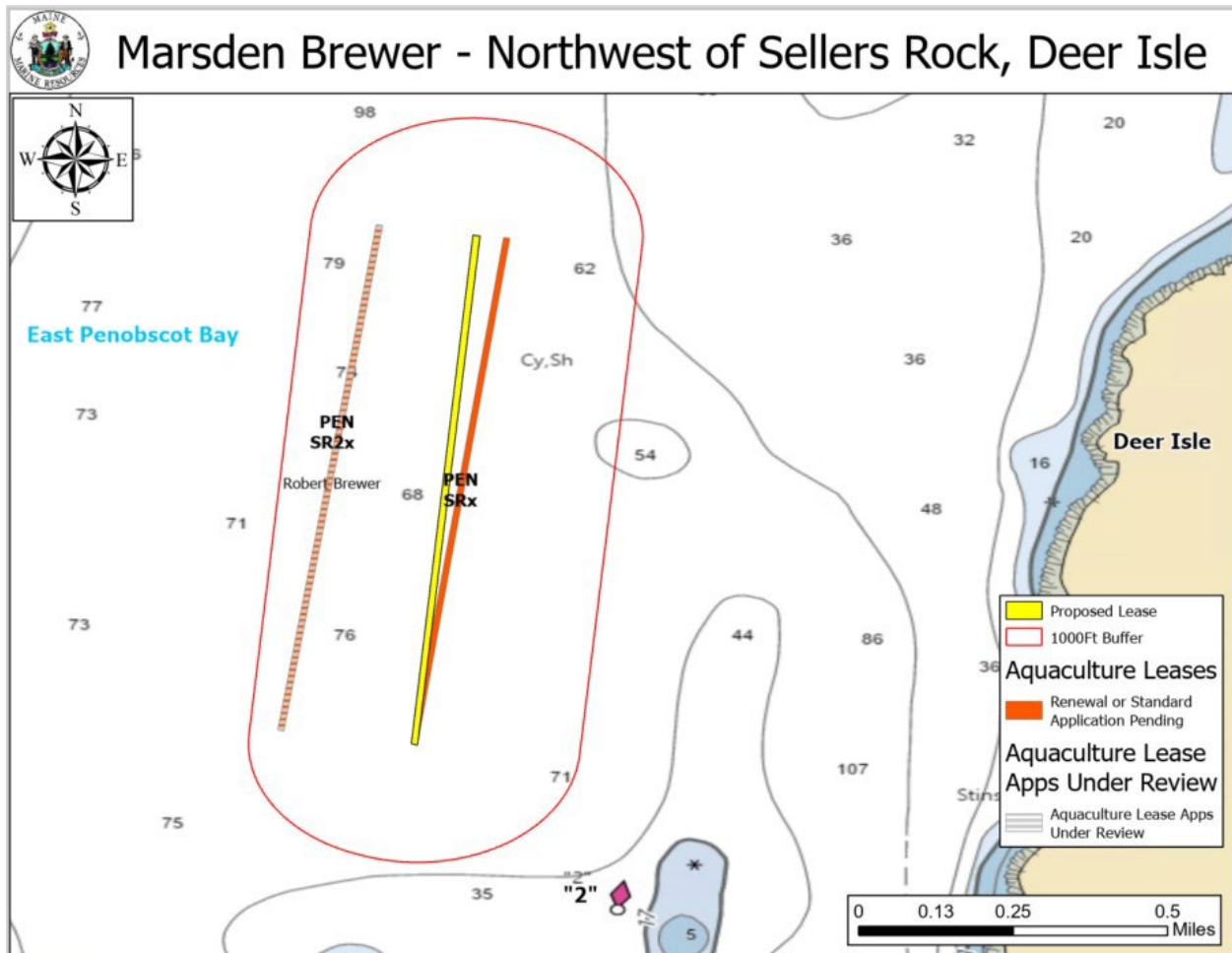


Figure 4. Aquaculture leases and LPA licenses in the vicinity of the proposed lease area.

(5) Existing System Support

Epibenthic Flora and Fauna

During the site visit, DMR scientists utilized an 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 5.

Table 5. Species observed using underwater video footage.

Species Observed	Abundance
Mysid shrimp (<i>Mysis sp.</i>)	Abundant
Sand shrimp (<i>Crangon septemspinosa</i>)	Common
American lobster (<i>Homarus americanus</i>)	Rare



Eelgrass (*Zostera marina*)

Records of seagrass collected by the Maine Department of Environmental Protection (DEP) in 2024 indicate no mapped eelgrass presence in the vicinity of the proposal (Figure 5).⁹ The closest mapped eelgrass is approximately 3,342 feet northeast of the proposal near Sheephead Island. During DMR’s site visit, eelgrass was observed unattached, floating on the surface of the water in the vicinity of the proposal. No eelgrass was observed on underwater video footage within the proposal boundaries.



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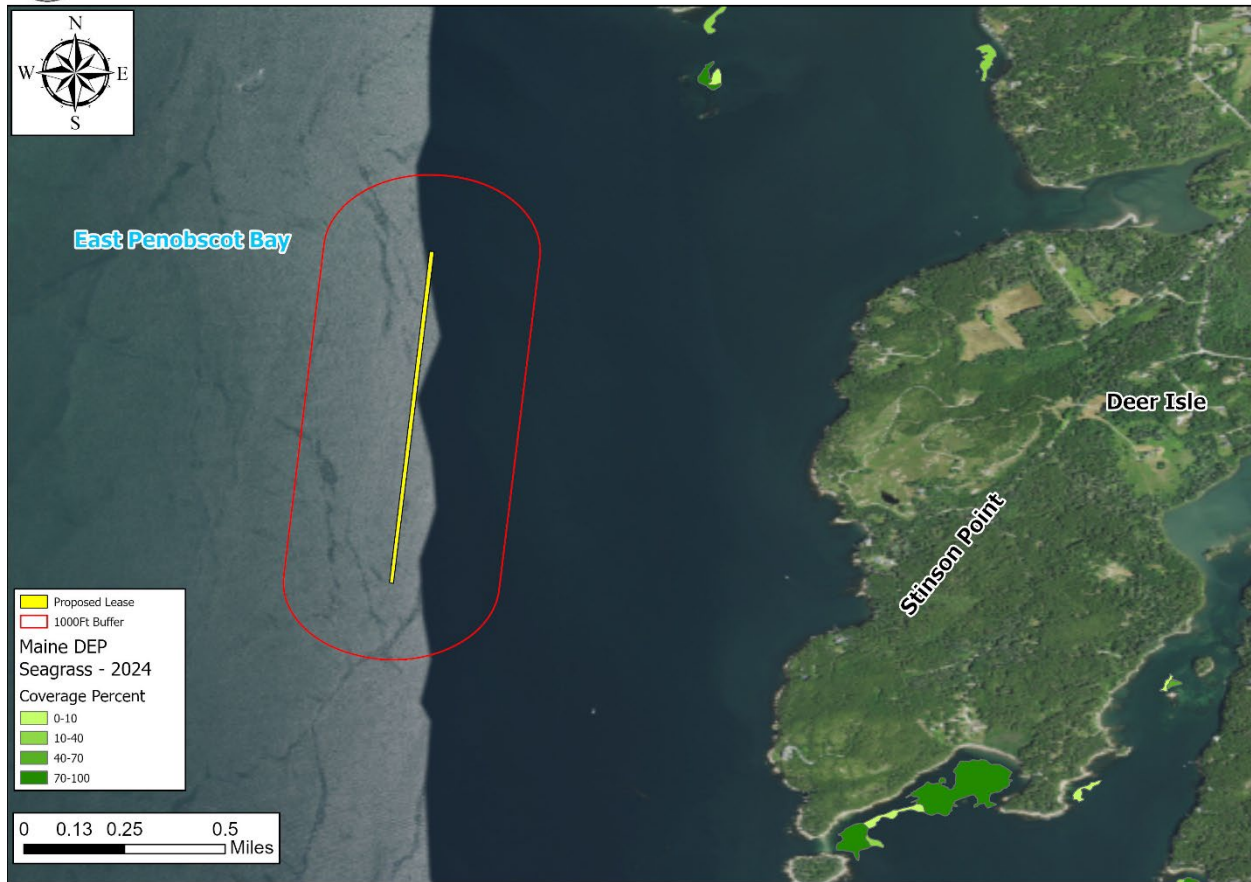


Figure 5. Mapped eelgrass (*Z. marina*) in the vicinity of the proposed lease area.

⁹ Data obtained from The Maine Office of GIS “GISVIEW.MEDEP.Seagrass2024”. Widgeon grass was observed only in tidally restricted water bodies on North Haven and in the upper reaches of the Bagaduce River. Eelgrass was the dominant vascular species in all other locations. This is the most current record of mapped eelgrass within the vicinity of the proposal.



Department of Marine Resources Site Report

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Wildlife

During DMR's site visit, scientists observed lion's mane jellyfish (*Cyanea capillata*), moon jellyfish (*Aurelia aurita*), herring gulls (*Larus argentatus*), laughing gulls (*Leucophaeus atricilla*), common tern (*Sterna hirundo*), an ocean sunfish (*Mola mola*), and a razorbill (*Alca torda*) in the vicinity of the proposal.

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 not any mapped habitat types within 1,000 feet of the lease proposal (Figure 6).

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 there is no mapped bald eagle nesting site within 1,000 feet of the proposal (Figure 6).

IFW was provided with the opportunity to comment on this proposal. On January 7, 2025, an Environmental Review Coordinator with IFW responded by email to a "Request for Agency Review and Comment" stating that minimal impacts to wildlife are anticipated for this project.¹⁰

¹⁰ Email correspondence between IFW and DMR



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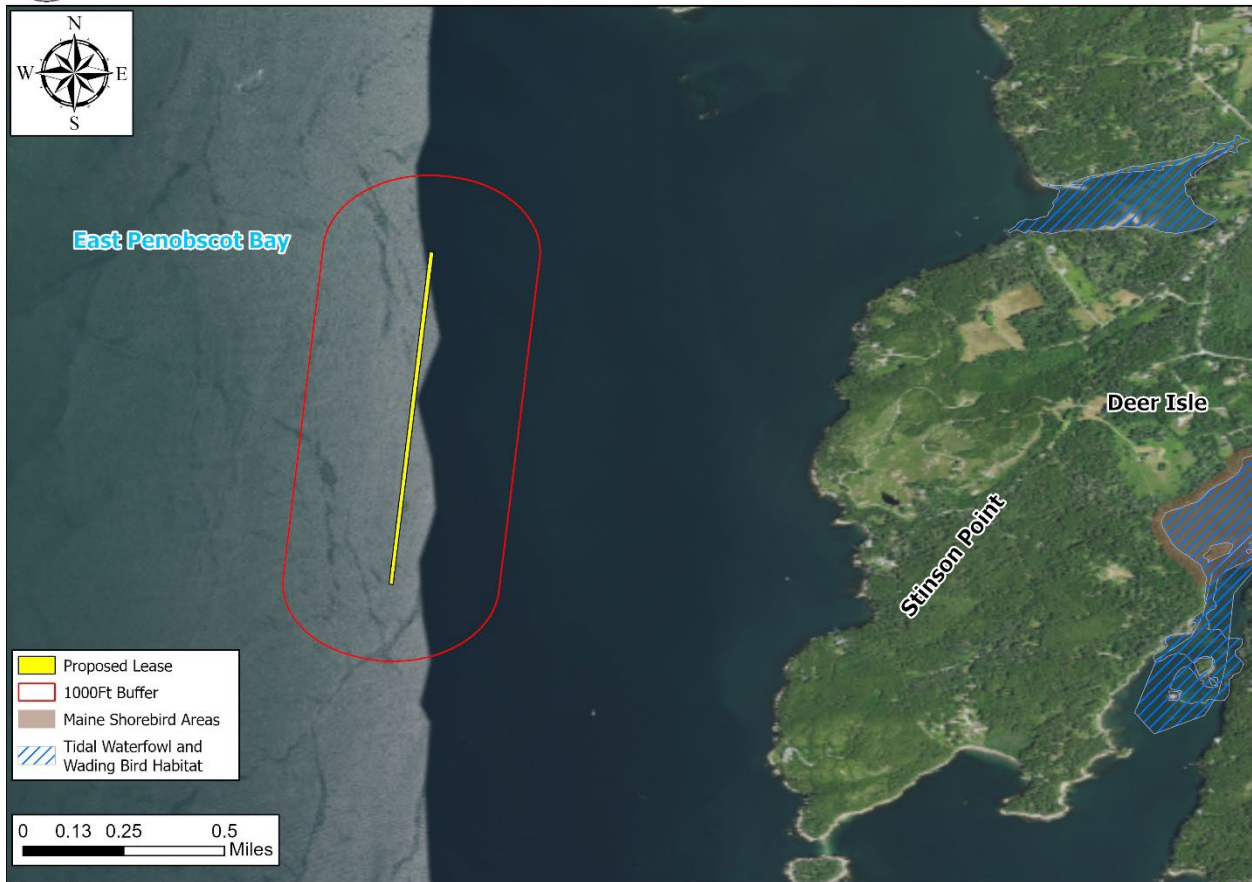


Figure 6. Mapped habitats in the vicinity of the proposed lease area. ¹¹

¹¹ Data obtained from USFWS "Bald_Eagle_Nests_-_Maine_2023" and IFW "EHRTERN", "EHPLVTRN", "GISVIEW.MEIFW.Twwh", "ShorebirdAreas", and "SNI".



(6) Interference with Public Facilities

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 (Figure 7).



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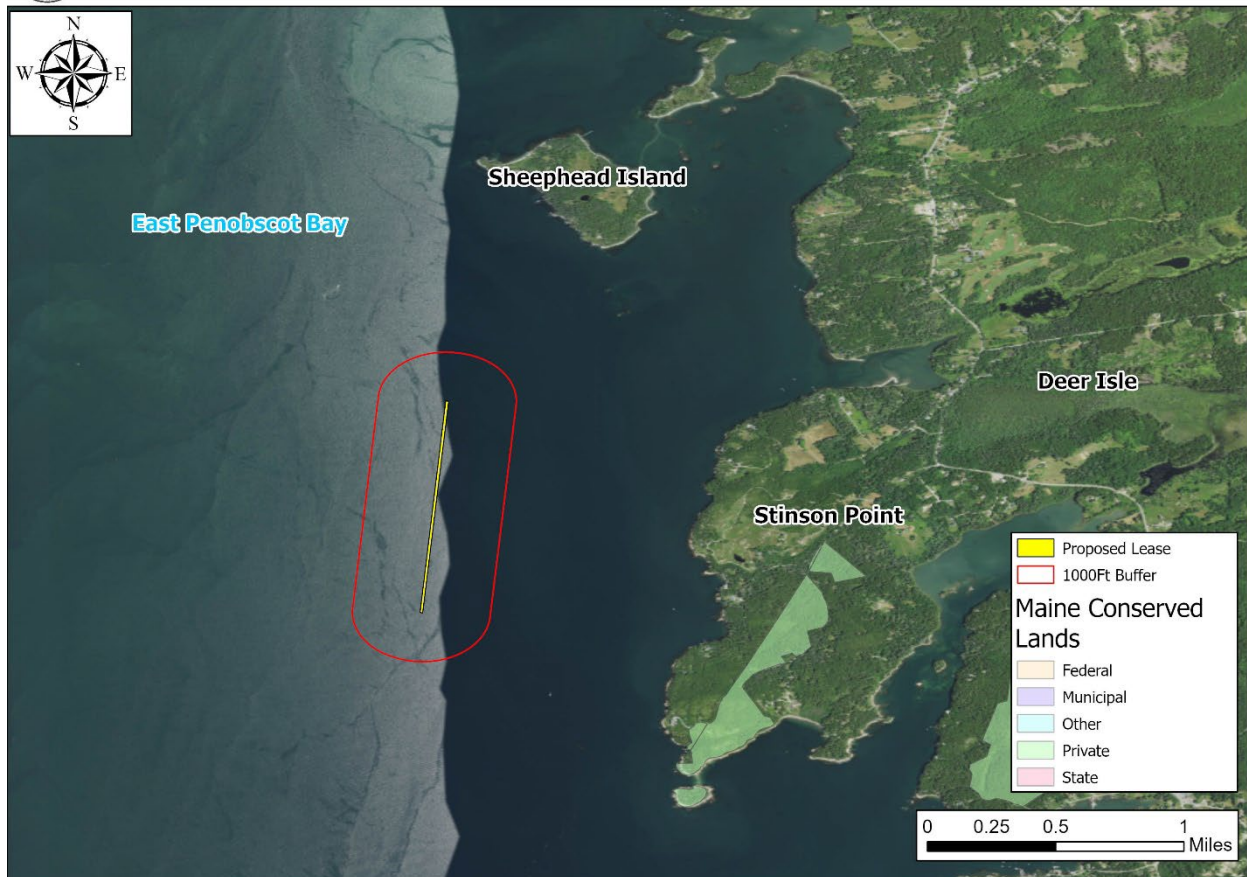


Figure 7. Public facilities near the proposed lease site.¹²

(7) Growing Area Classification

The proposed lease is currently located within an area classified as Approved by the DMR Bureau of Public Health and Aquaculture.

¹² Data obtained from The Maine Office of GIS "GISVIEW.MECONSLANDS.Conserved_Lands"