



AQUACULTURE LEASE TRANSFER **APPLICATION**



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

Fee Schedule:

- Non Discharge Lease: The **non-refundable** application fee is \$2,500.00.
- Discharge Lease: The **non-refundable** application fee is \$5,000.00.

Application fees can be paid online using PayMaine via credit card or ACH debit (checking and savings). When the application is received, DMR will email the applicant with further instruction regarding payment. Do not include credit card information with the submission as this is sensitive financial information. If paying the application fee via paper check, you must mail the application to DMR with the check. The check must be made payable to *Treasurer State of Maine*. Failure to include the paper check will result in the application being mailed back to you. Applications are not reviewed until payment is received. If you wish to confirm delivery of your application, use a service with tracking. DMR will email applicants once the proposal is received to confirm receipt.

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.
- All requests regarding USACE permitting should be made through <https://rrs.usace.army.mil/rrs>

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

APPLICATION INSTRUCTIONS

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

Definition of Terms:

- Transferor: The transferor is the person/entity requesting to *relinquish, or add individuals/entities to their* the lease. **The transferor and lessee are one and the same.**
- Transferee: The transferee is the person/entity requesting to *receive, or be added to* the lease being transferred.

General suggestions for completing the lease transfer applications:

- If a question does not pertain to your proposed operations, please write “**not applicable**” or “**N/A.**” *Leaving questions blank will result in processing delays.*
- If you have questions about the application or lease transfer process, please contact DMR at (207) 350-7815 or DMRAquaculture@maine.gov

LEASE TRANSFER APPLICATION

1. LEASE. Identify the lease to be transferred.

Acronym of Lease Proposed for Transfer	
Date Lease Expires	
Town	
Water Body	
Acreage	
Authorized Species	
Army Corps of Engineers Authorization Number	
Payment Type	☐ Paper Check ☐ Credit Card/ACH Debit

2. TRANSFEROR. Identify the present lessee (*if multiple lessees, provide information for each one; use a separate sheet if necessary*).

Applicant	
Contact Person	
Address	
City	
County	
State, Zip	
Country	
Telephone	
Email	

Note: The email address you list here will be the primary means by which we will contact you. Please provide an email address that is checked regularly. If you do not use email, please leave this blank.

3. PAST USE OF LEASE

Has this lease been used for aquaculture during its term?	☐ Yes ☐ No
A. If “Yes”, describe the aquaculture activities, including but not limited to seeding, cultivation, or harvest of organisms.	
B. If “No”, explain why no aquaculture has been conducted.	

4. TRANSFeree. Identify the proposed transferee (*if multiple transferees, provide information for each one; use a separate sheet if necessary*).

Applicant	
Contact Person	
Address	
City	
County	
State, Zip	
Country	
Telephone	
Email	
Transfer Type	☐ Include transferee on lease with current leaseholder ☐ Transfer entire lease to transferee

Note: The email address you list here will be the primary means by which we will contact you. Please provide an email address that is checked regularly. If you do not use email, please leave this blank.

5. TRANSFeree'S CURRENT LEASE(S). List all Maine aquaculture leases now held by the transferee(s).

Lease Acronym	Expiration Date	Town	Water Body	Acreage	Authorized Species

6. RIPARIAN LANDOWNER NOTIFICATION

Is the proposal within 1,000 feet of shorefront land (which extends to mean low water or 1,650 feet from shore, whichever is less, according to NOAA charts).	☐ Yes ☐ No
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If yes, please submit the following:

- ☐ Include a completed riparian landowner list. If the site is in more than one municipality, you need to submit separate lists for each town/city.
- ☐ Make sure the list is certified by the municipality. The person certifying the list on behalf of the municipality should review the tax records and is typically the town clerk, tax assessor, or other individual familiar with these records.
- ☐ Include a labeled tax map that displays the: town name, parcels numbered clearly, legible scale, and boundaries of the proposed lease site.

RIPARIAN LANDOWNER LIST

Using municipal tax records, complete the table below for all riparian shorefront parcels within 1,000 feet of the proposed lease site. **It is the applicant's responsibility to assemble the information for the municipality to certify.** The municipality only certifies that the information is correct according to the town's tax records. Once you have completed the form, ask the municipality to complete the certification section below. Attach additional pages as necessary.

Name of Municipality:	
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Tax Map Number	Lot Number	Name of Landowner(s)	Mailing Address (Based on municipal tax records)

Town Certification

By signing below, I am certifying on behalf of the municipality listed above that the names and addresses of the property owners, including the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

Printed Name:	
Signature:	
Position:	☐ Town Clerk ☐ Town Assessor ☐ Other town official. Please specify:
Date:	

7. TECHNICAL CAPABILITY OF THE TRANSFEEE

Provide information regarding professional expertise. For each transferee, attaching a resume or documentation of practical experience necessary to undertake aquaculture activities would satisfy this requirement.

8. FINANCIAL CAPABILITY OF THE TRANSFEEE

A. Please provide a letter from a financial institution indicating the applicant has an account in good standing.

Note: Any financial information you submit with your application is part of the public record. Please exercise discretion when submitting financial information.

B. Please provide cost estimates of the aquaculture activities the transferee plans to conduct on this lease.

9. BIRD DETERRENT

Only complete this section if you are culturing shellfish using suspended gear.

To comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that applications for the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the site. Use the space below to list your mitigation or deterrent measures:

10. FORM OF OWNERSHIP

State law limits the maximum aquaculture lease acreage a lessee can hold to 1,000 acres. Lease acreage held by a corporation or partnership is attributed to the stockholders or partners in the same proportion as their ownership in the corporation or partnership. For example, a 35% shareholder in a company holding a 100-acre lease is deemed to hold 35 acres (See [DMR Rule 2.12\(3\)](#)).

A. Individuals. Answer the following questions if any transferees are assuming this lease as individuals.

1. Have you applied for other aquaculture leases in Maine?	☐ Yes ☐ No
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2. If “Yes”, list the transferee’s name and state the outcome and current status of each lease

3. How many acres of aquaculture leases do you currently hold, whether as an individual, a stockholder, a partner, or other co-owner of a lease or leases?	
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4. Have you ever been arrested, indicted, or convicted of or adjudicated to be responsible for, any violation of any state or federal marine resources or environmental protection law?	☐ Yes ☐ No
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5. If “Yes”, list all such incidents.

B. Corporations or Partnerships. Complete the following steps if any transferees are organized as corporations or partnerships, including LLCs.

1. Include a copy of corporate filing information with this application
2. Complete and submit with this application the “Corporate Applicant Information Document” available at:
<http://www.maine.gov/dmr/aquaculture/forms/standard.html>

11. TRANSFEROR'S STATEMENT *(if multiple lessees/transferors, provide additional completed signature pages as necessary)*

By signing this application, the UNDERSIGNED LESSEE hereby states that they have read and understand the requirements of the Department's statutes and rules governing aquaculture and the transfer application instructions. The undersigned lessee certifies that the following information is true and correct:

- The lease site is in good order and is in compliance with all DMR aquaculture laws and regulations;
- There are no rent bills outstanding;
- The required bond or escrow account is in place and will remain effective until the transferee obtains new coverage; and
- All required reports have been filed.

Print name: _____

Title *(if corporate applicant)*: _____

Transferor's Signature: _____ Date: _____

Print name: _____

Title *(if corporate applicant)*: _____

Transferor's Signature: _____ Date: _____

12. TRANSFEREE'S STATEMENT (*if multiple transferees, provide additional completed signature pages as necessary*)

By signing this application, the UNDERSIGNED TRANSFEREE hereby states that they have read and understand the requirements of the Department's statutes and rules governing aquaculture and the transfer application instructions. The undersigned transferee hereby certifies that:

- The information in this application is true and correct;
- I understand that I am bound by the requirements of Maine law and DMR's statutes and rules governing aquaculture;
- I understand that I am assuming the existing lease, including any conditions; and
- Upon approval of the transfer by DMR I will either open an escrow account or obtain a performance bond, as required by DMR.

Print name: _____

Title (*if corporate applicant*): _____

Transferee's Signature: _____ Date: _____

Print name: _____

Title (*if corporate applicant*): _____

Transferee's Signature: _____ Date: _____

APPLICATION SUBMISSION CHECKLIST

Please note: This checklist is provided for the applicant's reference and does not need to be returned with the application.

I. Content

_____ **Technical capability documentation**

_____ **Financial capability documentation**

_____ **Tax map(s)**

_____ **Riparian list**, certified (*if applicable*)

_____ **Corporate applicant information document** and articles of incorporation or documentation of partnership (*if applicable*)

II. Formatting

_____ All pages (including attachments) are numbered sequentially

_____ All attachments are clearly labeled and legible

_____ All questions have been answered and signature pages signed

_____ Please do not staple applications