



## **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](http://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_General_Permit_2015.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	<a href="mailto:DMRaquaculture@maine.gov">DMRaquaculture@maine.gov</a>	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 type="checkbox"/> Copy of existing Army Corps Permit <input type="checkbox"/> Layout plan <input type="checkbox"/> Cross section view <input type="checkbox"/> Drawing of new gear type <input type="checkbox"/> Tax map <input type="checkbox"/> Certified riparian landowner list



## APPLICATION FOR CHANGE IN AUTHORIZATION FOR SPECIES and/or GEAR



Lease Acronym	
Leaseholder	
Contact Person	
Address	
City	
State, Zip	
Telephone	
Email	

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

☐ Gear amendment only

**Instructions:** Review and complete sections 1, 3, 4, and 5 of this application

☐ Species amendment only

**Instructions:** Review and complete sections 1, 2, 4, and 5 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

## 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> )

\*\*\* 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

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

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

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

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



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.

## 4. 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 lease site. If you are amending a multi-tract site, please include a tax map(s) for all tracts.

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.

## RIPARIAN LANDOWNER LIST

*\*THIS LIST MUST BE **CERTIFIED**\**

On this list, please show the current landowners' names and mailing addresses as listed in the municipal tax records for all riparian shorefront parcels within 1,000 feet of the existing lease site along with the map and lot number for each parcel. **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 the parcels are within more than one municipality, provide a separate, certified riparian list for each municipality.

**TOWN OF:**

MAP #	LOT #	Landowner name(s) and address(es)

**Please use additional sheets if necessary and attach hereto.**

### **CERTIFICATION**

I, \_\_\_\_\_, Town Clerk for the Town of \_\_\_\_\_ 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:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## 5. 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: \_\_\_\_\_

Title (*if corporate applicant*): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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: \_\_\_\_\_

## 6. 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"/> Copy of existing Army Corps Permit
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