

**STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
BUREAU OF POLICY AND MANAGEMENT**

**In Re: Pleasant Cove Oyster Farm
Standard Lease Application**

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**First Procedural Order
Hearing Requirements**

A pre-hearing conference for the above project was conducted on July 6, 2022. General guidelines for hearing procedure were outlined. This procedural order details the guidelines as presented.

I. Participation Requirements

A. Date and Location

A hearing will be conducted on July 27, 2022 at the Department of Marine Resources (DMR or Department) building in West Boothbay Harbor, Maine at 5:00 pm. The hearing will also be offered remotely via Microsoft Teams. An alternate/continuance date of July 28, 2022 has also been established. Any persons designated as intervenors must be available on both dates.

B. Registration and Application

Persons intending to question the parties or testify about the proposed lease must register with DMR to participate in this manner. The deadline to register for the hearing is 5:00 p.m. on July 12, 2022.

DMR must receive applications to intervene no later than 5:00 pm on July 12, 2022.

C. Intervenor Status

DMR will determine intervenor status by 6:00 p.m. on July 15, 2022. Consolidation of intervenors and filings may be possible.

II. Testimony Guidelines

A. Pre-filing

All issues, exhibits, and expert witnesses must be pre-filed with the Department by the applicant and intervenors no later than 5:00 pm on July 20, 2022.

The designation of expert witnesses and the pre-filing of their testimony will be required. The expert witness must be available on the day/time of the hearing and any continuation dates.

Supplemental designation of expert witnesses will be permitted and must be filed by 5:00 p.m. on July 25, 2022. The designation must include a filing that contains a concise summary of the opinions the supplemental expert intends to rebut. Supplemental expert witnesses must be available on the day/time of the hearing and any continuation dates.

Exhibits must be pre-filed and marked. In the interest of saving time, parties may stipulate to the admittance of pre-filed exhibits so long as they meet the filing requirements. If there are objections to any exhibits, the parties will be required to pre-file those objections by 5:00 pm on July 26, 2022. DMR will determine admissibility of those exhibits prior to the close of the hearing.

Unless a pre-filed objection is raised to a pre-filed exhibit the party will be deemed to have waived the right to object to the admissibility of a pre-filed exhibit after the associated deadline to file such objections.

B. Submission

All filings must be shared with DMR and each party electronically. Individual exhibits need to be single-sided and no more than 20 pages in length. If an exhibit exceeds 20 pages in length, that filing needs to include a justification that explains why more than 20 pages is necessary. Unless sufficient justification is provided, exhibits exceeding the page limitation will be excluded.

Filings must be documents or other materials. Hyperlinks to documents or other materials are not evidence and will not be accepted.

Filing of issues will be limited to 5 single-sided pages. The filing of issues should be concise and provide a summary outline of the issues each party will address through the course of the proceeding. If other issues arise via the testimony or evidence presented by anyone other than a party to the proceeding, the parties need to raise those issues in a timely manner before the close of the hearing.

Dated: July 11, 2022



Maria Eggett, Hearings Officer

Questions or concerns about this Procedural Order should be directed to Maria Eggett at: maria.eggett@maine.gov.