



## LIMITED PURPOSE AQUACULTURE LICENSE (LPA) APPLICATION



*This is a joint application form for (1) a limited purpose aquaculture ("LPA") license from the Maine Department of Marine Resources (DMR) and (2) a permit for aquaculture gear from the U.S. Army Corps of Engineers (ACOE). You must have both an LPA license and Army Corps permit before you can place aquaculture gear in Maine coastal waters.*

**Incomplete Applications:** Incomplete applications will be returned to the applicant resulting in significant delays in processing time. Do not leave any questions blank. Review each checklist carefully to make sure all required information is included. Contact Flora Drury at (207) 215-9134 with any questions.

**Fee:** The Maine Department of Marine Resources requires a non-refundable fee of **\$100** for each LPA license application from Maine residents and **\$400** from non-residents of Maine, for all 2022 LPA applications. Make check payable to "Treasurer, State of Maine." There is no charge for the Army Corps permit.

**Black Ink Only:** Please use black ink when completing your application. DMR sends a copy of your application to the ACOE to expedite processing time. Colored ink and pencil often become illegible when scanned and copied and can result in delays for the applicant.

**To apply for an LPA license:** Complete this application form, including the required attachments. Send one copy of the application with the attachments and the license fee to the address below. MDMR will forward a copy of your application to the Army Corps of Engineers.

DEPARTMENT OF MARINE RESOURCES  
ATTN: DMR Aquaculture Program  
Department of Marine Resources  
32 Blossom Lane  
Augusta, ME 04330

**Applicant Contact Information**

Name of Applicant (must be a person or Municipal Shellfish Management Committee)	Christopher Payne
Address	76 Elizabeth Taylor Lane
City	South Portland
State, Zip	ME 04106
Telephone	978-987-5820
Email*	chris.payne@runningtide.com
Date of Birth (must be a minimum of 14 years old to apply)	04-22-1981

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

**Assistant Information**

Are you listed as an assistant on any existing LPA licenses?	If yes, list the LPA Acronyms: NO
Do you have any other current LPA licenses?	If yes, list the LPA Acronyms: NO
Assistants	1) Max Horovitz 2) Molly Waters 3) Katie Warren

**Location of License Site**

Town	Portland
County	Cumberland
Waterbody	Casco Bay
Additional description (e.g., south of Hog Island)	SW of Jewell Island
LPA Health Zone (More information on LPA Health Zones can be found on MDMR's website)	5
Is this site above mean low water (is the site intertidal)?	NO
If no above, is this site above extreme low water (does the site ever drain)?	NO <i>NOTE: If intertidal or above the extreme low water line, the Chair of the Municipal Shellfish Management Committee in your site town must sign this application.</i>
Purpose	<input checked="" type="checkbox"/> Commercial (product is ultimately sold) <input type="checkbox"/> Recreational (product kept for personal use, not sold) <input type="checkbox"/> Municipal Shellfish Management <input type="checkbox"/> Scientific <input type="checkbox"/> Educational

**Species and Source of Stock:** Check each species you intend to cultivate in the current license year. Also, list the source of stock for each. New species can be added in subsequent annual renewals. **Note:** Any seed that does not come directly from an approved hatchery is considered “wild” seed and must come from within the LPA License Health Area in which your license is located. If seed or stock is to be acquired from outside of your LPA Health Area you must obtain a transfer permit from DMR. \* Clams may only be sourced from an approved hatchery.

Check Here	Species	Source of Stock (Name, Address, Phone)	Approved Hatchery	“Wild”, Same LPA Health Area	“Wild”, Different LPA Health Area (Transfer Permit Required) *
<input type="checkbox"/>	Blue mussel ( <i>Mytilus edulis</i> )		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Hard clam/quahog ( <i>Mercenaria mercenaria</i> )		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Soft-shelled clam ( <i>Mya arenaria</i> )		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	American or eastern oyster ( <i>Crassostrea virginica</i> )		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	European oyster ( <i>Ostrea edulis</i> )		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Sea scallop ( <i>Placopecten magellanicus</i> ) (Adductor muscle only for harvest)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Green sea urchin ( <i>Strongylocentrotus droebachiensis</i> )		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Bay scallop ( <i>Aequipecten irradians</i> )(Adductor mussel only for harvest)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Marine algae (all seaweeds, including kelp)	List each individual marine algae species and sources of stock here: Sugar Kelp ( <i>Saccharina latissima</i> ) Sea Lettuce ( <i>Ulva lactuca</i> ) Ulva Prolifera Gracilaria Tikvahiae Chaetomorpha Linum	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

\*If your source of stock is not from an approved hatchery and is outside of your LPA Health Zone, please contact Marcy Nelson at DMR for a transfer permit prior to placing anything on your LPA site. [Marcy.Nelson@Maine.gov](mailto:Marcy.Nelson@Maine.gov) or 207-441-4681.

Do you intend to possess, transport, or sell whole or roe-on scallops? ☐ Yes ☒ No

If you answered “yes” please contact the Bureau of Public Health at [DMRPublicHealthDiv@maine.gov](mailto:DMRPublicHealthDiv@maine.gov) to discuss your plans.

### Water Quality Information

Growing Area Designation (e.g. WA(A) or WA(P1))	WI (A)
If you are applying in a prohibited area, site can be utilized for seed only per DMR Rule 2.90(3)(d)(3).	Please check box to indicate understanding and agreement: <input type="checkbox"/>

Water Quality Information can be found here:

<https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

### Coordinates

Enter geodetic coordinates for the center point of the license site below. Please enter your coordinates in one of the following three formats:

- 1) *Degrees, Minutes, Seconds (43° 12' 34.56" N, 69 12' 34.56" W)*
- 2) *Degrees, Minutes (43° 12.34' N, 69° 12.34' W)*
- 3) *Decimal Degrees (43.123456 N, -69.123456 W) (Preferred format)*

Latitude	43.67095	W
Longitude	-70.09593	N

## Site Characteristics

Describe the surrounding uplands ( <i>i.e. forested, residential, farmland, commercial</i> ):
Forested public island, no residential
Describe the bottom characteristics ( <i>description of substrate including flora and fauna</i> ):
Rocky with sandy substrate in some areas, some natural algae in some areas
Depth
Depth at mean low water in feet: <u>35</u>
Depth at mean high water in feet: <u>47</u>
Is your site located within an Essential Habitat by the Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there an eagle's nest within 660 feet (200 m) of the proposed LPA?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, contact <a href="mailto:Erynn.Call@maine.gov">Erynn.Call@maine.gov</a> and describe below any restrictions MDIF&W suggested for your proposed activities at this location:
Eelgrass: Are there eelgrass beds on or near the site? If none, write "None." If so, where? How far are they from the site?
None observed as of June 2022
When were these eelgrass observations made? <b>Month and Year:</b>
June 2022

**Existing Uses:** Describe, in detail, all current uses of the waters on and around the proposed license site. *Including the type, frequency, season, duration, and amount of activity.*

Commercial Fishing
Lobster traps observed only during summer months, and near the ledges of Jewell Island, none within the proposed site location, and none in winter months
Recreational Fishing
The only recreational fishing observed has been near the ledges of Jewell Island, more than 500 feet from the proposed site.\
Boating Activities
All boating observed has been in the navigational channels, or near the ledges, not in the proposed site, and only in summer months.
Other uses (kayaking, swimming, etc.)
Kayaking has been observed near the ledges of the island.

Harbormasters Initials indicating the "existing uses" information is correct: \_\_\_\_\_

## VICINITY MAP

**NOTE:** An example vicinity map is included at the end of this application and additional sample drawings available at <http://www.maine.gov/dmr/aquaculture/forms/lpa.html>.

**DIRECTIONS:** Attach a vicinity map showing the LPA site and surrounding area. An enlargement of a NOAA chart or USGS Topographic map is suggested to provide this information. On the map, show the following:

- Location of proposed site
- 300' radius circle around site
- 1,000' radius circle around site
- Gear orientation
- North Arrow (indicate true or magnetic north)
- Show depth contours and indicate mean low water (MLW) and mean high water (MHW) on all land adjacent or nearest the site.
- Ebb and Flood directions
- Scale used on plan
- Distance to DMR water quality closure lines

**Label** the location on your vicinity map, and check each of the following below, that are within 1,000 feet of the site. For each that applies, also indicate how your proposed site would impact each. If additional space is needed add an additional page.

- ☐ Federal navigation projects or anchorages  
☐ Navigational channels  
☐ Structures  
☐ Aquaculture leases or licenses (LPAs)  
☐ Anchorages or moorings  
☒ State or federal beaches  
☐ Docking Facilities  
☐ None of the above

## GEAR DESCRIPTION

*No Gear (bottom culture only):* Organisms will be cultured on the bottom with no gear or predator netting.

*Upweller:* Floating upweller system for spat growout.

*Shellfish rafts, associated predator nets and spat collectors:* Floating raft with suspended dropper lines and anti-predator netting typical of mussel culture. E.g. mussel raft.

*Shellfish tray racks and over wintering cages:* Box shaped cages made of rigid mesh (wire coated or plastic), often with interior shelves designed to hold soft mesh bags. Tray racks are often outfitted with floats that double as feet to hold the cages off the bottom. E.g. OysterGro and OysterRanch cages.

*Soft bags, semi rigid bags, and/or floating trays:* Single-layer soft mesh bags that are typically made of rigid plastic or wire mesh. Bags are most frequently floated on the surface in lines, placed inside tray racks/overwintering cages, or sunk to the bottom.

*Lantern nets and/or pearl nets:* A lantern net is a five or ten tier set of circular nets suspended from a central line. A pearl net is a single, pyramidal mesh enclosure.

*Fencing and brushing:* Gear used in the intertidal zone for collection of soft shell clam spat.

*Scallop spat collector bags:* Mesh bags containing additional material (e.g. smaller mesh, Brillo pads) to increase surface area. Multiple bags are typically attached to a single vertical line.

*Scallop ear hangers:* Horizontal or vertical lines that attach to individual scallops by ear hangers.

*Marine algae gear:* Gear typically used may include rope, rafts with ropes attached, bags, longlines, and or rope grids.

*Bottom anti-predator netting:* Netting that is spread over the bottom to exclude predators from species being cultured.

### Check each gear category that you are seeking authorization for.

- ☐ No Gear (bottom culture only)
- ☐ Upweller
- ☐ Shellfish rafts, associated predator nets and spat collectors
- ☐ Shellfish tray racks and over wintering cages
- ☐ Soft bags, semi rigid bags, and/or floating trays
- ☐ Lantern nets and/or pearl nets
- ☐ Fencing and brushing
- ☐ Scallop spat collector bags
- ☐ Scallop ear hangers
- ☒ Marine algae
- ☐ Bottom anti-predator netting

<b>Specific Gear Type and Maximum Number to be used (e.g. (20) soft mesh bags)</b>	<b>Dimensions (e.g. 16"x20"x2")</b>	<b>Dates that gear will be in the water</b>
1/4" Dyneema Line (or another high-tensile synthetic equivalent of floating line) Serves as anchor lines and float buoy lines	As needed depending on exact set location	Nov 1, – May 1, Cppwcm{
3/8" Braided Nylon (or an equivalent synthetic material of same dimension, sinking line) x1, serves as carrier line	400ft	Nov 1, – May 1, Cppwcm{
3/8" Pearless Chain x2 lengths (1/block)	10ft	Nov 1, – May 1, Cppwcm{
1/2" Shackle x2 (1/block)		Nov 1, – May 1, Cppwcm{
#SA-8 yellow hard plastic poly balls x7		Nov 1, – May 1, Cppwcm{
Bullet Buoy White x2	11" long	Nov 1, – May 1, Cppwcm{
LD-3 Yellow Mooring Balls x2		Nov 1, – May 1, Cppwcm{
2,000lb granite mooring block with 1-1/4" steal staple (or cement equivalent) x2	Depends on the stone	Nov 1, – May 1, Cppwcm{
Sharp Clips x100	3" long, made of steel wire	Nov 1, – May 1, Cppwcm{

<p>Outer dimensions of maximum gear layout:  <i>Note: Gear, excluding mooring equipment, may not exceed 400 square feet and must be provided in whole feet.</i></p>
<p>Width (1' or more): <u>1'</u> Length (1' or more): <u>400'</u></p>
<p>Describe the moorings/tackle to be used inclusive of mooring type, bottom tackle, line, etc.</p>
<p>2000lb mooring blocks with 1/4" dyneema line</p>
<p>Will there be seasonal changes to your gear deployment? If yes, describe.  <i>(i.e. will your cages be sunk during the winter months, will your longlines be removed in the summer, etc.)</i></p>
<p>Winter is growing season, there will be no gear in the water from May 1-November 1 annually, all gear will be removed and stored at our facility in Portland.</p>

# LEGEND

- LPA #1: NW 43.67473, 70.10283
- LPA #2: NW 43.67425, 70.10205
- LPA #3: NW 43.67163, 70.09662
- LPA #4: NW 43.67095, 70.09593

Gear Orientation

1000' Radius

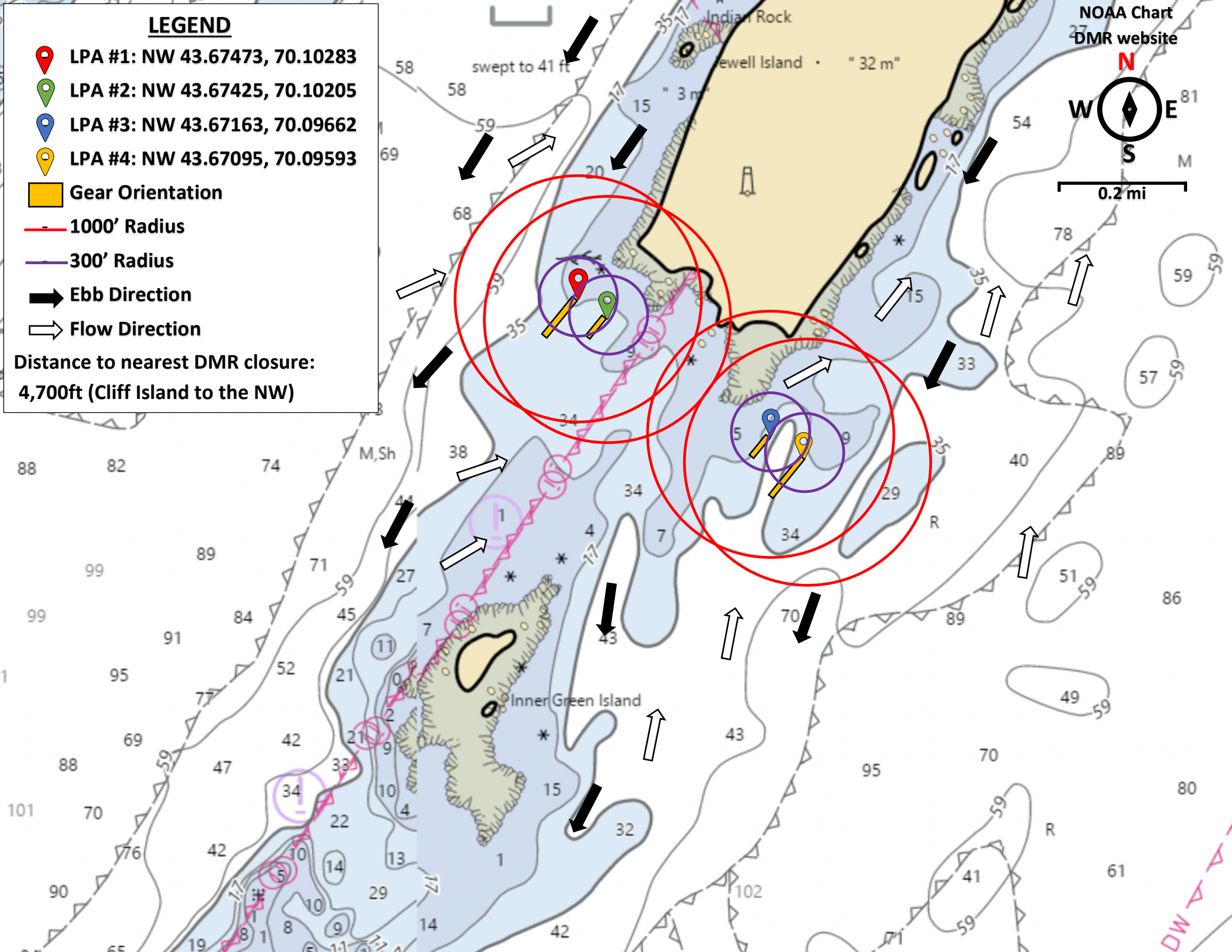
300' Radius

Ebb Direction

Flow Direction

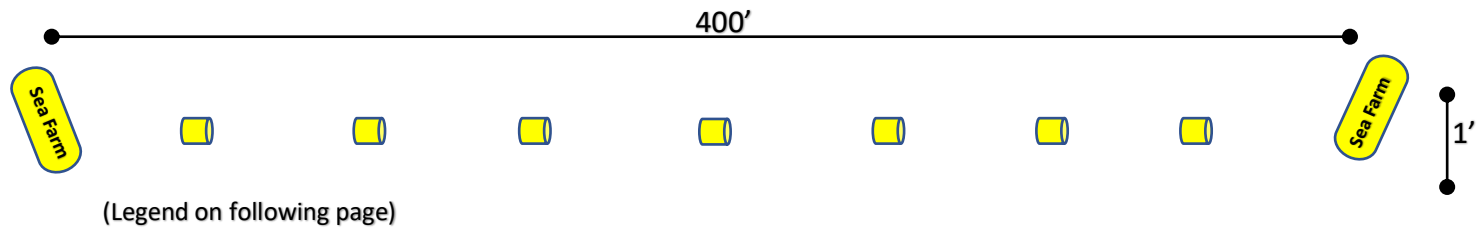
Distance to nearest DMR closure:  
4,700ft (Cliff Island to the NW)

NOAA Chart  
DMR website



# Overhead View

Site Location: Jewel Island



## Gear Legend



2,000lb granite mooring block w/ 1-1/4" staple  
(or cement equivalent)



LD-3 Yellow Balls



Support Buoys (#SA-8 poly balls, 15lb buoyancy)



11" Bullet Buoy

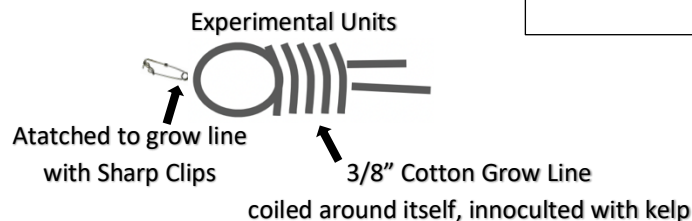
## Cross-section View

Site Location: Jewel Island

## Line Legend

— 1/4" Dyneema Line (or another hi-tensile synthetic equivalent)

— 3/8" Braided Nylon (or equivalent)



400'

50'

Water Line

Grow Line  
7' below  
surface

MHW:47'

MLW:35'

Anchor line length and scope varies  
dependant on exact deployment spot  
Aiming for 2:1 scope

Half of the line will be traditionally seeded with Sugar Kelp

Half of the line will be populated by no more than 100 EUs  
spaced no less than 2' apart

1/2" shackle links  
chain to staple

Bullet buoy serves to keep line up of the seabed  
and take up slack on anchor line in an ebbing tide

10' length of  
3/8" Pearless Chain

Sandy Bottom

**COMPLETE THIS SECTION FOR CULTURING SHELLFISH IN SUSPENDED GEAR ONLY:**

Suspended culture gear (e.g. floating bags, cages, or trays) can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. In order 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 proposed site. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Submerging suspended gear and associated product at a depth sufficient to deter roosting for two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- The site is proposed for the culture of seed only
- The site is proposed for the culture of adductor-only scallops (i.e. no other shellfish species would be grown on the site)
- Proposed gear would always be suspended below the surface of the water at a depth sufficient to deter roosting (i.e. as is common for scallop lantern nets)

# OVERHEAD VIEW AND CROSS-SECTIONAL VIEW OF GEAR LAYOUT

Attach both an overhead view and cross-sectional view drawing of your proposed gear on 8 ½" x 11" paper, drawn clearly and dark enough to photocopy. Do not use color shading; it will not show on copies.

**NOTE:** Sample drawings can be found at the end of this application and additional samples are posted on the DMR web site at: <http://www.maine.gov/dmr/aquaculture/forms/lpa.html>

## DIRECTIONS:

- 1) Overhead View:** From an overhead view, show the **maximum** layout of gear to be deployed on the site. **Label** gear to show number of units, dimensions, and materials. Include drawings of individual types of gear. Show on the plan that the area occupied by the gear, excluding mooring equipment but including space between items of gear, will not exceed 400 square feet.

Provide an overhead view for each possible gear configuration, including seasonal changes.

- 2) Cross-Section View:** **Show** the sea bottom substrate, mean high and low water marks, and profiles of gear in cross-section as it will be deployed. **Label** all gear with dimensions and materials. **Show** mooring gear with mooring type, scope, hardware, and line type and size. Drawing must depict water depth at mean high- and mean low-water.

Provide a cross-section view for each possible gear configuration, including seasonal changes.

# Riparian Notification

Is there shorefront land (including land above MLW and state and federal owned land) within 300 feet of the proposed license site?

☐ Yes ☒ No

*If yes, you are required to send a copy of your application to all riparian property owners whose property is within 300 feet of the proposed license site following the directions below. If there is no shorefront land within 300 feet, you may skip this section. Applications for LPA sites in marina slips, lobster pounds, and similar sites are exempt from this requirement.*

## INSTRUCTIONS FOR NOTIFICATION TO RIPARIAN LANDOWNERS

**Step 1, Tax Map:** Obtain a certified copy of the municipal tax map showing the land in the vicinity of the lease site. On the map, **mark** the center point of the LPA site. If there is an accurate scale on the map, **draw** a 300-foot radius around the site. **ATTACH THE MAP TO YOUR APPLICATION**

*NOTE FOR LPAs PROPOSED IN UNORGANIZED TERRITORY: To obtain a list of shorefront properties for LPAs in Unorganized Territory, contact Lisa Whynot, Property Appraiser II, Unorganized Territory, 24 State House Station, Augusta, Maine, 04333.*

**Step 2, Riparian Owners List:** On the “Certified Riparian List” (Page 17 below), list the names and current mailing addresses of all riparian landowners of shorefront land within 300 feet of the lease site as shown in the municipal tax records. **Have the list certified by the municipal clerk or tax collector. ATTACH THIS LIST TO YOUR APPLICATION**

**Step 3, Notify Riparians:** Send a copy of the completed application, including the page of this application titled “Notice to Riparian Landowners” (Page 16 below), via **certified mail** to all the riparian landowners on the list. Note: Name and address must be filled out on receipt(s). **ATTACH THE ORIGINAL (OR COPIES) OF THE RECEIPTS TO YOUR APPLICATION**

[THIS SECTION INTENTIONALLY BLANK]

## REQUIRED SIGNATURES

### Harbormaster or Town Official Signature

I have reviewed this license application and find that this activity, as proposed, will not unreasonably interfere with navigation, the ingress and egress of riparians within 300' of the license site, or fishing or other uses of the area.

Kevin S. Brattle Portland HM  
Print Name, Town, Title:

07 JUL 22  
Date

  
Signature of Harbormaster or Town Official

*Note: Harbormasters may attach an additional page outlining any conditions associated with their approval of this license.*

*\*DMR Rule Chapter 2.90 (2) (D) (2) – In municipalities not served by a harbormaster, a municipal officer (selectman, councilor, alderman, or mayor, see 30-A MRS §2001 (10)) or other elected municipal official may sign the application. For the unorganized territory where a harbormaster does not have jurisdiction, a marine patrol officer may sign.*

### OTHER SIGNATURES REQUIRED AS NOTED BELOW

#### Marina or Pound Owner

*(For sites in marina slips, lobster pounds, and similar areas - see DMR Rule Chapter 2.90 2 (E)(1))*

I, \_\_\_\_\_ (print name), am the owner or the authorized representative of the owner or entity that has the legal authority to restrict access to or use of the marina slip, lobster pound, or similar area where this LPA license site is located, as described in DMR Rule Chapter 2.90 (1) (B). I consent to the placement of aquaculture gear on this site as proposed in this application.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

#### Riparian Landowner of Intertidal Zone:

*(For sites above mean low water, MLW – see DMR Rule Chapter 2.90 (2)(D)(3)(b))*

I, \_\_\_\_\_ (print name), am the riparian owner of the upland and adjacent intertidal land where this LPA license site is located. I consent to the placement of aquaculture gear on this site as proposed in this application.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

#### Shellfish Committee Chair

*(For sites above extreme low water, XLW see DMR Rule chapter 2.90(2)(D)(3)(a). Required for sites in 5 feet of water or less at mean low water. Only required in municipalities with an established Municipal Shellfish Committee)*

I, \_\_\_\_\_ (print name), am the chairperson of the Municipal Shellfish Management Committee for the Town of \_\_\_\_\_. This LPA license site is located above the extreme low water mark. My signature below verifies that this LPA will not unreasonably interfere with the activities of the municipal shellfish management program, according to DMR Rule Chapter 2.90 (3) (a).

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## APPLICANT'S SIGNATURE

I declare that the information I have provided on this form is true and correct and that I will comply with all applicable DMR laws and rules. I understand that, under Title 12 MRS §6306, my signature on this application authorizes Marine Patrol officers to inspect my license site. I understand that my license can be revoked if I provided false information in my application.

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date

**Note:** When the applicant is a municipal shellfish management committee, the committee chair shall sign the application (C.2.90 (2) (D) (1)).

**Before submitting your application make sure you have answered all questions and included all of the following documents:**

*Required documents for all LPA applications.*

- ☐ **Check** for 2022 application fee (\$100 or \$400) Payable to "Treasurer, State of Maine."
- ☐ **Vicinity map** with required items shown
- ☐ **Overhead view** depicting layout of the gear from overhead
- ☐ **Cross-section view** depicting gear & moorings from the side

*Documents that are only required for sites that are within 300' from shorefront property (measured from mean low water mark). Applications for LPA sites in marina slips, lobster pounds, and similar sites are exempt from this requirement.*

- ☐ **Tax map**, certified
- ☐ **Riparian list**, certified
- ☐ **Copies of receipts** for sending certified mail to riparian landowners