



## APPLICATION FOR A LIMITED PURPOSE AQUACULTURE LICENSE

This is an application for a limited purpose aquaculture ("LPA") license. A license may be issued for the culture of authorized shellfish species using approved gear that does not cover more than 400 square feet of area. You are encouraged to review Chapter 2.90 of the aquaculture regulations to obtain a more complete understanding of the license process. Applications, rules and statutes are all available at the DMR website – [www.maine.gov/dmr/aquaculture](http://www.maine.gov/dmr/aquaculture)

The Maine Department of Marine Resources requires a **non-refundable** fee of \$50 for LPA license applications.

### Mailing Instructions:

Provide two copies of your application to the DMR address listed below.

DEPARTMENT OF MARINE RESOURCES  
ATTN: Aquaculture Administrator  
P.O. Box 8  
West Boothbay Harbor, Maine 04575

The Department will provide a copy of your application to the US Army Corps of Engineers (USACOE).

No structures shall be installed until a USACOE permit has been obtained.

## **A. REQUIREMENTS AND RESTRICTIONS**

1. No more than four licenses may be held by any individual at the same time.
2. There can be no more than three LPA license sites with a 1,000-ft. radius of any other existing LPA license site. There is an exemption for riparian landowners, who are allowed to have one license (not including shellfish rafts) off their shorefront property that does not count toward this limitation.
3. Up to three unlicensed assistants per license may be declared as helpers.
4. LPA license sites must be located below the mean low water mark in all towns and below the extreme low water mark in towns that have a DMR approved Municipal Shellfish Program that stipulates its jurisdiction extends to extreme low water.
5. LPA license sites may not be located within 300 feet of any closure boundary line, and may only be located in areas that are classified as approved, conditionally approved, restricted or conditionally restricted. There is an exemption for shellfish less than 25mm in size.
6. LPA licenses may not be located within areas designated as Essential Habitat by the Maine Department of Inland Fisheries and Wildlife. MDIF&W Essential Habitat Maps are available for review at the following offices: MDIF&W Regional Offices, county government, Registrar of Deeds offices, affected town offices, Regional Planning Commission offices and many state agencies. The maps are also available on the MIF&W website at [www.maine.gov/ifw](http://www.maine.gov/ifw).
7. A permit from the USACOE if required prior to the placement or use of any gear in the license area.

## **B. STANDARD CONDITIONS**

1. The licensed activity must not generate a discharge.
2. An applicant, or named helpers, must be in possession of a copy of the approved LPA license in order to utilize, raise, lift, transfer, or possess any approved aquaculture gear or product. This requirement is not in effect when a National Weather Service issued hurricane warning is in effect for any coastal waters of the State.
3. When monitoring for biotoxins is required it shall be paid for by the license-holder.
4. Harvest of product shall be prohibited in closed areas due to marine biotoxins pursuant to Chapter 96.
5. Upon the request of the Public Health Division, the license holder shall provide samples of a minimum of 12 animals for analysis at a DMR Public Health Division Biotxin Laboratory.
6. Detailed records of landings and sales must be maintained. These records must include the LPA license number, site location, date, and data related to marine biotoxin analyses.

7. Each site must be marked at each corner with buoys able to support letters at least 2" high. Each buoy and equipment shall clearly display the license holder's name, LPA license number, and homeport or home address. Corner buoys must be distinguishable from interior markers and gear.
8. Aquaculture gear deployed at an LPA license site must also be marked according to the United States Coast Guard Private Aids to Navigation standards. You must contact the U.S Coast Guard Private Aids to Navigation Office for approval of marking devices. If you have internet access, go to <http://www.usharbormaster.com/> and register on site to begin the application process. If you do not have internet access, you must call the District 1 office at 617-223-8358. You must submit any Coast Guard letter/restrictions to DMR.
9. Each site must be maintained and kept in good order. A license holder is responsible for errant gear.

**C: APPLICATION COVER SHEET FOR LPA LICENSE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

County: \_\_\_\_\_

State, zip \_\_\_\_\_

Telephone: Business \_\_\_\_\_ Home \_\_\_\_\_ Cell \_\_\_\_\_

Email address: \_\_\_\_\_

Town                      County                      Waterbody

Location of license site: \_\_\_\_\_

Additional description :  
(e.g. south of B Island)

Name of species to be cultivated, common and scientific names (NOTE: An LPA license may be issued only for the cultivation of the following shellfish species: blue mussel (*Mytilus edulis*), hard clam / quahog (*Mercenaria mercenaria*), hen clam (*Spisula solidissima*), American or eastern oyster (*Crassostrea virginica*), European oyster (*Ostrea edulis*), sea scallop (*Placopecten magellanicus*), and the soft-shelled clam (*Mya arenaria*):

\_\_\_\_\_

Type of gear to be used (upweller, raft, spat collector, tray racks, overwintering cages, soft bags, floating trays, or lantern nets):

\_\_\_\_\_

Name, address and phone number of the source of seed stock to be cultivated (NOTE: If source is wild seed, all wild collected seed stock must come from within the LPA License Health Area in which your license is located, OR you will need a DMR permit. Clams may only be obtained from a hatchery unless a town has issued a permit to collect wild stock):

\_\_\_\_\_

\_\_\_\_\_

\$50 license fee enclosed:

## **D. APPLICATION INFORMATION REQUIREMENTS**

### **1. SITE LOCATION**

a. Coordinate

Provide one geodetic coordinate in degrees/minutes/seconds to the hundredths place, the coordinate source (nautical chart number, the edition and its date or software name) and the datum of the coordinate source i.e NAD 1983, for the center of the license site.

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b. Plan View

An enlargement of a NOAA chart or USGS Topographic map is suggested to provide this information. Depict the exact location of the license site as follows:

1. Mark license location.
2. Show depth contours and indicate mean low water and mean high water on all land adjacent or nearest site.
3. Show primary ebb and flood directions.
4. Mark true north with arrow.
5. Include scale used.
6. Label the location of Federal projects, navigational channels, any structures, existing aquaculture leases, LPA licenses, anchorages and moorings, state or federal beaches, parks, conserved lands or docking facilities within 1000 feet.
7. Show the distance to DMR water quality closure lines.
8. Show the property lines for all riparian owners within 300' of the license.

### **2. GEAR**

Provide two gear drawings (see attached example). One drawing shall depict the gear from an overhead view, and one shall be a cross-sectional view. The gear drawings must be clearly dimensioned and include, at a minimum, mean high-water and mean low-water marks, and the dimensions, profiles and materials used in the construction, deployment and securing of the gear.

**3. LICENSE SITE DESCRIPTION**

1. Provide a description of the license site. At a minimum, include the bottom characteristics of the license area and indicate whether there are eelgrass beds present in proximity to the site.

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(Attach an additional page if necessary)

2. Provide the shellfish growing area classification for the area of the proposed license. The classifications are available at either the town office or from the Public Health Division of DMR. Contact information is available at the DMR website: [www.maine.gov/dmr/rm/public\\_health](http://www.maine.gov/dmr/rm/public_health) or by calling (207) 633-9500.

**4. SURROUNDING AREA USE**

a. Riparian Property

1. Provide a current and accurate list of riparian property owners within 300' of the license area. These can be obtained from your town office or the Bureau of Revenue Services (287-2011) for the unorganized territories. A signature by a responsible party that the list is the most current available will serve as certification.
2. Send a copy of the completed application by certified return receipt mail to all the riparian landowners on the property list obtained from the town or state. Attach a photocopy of the certified return receipts to verify that you have sent a copy of the completed application to the riparians within 300' of the proposed license.

b. Existing Uses

Describe the current commercial and recreational fishing and other uses of the proposed license area and the immediate vicinity of the proposed license area. Include the type (recreational or commercial), duration, and amount of activity.

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(Attach an additional page if necessary)

**5. REQUIRED SIGNATURES**

1. Town Official Signature

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

\_\_\_\_\_

Print Name, Town, Title:

\_\_\_\_\_

Date

\_\_\_\_\_

2. Applicant Signature

I hereby state that the information included in this application is true and correct and that I have read, understand and agree to the requirements of DMR regulations chapter 2.90 and 24 and all other applicable laws and regulations.

\_\_\_\_\_

Print Name:

\_\_\_\_\_

Date

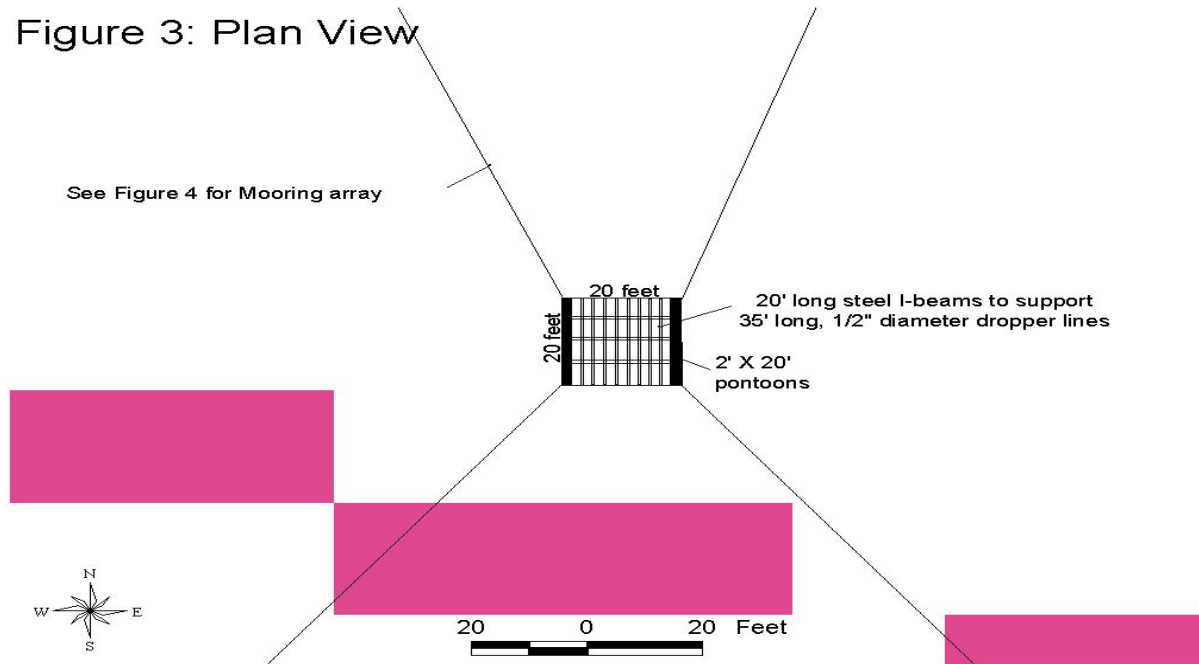
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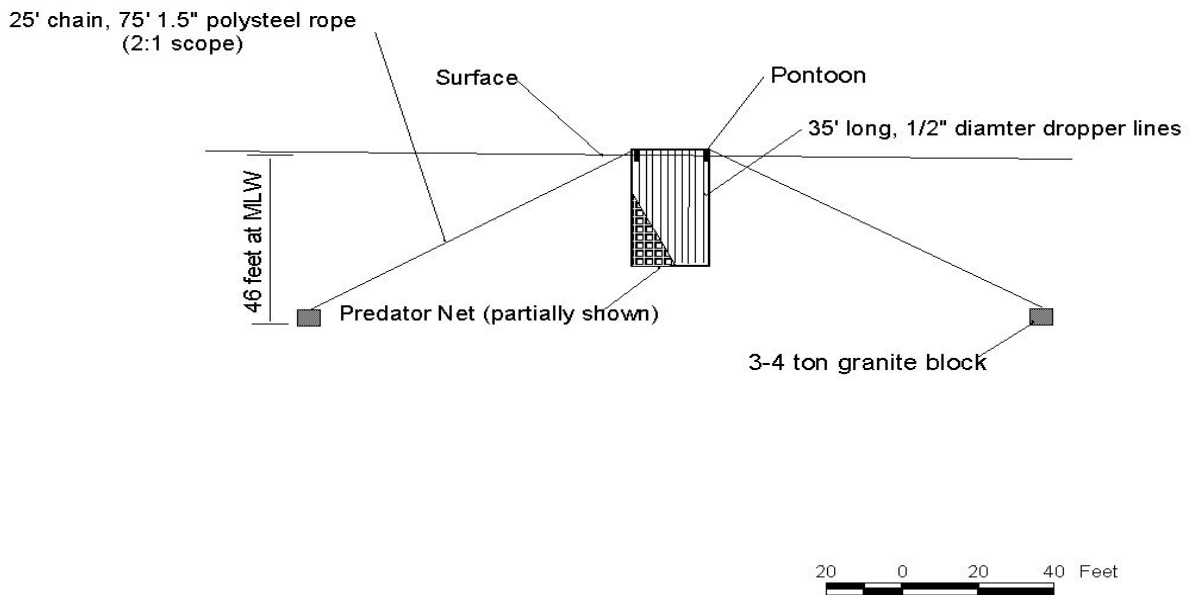
# SAMPLE GEAR PLANS

This illustrates a shellfish raft, other plans will vary

### Figure 3: Plan View



### Figure 4: Cross-sectional View



# Shellfish Health Zones

