

FOR AGENCY USE

Date: _____

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STATE OF MAINE PETITION TO REQUIRE AGENCY RULEMAKING

We, the qualified voters of the State of Maine, whose signatures are appended to the attached petitions, hereby petition the

Department of Marine Resources pursuant to 5 M.R.S.A., Section 8055 to: (Check one)
(Name of Agency)

____ Adopt a New Rule

___x___ Modify Chapter 2, Sec. _____

_____ Repeal chapter _____, Sec. _____

The proposed change would (summarize content and impact of proposal):*

The existing aquaculture regulations allow private leases to be granted in any location, without regard to whether there is a better or more suitable location for aquaculture nearby that would cause fewer conflicts with existing and surrounding uses. The aquaculture regulations must be good for all parties and not endanger other uses including commercial fishing industries, particularly lobstering. In the past year alone, aquaculture lease applications have increased more than tenfold in number. Large lease sites currently under consideration by the Department stand to deny the rights of established commercial fishermen and others to a public resource. We believe the ocean is for everyone whether it is in Maquoit Bay or along any of Maine's coastline.

We are calling on the Department of Marine Resources to put **an immediate moratorium** on all pending lease applications greater than 10 acres in size. We are asking the Department to review its rules and adopt a process that allows the Department to consider whether nearby locations or different lease boundaries would better balance competing uses of this public resource. This would allow the Department to review all aquaculture projects with a critical eye to what it means to all who use and make their living on the water. We urge the Department of Marine Resources to revise the outdated lease criteria and take a more holistic approach to the future of Maine's coastline. **We ask that this new process be made retroactive to the pending application in Maquoit Bay.**

The text of the new or modified rule would read:*

A new subsection 2.37(1)(A)(11) would be added as follows (new language shown in underline).

2.37(1) A. Standards: In making his decision the Commissioner shall consider the following with regard to each of the statutory criteria:

...
(11) Other Suitable Locations. The Commissioner shall consider whether there is a more suitable location in the vicinity of the proposed lease that could accommodate the proposed lease activities and that would interfere less with existing and surrounding uses of the area.

***Use additional page(s), if necessary**

For the purposes of communication with the agency concerning this petition, the petitioners designate as their representative the following individual:

(Name)

(Mailing Address)

(Telephone Number)