STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

JANET T. MILLS
GOVERNOR

PATRICK C. KELIHER
COMMISSIONER

2019 LIMITED-PURPOSE AQUACULTURE LICENSE
Expires December 31, 2020

Applicant:

Jeremy Brug
17 Bobtail Club Lane
West Bath, ME 04530
jeremy.brug@gmail.com
508-614-8473

Acronym: JBRU220

LPA Health Area: 5

Purpose: Commercial

Latitude: 43.855322N **Longitude:** -69.872985W

Outer Dimensions: 4'W x 100'L

Location:
SW point of Merritt Island in the New Meadows River, West Bath, Sagadahoc County

Applicant's Date of Birth: 12/9/1995

Assistants: Tim Brug

Species: American or eastern oyster (*Crassostrea virginica*)

Gear Description: (12) 6 bag oyster ranch cages 67.5" x40.5" x9" plus pontoons; (72) mesh bags 22" x 38" x2"; (2) mushroom anchors 75 lbs each, 20' of 3/8" galvanized chain; 180' 3/8" longline; (2) 11 x 15" yellow buoys; (36) 45" long line sections to connect the cages to the long line.

Proposed Operations

Jeremy Brug has applied to the Department of Marine Resources ("DMR") for an LPA license for commercial purposes located SW point of Merritt Island in the New Meadows River, West Bath, Sagadahoc County. The purpose of the application is to grow American or eastern oyster (*Crassostrea virginica*). The source of stock will be Muscongus Bay Aquaculture and/or Mook Sea Farm, which are approved State of Maine hatcheries per DMR Rule 2.90(2)(B). The applicant is proposing to be culturing American or eastern oyster (*Crassostrea virginica*) using shellfish tray racks and overwintering cages. During the winter months, prior to ice formation, gear will be dropped to bottom.

Findings and Conclusions of Law

Based on the below findings, DMR concludes that:

A. The proposed activity generates no discharge into coastal waters;

B. The applicant proposes to use aquaculture gear and markings approved by the Commissioner. The applicant has provided adequate documentation that the area of coastal waters and sea bottom occupied by the gear, excluding mooring equipment, does not cover more than 400 square feet of area and the gear does not present an unreasonable impediment to safe navigation; according to the information provided by the applicant, powerboats and on rare occasions sailboats and kayaks use the channel between Merritt Island and Williams Island. The proposed site location is just off the shore and will not interfere with any boating traffic. The navigational channel between Williams and Merritt Island is approximately 950 feet away from proposed site. According to the harbormaster of West Bath the proposed site does not unreasonably interfere with navigation. Therefore, it is concluded that the proposed site will not present an unreasonable impediment to safe navigation as required by as required by 12 M.R.S.A. §6072-C(2-A) (C).

C. The proposed activity does not unreasonably interfere with the ingress and egress of riparian owners; there is one riparian within 300 feet of the site who was provided notification through certified mail receipt of the application and information regarding riparian rights, as well as a period to comment, as required in DMR Rule 2.90 (E)(1). Bowdoin College is the one riparian who maintains a small campsight on the southern tip south of the proposed site, no comments were received. Therefore, DMR has determined that this site will not impact riparian access to the navigational channel as required by 12 M.R.S.A. §6072-C(2-A) (D).

D. There is one lobster trap observed aproximately 500 feet from proposed site and another approximately 100 feet to the SW of the proposed site. Occasional striped bass have been observed in the area in July and August; fisherman appear to favor the locations toward the mouth of the river towards Small Point. The proposed site is 6 feet at mean low water. There is one current LPA approximately 130 feet to the north, who was provided notification and an opportunity to comment. No comments were received. Therefore, it is determined, based on DMR's review of the application and the West Bath's harbormasters review of and signature on the application, that the proposed activity does not unreasonably interfere with fishing or other uses of the area, taking into consideration the number and density of aquaculture leases and licensed aquaculture activities in that area as required by as required by 12 M.R.S.A. §6072-C(2-A) (E).

E. The proposed location, species and activity do not present a risk to public health; as required by 12 M.R.S.A §6072-C(2-A) (F).

F. The applicant holds no more than 3 other limited-purpose aquaculture licenses issued under this section as required by 12 M.R.S.A. §6072-C(2-A) (G).

Decision

Based on the information provided in the application and other information relevant to the license criteria, upon which the foregoing findings and conclusions are based, I conclude that limited-purpose aquaculture license JBRU220 meets the requirements of 12 M.R.S.A § 6072-C and DMR Rule 2.90 and therefore will be issued to Jeremy Brug for the calendar year **2020**.

Signed: _____ **Date:** 1-22-20

Meredith Mendelson, Deputy Commissioner
Maine Department of Marine Resources