



STATE OF MAINE  
 DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
 BUREAU OF PARKS & LANDS  
 22 STATE HOUSE STATION  
 AUGUSTA, MAINE 04333

JANET T. MILLS  
 GOVERNOR

AMANDA E. BEAL  
 COMMISSIONER

November 3, 2020

Municipal Officials  
 Town of Lubec  
 40 School Street  
 Lubec, ME 04652

RE: Submerged Lands Application – Submerged Lands Lease Renewal

Dear Municipal Officials:

The Bureau of Parks and Lands has received an application from ORPC Maine, LLC regarding its hydrokinetic energy structures on submerged lands in Cobscook Bay. The applicant’s existing submerged lands lease will expired on December 31, 2020 and it has applied to obtain a new five-year conveyance while the decommissioning of the structure takes place.

The purpose of this letter is to provide the municipality and the general public with an opportunity to comment on any significant impacts the structure may have on the uses described in the enclosed Notice, before the conveyance is renewed. **Please post this Notice in the municipal office.** Because this application involves an existing structure, we have reduced the comment period to 14 days, unless we receive a request for an extension.

If you have any questions, please feel free to contact me at 287-6128, in writing, or by email to [Karen.L.Foust@maine.gov](mailto:Karen.L.Foust@maine.gov). Thank you.

Sincerely,

Karen Foust  
 Submerged Lands Program

Enc: notice

cc: Harbormaster w/ enclosures

ANDREW R. CUTKO, DIRECTOR  
 BUREAU OF PARKS & LANDS  
 18 ELKINS LANE, HARLOW BUILDING



PHONE: (207) 287-3821  
 FAX: (207) 287-6170  
 WWW.MAINE.GOV/DACF/



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BUREAU OF PARKS & LANDS  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

## NOTICE

**Applicant:** ORPC Maine, LLC

**Description:** To temporarily maintain a hydrokinetic energy pilot project with cables and substructures for generator units while working to decommission and remove all structures from the ocean floor. The structures and safety zone comprise approximately 61 acres of submerged lands for potential commercial energy utility use.

**Location:** Cobscook Bay, 1162 North Lubec Road, Town of Lubec

Pursuant to Title 12 M.R.S.A., Section 1801 & 1862, the Bureau of Parks and Lands serves as trustee of submerged lands for the State of Maine. Submerged lands include all land from the mean **low-water** mark seaward to the 3-mile territorial limit including all land below the mean **low-water** mark of tidal rivers upstream to the farthest natural reaches of the tides. The Bureau has received an application to renew a 7-year conveyance for an additional 5-years for the **existing** structure(s) described above.

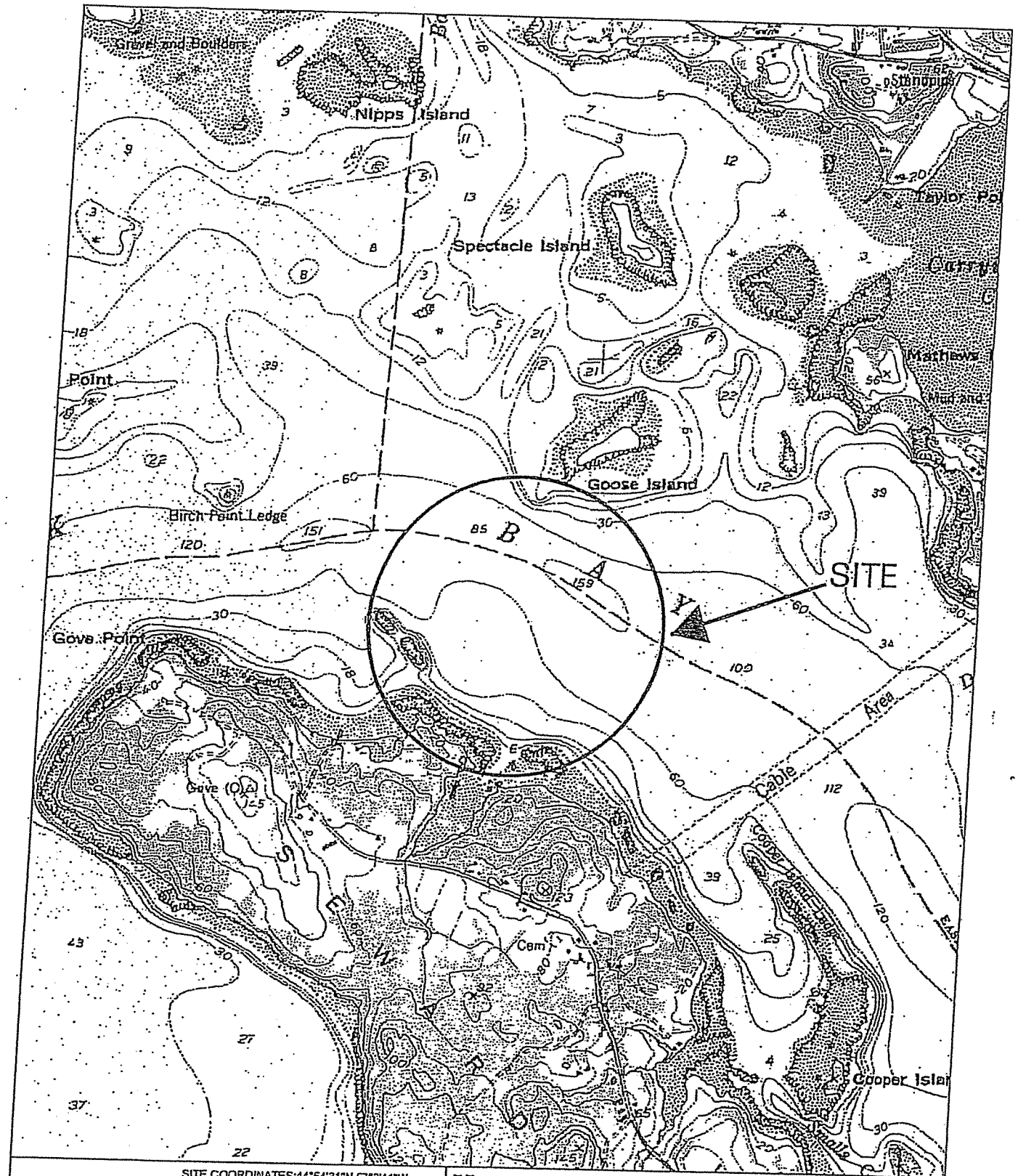
A new lease or easement may be granted if the structure(s) does not:

- unreasonably interfere with customary or traditional public access ways to, or public trust rights (fishing, fowling, recreation, and navigation) in, on or over the submerged lands;
- unreasonably interfere with fishing or other existing marine uses of the area;
- unreasonably diminish the availability of services and facilities necessary for commercial marine activities; and
- unreasonably interfere with ingress and egress of riparian owners.

While reviewing the application, the Bureau will take into account the fact that the structure has been in place for 7 years, and that some portion(s) may not comply with the current Submerged Lands Rules. As part of the Bureau's review, it will consider whether any non-permanent elements of a structure, such as floats, should be adjusted to improve the distance between structures. A copy of the site plan is attached for information. Any interested party or anyone who is knowledgeable about the area is welcome to comment on possible impacts to the activities listed above. **Comments must be received by the Bureau on or before November 18, 2020.**

For more information, please contact Karen Foust, Bureau of Parks and Lands.  
Phone: (207) 287-6128  
Fax: (207) 287-6170  
Email: [Karen.L.Foust@maine.gov](mailto:Karen.L.Foust@maine.gov)

Please note that all comments received are part of the public record and subject to the State of Maine Freedom of Access laws.

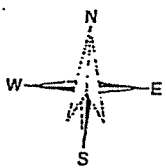


SITE COORDINATES: 44°54'31"N 67°24'1"W

**HALEY & ALDRICH**

PROPOSED COBSCOB BAY TIDGEN PROJECT  
EASTPORT AND LUBEC, MAINE

PROJECT LOCUS



U.S.G.S. QUADRANGLE: EASTPORT (DIGITAL), ME

SCALE: 1:24,000  
JUNE 2011

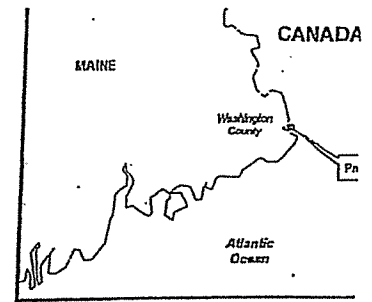
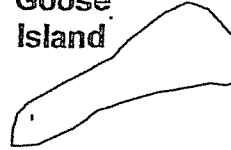
37690-000 1.PDF

ATTACHMENT A

N: 16,322,500  
E: 2,145,000



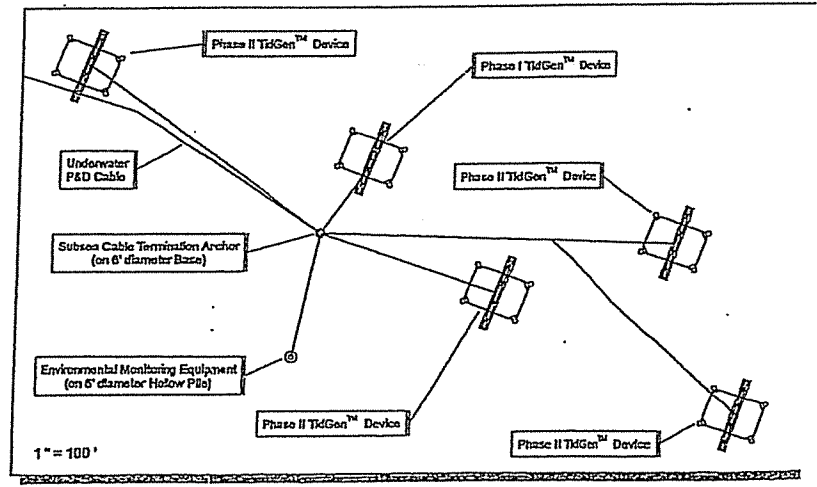
Goose Island



Approximate location of rock pin anchors.

Underwater Activity Exclusion Zone

COBSCOOK BAY




PRELIMINARY FOR REVIEW ONLY

North Lubec

North Lubec Road

N: 16,317,500  
E: 2,147,500



EXHIBIT G-1	SHE
PROJECT BOUNDARY MAP	
COBSCOOK BAY TIDAL ENERGY PROJECT	
FERC Project No. 12711	
COBSCOOK BAY, WASHINGTON COUNTY, MAINE	
 OCEAN RENEWABLE POWER COMPANY 120 EXCHANGE ST., SUITE 503, PORTLAND, MAINE	
DATE: AUGUST 2011	SCALE: AS NOTED   APPR:

ATTACHMENT C