



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

PAUL R. LEPAGE  
GOVERNOR

WALTER E. WHITCOMB  
COMMISSIONER

July 1, 2016

Amanda St. Peter  
DiMillo's Old Port Marina  
One Long Wharf  
Portland ME 04101

RE: Submerged Lands Lease No. 04A-23L

Dear Amanda:

The Bureau of Parks and Lands (Bureau) has received a copy of your Department of Environmental Protection NRPA application to add floats connecting the two marina areas. This will not result in a change to the overall area covered by the submerged lands lease, but it does change the service area fee so the lease needs to be amended. Enclosed are copies of the Final Findings and Decision for approval of the amendment and two copies of the amendment for signature.

The fee for the additional service area is \$89.35 per year. For the pro-rated portion of this year, the amount due is \$44.68. Please have the appropriate person sign both copies of the amendment and return them for final execution by the Director along with your payment. One fully executed copy will be returned for your records.

If you have any questions, please contact me at (207) 287-4922 or via email at [carol.dibello@maine.gov](mailto:carol.dibello@maine.gov). Thank you.

Sincerely,

Carol DiBello  
Submerged Lands Coordinator

enc: findings, amendment, invoice

cc: Wayne Duffett w/ findings (via email)

RON HUNT, ACTING OPERATIONS DIRECTOR  
PARKS & LANDS  
18 ELKINS LANE, HARLOW BUILDING



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**SUBMERGED LANDS LEASE AMENDMENT – FINAL FINDINGS AND DECISION**

**APPLICANT:** DiMillo's Old Port Marina (property owned by Arlene DiMillo et. al, Trustees of the DiMillo Family Trust)

**PROJECT LOCATION:** City of Portland

**APPLICATION:** The Bureau of Parks and Lands accepted Department of Environmental Protection NRPA Application No. L-19683-4P-B-N as an application for a submerged lands conveyance.

**PROJECT DESCRIPTION:** The applicant proposes to add approximately 150 feet of 6-foot wide floats around the stern of the floating restaurant to connect the applicant's two marina float systems on submerged lands in Portland Harbor. The existing facility was issued Submerged Lands Lease No. 04A-23L in 2014.

**REVIEW COMMENTS:** The Bureau has determined that the project is a minor change to an existing lease and will not significantly increase the impact on public trust uses, therefore the public review procedures have been waived.

**FINDINGS:** Based upon its review of all information in the administrative record, the Bureau of Parks and Lands makes the following findings in accordance with Title 12 M.R.S.A. Sections 1801 & 1862 and pertinent regulations.

*PUBLIC ACCESS WAYS:*

The project will be located on private property and not on or adjacent to a public access point to the shore. As such, the Bureau finds that the project will not unreasonably interfere with public access ways to submerged lands.

*PUBLIC TRUST RIGHTS:*

The project will not unreasonably interfere with fishing, fowling, navigation, or other existing marine uses of the area.

*RECREATION:*

The project will not unreasonably interfere with recreation.

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*SERVICES AND FACILITIES NECESSARY FOR COMMERCIAL MARINE ACTIVITIES:*

The project will not unreasonably diminish the availability of services and facilities necessary for commercial marine activities.

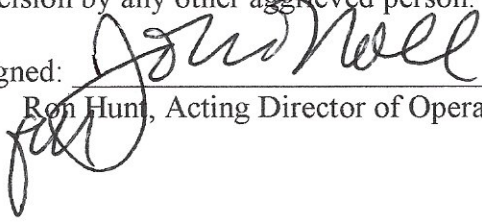
*INGRESS AND EGRESS OF RIPARIAN OWNERS:*

The project will not unreasonably interfere with ingress and egress of riparian owners.

**DECISION:** In accordance with Title 12 M.R.S.A. Sections 1801 & 1862, the Director of the Bureau of Parks and Lands has determined that Submerged Lands Lease No. 04A-23L to Arlene DiMillo et. al., Trustees of the DiMillo Family Trust will be amended.

**APPEAL RIGHTS:** In accordance with 5 M.R.S.A. section 11002 and Maine Rules of Civil Procedure 80C, this decision may be appealed to Superior Court within 30 days after receipt of notice of the decision by a party to this proceeding, or within 40 days from the date of the decision by any other aggrieved person.

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

  
Ron Hunt, Acting Director of Operations

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

7-5

\_\_\_\_\_, 2016