

## EXPERIMENTAL LEASE APPLICATION

### 1. APPLICANT CONTACT INFORMATION

Applicant	Nichols Fisheries
Contact Person	William Nichols
Address	11 Turnpike Road
City	Searsport
State, Zip	Maine, 04974
County	Waldo
Telephone	(207) 812-1407
Email	wnichols317@gmail.com
Payment Type	<input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card

*Note: The email address you list here will be the primary means by which we will contact you. Please provide an email address checked regularly. If you do not use email, please leave this blank.*

### 2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Searsport
Waterbody	Penobscot Bay
General Description (e.g. south of B Island)	South of Sears Island
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	3.94 acres, 3 years
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom) <input type="checkbox"/> Net Pen (finfish)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Note:** If you selected yes, you need to complete the steps outlined in the section titled: “17. Landowner/Municipal Permission Requirements”.

### 3. GROWING AREA DESIGNATION

Directions: Information for growing area designations can be found here:

<https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

Growing Area Designation (e.g. “WL”):	WW
Growing Area Section (e.g. “A1”):	A1

**Note:** If you are proposing to grow molluscan shellfish in waters classified as anything other than open/approved, you will need to contact the Bureau of Public Health to discuss you plans at the following email: [DMRPublicHealthDiv@maine.gov](mailto:DMRPublicHealthDiv@maine.gov)

### 4. GENERAL LEASE INFORMATION

A. Please complete the table below and add additional rows as needed.

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Sugar Kelp ( <i>Saccharina latissima</i> )	Atlantic Sea Farms 20 Pomerleau Street Biddeford, Maine 04005	50,000 lbs
2. Skinny Kelp ( <i>Saccharina angustissima</i> )	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	50,000 lbs
3. Winged Kelp ( <i>Alaria esculenta</i> )	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	10,000 lbs
4. Horsetail / Fingered Kelp ( <i>Laminaria digitata</i> )	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	10,000 lbs
5. Dulse ( <i>Palmaria palmata</i> )	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	5,000 lbs
6. Sea Lettuce ( <i>Ulva lactuca</i> )	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	5,000 lbs

B. Do you intend to possess, transport, or sell whole or roe-on scallops?  Yes  No

If you answered “yes” please contact the Bureau of Public Health to discuss your plans at the following email: [DMRPublicHealthDiv@maine.gov](mailto:DMRPublicHealthDiv@maine.gov)

**Note:** If you are proposing to grow molluscan shellfish, this application also serves as your written operational plan as required in the National Shellfish Sanitation Program (NSSP) Model Ordinance Chapter 2, and must be maintained in your files. If you wish to submit an operational plan separate from this application, please contact: [DMRPublicHealthDiv@maine.gov](mailto:DMRPublicHealthDiv@maine.gov)

## 5. VICINITY MAP

**Note:** You may embed the maps within the document, or attach the maps to the end of your application. If you attach the maps, please label them according to the instructions provided below. If you attach the map, please label it: 'Vicinity Map'.

**Directions:** Using a NOAA Chart or USGS topographic map, show the area within a minimum of one-half mile of the proposed lease site.

The map needs to display the following:

- The waters, shore lands, and lines of mean high and mean low water within the general area of the lease
- An arrow indicating true north
- A scale bar
- The approximate lease boundaries

## 6. BOUNDARY DRAWING

**Note:** If you attach a drawing, please label it 'Boundary Drawing'.

**Directions:** Depict the boundaries of the proposed lease site. Provide a drawing with all corners, directions, and distances labeled. Provide coordinates for each corner as follows:

- Coordinate Description  
Provide geographic coordinates for each corner of the lease site in latitude and longitude as accurately as possible (e.g., to the nearest second or fraction of a second). Identify the datum from the map, chart, or GPS unit used to develop these coordinates. The datum will be shown on the map or chart you are using. The Coordinate Description may be provided separately from the Boundary Drawing.

## 7. RESEARCH PROGRAM AND OPERATIONS

**Directions:** If you are cultivating more than one species, you will need to provide the below information for each species. Please attach a separate page if needed.

A. Type of study (**check one**):  Scientific Research  Commercial Research

*Please note:*

*a) Product grown on experimental leases for scientific research cannot be sold. Results of scientific research are not kept confidential.*

*b) Experimental leases for commercial research are not renewable. Results of commercial research are kept confidential.*

**B. What is the purpose of the study? If scientific, please include a detailed study design.**

The purpose of this study is to determine the viability of a commercial seaweed operation at the proposed lease site.

**C. Describe the general culture process for each species proposed.**

All marine algae species, according to demand, will be seeded on 1,000ft longlines, spaced 10ft apart, in the fall (October 1st - December 31st) and remain throughout the winter growing season until they are ready for harvest in the spring (May 1st - June 15th). Longlines will be suspended 7ft below the sea surface with dropper lobster style buoys to maintain appropriate depth for optimal growth. After harvest, all longlines and buoys will be removed from the site annually between June 15th - October 1st and stored on shore.

**D. What months will the proposed activities (i.e. seeding, tending, and harvesting) occur?**

The applicant is proposing to culture marine algae from October 1st through June 15th annually. Seeding will start as early as late-October and may extend through December, depending on when the seed stock is available. Harvesting will take place during the months of May-June. The farm site will be tended at least once every two weeks from seeding in December through harvesting in May, weather permitting.

**E. How often will you be at the site during seeding and harvesting periods?**

Seeding the farm will take between 2 to 4 days to complete. Harvesting will take approximately 5 to 10 days to complete.

**F. How frequently will you visit/tend the site for routine maintenance (i.e. flipping cages, etc.)?**

During the winter growing season (December 31st through April 30th), the farm will be checked a minimum of twice a month, with a goal of once a week monitoring, weather permitting. Additionally, the farm will be checked after any major storm event. In the spring, (March & April) additional time at the site is needed to monitor for fouling and to add counterweights to the culture lines, as needed.

**G. Describe the harvesting techniques you will use. If you plan on using a drag, please provide the dimensions.**

We will use a USCG documented lobster boat to harvest. There will be 1-3 crew members on board. We will use the hauler to bring up the culture line. The kelp will be cut off the culture line by hand and placed into 1,000 lbs bags on deck. At the time of harvest, all culture lines and surface buoys will be hauled into the boat, cleaned and stored on shore for next season.

**H. Describe any overwintering or “off season” plans for the site. For example, will you remove gear from the site and/or deploy gear in different areas within the proposed site? Please include where gear or product will be located if moved from the site.**

All culture lines, crosslines and depth control buoys will be removed from the site from June 16th through September 30th and stored on shore. Moorings, mooring line and chain, and required marker buoys will remain on the site year round.

**I.** What type of machinery (e.g. generator, drag, grading equipment, etc.) will you be using on the site? When and how often will the machinery be used?

No machinery will be used on the lease site outside of a lobster boat and skiff.

**J.** Please provide details on any predator control techniques you plan to employ.

N/A

**K.** Suspended culture gear can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. In order to comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that applications for the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the proposed site. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Submerging suspended gear and associated product at a depth sufficient to deter roosting for two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- The site is proposed for the culture of seed only
- The site is proposed for the culture of adductor-only scallops (i.e. no other shellfish species would be grown on the site)
- Proposed gear would always be suspended below the surface of the water at a depth sufficient to deter roosting (i.e. as is common for scallop lantern nets)

N/A

## 8. EXISTING USES

**Directions:** Describe the existing uses of the proposed area. Please include the amount of activity, the time of year the activity occurs, frequency, and proximity to the lease site.

<p>A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency, and d) proximity to the lease site for each existing use.</p>
<p><b>1. Commercial Fishing</b></p> <p>Some lobster gear has been observed in the general area, but not within the footprint of the site. Gear within the vicinity of the proposed lease is very rare during the time that the farm would be in the water (October 1st - June 15th).</p>
<p><b>2. Recreational Fishing</b></p> <p>Recreational fishing vessels are not frequently seen within the area surrounding the proposed lease and no recreational vessels have been observed to specifically target the proposed locations. When vessels are observed they are typically trolling for mackerel.</p>
<p><b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</b></p> <p>During the time that the farm would be in the water (October 1st - June 15th), little to no recreational boating occurs in the immediate area. The nearest channel is over 3,000 feet from the proposed site.</p>
<p><b>4. Ingress and egress (i.e. coming and going) of shorefront property owners within 1,000 feet of the proposal (e.g. docks, moorings, landing boats on shore, etc.)</b></p> <p>There are no docks or moorings within 1,000 feet of the proposed lease site and there are no residential dwellings or public access points on the southern end of Sears Island.</p>
<p><b>5. Other uses (kayaking, swimming, etc.)</b></p> <p>There are no residential dwellings or public access points on the southern end of Sears Island, therefore no recreational uses (kayaking, swimming, etc.) have been observed near the proposed site. If these activities did occur they would mostly likely occur during the summer (July - September) when the proposed farm wouldn't be present.</p>
<p>B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include an approximate distance from proposed lease.</p>
<p>No.</p>



C. Are there public beaches, parks, or docking facilities within 1,000 feet of the proposed lease site. If yes, please describe and include approximate distances from proposed lease.
No.

D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 1,000 feet of your proposed lease site? If yes, please list their acronyms below. Current and pending aquaculture leases and active LPA licenses may be found here: <a href="https://www.maine.gov/dmr/aquaculture/leases/index.html">https://www.maine.gov/dmr/aquaculture/leases/index.html</a>
No.

**9. CURRENT OPERATIONS**

**Directions:** If a question does not pertain to your proposed operations, please write “not applicable” or “N/A.”

A. Describe your existing aquaculture operations, including the acronyms of all active leases and/or licenses.
I do not have any aquaculture operations.

B. What are your plans for any existing leases and/or Limited Purposed Aquaculture (LPA) licenses if the lease is granted? Will any existing leases and/or Limited Purpose Aquaculture (LPA) licenses be relinquished if the lease is granted? If so, please indicate which ones.
N/A

## 10. EXCLUSIVE USE

If your lease is granted, what activities would you request be excluded from occurring within the boundaries of the lease site? In your answer please address applicable commercial and recreational fishing, boating activities, and other activities you listed in the 'Existing Uses' section of this application.

We request that all commercial and recreational fishing and boating activity is excluded from the site from October 1st to June 15th to prevent a navigation hazard. This will also prevent gear from being damaged by other activities on the site and becoming marine debris. For the remainder of the year (June 16-September 30) we would welcome activity at the site.

## 11. ENVIRONMENTAL CHARACTERIZATION

**Directions:** Using your knowledge of the area, describe the environment of the proposed lease site. Be sure to include units of measurement in your answers (i.e. feet, cm/s).

A. What are the approximate depths at mean low water?

30-37 ft

B. What are the approximate depths at mean high water?

43-50 ft

C. Provide the approximate current speed and direction during the ebb and flow.

The current runs mostly northeast (flood) and southwest (ebb) at an approximate speed of 1 knot.

<p>D. The following questions (D.1 through D.6) may be answered in writing or by submitting a video. If you plan to submit a video, please contact the Department prior to video collection.</p>
<p>1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?</p>
<p>The bottom is mostly composed of mud with some small gravel.</p>
<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p>The site is flat.</p>
<p>3. Describe marine organisms by species or common names. Based on your personal observations or other sources of information, are these species abundant, common, or rare?</p>
<p>Lobster and crabs are common in the adjacent area, but densities directly within the proposed site are low enough that fishing gear is rarely, if ever, observed.</p>

<p><b>4.</b> Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>I do not know of any shellfish beds or fish migration routes in the area.</p>
<p><b>5.</b> Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.</p>
<p>Based on data collected in 2010, the proposed lease is outside of the eelgrass zone. Eelgrass beds are generally observed in shallow waters which allow for adequate light penetration to support photosynthesis. The proposed site is in a water depth between 30 ft (MLW) and 45 ft (MHW) which is not ideal habitat for eelgrass.</p>
<p><b>6.</b> Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>The southern shore of Sears Island is uninhabited. The shoreline is rocky with upland forest.</p>

<p>E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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**Note:** The location of Essential Habitats in the State of Maine, along with information on how projects within these areas are reviewed, can be found here: <https://www.maine.gov/ifw/fish-wildlife/wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html>

**If a project is located within an Essential Habitat,** applicants are strongly encouraged to contact the MDIFW Environmental Review Coordinator ([John.Perry@maine.gov](mailto:John.Perry@maine.gov), phone: 207-287-5254) prior to application submission.

F. Will your operations discharge anything into the water such as feed (pellets, kelp, etc.) or chemical additives (therapeutants, chemical treatments, etc.)?

Yes  No

**Note:** If you answered yes, you must submit a video of the bottom using a method prescribed by the Department. **The video must be filmed between April 1 and November 15.** If a discharge is proposed you will also need to obtain a Maine Department of Environmental Protection (DEP) discharge permit. For information on this permit please contact DEP's Wastewater Licensing Program ([Gregg.wood@maine.gov](mailto:Gregg.wood@maine.gov), 207-287-7693). Further sampling may be required by DMR, or DEP, depending on the characteristics of the site or the proposed activities.

## 12. STRUCTURES *(if applicable)*

If your operations require the use of cages, nets, ropes, trays, or any object (structure) other than the organism to be grown directly on the bottom or buoys to mark the corners of the lease site, you must submit an **Overhead View** and **Cross-Section View** of your gear plans. It is important to note that, unlike Limited Purpose Aquaculture (LPA) Licenses, experimental and standard leases require that all gear, including moorings, must be located within the proposed lease boundaries.

**Note:** You may embed the gear plans, or attach them to the end of your application. If you attach the plans, please label them according to the instructions provided below.

A) **Overhead View** (please label this "Overhead View"):

**Directions:** All dimensions need to be labeled with the appropriate units (i.e. 10ft, 10in)

- Show maximum layout of gear including moorings.
- Show dimensions of entire gear layout
- Show approximate spacing between gear.
- Show lease boundaries and the location of proposed markers on all drawings.

B) **Cross-Section View** (please label this "Cross Section View"):

**Directions:** The cross-section view must show the following:

- The sea bottom
- Profile of gear in cross-section as it will be deployed
- Label gear with dimensions and materials
- Show mooring gear with mooring type, scope, hardware, and line type and size
- Water depth at mean high and mean low water

**Note:** Please include an additional Cross Section View, depicting the elements listed above, if there will be seasonal changes to gear layout (i.e. over wintering).

## C) Gear Description

**Directions:** List and describe each individual gear type that you will use in the table below.

<b>Specific Gear Type</b> <i>(e.g. soft mesh bag)</i>	<b>Dimensions</b> <i>(e.g. 16"x20"x2")</i>	<b>Time of year gear will be deployed</b> <i>(e.g. Spring, Winter, etc.)</i>	<b>Maximum amount of this gear type that will be deployed on the site</b> <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	<b>Species that will be grown using this gear type</b>
Marine algae culture lines	3/8"-5/8" rope, 1,000 ft long	Seasonal: Oct. 1 <sup>st</sup> - June 15 <sup>th</sup>	15 culture lines, spaced 10 ft apart	Marine Algae
Internal/Outside crosslines	3/8"-5/8" rope, 150 ft long	Seasonal: Oct. 1 <sup>st</sup> - June 15 <sup>th</sup>	5 crosslines, spaced 250 ft apart	Marine Algae
Mooring buoys	A3 or A4 poly balls; approx. 2' diameter	Year-round	10 total	Marine Algae
Mooring lines	3-strand, 1" nylon rope, 55-60 ft long	Year-round	16 sections	Marine Algae
Mooring chain	1/2" Galvanized mooring chain, 5-10 ft long	Year-round	16 sections	Marine Algae
Required Lease markers (corners & middle of long side)	Yellow low drag buoys; approx. 16" diameter	Year-round	6 total	Marine Algae
Moorings/ Anchors (Either Mushroom anchors and/or Concrete block - depending on availability)	1,000-2,000 lb block and/or 400lb mushroom anchor	Year-round	16 total	Marine Algae
Depth control buoys	Traditional lobster buoys; approx. 7"x14"	Seasonal: Oct. 1 <sup>st</sup> - June 15 <sup>th</sup>	up to 7 per culture line, 105 total	Marine Algae
PVC Pipe	1/2" diameter; 7ft long	Seasonal: Oct. 1 <sup>st</sup> - June 15 <sup>th</sup>	105 total	Marine Algae

Counterweights for depth control lines	10 lbs; 4"x8"	Seasonal: Oct. 1 <sup>st</sup> - June 15 <sup>th</sup>	105 total	Marine Algae
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**D) Gear Drawing** (please label this “Gear Drawing”).

**Directions:** Include a drawing of an individual piece of gear for each of the gear type(s) you plan to use. The drawing(s) needs to depict the length, width, and height of each gear type with appropriate units referenced (i.e. 10in, 10ft, etc.).

**13. MARKING**

<p>Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease. Effective January 1, 2023, marker buoys must be yellow and host reflective material.</p> <p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>If you answered no, explain why and suggest alternate markings.</p> <p>N/A</p>
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**Note:** If a lease is granted, you will also be required to mark the site in accordance with appropriate US Coast Guard Regulations. If you have questions about US Coast Guard regulations contact: 1<sup>st</sup> Coast Guard District, Aids to Navigation Office.

## 14. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If your lease is within 1,000ft of shorefront land (**which extends to mean low water or 1,650 ft. from shore, whichever is less, according to NOAA charts**), the following supporting documents are required:

1. A labeled copy of a tax map(s) depicting the location of the proposed lease site and including the following elements:
  - Label the map “Tax Map: Town of (name of town).”
  - Legible scale
  - Tax lot numbers clearly displayed
  - The boundaries of the proposed lease
2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list. Refer to the riparian determination guidance document to ensure all riparian landowners are included:  
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

*Note:* When the application and riparian list are both ready to be submitted, you may choose to email a copy of the riparian list and proposed lease coordinates to [DMRAquaculture@maine.gov](mailto:DMRAquaculture@maine.gov) for staff to verify that all required parcels are included on the list *before* having it certified by the municipality. DMR will not verify a riparian list multiple times, so please ensure there will be no additional changes to the application before emailing the riparian list for verification.

3.If any portion of the site is intertidal you need to complete the steps outlined in “17. Landowner/Municipal Permission Requirements”.

B. Will your access to the lease area be across riparian land?

Yes     No

**Note:** If you selected yes, you will need to complete the landowner permission requirements included in “17. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

Site will be accessed from Stockton Harbor using a lobster boat or skiff.



**RIPARIAN LANDOWNER LIST**

*THIS LIST MUST BE **CERTIFIED** BY THE TOWN CLERK*

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. It is the applicant's responsibility to assemble the information for the Town Clerk to certify. The Town Clerk *only* certifies that the information is correct according to the Town's records. Once you have completed the form, ask the Town Clerk to complete the certification section below. If riparian parcels are located within more than one municipality, provide a separate, tax map and certified riparian list for each municipality.

**TOWN OF:** \_\_\_\_\_

<b>MAP #</b>	<b>LOT #</b>	<b>Landowner name(s) and address(es)</b>

**Please use additional sheets if necessary and attach hereto.**

**CERTIFICATION**

I, \_\_\_\_\_, Town Clerk for the Town of \_\_\_\_\_ certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**15. ESCROW ACCOUNT OR PERFORMANCE BOND**

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input type="checkbox"/>	No gear/structure, no discharge	None
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input checked="" type="checkbox"/>	>400 square feet of gear/structure, no discharge	\$5,000.00*
<input type="checkbox"/>	Gear/Structure, discharge	\$25,000.00

\*DMR may increase the bond/escrow requirements for leases with more than 2,000 feet of structure.

I, (*printed name of applicant*) William Nichols have read DMR Aquaculture Regulations 2.64(12)(B)) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.

*William Nichols,*  
*President*

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09/15/2022

**Applicant Signature**

**Date**

*Note: Add title if signing on behalf of a corporate applicant.*

**ADDITIONAL APPLICANTS:** Each applicant must sign this section indicating that they will open an escrow account or obtain a performance bond. Use the space below for additional persons listed on the application. You may attach additional pages, if necessary.

I, (*printed name of applicant*) \_\_\_\_\_ have read DMR Aquaculture Regulations 2.64(10)(D) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**

*Note: Add title if signing on behalf of a corporate applicant.*

## 16. APPLICANT SIGNATURE PAGE

I hereby state that the information included in this application is true and correct. I have also read and understand the requirements of the Department's rules governing aquaculture and the application instructions pertaining to the experimental lease process.

Printed name: William Nichols

Title (*if corporate applicant*): President

Signature: 

Date: 09/15/2022

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

### Note:

- All applicants must sign and date this page. Please use the space below, if additional signatures are required.
- Corporate applicants, please be sure to include the title (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

## 17. LANDOWNER/MUNICIPAL PERMISSION REQUIREMENTS *(if applicable)*

### **PART I: The use of private property to access your site.**

Pursuant to 2.64(C)(6) if you are using private property to access the proposed lease site, you need to submit written permission from the property owner with your application. It is your responsibility to obtain written permission. Please note that the Department does not provide forms for landowner or municipal permission. **If any portion of your site is also intertidal you will need to complete the steps outlined in Part II, below.**

### **PART II: If any portion of the site is intertidal you need to complete the following steps:**

#### **Step I: Obtain written permission from all intertidal landowners.**

Pursuant to 2.64(C)(6) the Department requires *written permission of every owner of intertidal land in, on, or over which the experimental activity will occur*. It is your responsibility to obtain written permission and include it with your application materials. Please note that the Department does not provide forms for landowner permission.

#### **Step II: Determine if the municipality where your site is located has a shellfish conservation program.**

Pursuant to 12 MRSA §6072(3) *In any municipality with a shellfish conservation program under section 6671, the Commissioner may not lease areas in the intertidal zone within the municipality without the consent of the municipal officers.*

If the municipality where the proposed lease site is located has a shellfish conservation program, it is your responsibility to obtain consent for the proposed lease site from the municipal officers (i.e. the selectmen or councilors of the town, or the mayor and aldermen or councilors of a city.) Consent means a majority vote of the municipal officers as recorded in a public meeting.

It is your responsibility to contact the municipality and determine if they have a shellfish conservation program. Best practices would include discussing your plans with shellfish committee members, but only the consent of municipal officers is required.

1. Does the municipality, where the proposed site is located, have a shellfish conservation program?  Yes  No

**If you answered yes**, please attach documentation from a public meeting demonstrating that a majority of municipal officers have consented to your proposal.

Figure 1: Section 5 - Vicinity Map

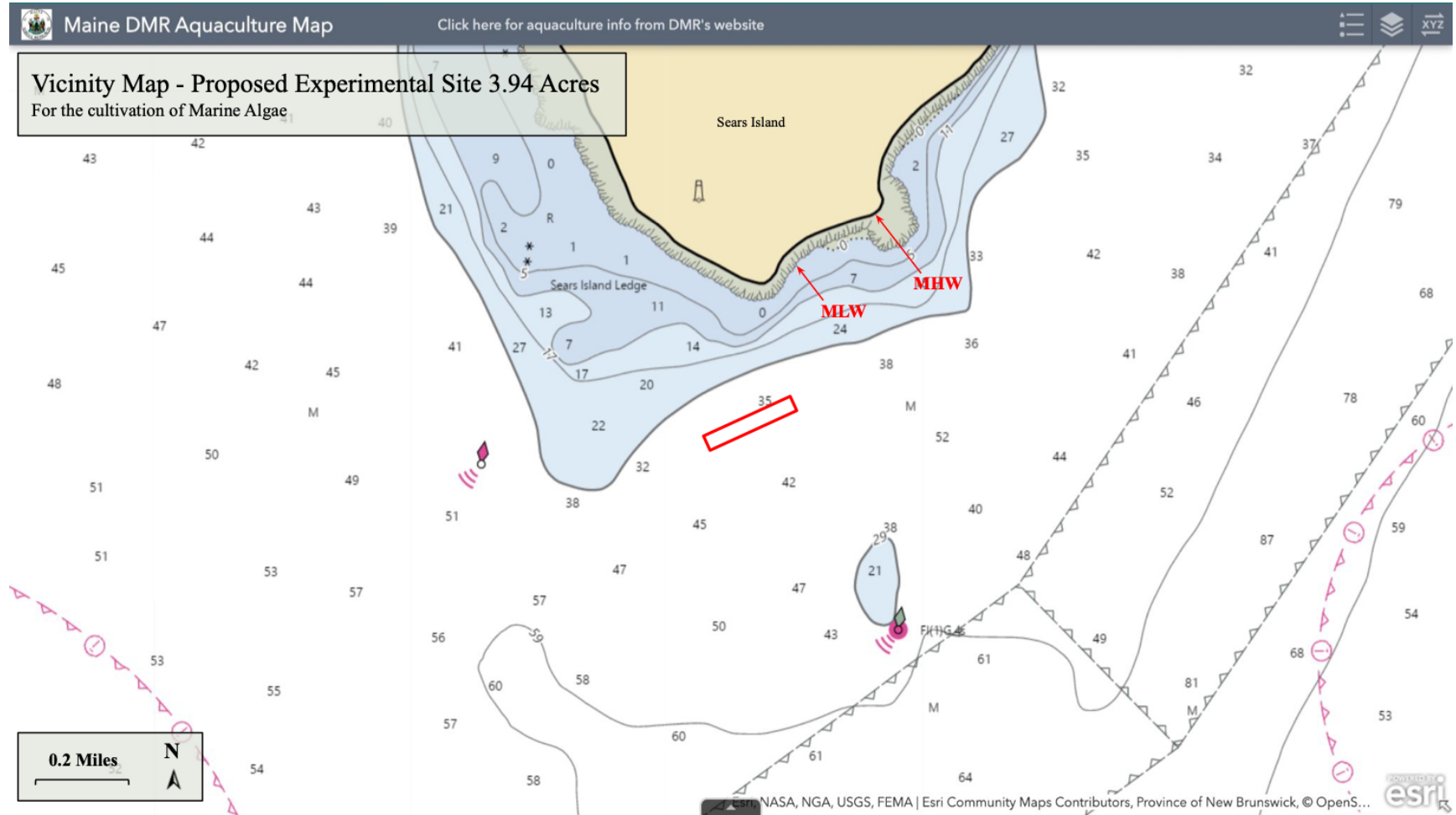




Figure 2: Section 6 - Boundary Drawing

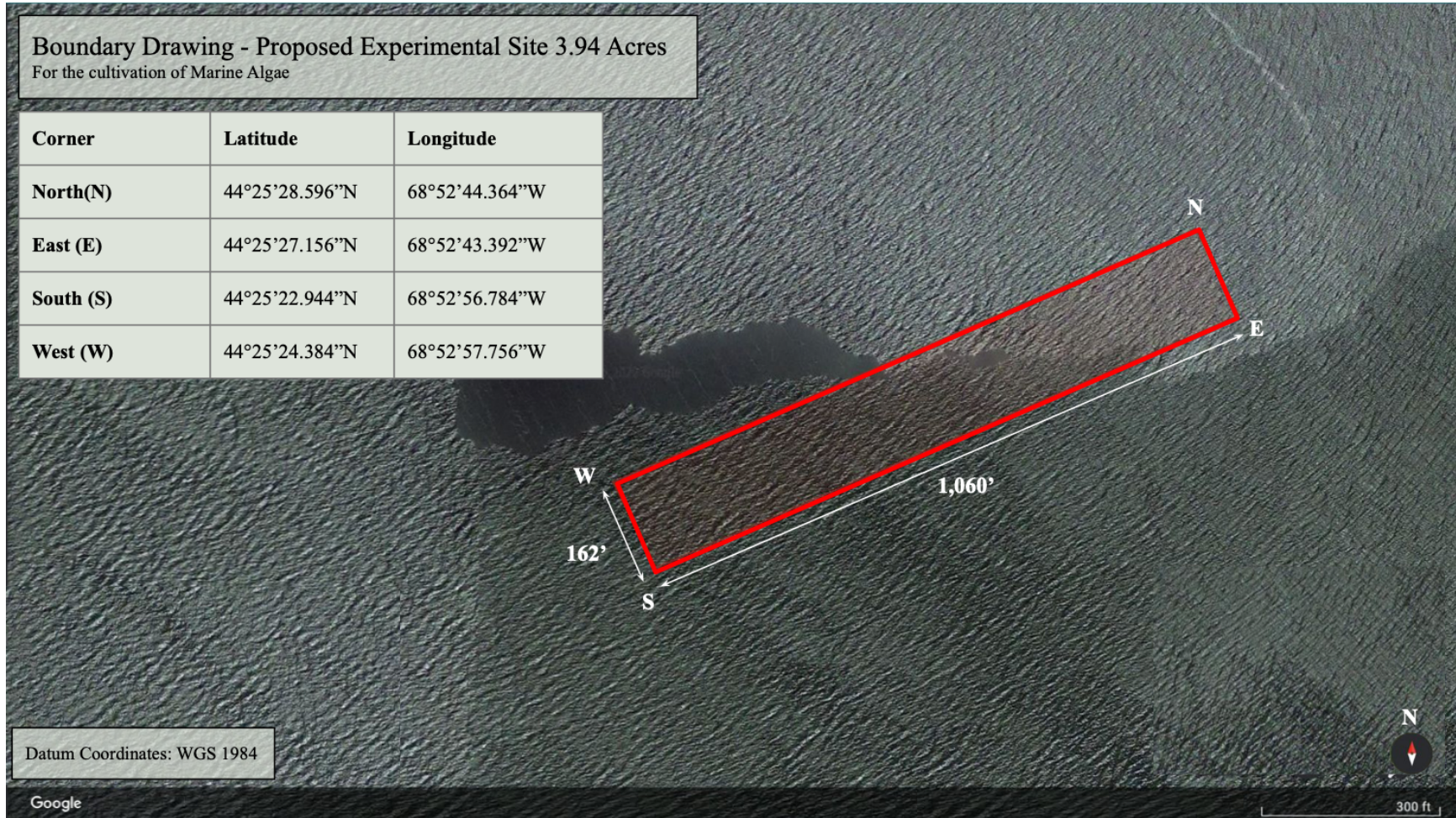
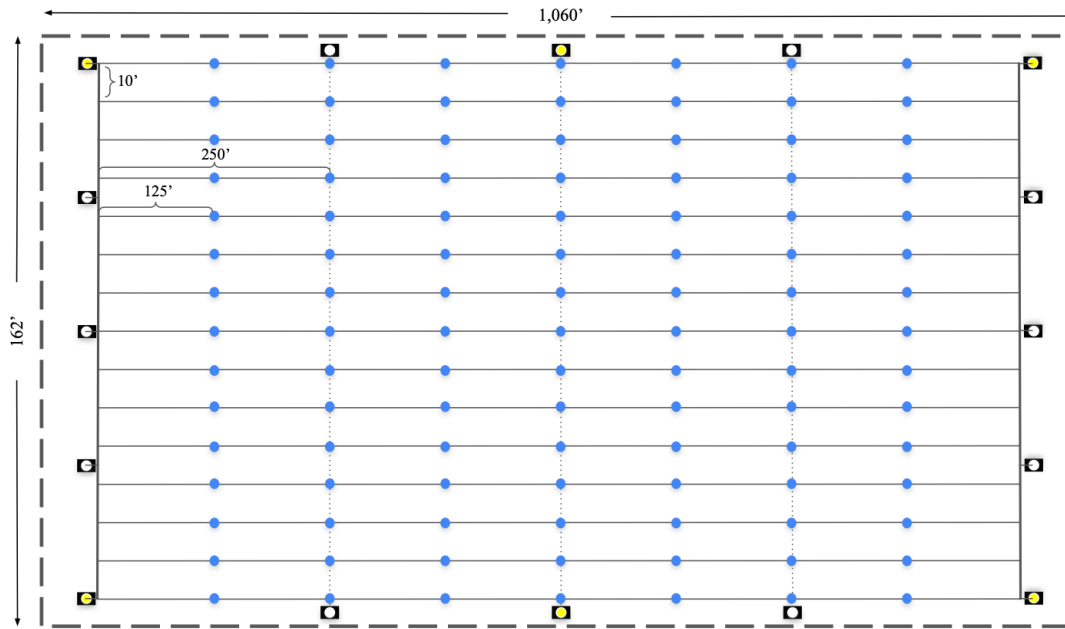
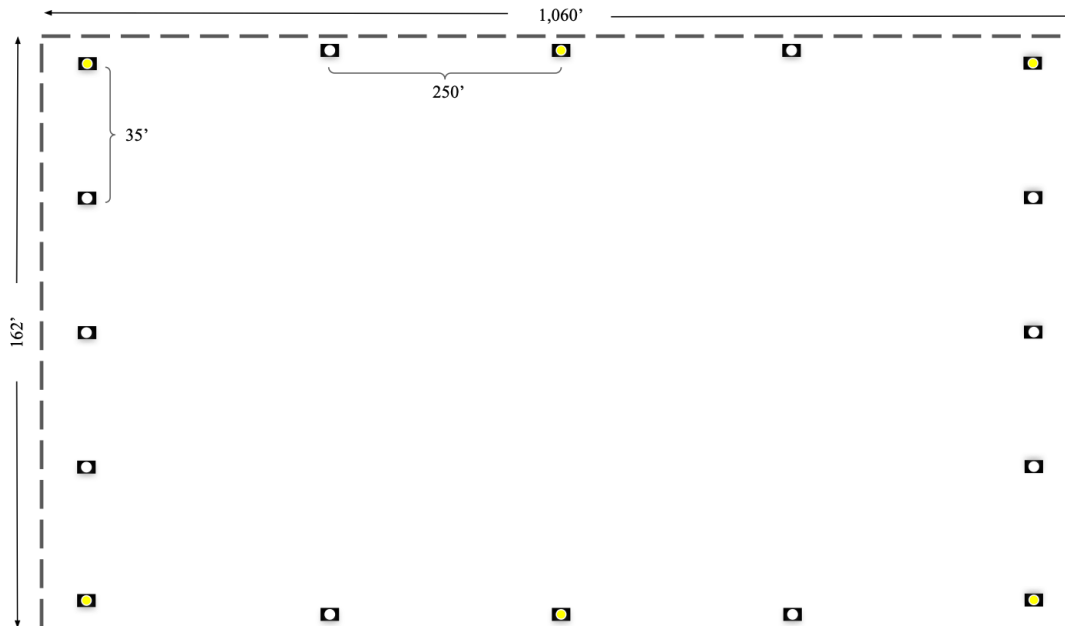


Figure 3: Section 12 A - Overhead View

During Growing Season (October 1st - June 15th)



During the Off Season (June 16th - September 30th)



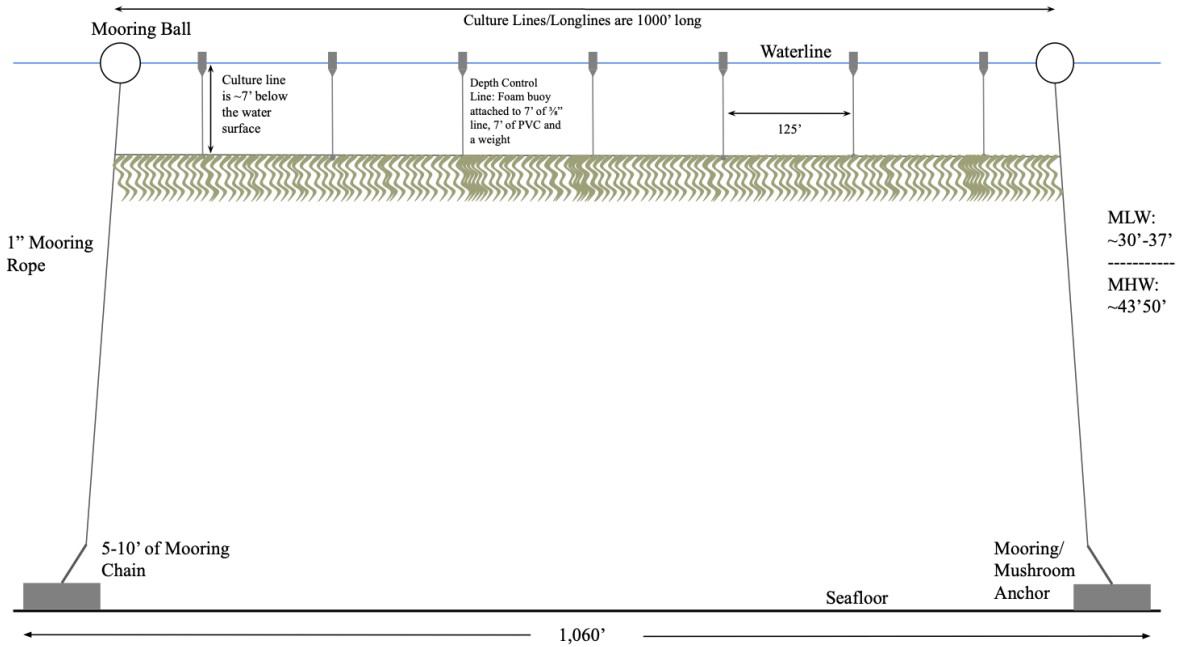
**Growing Season - Overhead View**

Grey Dashed Line (— — —): Lease Boundary  
 Thin Black Dotted Line (.....): Interior Crosslines  
 Thin Solid Black Line (—): Culture Lines /Longlines  
 Thick Solid Black Line (—): Outside Crosslines

Black Rectangles (■): Moorings/Anchors  
 White Circles (○): Mooring balls  
 Yellow Circles (●): 2023 required lease marking requirements  
 Blue Circles (●): Depth Control Lines with buoy and weight

Figure 4: Section 12 B - Cross-section View

During Growing Season (October 1st - June 15th)



During the Off Season (June 16th - September 30th)

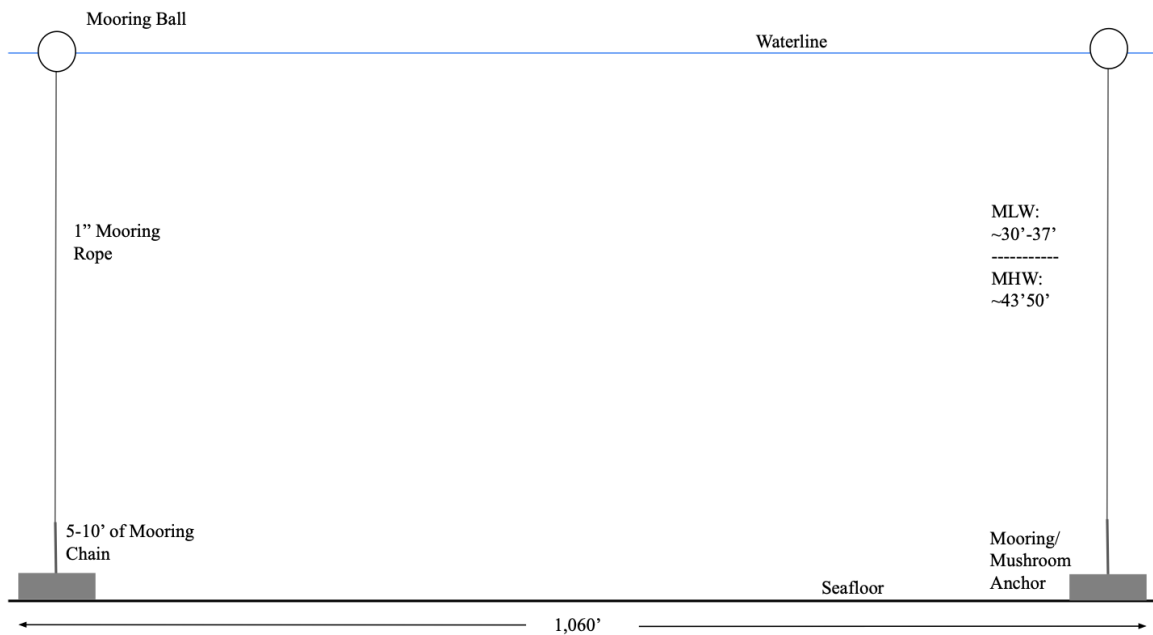




Figure 5: Section 12 D - Gear Drawing



Marine Algae Culture Lines/Longlines & Crosslines  
Length: 1,000 feet (longlines); 150 feet (Crosslines)  
Diameter:  $\frac{3}{8}$ - $\frac{5}{8}$ -inch



Mooring Ball  
Description: A3 or A4 Polyballs  
Height: 23 inches  
Diameter: ~2 feet



Mooring Line  
Description: 3-strand rope  
Length: ~55-60 feet  
Diameter: 1-inch



Mooring Chain  
Description: Galvanized chain  
Length: ~5-10 feet  
Diameter:  $\frac{1}{2}$ -inch



Required Lease Markers  
Description: Low-drag buoys  
Height: 37 inches  
Diameter: ~16 inches



Concrete Moorings  
Weight: ~1,000-2,000 pounds



Mushroom Anchor  
Weight: ~400 pounds



Depth Control Buoys  
Description: Traditional lobster buoys  
Height: 37 inches  
Diameter: ~16 inches Lobster buoys used for depth control lines



PVC Pipe for Depth Control lines  
Length: 7 feet  
Diameter: ½-inch



Counterweights for Depth Control Lines

Height: ~8 inches

Circumference: ~2-4 inches

Weight: ~10 pounds

Letter of Support for lease application #1:

9/15/2022

To whom it may concern,

I'm a full time, year round lobsterman out of Stockton Springs, Maine. I have had the opportunity to view Will Nichol's proposed aquaculture site near Sears Island. I believe that the site location is a good choice. From my experience I believe that this location will not interfere with lobstering or any type of navigation. Thank you for your time.

Sincerely,

Greg Perkins

207-356-9787

Letter of Support for lease application #2:

9/14/22

To whom it may concern,

I'm a commercial lobsterman from Stockton Springs, Maine.

I am very familiar with William Nichols' proposed kelp farm location. I believe it is a suitable location and will have a very minimal impact on the area and its users.

Sincerely,

Kyle Nichols