

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Heron Island Oyster Company		
Contact Person	Colin Brannen Rod Melanson		
Address	38 Timber Lane		
City	Newcastle		
State, Zip	ME		
County	Lincoln		
Telephone	207-563-1356		
Email	Rmelanson9@yahoo.com cbrannen@gmail.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application [submitted before scoping session session]		<input type="checkbox"/> Final Application [submitted after scoping session]
Dates	Pre-Application Meeting: 12/9/2020	Draft Application Submitted: 3/29/2021	Scoping Session:

Note: If applicant is a corporation or a partnership, the “Corporate Applicant Information Document” available at: <http://www.maine.gov/dmr/aquaculture/forms/standard.html> must also be completed.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	South Bristol
Waterbody	Damariscotta River
General Description (e.g. south of B Island)	Within Fitch Cove – adjacent to Glidden Ledge, western side of river
Lease Information	
Total acreage requested (100-acre maximum)	1
Lease term requested (20-year maximum)	20
Type of culture (check all that apply)	<input checked="" type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
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: “19. Landowner/Municipal Permission Requirements”.

3. WATER QUALITY

Directions: Water Quality Information can be found here: <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>

Pollution Area (e.g. "19-A"):	Station WQ 47.00 – unassigned pollution area
Pollution Area Section (e.g. "B.2". or "none"):	none
Water Quality Classification (e.g. approved, restricted, etc.):	Approved

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 your plans at the following email: DMRPublicHealthDiv@maine.gov

4. SPECIES 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, juveniles, and/or smolts	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. American or eastern oyster (<i>Crassostrea virginica</i>)	Muscongus Bay Aquaculture, 24 Seal Ledge Lane, Bremen, ME 04551 (529-4100)	500,000
2.		
3.		
4.		

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 you plans at the following email: 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

5. VICINITY MAP

Note: Please label as: '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: Please label as: '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.

See Exhibit B for coordinate boundary spatial reference:

▪ Point 1	69°33'57.707"W	43°58'10.952"N
▪ Point 2	69°33'55.299"W	43°58'9.74"N
▪ Point 3	69°33'57.296"W	43°58'8.01"N
▪ Point 4	69°33'59.595"W	43°58'9.134"N

7. SITE DEVELOPMENT

Directions: 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 gear drawings and maximum structure schematics (information below). This section is intended to provide accurate plans depicting the physical structures to be placed in the proposed area. All dimensions need to be labeled with the appropriate units (i.e. 10ft, 10in). If you are proposing a bottom lease (no gear), please skip to question “F. Marking”.

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

A. Gear Information

Directions: Include a drawing of an individual piece of gear for each of the gear type(s) you plan to use. Include units referenced (i.e. 10in, 10ft, etc.).

1. **Gear Drawing:** Please include the following for each gear type that will hold organisms to be cultured (e.g. Polar circles, marine algae longlines, oyster cages) and label as “Gear Drawing”. This view must show the following:
 - Length, width, and height of each gear type.
2. **Gear Table:** List and describe each individual gear type that you will use in the table below. (e.g. Polar circles, marine algae longline, oyster cages, moorings, mooring lines, buoys, etc.).

Specific Gear Type (e.g. soft mesh bag)	Dimensions (e.g. 16"x20"x2")	Time of year gear will be deployed (e.g. Spring, Winter, etc.)	Maximum amount of this gear type that will be deployed on the site (i.e. 200 cages, 100 lantern nets, etc.)	Species that will be grown using this gear type
Soft Mesh Bags	18x32x4.5	Spring - Fall	200	American or Eastern Oysters
Markers, Anchor	10" helix anchor	Entire growing season	8 markers, 8 anchors	American or Eastern Oysters
Long line rope	5/16 nylon	Entire growing season	8 parallel long lines	American or Eastern Oysters
OysterGro cages	36x55x8	Surface Spring – Fall Bottom - Winter	30	American or Eastern Oysters
Over wintering cages	48x36x48	Winter	20	American or Eastern Oysters
Nursery Trays	38x23x4	Summer	10	American or Eastern Oysters

B. Maximum Structure and Mooring System Schematic

Directions: Include drawings of your maximum gear layout. Include units referenced (i.e. 10in, 10ft, etc.).

1. Overhead View. Please include the following and label as “Overhead View”:
 - Maximum layout of gear, including moorings.
 - Length and width of project.
 - Approximate spacing between gear.
 - Lease boundaries and the location of proposed corner markers and any additional gear markers that would be present.

2. Cross-Section View. Please include the following and label as “Cross-Section View”:
 - 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.
 - Depth of gear in relation to the water’s surface at mean low water and mean high water (if applicable).

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

C. On-Site Support Structures

1. Describe structures such as barges, sheds, etc., to be located on-site. Provide a schematic and indicate the dimensions, including height above sea level, materials, etc.
none

2. Describe the storage and use of oil, gasoline or other hazardous materials on this facility. If petroleum products are to be stored on site, provide a spill prevention plan.
There will not be fuels stored on site. The lease is serviced by a gasoline powered boat.

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
All growing gear is colored black. Marker buoy colored red/orange.

E. Equipment Layout

Provide schematic or photographic renderings of the generalized layout of the equipment as depicted from two vantage points on the water. Provide the locations of the two vantage points.

F. Marking

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered no, explain why and suggest alternate markings.

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: 1st Coast Guard District, Aids to Navigation Office ((617)-223-3293).

8. PRODUCTION ACTIVITIES

Directions: If you are cultivating more than one species, you will need to provide information for each species. Please attach additional pages if needed.

A. Please explain your proposed seeding activities. What months will seeding occur and how often will you be onsite to seed during this time.

Seeding occurs in June/ July in floating mesh trays and kept on lease throughout grow out. Initial seeding takes less than a week of set up and placement. Seed will be tended to on a weekly basis.

B. Please explain your proposed tending/maintenance activities.

The site is tended to on a daily basis (5 days/ week spring through fall). Sorting activity, anti-fouling practices (flipping bags and grows), and harvesting once a week. We do not utilize machinery to sort, we will be sorting by hand on the boat.

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

We currently are on site 5 days/ week for a minimum 4 hours per day.

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

Bags are sorted and placed in our harvesting section, and brought to market on a weekly basis. OysterGro cages do not hold market size oysters. Market size oysters are pre-sorted and placed on the lines in floating bags in a specified area, and when harvested there is minimal time put toward sorting and counting. There is no plan to drag on this lease.

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

Harvesting occurs once per week.

F. Will gear be on the site year-round? Yes No

G. 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 removed from the site.

We currently sink the OysterGro’s in place, and put all floating bags into winter cages per the current LPA license. We will look to continue to operate as such.

H. Please provide details on any predator control techniques you plan to employ, including the use of bird deterrents. Will you use commercially available or custom equipment? If commercially available equipment, please include the brand and model names. If custom equipment, please attach a detailed schematic that includes the dimensions, materials, and function of the equipment.

We will use a mix of commercially available equipment (wire deterrents on top of OysterGro pontoons from Ketchum Supply) and we plan to experiment with Owl decoys on site.

9. NOISE AND LIGHT

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

A. What type of boats will be used on the site? When and how often will these vessels be on the site?
One 19' Carolina Skiff with a 75HP E-Tec is used on site. This is our daily boat used to maintain the farm.

B. What type of powered equipment (e.g. generator, power washer, grading equipment, barges, etc.) will be used on the site? When and how often will the equipment be used?
None

C. Specify how you intend to reduce noise levels from the boats and other powered equipment.
Once on site motor is typically powered down, and there is minimal noise produced while maintaining site.

D. Provide the number, type (whether fixtures are shielded), wattage and location of lights, other than those used for navigation or marking, that will be used at the proposed lease site.
N/A

E. Indicate under what circumstances you might work at your site beyond daylight hours.
Working before or beyond daylight would be for emergency purposes only: for storm preparation or dealing with gear problems that require immediate attention.

10. 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.
We currently have approximately 100 floating bags and 10 OysterGros on site spread across our LPA’s. As described above, we are on site to sort oysters and maintain equipment between 3 or 5 days a week. MELA 115 MELA 215 MELA 418 MELA 518

B. What are your plans for any existing leases and/or Limited Purpose Aquaculture (LPA) licenses if the lease is granted? Will any existing leases and/or LPA licenses be relinquished if the lease is granted? If so, please indicate which ones.
If a standard lease is granted we will relinquish the current LPA’s as they will become moot given the proposed location of this lease.

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?

Mean low depth is between 5' to 8' along the western side, increasing to 10' to 16' along the eastern side.

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

Mean high depth is between 14' to 18' along the western side, increasing to 20' to 26' along the eastern side.

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

Current speeds are approximate ≤ 2 knots and generally flow from north to south on an ebb tide and south to north on a flood tide.

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.

1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?

At the location of the proposed lease area and current LPA sites the bottom is characterized primarily of mud, some areas are mud/gravel providing for a more stable base.

2. Describe the bottom topography (flat, steep rough, etc.).

The bottom topography is smooth and gradually deepening from east to west and south to north.

<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>Infaunal species include the usual invertebrates: polychaete worms, soft shell clams, razor clams, etc. Epifauna include rock crabs, green crabs, mussels, etc. Normal fish species also frequent the area: striped bass, mackerel and alewives/pogies.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>There are no shellfish beds or known fish migration routes through the site.</p>
<p>5. 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>We have not observed any aquatic vegetation growing at this site.</p>
<p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>The immediate shoreline of Fitch Cove (approx. +/- 500' away) is characterized by low density residential development, rock/ cobble shoreline ascending to forested landscape. Fitch Cove comprises nearly 4,000 feet of shoreline area, where there are 3 homes and 5 separate parcels of land. The cove itself is nearly 30 acres in surface water area.</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>

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, phone: 207-287-5254) prior to application submission.

12. EXISTING USES

<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 the activity occurs; c) frequency; and d) proximity to the lease site.</p>
<p>1. Commercial Fishing</p> <p>Fitch Cove area is not used for commercial fishing purposes. There is no lobstering within 300' of this site. Lobstering occurs in deeper water towards the middle of the river. No clamming has ever been observed within Fitch Cove over the time of our LPA operations (5 years).</p>
<p>2. Recreational Fishing</p> <p>Recreational fishing occurs along the adjacent Glidden Ledge and channels, which is over 600' away from the proposed lease site.</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).</p> <p>Recreational boating occurs within the river, and the common channel with day marker is over 1,500' away from the site. There is a lesser used slot on the western side of Glidden Ledge that is navigable and over 700' away from the proposed lease area.</p>
<p>4. Riparian Ingress/Egress</p> <p>There are three homes within the cove that access this area via a dock/ pier from their property. Starland Properties LLC, Van DerHoeven, and Kelley are the owners of record with structures in the cove.</p>
<p>5. Other uses (kayaking, swimming, etc.):</p> <p>Kayaking, rowing, and swimming occur in the area though typically not in the proposed site. Kayaks and other small crafts would easily navigate the lease area if they choose to do so. Swimming occurs off of the docks of the landowners adjacent to the site (roughly 700' from the lease area). We have not observed much in the form of other uses around this site during our tenure farming the area.</p>

<p>B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.</p>
<p>Yes, there are three docks within 1,000 feet. One of which is continually used (Starland Properties LLC), the other two docks (one recently installed) have minimal use. There are four moorings within 1,000' of our proposed lease area.</p>

C. Are there public beaches, parks, docking facilities or federally, state, or municipally conserved lands within 1,000 feet of the proposed lease site? If yes, please describe and include approximate distances from proposed lease.

No.

13. 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.

The only conflicting use would be the addition of moorings within the lease area. While our proposal calls for a one acre lease area, Fitch Cove encompasses over 25 acres of tidal area. We believe a small lease can co-exist with existing and future moorings within cove outside of the proposed lease area.

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), 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.
3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: “19. 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 “19. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

Access to the site is via boat, which is moored in Damariscotta Harbor.

D. How will your proposed activities affect riparian ingress and egress?

Our activities would not interfere with riparian ingress and egress. Although there are adjacent moorings, our proposed lease area will look to accommodate ingress and egress. Our LPA’s on site have existed without issue thus far, and we intend to continue as such.

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE CERTIFIED

On this list, please show the current landowners' names and mailing addresses as listed in the municipal tax records for all riparian shorefront parcels within 1,000 feet of the proposed lease site along with the map and lot number for each parcel. **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 the parcels are within more than one municipality, provide a separate, certified riparian list for each municipality.

TOWN OF: South Bristol

MAP #	LOT #	Landowner name(s) and address(es)
30	11-C	MARINACE, JOYCE PO BOX 1202 NEW HAMPTON, NH 03256
30	11-B	KELLEY FITCH COVE REALTY LLC 37 HROGE RD BROOKLINE, MA 02455
30	11-A	KELLEY N/A
30	11-D	STARLAND PROPERTIES LLC PO BOX 440 WESTMINSTER, MA 01473
30	11	VAN DER HOEVEN 24 TAMO VIDA SANTA FE, NM 87506
30	15	BELL, Harry R III 7 Lark Ave Old Bethpage, NY 11804

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Brenda Bartlett, Town Clerk for the Town of South Bristol 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: Brenda Bartlett DATE: 5-10-2021

15. TECHNICAL CAPABILITY

Provide information regarding professional expertise. Attaching resume or documentation of practical experience necessary to accomplish the proposed project would satisfy this requirement.

Please see attached resumes of Rod Melanson/ Colin Brannen. We have operated a small successful farm for 5 years at this site.

16. FINANCIAL CAPABILITY

A. Financial Capability

Please provide documentation to show you have the financial resources to implement the proposal. For example, you may submit a letter from a financial institution or funding agency indicating that you have an account in good standing, or their willingness to commit funds.

Note: Any financial information you submit with your application is part of the public record. Please exercise discretion when submitting financial information.

Please see a letter from our financial institution. In regard to the existing LPA's and future growth of the site, we plan on remaining the size we are now. Our expenses at this point are maintenance and operations related, we do not foresee any capital purchases to operate as we do now.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Mooring Materials \$800
Cages & Bags \$2,500
Labor for set up \$n/a
Labor for harvesting \$n/a
Labor: Cage Flipping \$n/a
Labor: Raising & Sinking \$200
Labor: Cage maintenance \$0
Boat costs: \$2,000

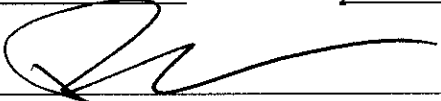
17. ESCROW ACCOUNT OR PERFORMANCE BOND

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 square feet of structure.


I, (printed name of applicant) ROD McLANSON have read DMR Aquaculture Regulations Chapter 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, in the amount determined by the lease category.


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

5/11/21
Date

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) Colin Brannen have read DMR Aquaculture Regulations Chapter 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, in the amount determined by the lease category.


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

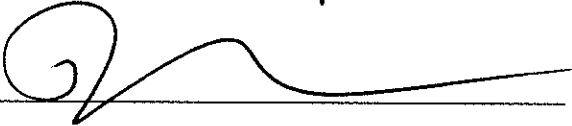
5/11/21
Date

18. 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 standard lease process.

Printed name: ROD MELANSON

Title (if corporate applicant): PRESIDENT

Signature:  Date: 5/11/21

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(s) (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

Additional Applicant:

Printed name: Glin Brannen

Title (if corporate applicant): VP

Signature:  Date: 5/11/21

19. LANDOWNER/MUNICIPAL PERMISSION REQUIREMENTS (if applicable)

Directions: If any portion of the site is intertidal, you need to complete the steps outlined below.

Step I: Obtain written permission from all intertidal landowners.

Pursuant to DMR Regulations Chapter 2.10(3)(G) the Department requires *written permission of every owner of intertidal land in, on, or over which the 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.

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.

Note to Applicants:

As you prepare your standard lease application for submission, please review the information below. It is intended to provide you with a general overview of when DMR communicates with applicants during the leasing process. It also includes answers to some frequently asked questions as they pertain to application processing.

When Will I Hear from DMR Regarding My Standard Lease Application?

Unless otherwise specified, DMR communicates with applicants via email. Please monitor any email address listed on your application on a regular basis. DMR communicates with standard lease applicants at specific times during the application review process, and you can expect to hear from DMR at the following times:

- 1. When your draft application is reviewed for completeness**
 - DMR strives to review draft applications within 30 days of receipt. However, you may be asked to submit additional materials or clarify aspects of your draft application, and this can lengthen the time it may take for a draft application to be reviewed.
 - DMR will notify you when the draft application can move forward to a scoping session.
- 2. When your final application is ‘deemed complete’**
 - DMR strives to review applications within 30 days of receipt. However, you may be asked to submit additional materials or clarify aspects of your application, and this can lengthen the time it may take for an application to be deemed complete.
- 3. After DMR conducts the site visit a copy of the site report will be sent to you**
 - DMR conducts site visits for applications in the order they are deemed complete. However, the time of year, weather, and your proposed operations are all factors that may determine when site visits occur.
 - Site visits are scheduled and conducted at the discretion of DMR staff. Applicants are usually not present during site visits.
- 4. After the site visit has been conducted and the site report is compiled, DMR will contact you about scheduling the public hearing on your application.**
- 5. A copy of the draft decision will be sent to you for review and comment**
- 6. Should a lease be granted, there will be additional communications regarding the execution of your lease.**

Communications between an applicant and DMR tend to be more frequent during the application review period. Once an application has been deemed complete, communications become less frequent because the proposal is moving through the leasing process. Although DMR’s communication with an applicant may become less frequent, applicants should feel free to contact DMR regarding the status of their proposal.

FAQs-Application Process

Why do I have to submit a “draft application?”

DMR regulations provide that before applicants can schedule a scoping session, they must provide DMR

with a draft lease application. Compiling a draft application helps you think through the important elements of your proposed operations. It also provides members of the public and other stakeholders with a tangible document that they can review and provide feedback on during the scoping session.

DMR will review your draft application and let you know when you can move forward with scheduling a scoping session.

What if, after the scoping session, I don't want to make any changes to the draft application?

If you don't want to make any changes to your draft application, you are still responsible for submitting the following prior to DMR's review of your "final application":

- Submit a new cover page (pg. 1 of this document) and applicant signature page (page 19 Of this document) with a copy of the tear sheet advertising the scoping session and the final application fee.

DMR will not review a final application until all items listed above are received.

How does DMR staff review applications (applies to both draft and final applications)?

Applications are reviewed by DMR staff, in the order they are received, at regularly scheduled intervals. DMR staff are reviewing applications to make sure that they contain the requisite information and clearly answer the questions that are being asked. If items are missing or need further clarification, DMR will send you an incomplete letter, which specifies the elements of your application in need of modification. The letter will also include resubmission instructions.

DMR will then review any of the new information or materials you provide. Another incomplete letter may be sent if the additional information or materials need further clarification.

My final application was deemed complete. What does that mean?

The designation "deemed complete" means that the application contains the necessary information for further processing. It does not mean that the proposal will be granted.

How long does the leasing process take?

It depends on a variety of factors including the number of applications currently in process, the time of year an application is deemed complete in consideration of proposed operations, and the complexity of issues raised at a public hearing. These types of factors make it difficult to determine when a final decision on your proposal may be rendered.

When will my lease be granted?

Please note that applying for a lease is not a guarantee that your proposal will be granted. DMR will process your application and render a final decision on the proposal based on applicable evidence as it relates to the lease decision criteria. DMR will send you a copy of the draft proposed decision, which will either grant, or deny the proposal. DMR may also grant the proposal with modifications.

The leasing process is designed to serve multiple stakeholder groups, who all utilize Maine's coastal waters for a variety of different purposes and is intended to provide all stakeholder groups with the opportunity to provide feedback on your proposal. If you have questions about applying for a lease, please contact DMR at DMRaquaculture@maine.gov or 624-6567.

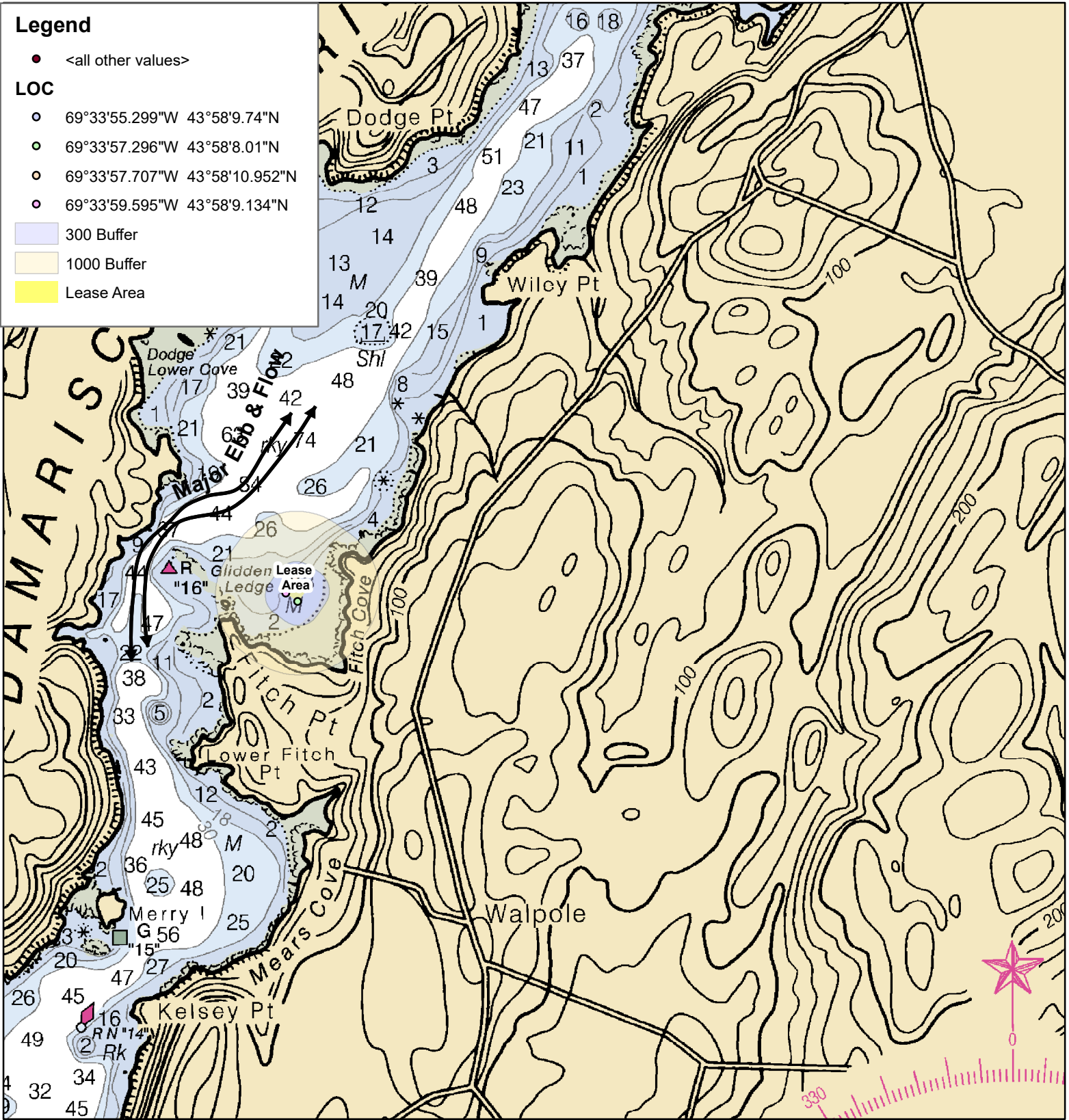
Legend

• <all other values>

LOC

- 69°33'55.299"W 43°58'9.74"N
- 69°33'57.296"W 43°58'8.01"N
- 69°33'57.707"W 43°58'10.952"N
- 69°33'59.595"W 43°58'9.134"N

- 300 Buffer
- 1000 Buffer
- Lease Area



Vicinity Map

Damariscotta River - South Bristol, ME

Notes:

1. Ebb and flow of water is as noted, and follows the major channel in the middle of the river with minor eddies throughout.
2. Distance to nearest water quality closure to the north is over 1 mile
3. Distance to nearest closure to the south is over 1 mile (parcels shown)



True North

Legend

● <all other values>


LOC

○ 69°33'55.299"W 43°58'9.74"N

○ 69°33'57.296"W 43°58'8.01"N

○ 69°33'57.707"W 43°58'10.952"N

○ 69°33'59.595"W 43°58'9.134"N

 Lease Area



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Boundary Map

Damariscotta River - South Bristol, ME

0 120 240 480 Feet



True North

Notes:

1. Ebb and flow of water is as noted, and follows the major channel in the middle of the river with minor eddies throughout.
2. Distance to nearest water quality closure to the north is over 1 mile
3. Distance to nearest closure to the south is over 1 mile (parcels shown)

7. Site Development Gear Type Depictions

SITE DEVELOPMENT

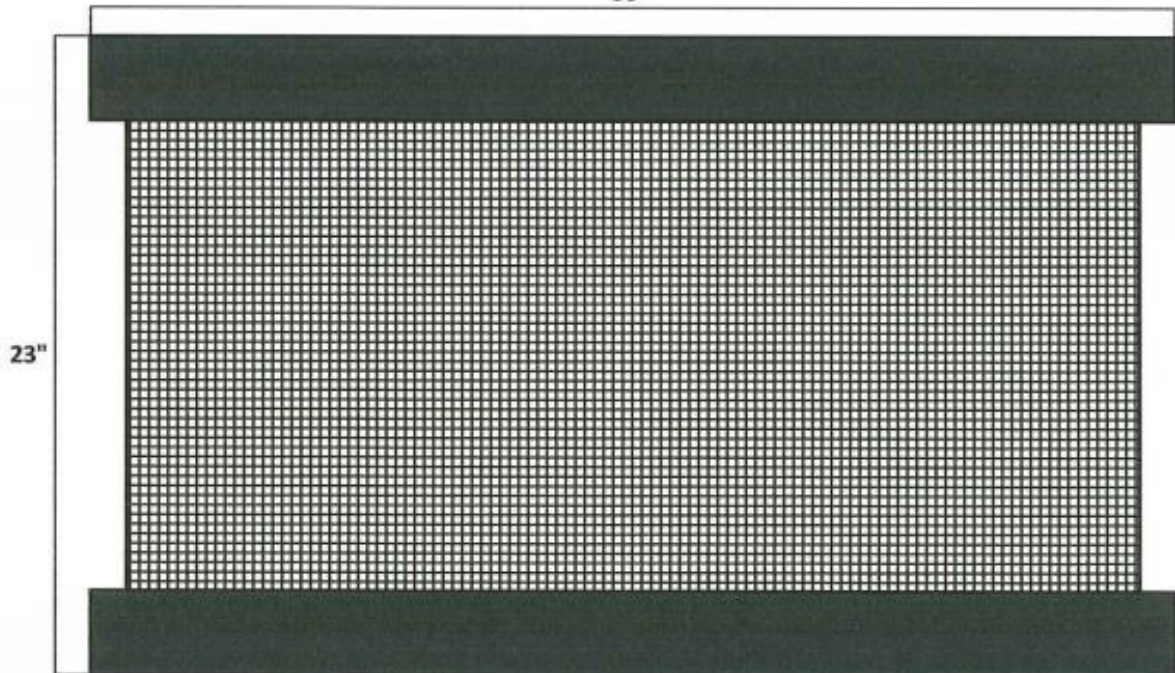
A-1. SINGLE STRUCTURE SCHEMATIC - ADPI BAGS TOP VIEW

DIMENSIONS: 30" L x 23" W x 4" D

MATERIALS: PLIABLE HIGH-DENSITY POLYETHELENE MESH BAG, RIGID HIGH-DENSITY POLYETHELENE FLOATATION, ROPE CONNECTION LOOP, TWINE BRIDLE W/ STAINLESS CLIP



TOP VIEW
30"



7. Site Development Gear Type Depictions

SITE DEVELOPMENT

B-1. SINGLE STRUCTURE SCHEMATIC - ADPI AQUACULTURE BAG CROSS SECTION

DIMENSIONS: 30" L x 23" W x 4" D

MATERIALS: PLIABLE HIGH-DENSITY POLYETHYLENE MESH BAG, RIGID HIGH-DENSITY POLYETHYLENE FLOATATION, ROPE CONNECTION LOOP, TWINE BRIDLE W/ STAINLESS CLIP



CROSS SECTION VIEW
30"



7. Site Development Gear Type Depictions

2. SITE DEVELOPMENT

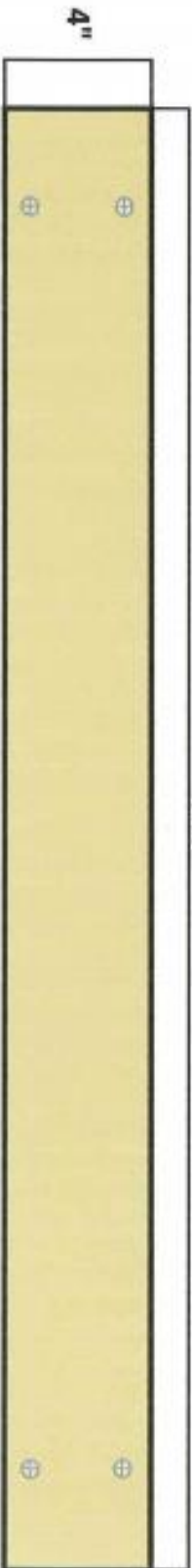
B-2. SINGLE STRUCTURE SCHEMATIC - WOODEN NURSERY TRAY CROSS SECTION

DIMENSIONS: 38" L x 23" W x 4" D

MATERIALS: WOODEN FRAME, WINDOW SCREEN MESH, TWINE BRIDLES W/ STAINLESS CLIPS, ALL STAINLESS FASTENERS

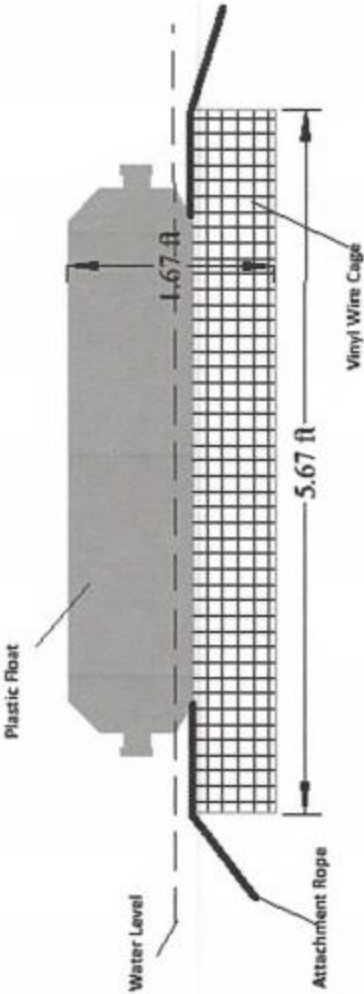


CROSS SECTION
38"

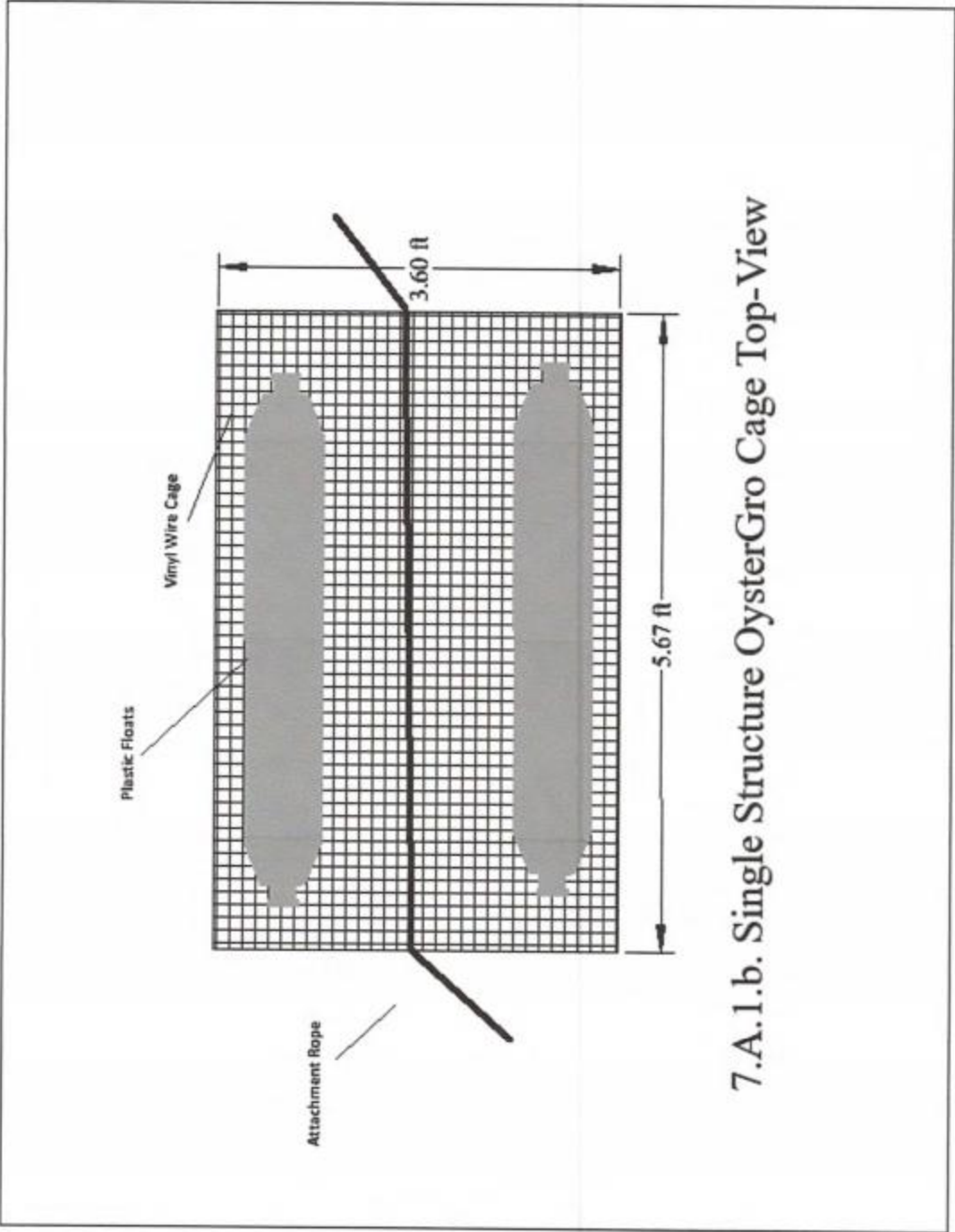


7. Site Development Gear Type Depictions

7.A.1.1.a OysterGro Cage - Side View



7. Site Development Gear Type Depictions



7.A.1.b. Single Structure OysterGro Cage Top-View

7. Site Development Gear Type Depictions

Overwintering cage depiction



8-bag Oyster Condo, Flat Bags

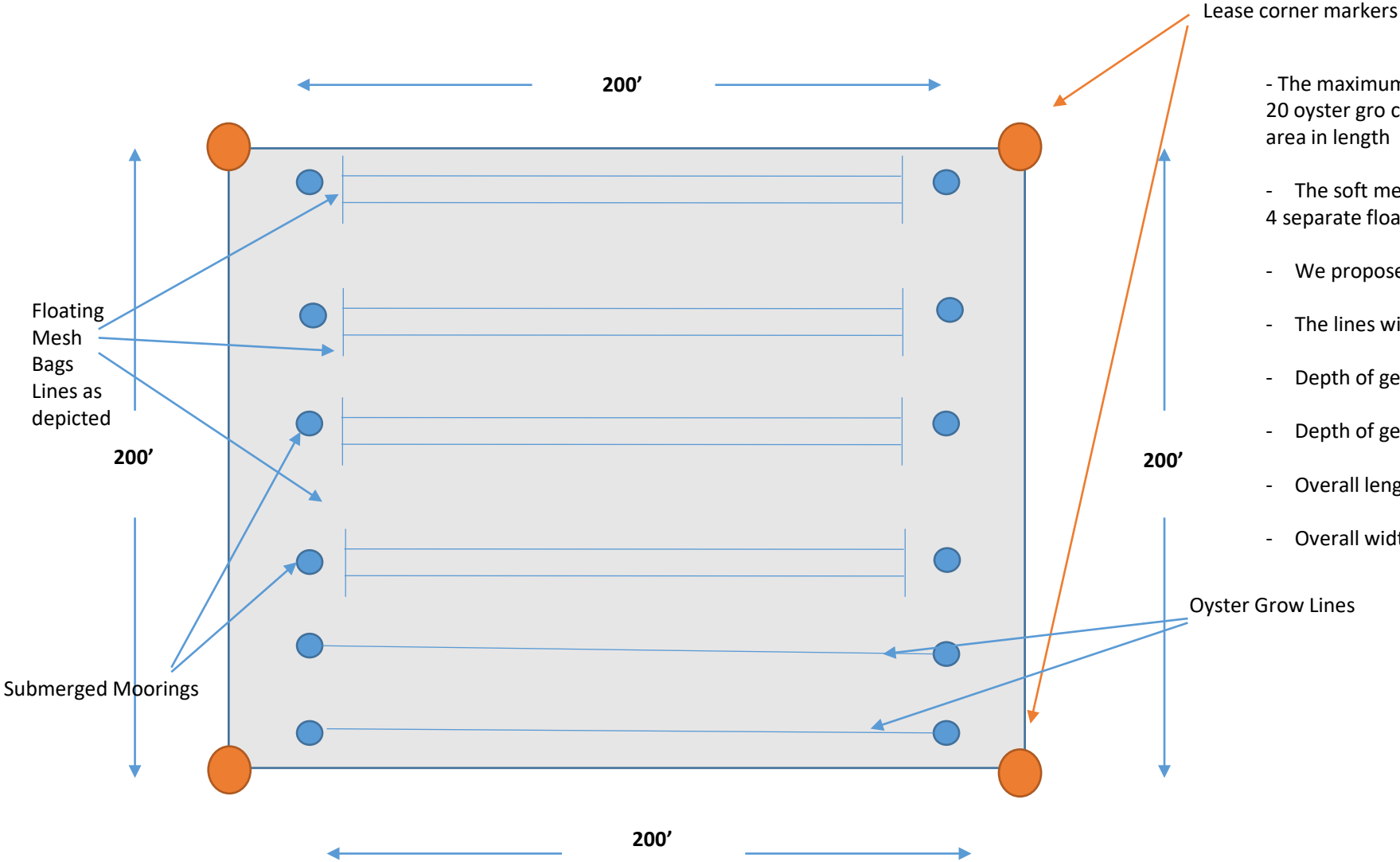
45"L x 40½"W x 22½"H

Similar to our oyster ranch, this bottom cage is designed to store 8 pillowcase style oyster grow out bags.

Category: aquaculture

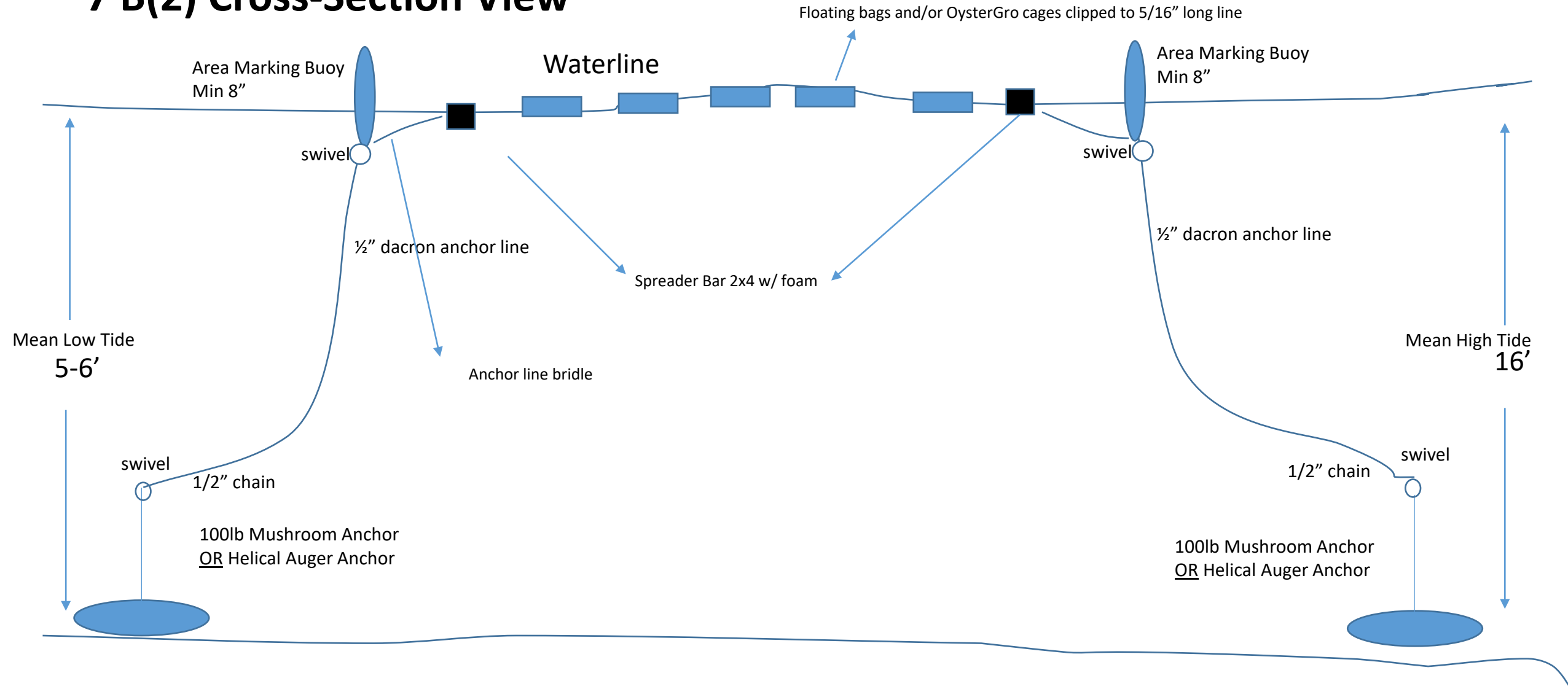
Tag: aquaculture

7 B(1) Overhead View

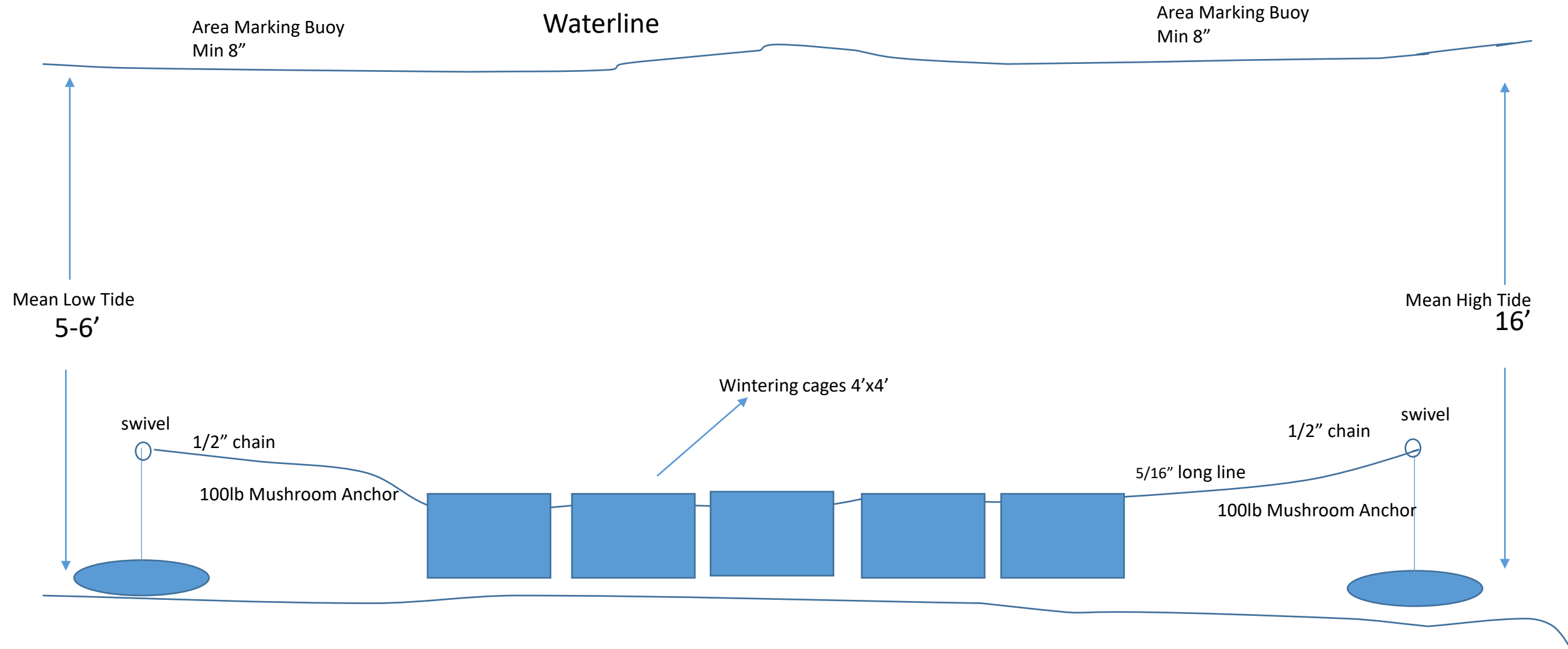


- The maximum amount of gear on the site will not exceed 300 floating bags, 20 oyster gro cages, and 10 nursery trays. Lines will be approx. 100' -150' of used area in length
- The soft mesh bags will be clipped and secured to the lines, we anticipate 4 separate floating bag lines
- We propose 2 oyster gro long lines that will not exceed 15 gro's per line
- The lines will be secured by +/- 25' (from eye of anchor to eye of buoy)
- Depth of gear at mean low water is between 5' and 6'
- Depth of gear at mean high water is approx. 16'
- Overall length of site: approx. 200'
- Overall width of site: 200'

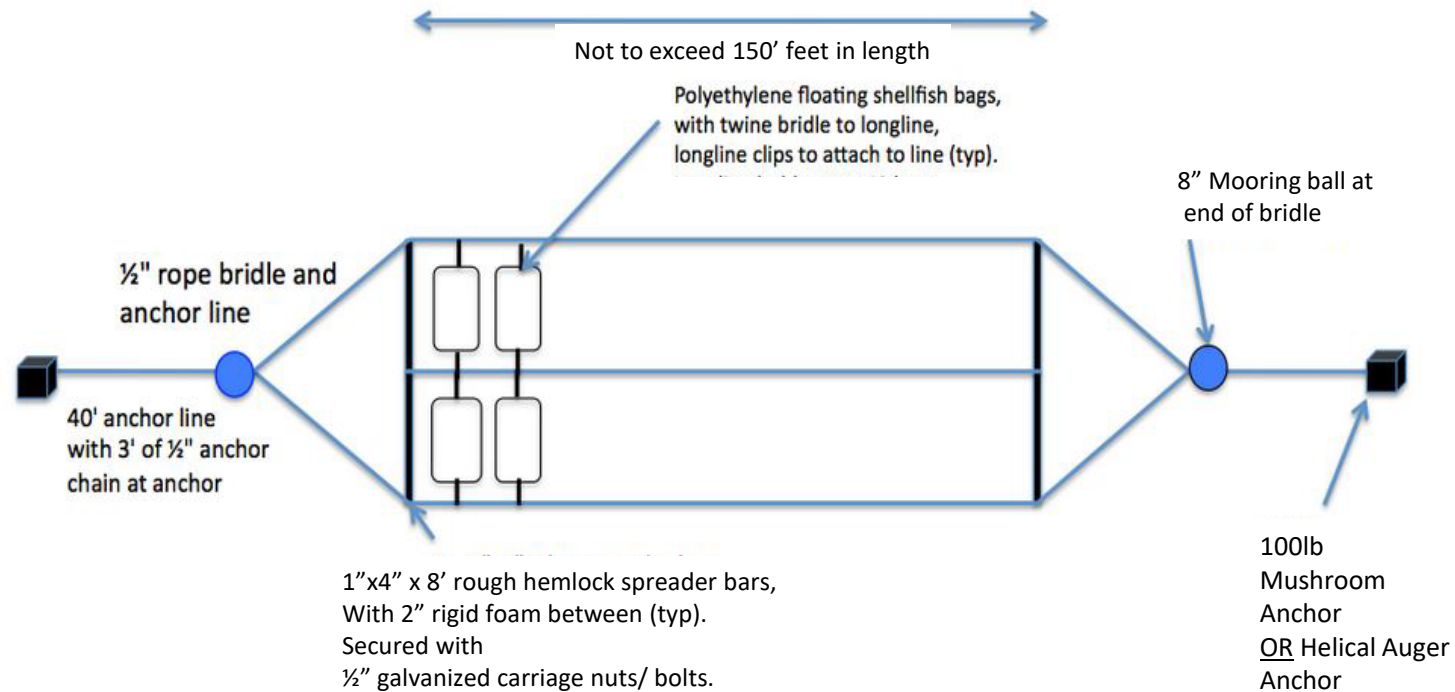
7 B(2) Cross-Section View



Gear Profile Winter – Cross-Section View

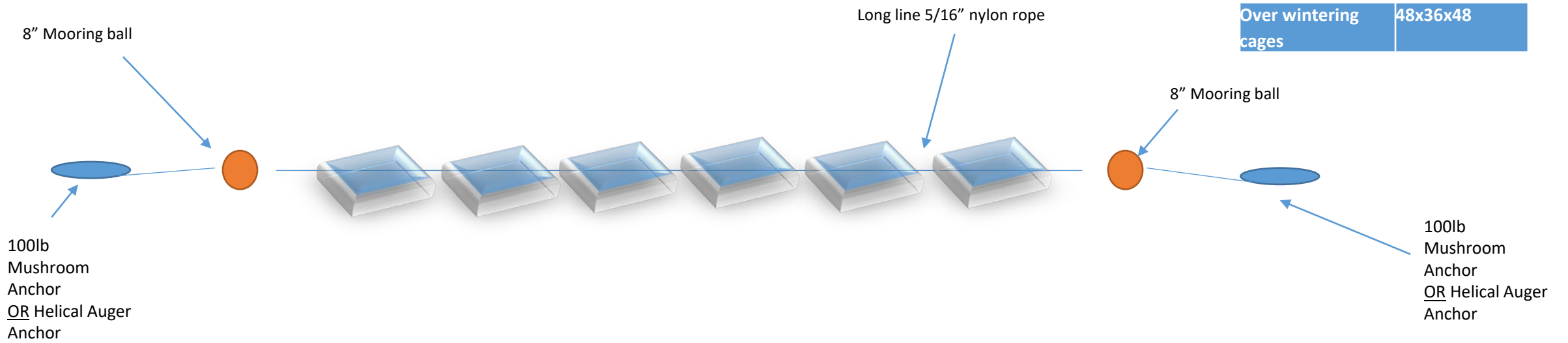


Gear Profile – Overhead View Floating Bags



Gear Profile – Overhead View Oystergro Cages

Specific Gear Type	Dimensions
Soft Mesh Bags	18x32x4.5
Markers, Anchor	10" helix anchor 100lb Anchor 8" Ball
Long line rope	5/16 nylon
OysterGro cages	36x55x8
Over wintering cages	48x36x48



Search Google Maps

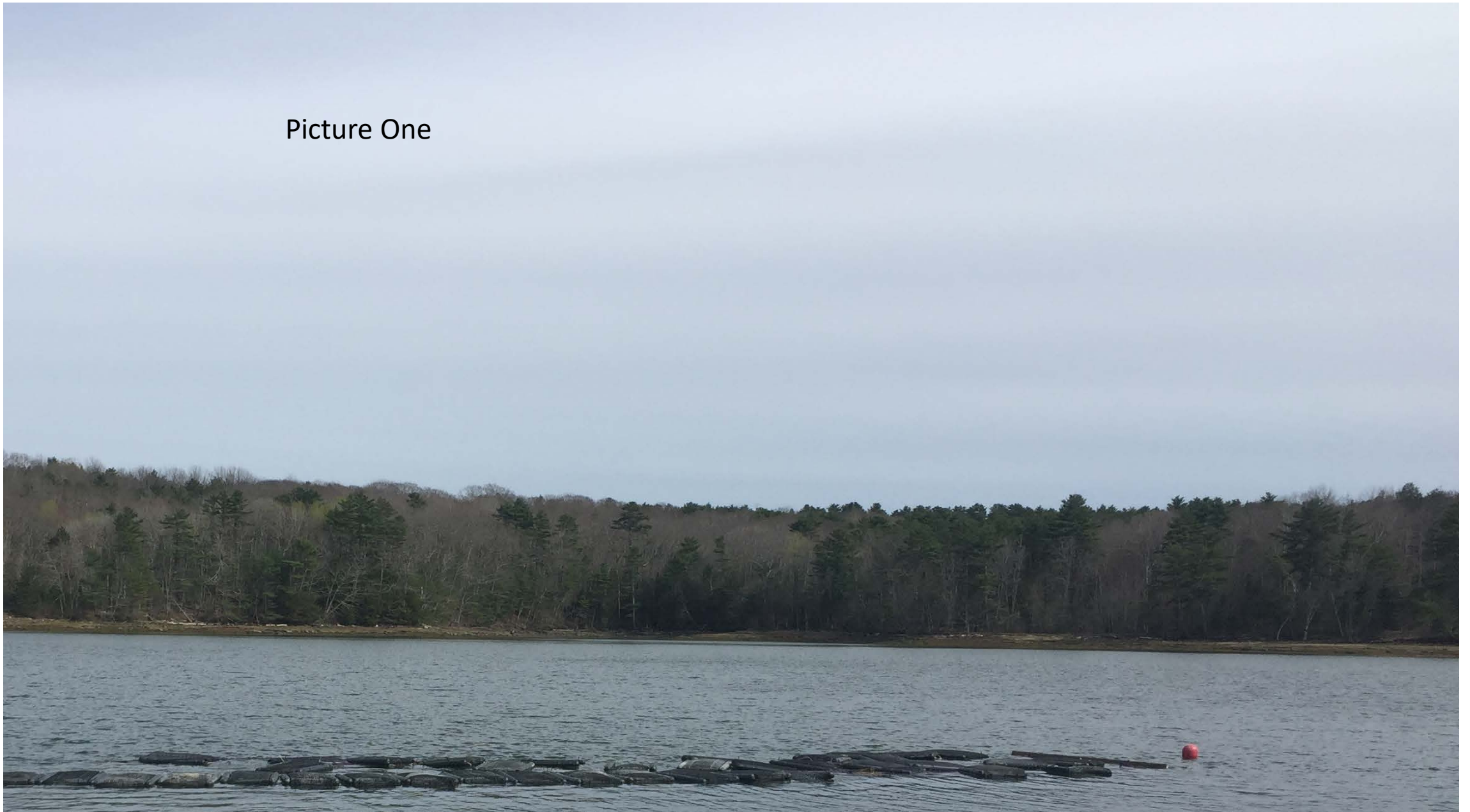
See travel times, traffic and nearby places

Sullivan Tire & Auto Service
Tire shop



Equipment Layout

Picture One



Equipment Layout



Picture Two

Equipment Layout

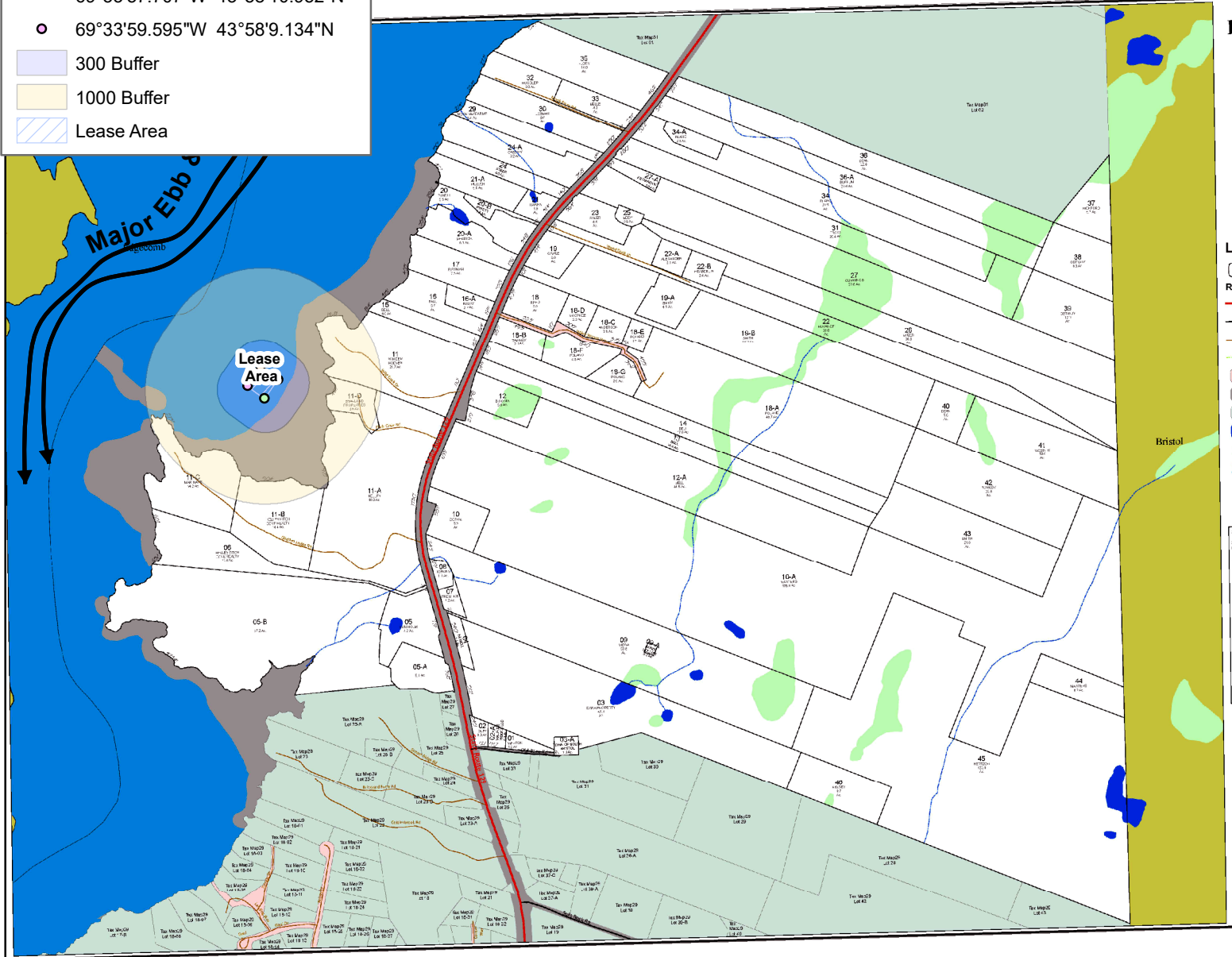
Picture Three



Equipment Layout

Legend

- <all other values>
- 69°33'55.299"W 43°58'9.74"N
- 69°33'57.296"W 43°58'8.01"N
- 69°33'57.707"W 43°58'10.952"N
- 69°33'59.595"W 43°58'9.134"N
- 300 Buffer
- 1000 Buffer
- Lease Area

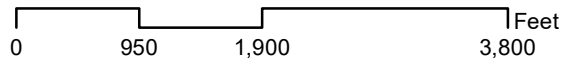


Tax Map 30

Damariscotta River - South Bristol, ME

Notes:

1. Ebb and flow of water is as noted, and follows the major channel in the middle of the river with minor eddies throughout.
2. Distance to nearest water quality closure to the north is over 1 mile
3. Distance to nearest closure to the south is over 1 mile (parcels shown)





MAINE DEPARTMENT OF MARINE RESOURCES

Aquaculture Division, 21 State House Station, Augusta, ME 04333-0021 (207) 624-6567

CORPORATE APPLICANT FORM
For Standard and Experimental Aquaculture Lease Applications

Corporations or partnerships that apply for aquaculture leases in the State of Maine must complete this form. Corporations must submit information as requested under A. Corporate Applicant. Partnerships must submit information as requested under B. Partnership Applicant.

A. Corporate Applicant

Note: You must attach a copy of the Articles of Incorporation (Inc.) or Certificate of Formation (LLC) to your application.

1. Name of Corporation: Heron Island Oyster Co.

2. Date of incorporation: 10/17/2016 State of incorporation: Maine

3. List the names, addresses, and titles of all officers:

Name	Address	Title
Red Melanson	38 Timber Lane Newcastle	President
Colin Brannen	19 Academy Hill Newcastle	VP

Please use additional sheets if necessary and attach to the application.

4. List the names and addresses of all directors/members:

Name	Address

Please use additional sheets if necessary and attach to the application.

5. Has the corporation, or any stockholder, director, or officer applied for an aquaculture lease for Maine lands in the past? Yes No

If you selected "yes," please indicate who applied for the lease and the status of the application or lease.

6. List the names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each stockholder

Name	Address	Percentage of Owned Stock

Please use additional sheets if necessary and attach to the application.

7. List the names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person. If none, write, "None."

Name	Address	Lease Acronym	Acreage

Please use additional sheets if necessary and attach to the application.

8. Has the corporation or any officer, director, member, or shareholder listed in item 5 above ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal?

Yes No

If you selected "yes", please provide details.

B. Partnership Applicant

Note: You must attach a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership to your application.

- 1. Name of Partnership: _____
- 2. Date of formation: _____ State of partnership: _____
- 3. List the names, addresses, and ownership shares of all partners:

Name	Address	Ownership Shares

Please use additional sheets if necessary and attach to the application.

- 4. Has the partnership, or any partner applied for an aquaculture lease for Maine lands in the past? Yes No

If you selected “yes,” please indicate who applied for the lease and the status of the application or lease.

- 5. List the names and addresses of any partner owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person.

Name	Address	Lease Acronym	Acreage

Please use additional sheets if necessary and attach to the application.

6. Has the partnership or any partner been arrested, indicted or convicted of or adjudicated to be responsible for any violation of marine resources or environmental protection law, whether State or Federal?

Yes No

If you selected "yes", please provide details.

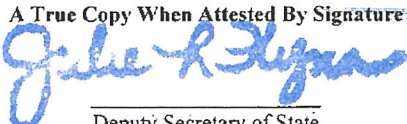
DOMESTIC
BUSINESS CORPORATION

STATE OF MAINE

ARTICLES OF INCORPORATION

File No. 20170293 D Pages 2
Fee Paid \$ 145
DCN 2162951600025 ARTI
-----FILED-----
10/17/2016


Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 13-C MRSA §202, the undersigned executes and delivers the following Articles of Incorporation:

FIRST: The name of the corporation is Heron Island Oyster Co.

SECOND: ("X" only if applicable)

This is a professional corporation**formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

(type of professional services)

THIRD: The Clerk is a: (select **either** a Commercial or Noncommercial Clerk – Person **must** be a Maine resident)

Commercial Clerk CRA Public Number: PI0120

Robert B. Gregory
(name of commercial clerk)

Noncommercial Clerk

(name of noncommercial clerk)

(physical location, not P.O. Box – street, city, state and zip code)

(mailing address if different from above)

FOURTH: Pursuant to 5 MRSA §108.3, the clerk as listed above has consented to serve as the clerk for this corporation.

FIFTH: ("X" one box only)

There shall be only one class of shares. The number of authorized shares is 10,000

(Optional) Name of class: common

There shall be two or more classes or series of shares. The information required by 13-C MRSA §601 concerning each such class and series is set forth in Exhibit _____ attached hereto and made a part hereof.

SIXTH: ("X" one box only)

- The corporation will have a board of directors.
- There will be no directors; the business of the Corporation will be managed by shareholders. (13-C MRSA §743)

SEVENTH: (For corporations with directors, each of the following provisions is optional – "X" only if applicable)

- The number of directors is limited as follows: not fewer than 1 nor more than 6 directors. (13-C MRSA §803)
- To the fullest extent permitted by 13-C MRSA §202.2.D, a director shall have no liability to the Corporation or its shareholders for money damages for an action taken or a failure to take an action as a director.
- Except as otherwise specified by contract or in its bylaws, the Corporation shall in all cases provide indemnification (including advances of expenses) to its directors and officers to the fullest extent permitted by law. (13-C MRSA §§202, 857 and 859)

EIGHTH: ("X" only if applicable)

- The Corporation elects to have preemptive rights as defined in 13-C MRSA §641.

NINTH: ("X" only if applicable)

- Additional provisions of these Articles of Incorporation are set forth in Exhibit ___ attached hereto and made a part hereof. (13-C MRSA §202)

TENTH: Name and address of each Incorporator is set forth below or on Exhibit ___ attached hereto.

Robert B. Gregory, Esq.
 (type or print name)

10 Water St, PO Box 760
 (street or mailing address)

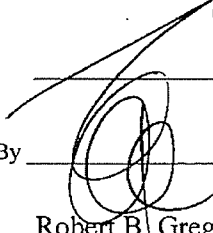
Damariscotta, ME 04543
 (city, state and zip code)

 (type or print name)

 (street or mailing address)

 (city, state and zip code)

Dated October 14, 2016

*By 
 (signature of incorporator)

Robert B. Gregory, Reg. Agent, duly authorized
 (type or print name and capacity)

The professional corporation name must contain one of the following: "chartered," "professional corporation," "professional association" or "service corporation" or the abbreviation "P.C.," "P.A." or "S.C.". **Examples of professional service corporations are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7.)

*These articles must be dated and executed by an incorporator pursuant to the provisions of 13-C MRSA §121.5.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to: **Secretary of State**
Division of Corporations, UCC and Commissions
101 State House Station, Augusta, ME 04333-0101
 Telephone Inquiries: (207) 624-7752 Email Inquiries: CEC.Corporations@Maine.gov



To whom it may concern,

Heron Island Oyster Co. has active accounts with us at First National Bank. These accounts are all in good standing with us.

Please call with any further questions of concerns.

(207)563-3195 x 2052

Cassidy.bodley@thefirst.com

A handwritten signature in black ink that reads 'Cassidy Bodley'.

Cassidy Bodley – Banking Consultant

First National Bank – Damariscotta ME