

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Pleasant Cove Oyster Farm		
Contact Person	Clay Gilbert		
Address	532 Clarks Cove Road		
City	Walpole		
State, Zip	Maine, 04573		
County	Lincoln County		
Telephone	207-380-6394		
Email	pcoysterfarm@gmail.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application <small>[submitted before scoping session session]</small>		<input type="checkbox"/> Final Application <small>[submitted after scoping session]</small>
Dates	Pre-Application Meeting: 8/28/23	Draft Application Submitted:	Scoping Session:
Payment Type	Draft Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card		Final Application: <input type="checkbox"/> Check (included) <input 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 that is checked regularly. If you do not use email, please leave this blank.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Boothbay
Waterbody	Damariscotta River
General Description (e.g. south of B Island)	South of Pleasant Cove Ledges
Lease Information	
Total acreage requested (100-acre maximum)	2.78 acres
Lease term requested (20-year maximum)	20 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)
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: "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):	WQ
Growing Area Section (e.g. "A1"):	Approved (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 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 or juveniles	Maximum number (or biomass) of organisms you anticipate on the site
1. American oyster (<i>Crassostrea virginica</i>)	Muscongus Bay Aquaculture (P.O. Box 204 Bremen, ME) Mook Sea Farms (321 State Rt 129 Walpole, ME) Downeast Institute (39 Wildflower Ln/P.O. Box 83 Beals, ME)	1,000,000 oysters
2.		

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

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

SEE ATTACHMENT 1.

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 in decimal degrees (e.g., 43.123456 N, -69.123456 W) 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 ATTACHMENT 2.

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.

SEE ATTACHMENT 3.

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 <i>(e.g. soft mesh bag)</i>	Dimensions <i>(e.g. 16"x20"x2")</i>	Time of year gear will be deployed <i>(e.g. Spring, Winter, etc.)</i>	Maximum amount of this gear type that will be deployed on the site <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	Species that will be grown using this gear type
Oyster Cage (6-Bag)	67.5" x 40.5" x 20"	All year	360 cages	American oysters
Oyster Cage (4-Bag)	45" x 40.5" x 20"	All year	468 cages	American oysters
Concrete, Mushroom, and Danforth Moorings/Anchors	500 lb max	All year	58 moorings/anchors	American oysters
Jim Buoy, Go Deep Buoys, Poly Balls, or Pot Buoys	12" - 24"	All year	46 buoys	American 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.

SEE ATTACHMENTS 4A & 4B.

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 above, if there will be seasonal changes to gear layout (i.e. over wintering).

SEE ATTACHMENTS 5A, 5B, 5C, & 5D.

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.

No structures will be located on site.
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2. Describe the storage and use of oil, gasoline, or other hazardous materials on site. If petroleum products are to be stored on site, provide a spill prevention plan.
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No oil, gas, or other hazardous materials will be stored on site. We plan to use a pressure washer occasionally but all petroleum products, and the pressure washer, would be stored on land when not in use.

D. Gear Color: Provide the color of the gear and structures proposed to be used at the lease site.

Floating gear would be green, black, or grey to help alleviate any visual impact observed from the shore. Poly balls, go deep buoys, Jim buoys, and pot buoys would be black and/or white. Boundary markers/marker buoys would be yellow as required by law.

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.



Equipment layout 1: Taken from the southeast.



Equipment layout 2: Taken from the northeast.

F. Marking

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 need to be yellow and host reflective material.

Yes 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 the following 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.

We would seed the site by putting oyster seed in cages. We plan to seed the site in May, June, and July. We would likely be onsite daily during these months.

B. Please explain your proposed tending/maintenance activities.

Routine tending and maintenance activity would include cleaning, processing, harvesting, checking on gear, and flipping cages. Other maintenance includes sinking the gear when there is risk of ice, and bringing the gear back to the surface once that risk is gone. We do not anticipate needing to sink the cages every year. We expect to spend 8 hours per day conducting harvesting and maintenance activities. On days where harvesting activities would occur, we would spend less time on tending and maintenance (see 8.E below).

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

Staff will be on site multiple days a week throughout the year for routine tending and maintenance. Cages will be flipped on a rotating monthly schedule in accordance with manufacturer recommendations in order to mitigate biofouling. Other tending and maintenance activities would also occur throughout the year such as sorting and sizing oysters by hand. Having staff on site multiple days per week will also allow for consistent monitoring of the crop and equipment to notice and address any required maintenance.

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

Oysters would be harvested directly from cages by boat or skiff.

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

Typically harvesting will take place multiple times a week throughout the operating season (March – December) but may occur year-round. We expect to spend two to three days a week on the lease site conducting harvesting activities, typically four hours each day. This is weather and market dependent.

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 hope to leave gear on the surface of the site throughout the year but some or all gear may be sunk to the bottom of the lease site during the winter months if ice is expected. If gear is removed from the site, it would be stored on the property of Pleasant Cove Oyster Farm owners.

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

We would not use predator controls.

I. 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)

We plan to attach wire ties to the cages holding oysters ready for harvest to deter birds.

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?

A skiff, powered by a 115 horsepower Evinrude engine would typically be used on site 8 hours a day to tend and harvest oysters. This activity would be weather and market dependent. On rare occasions, we might have a lobster boat, powered by a 300 horsepower John Deere diesel engine, on site to help us move moorings and gear. We expect this lobster boat would only be used on site 20 hours per year.

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?

A power washer would be used occasionally during the summer months to keep equipment clean and deal with biofouling. This power washer would be gas powered. The gas and the power washer itself would not be stored on site. We expect to use the power washer for 2 hours or less per day when on site.

C. Specify how you intend to reduce noise levels from the boats and other powered equipment.

The skiff would be powered with an outboard engine, and the engine would mostly be operated at low speeds and turned off, when possible, to mitigate noise when working on the site. The power washer would be used sparingly to mitigate noise.

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.

No lights would be used on the site, other than flashlights and lights from the lobster boat used to service the site in emergency situations.

E. Indicate under what circumstances you might work at your site beyond daylight hours.

If storm or debris damage occurs to the site, crew members will be deployed to temporarily secure and stabilize the site until daylight hours.

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 operate one standard lease (DAM PC), and four LPA licenses (GJOH122, GJOH222, GJOH322, and GJOH422).

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.

We would keep our standard lease (DAM PC) active if this application is granted, but do not plan to renew GJOH122, GJOH222, GJOH322, and GJOH422 for 2024.

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?

10 feet to 16 feet

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

20 feet to 26 feet

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

On ebb tide the current is approximately 1.0-1.5 knot(s) in the direction of NNE. On the flood tide, the current is approximately 1.0-1.5 knot(s) in the direction of SSW.

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.)?

The bottom is made of mud, sand, gravel, and rock.

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

The bottom is flat.

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?

Crabs – common

Lobsters – rare

A variety of fish (such as mackerel, alewives, and menhaden) pass through at various times of the year.

4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.

No fish migration has been observed. Clamming occurs in Burnham Cove to the north of the site but not within the bounds of the application.

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.

We have not observed any submerged aquatic vegetation on our depth sounders when driving through the proposed lease site in the summer. The State of Maine historical eelgrass maps do not show eelgrass in the proposed boundaries.

6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)

The proposal is next to an intertidal ledge made of sand, mud, and rock. The nearest uplands, which over 1,000 feet from the site, are residential with fields and trees.

E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?

Yes No

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.

F. Describe ice formation in the winter months at the proposed site.

We have not seen ice form at the proposed site for the past four years we have been growing oysters in the cove. Furthermore, Clay has been fishing in the area for the past 30 years and has never seen ice form at the proposed site.

Note: Description of ice should incorporate data such as water temperature or ice out date over a ten-year period or observations over several (no less than 5) recent winters from the harbormaster, a municipal official such as a shellfish warden, local harbor committee, Marine Patrol Officer, fishing/aquaculture industry members, or the applicant.

Stating “no ice observed last year” will not be accepted as a complete answer.

12. EXISTING USES

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.

1. Commercial Fishing

Lobster fishing occurs predominantly in the Damariscotta River channel where the water is deeper, well outside of the site. We have seen a few smaller lobster boats set traps in Pleasant Cove in the summer months, and we have occasionally observed 1-2 traps near the proposed site. We have left enough room for people to lobster between our lease and the ledge. The closest pot buoy to the proposal we observed last year was ~180 feet from the proposal.

We have seen people dig for clams in Burnham Cove throughout the year (as close as about 500 feet from our proposed lease). We would consider the frequency of this activity to be occasional. We have not seen people clam on the section of ledge adjacent to our proposal.

2. Recreational Fishing

We have not seen people fishing recreationally in the site but hook and line fishing is common in the Damariscotta River in the summer.

3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)

People operate boats in the main Damariscotta River channel throughout the year, with the most recreational boating activity occurring in the summer. The site is over three hundred feet from the heavily navigated area, and sits parallel to a ledge, so most boat traffic avoids the area. Boating activities occur in Pleasant Cove, but to a lesser extent than in the main Damariscotta River channel. We have seen sailboats, powerboats, and rowboats/kayaks in Pleasant Cove. We believe that most boats that operate in the cove are associated with the landowners in the cove, although we have seen other boats in the area as well. In our experience, a lot of the boating activity occurs in the middle of the cove, heading to or from the Damariscotta River Channel.

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.)

We have observed riparian owners within Pleasant Cove navigate past the proposed lease to get to and from their shorelines, but in our experience, they mostly remain in the deeper channel in the center of the cove, about 250 feet or more from the proposed site. In our opinion, boating is common predominantly in the summer and rare at other times of the year. The proposed lease is not located nearby any docks, or moorings, and is not near places that landowners land boats directly on shore. The closest upland to the site is ~1,000 feet to the south, and the closest mooring that we know of is about that distance away as well.

5. Other uses (kayaking, swimming, etc.)

People occasionally kayak near Pleasant Cove Ledges in the warmer months, and we have seen them land in the ledges at low tide several times. We have witnessed people tubing in the cove a few times, and although these activities are rare, and water skiing and tubing tend to remain in the center of the cove. We have seen people swim off their docks and boats in the summer months. Other than kayaking, we have not witnessed these activities within the site. People would still be able to kayak through our site, when in operation, as long as they didn't touch our gear.

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.

The closest dock is located ~1,200 feet to the southwest and the closest mooring that we are aware of at this time is ~1,000 feet to the southwest of the proposal.

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.

There are no public beaches, parks, docking facilities, or publicly conserved lands within 1,000 feet of the site.

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:
<https://www.maine.gov/dmr/aquaculture/leases/index.html>

Yes, there are four LPA licenses located within the bounds of the proposed lease held by Larry Knapp (LKNA120, LKNA220, LKNA320, and LKNA420). Larry has provided a letter of support for our proposal and it is included in this application as **Attachment 6**.

Pleasant Cove Oyster Farm holds a standard lease (DAM PC)) ~1,000 feet to the southeast of the proposal.

There are also four LPA licenses to the north of the site (ECUR121, ECUR221, ECOR321, and ECUR421).

13. 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 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 the section titled: “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 “Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

We will access the site by boat from various places in the Damariscotta River

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

We do not anticipate any impact to riparian ingress or egress because the lease would be well away from nearby shorelines, and existing docks and moorings.

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: BOOTHBAY

MAP #	LOT #	Landowner name(s) and address(es)
R05	50-B	WILSON M SUSAN 2020 TRUST WILSON, M SUSAN & MCCARRON, C & SPINNEY, N 249 RIVER ROAD BOOTHBAY, ME 04537
R05	54	FRANTZ, CAMERON K 261 RIVER ROAD BOOTHBAY, ME 04537
R05	56-B06	VILLADSEN, BENTE 17 BURNHAM COVE ROAD BOOTHBAY, ME 04537
R05	56-B04	GUILLARD, RUTH F 27 BURNHAM COVE ROAD BOOTHBAY, ME 04537
R05	56-B03	CLARK REVOCABLE TRUST C/O CLARK, JOHN L & KAREN L-TRUSTEES 37 BURNHAM COVE ROAD BOOTHBAY, ME 04537
R05	56-1	BETTS, BROOKS D 47 BURNHAM COVE ROAD BOOTHBAY, ME 04537
R05	56-2	GLABE, BRUCE D 2 CENTRAL STREET WINCHESTER, MA 01890-2604

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Andrea D. Lowery, Town Clerk for the Town of Boothbay 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: 8/30/2023

14. TECHNICAL CAPABILITY

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

Clay Gilbert has been on the water lobstering, shrimping, and ground fishing for over thirty years. He has participated in the Aquaculture in Shared Waters Course, a number of LPA training classes, Vibrio training, and HACCP training.

Greg has owned and operated multiple businesses in Maine.

Clay and Greg have been operating Pleasant Cove Oyster Farm since 2020.

15. FINANCIAL CAPABILITY

A. Financial Capability

Please provide a letter from a financial institution indicating the applicant has an account in good standing.

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

Please see **Attachment 8.**

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Pleasant Cove Oyster Farm already owns boats and some equipment needed to operate this lease site. Purchasing the additional gear needed for the site would cost approximately \$150,000.

16. 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	\$500.00
<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) Cley Gilbert 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.

11/26/2023
 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) Greg Johnston 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.


11/26/23
 Date

17. 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: Clay Gilbert

Title (if corporate applicant): CO-Owner

Signature:  Date: 11/26/2023

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:

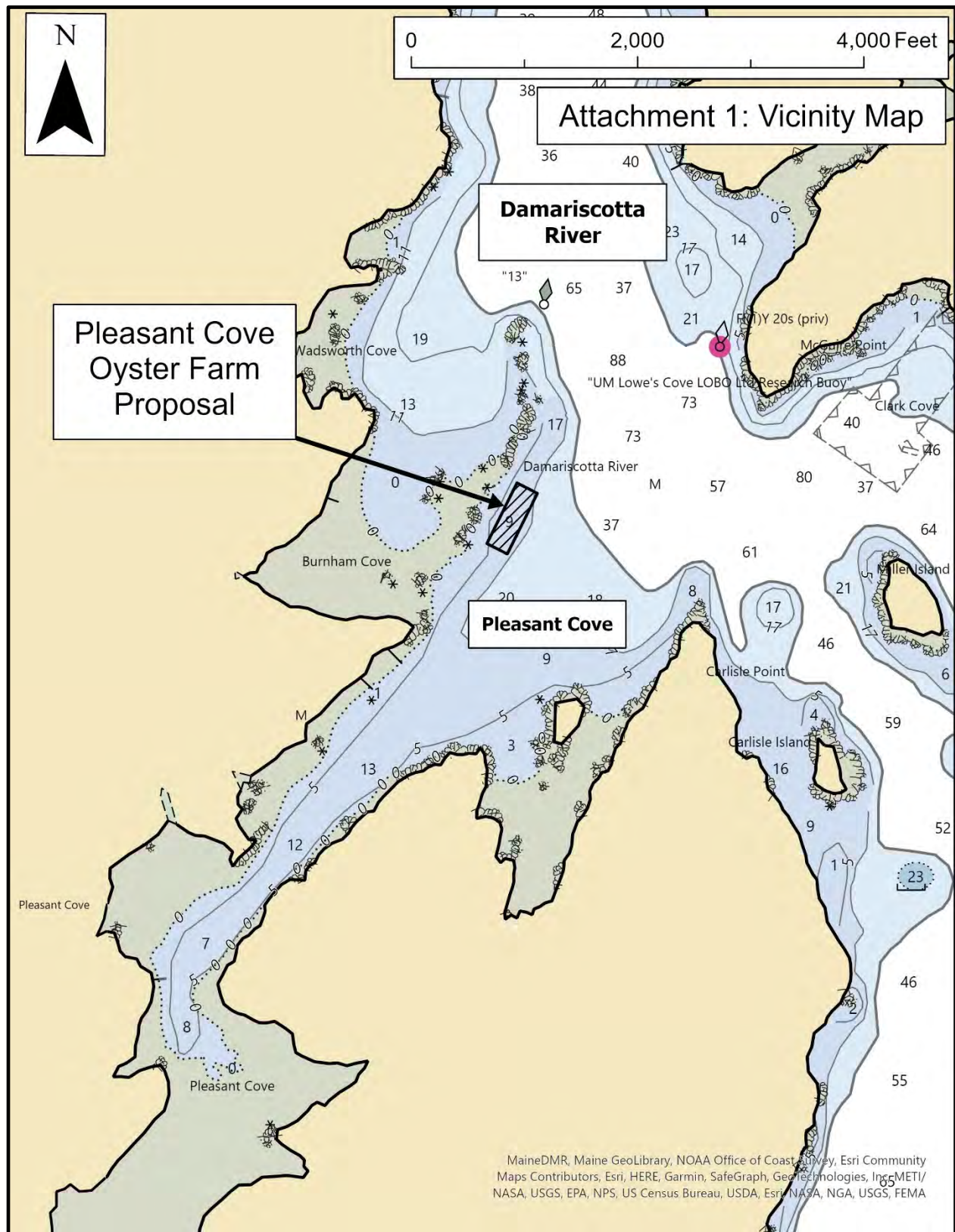
- All applicants must sign and date this page. Please use the space below, if additional signatures are required.
- Corporate applicants, please be sure to include the title(s) (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

Additional Applicant:

Printed name: Greg Johnston

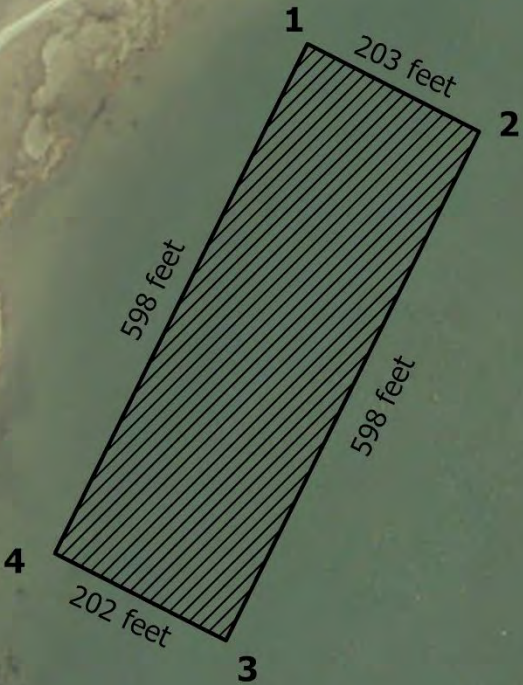
Title (if corporate applicant): co-owner

Signature:  Date: 11/26/23

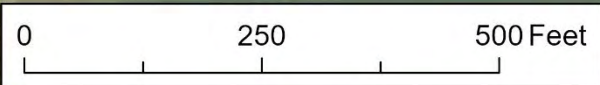


Attachment 2: Boundary Drawing

Datum: WGS84



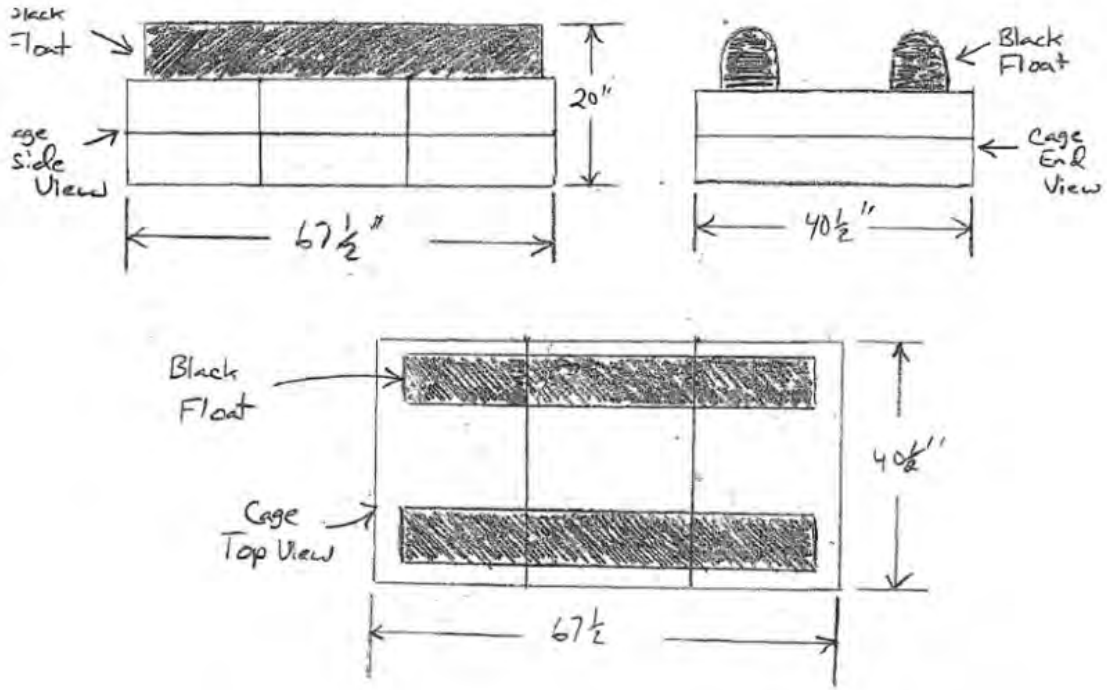
Corner	LAT	LONG
1	43.927419	-69.586358
2	43.927169	-69.585669
3	43.925694	-69.586667
4	43.925942	-69.587353



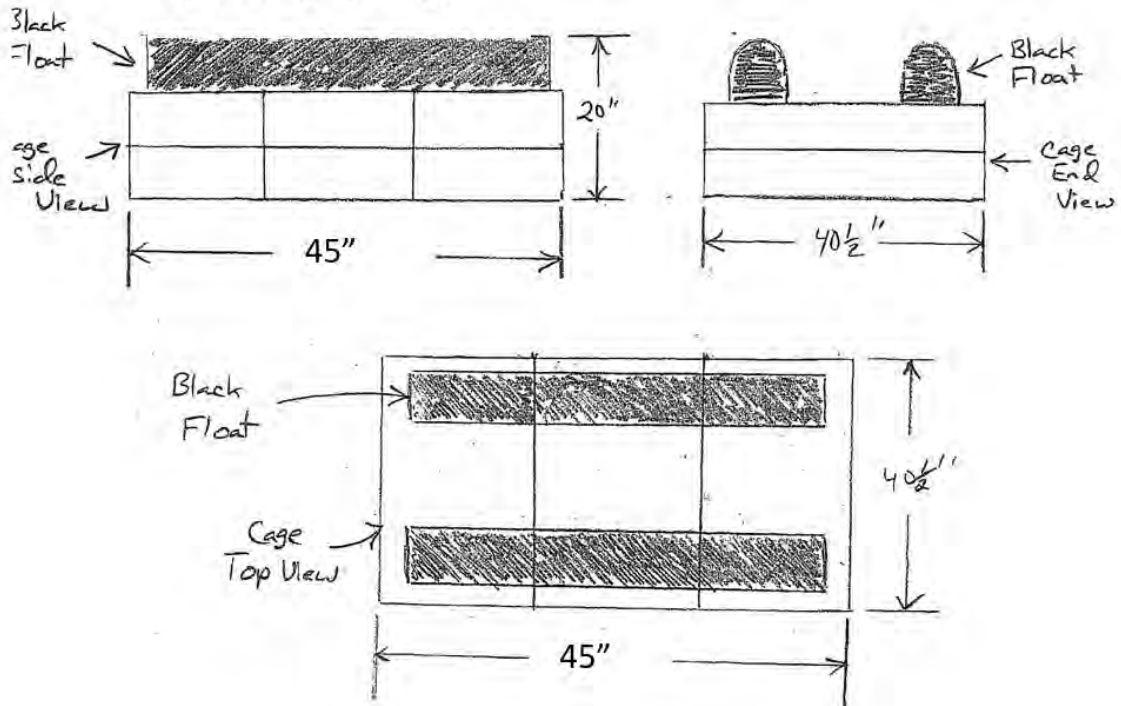
Map
OpenStreetMap
MET/NASA, U
USGS, NGA, NA
Nijmegen

Attachment 3: Gear Drawings

Oyster Cage (6-Bag)

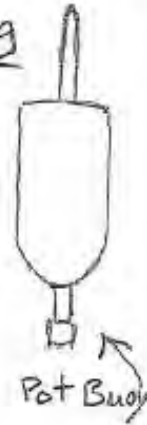
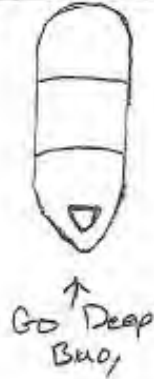
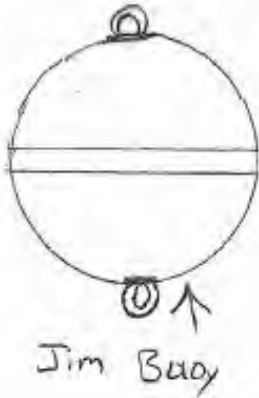


Oyster Cage (4-Bag)



Attachment 3: Gear Drawings

Types of Mooring Balls Gear Drawing



Note: Buoys + Balls typically will be between 12" to 24" in size

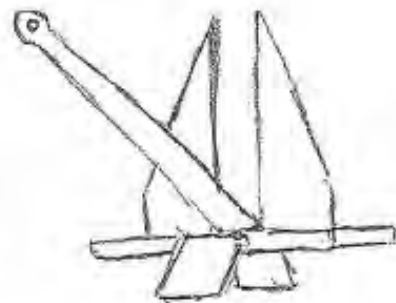
Moorings and anchors



Mooring Block:
up to 500 lbs



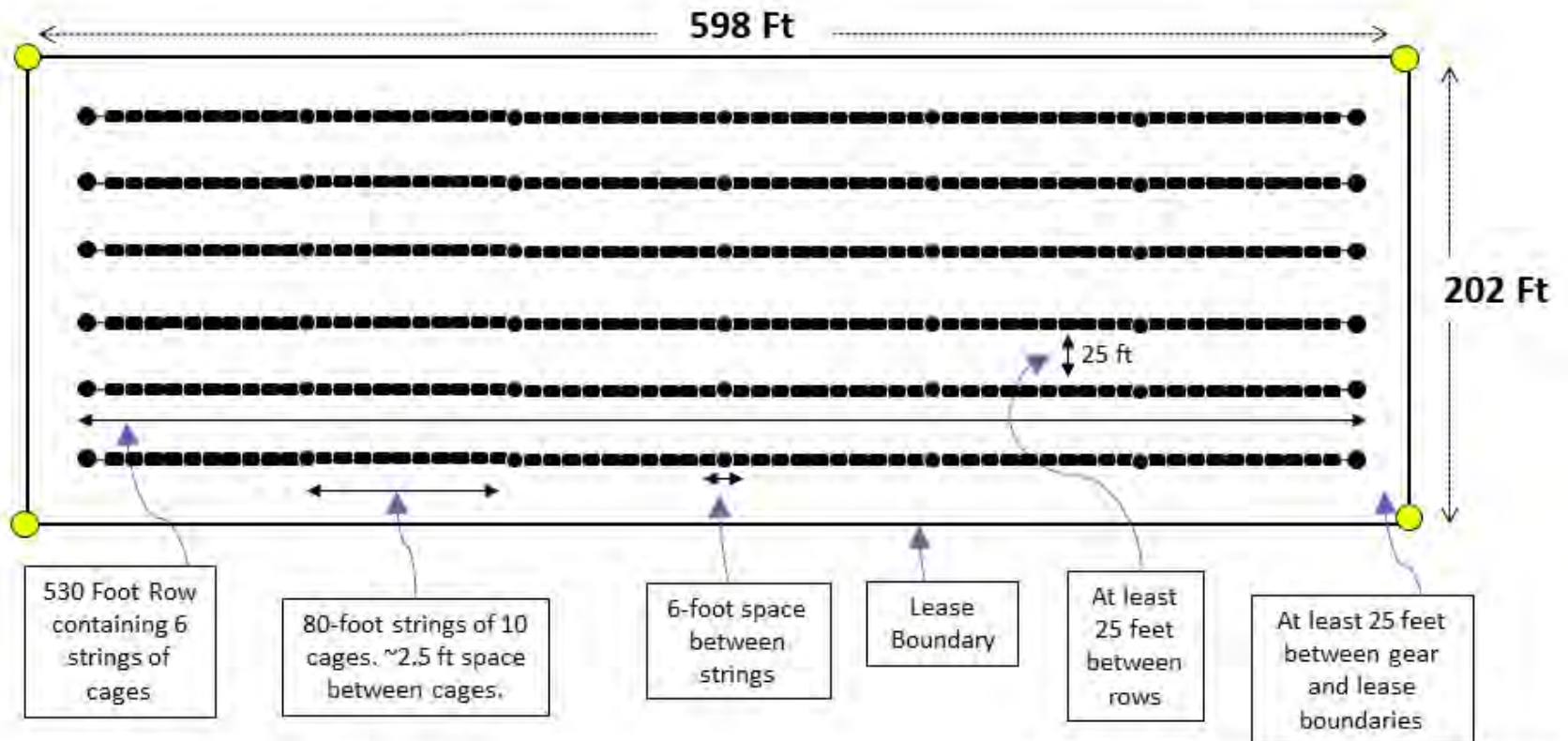
Mushroom
up to 150 lbs



Danforth
up to 200 lbs

Attachment 4A: OVERHEAD VIEW

Dates: Throughout the year, weather and ice permitting.

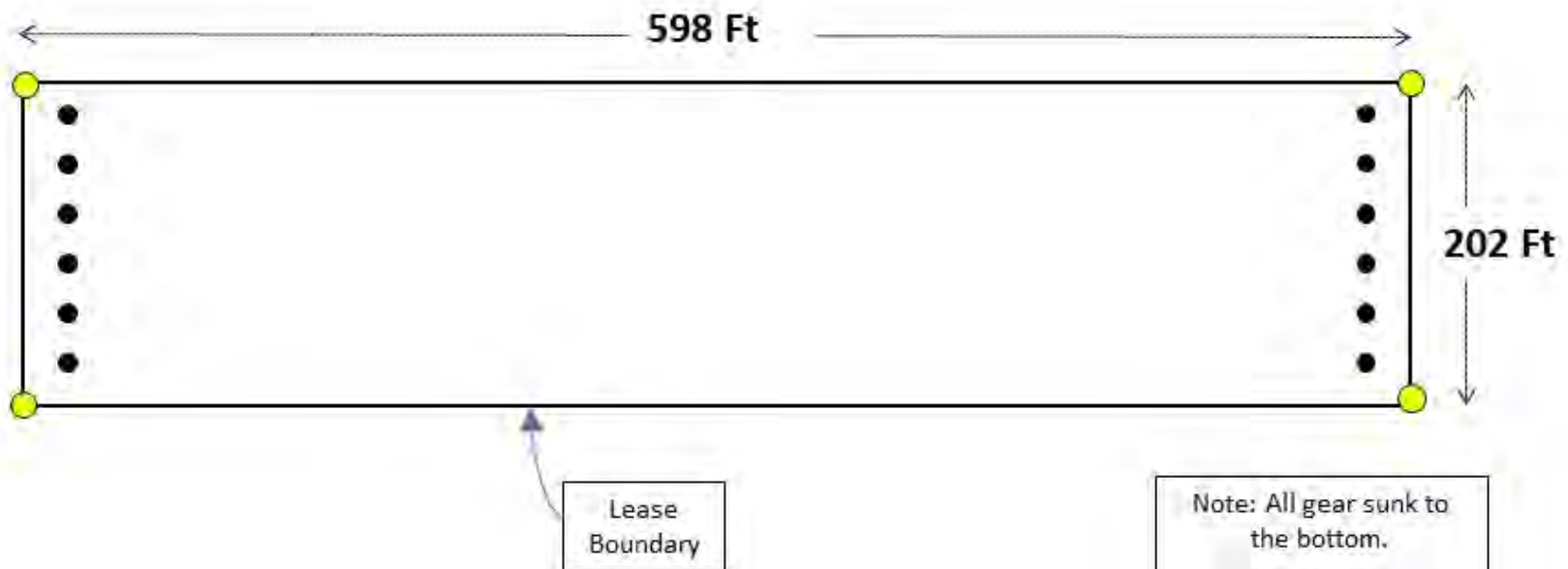


- Go Deep Buoy, Poly Ball, Jim Buoy, Go Deep Buoy, or Pot Buoy
- Yellow Poly Ball, Jim Buoy, or Go Deep Buoy Serving as Boundary Marker
- 6-Bag Oyster Cage

Note: If 4-bag oyster cage were to be used, each string would hold up to 13 cages, for a maximum of 468 cages deployed on the site. In this case, the spacing between cages in a string would be between 2 and 2.5 feet.

Attachment 4B: OVERHEAD VIEW

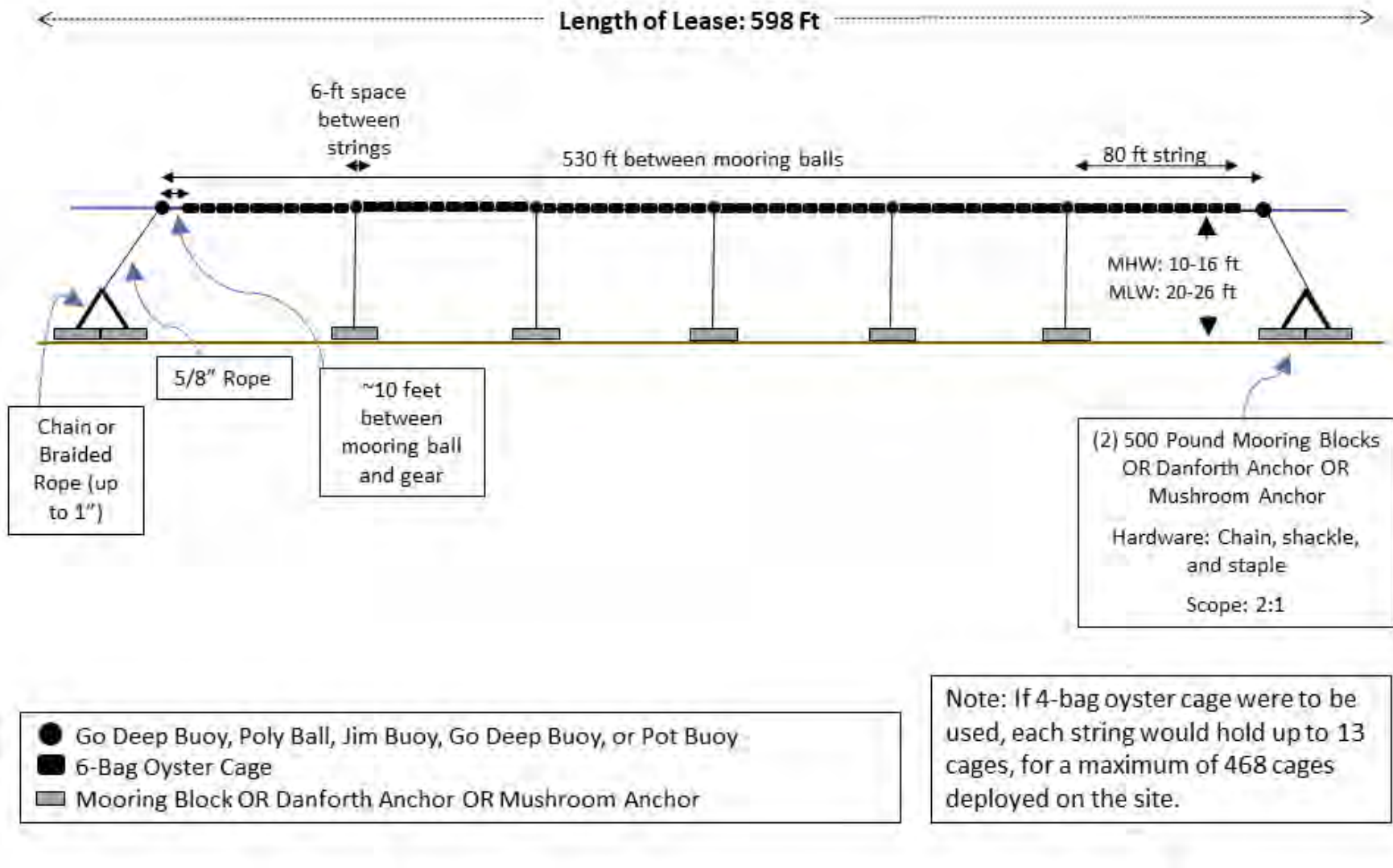
Dates: During the winter months, when required by weather and/or ice.



- Boundary Marker
- Go Deep Buoy, Poly Ball, Jim Buoy, Go Deep Buoy, or Pot Buoy

Attachment 5A: CROSS SECTION VIEW

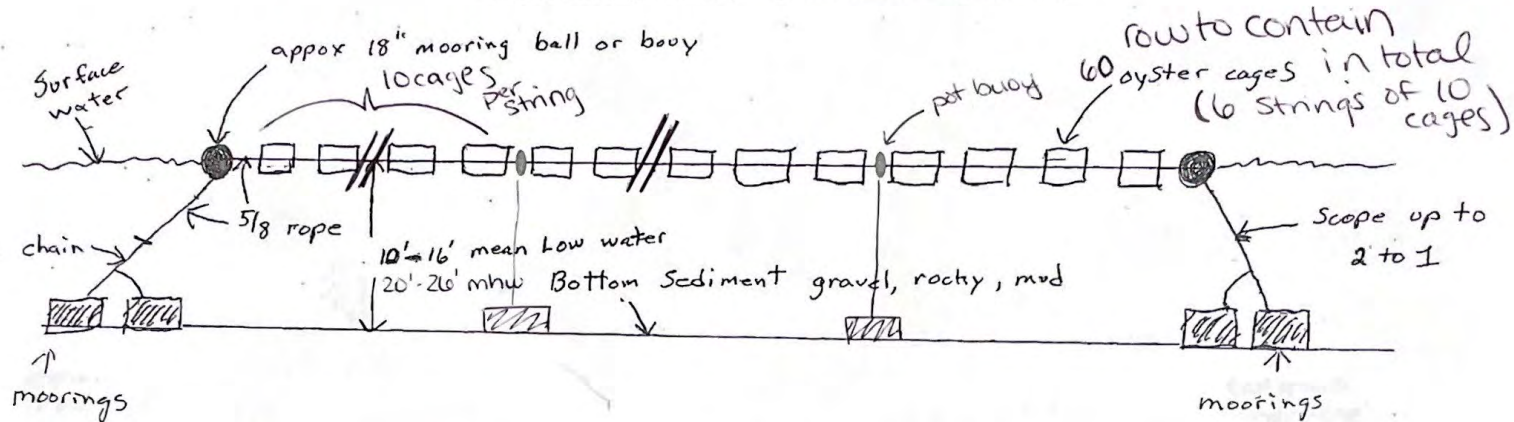
Dates: Throughout the year, weather and ice permitting



ATTACHMENT 5B

CLOSE UP CROSS SECTION VIEW

Dates: Throughout the year, weather and ice permitting



Also to be used Danforth anchors, mushroom anchors + screw in anchors

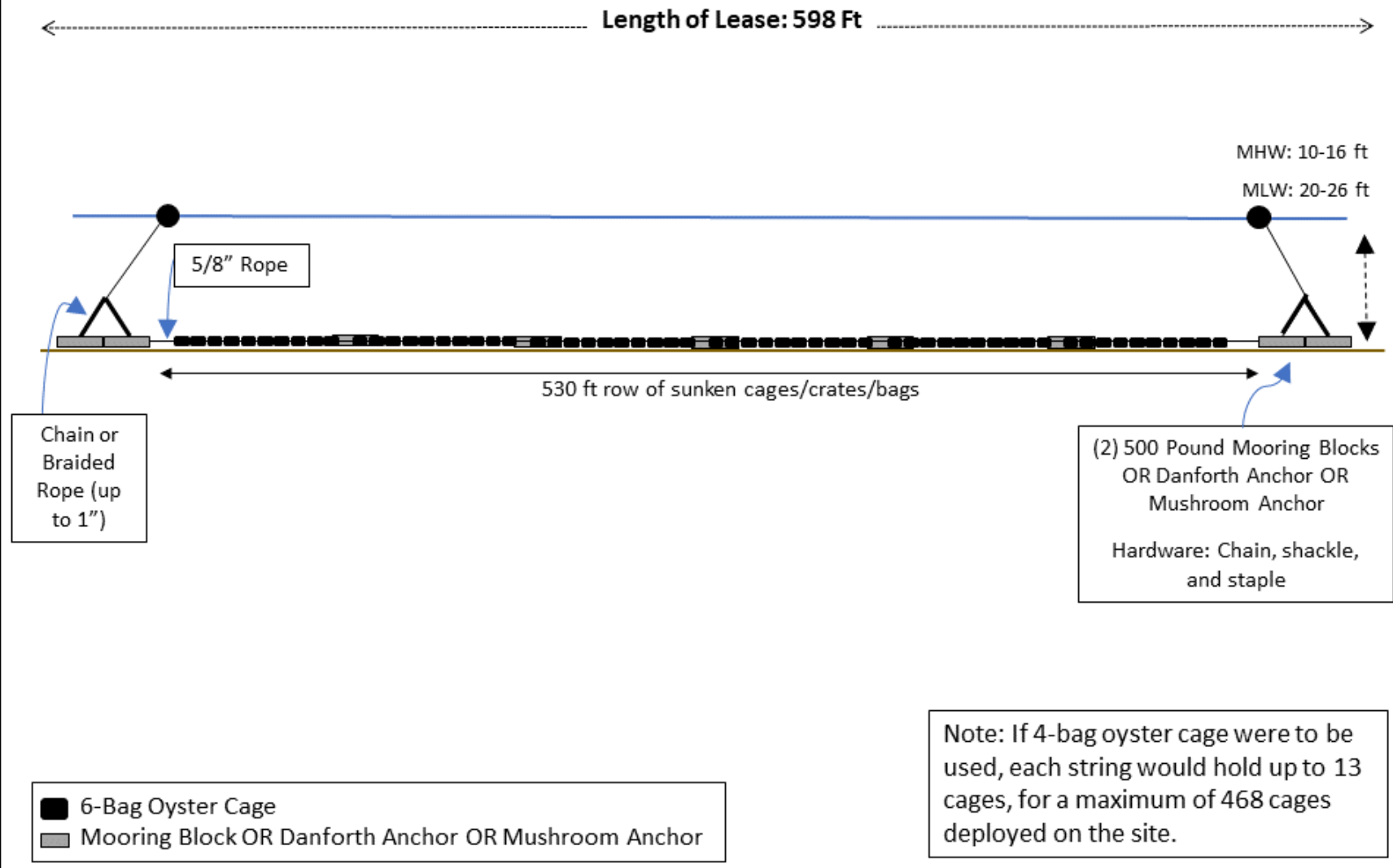
// indicates that not all gear is shown

1 row = 6 strings, each string = 10 cages

Note: If 4-bag oyster cage were to be used, each string would hold up to 13 cages.

Attachment 5C: CROSS SECTION VIEW

Dates: During the winter months, when required by weather and/or ice.

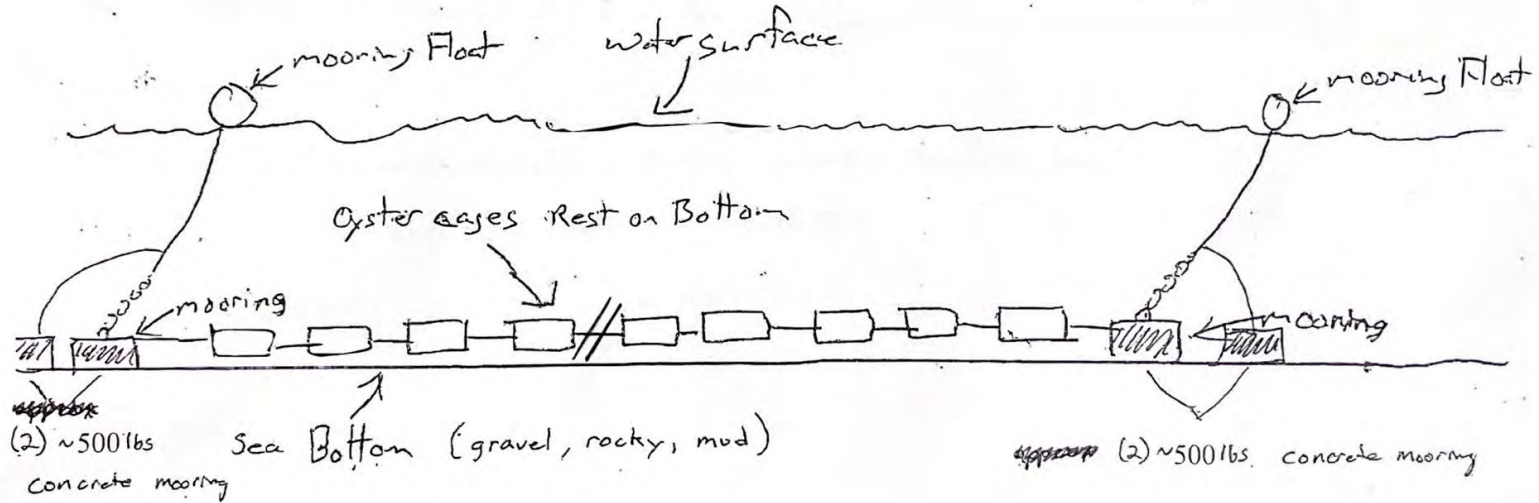


Attachment 5D: CROSS SECTION VIEW

Dates: During the winter months, when required by weather and/or ice.

Mean Low 12-16

Mean High 20-26



Also to be used Danforth anchors, mushroom anchors, + Screw in anchors.

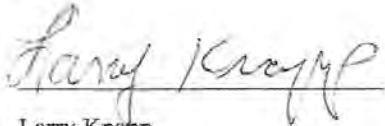
// INDICATES that not all gear is shown

ATTACHMENT 6

To the Department of Marine Resources,

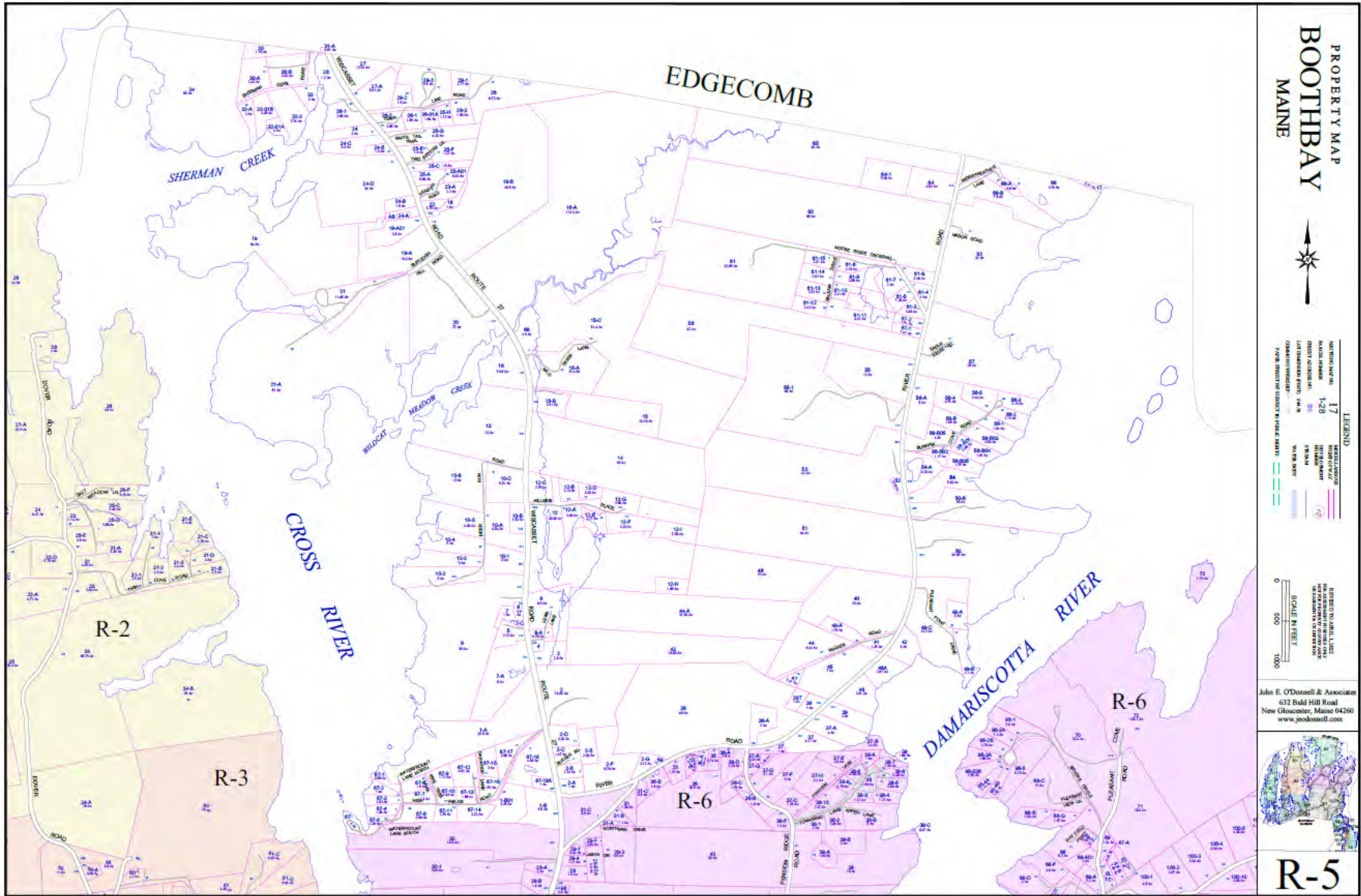
I am aware of Pleasant Cove Oyster Farm's 2.78-acre standard lease application in Pleasant Cove in the Damariscotta River. The application is located in the same area as four LPA licenses I hold (LKNA120, LKNA220, LKNA320, and LKNA420). I support the proposal and plan to terminate my LPA licenses if Pleasant Cove Oyster Farm is able to begin operating there.

Thank you,

A handwritten signature in cursive script that reads "Larry Knapp". The signature is written in dark ink and is positioned above a horizontal line.

Larry Knapp

Attachment 7: Boothbay Tax Map



Attachment 8: Bank Letter



September 6, 2023

To Whom It May Concern

This letter is to confirm that the accounts of Pleasant Cove Oyster Farm, LLC are in good standing with Camden National Bank.

Sincerely,

A handwritten signature in black ink, appearing to read "Cerina Leeman".

Cerina Leeman, AVP
Banking Center Manager II
435 Main Street
Damariscotta, ME 04543
cleeman@camdennational.bank
207.230.5557

Attachment 9: Corporate Applicant Form



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: Pleasant Cove Oyster Farm LLC
 2. Date of incorporation: 3/3/2020 State of incorporation: Maine

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

Name	Address	Title
Greg Johnston	488 Augusta RD 04348 Jefferson ME 04573	co-owner
Clay Gilbert	532 Clarks Cove Rd Walpole ME 04573	co-owner

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

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

Name	Address
Greg Johnston	488 Augusta RD Jefferson ME 04573 04348
Clay Gilbert	532 Clarks Cove RD Walpole ME 04573

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 **Pleasant Cove Oyster Farm applied for a standard lease, DAM PC, which was granted in 2022.**

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
Greg Johnston	488 Augusta RD Jefferson ME 04348	50%
Clay Gilbert	532 Clerks Cove Rd Walpole ME 04573	50%

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 based on the percentage of owned stock listed in question 6. If none, write, "None."

Name	Address	Lease Acronym	Acreage
N/A			

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

Attachment 10: Articles of Incorporation

MAINE
LIMITED LIABILITY COMPANY
STATE OF MAINE
CERTIFICATE OF FORMATION

File No. 20205774DC Pages 2
Fee Paid \$ 175
DCN 2200642310012 DLLL
FILED
03/03/2020

Julie L. Flynn
Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 31 MRSA §1521, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:
Pleasant Cove Oyster Farm, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

- Date of this filing; or
- Later effective date (specified here): _____

THIRD: Designation as a low profit LLC (Check only if applicable):

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
 - A. The company intends to qualify as a low-profit limited liability company;
 - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
 - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
 - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional LLC (Check only if applicable):

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

(Type of professional services)

FIFTH: The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: _____

(Name of commercial registered agent)

Noncommercial Registered Agent

Gregory A. Johnston

(Name of noncommercial registered agent)

488 Augusta Road

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

Jefferson, ME 04348

(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH: Other matters the members determine to include are set forth in the attached Exhibit _____, and made a part hereof.

**Authorized person(s)

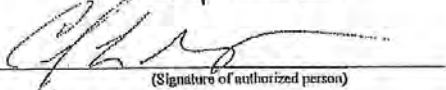
Dated 3/3/2020



(Signature of authorized person)

Gregory A. Johnston

(Type or print name of authorized person)



(Signature of authorized person)

Clay L. Gilbert

(Type or print name of authorized person)

*Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7)

**Pursuant to 31 MRSA §1676.1.A, Certificate of Formation MUST be signed by at least one authorized person.

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

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