

LEASE EXPANSION APPLICATION

1. APPLICANT CONTACT INFORMATION

Acronym of Lease Proposed for Expansion	PISC SC
Applicant	Spinney Creek Shellfish
Contact Person	Pierce Howell
Address	27 Howell Drive
City	Eliot
State, Zip	Maine, 03903
County	York
Telephone	207-439-7950
Email	pwhowell@spinneycreek.com

Note: If applicant is a corporation or a partnership, please complete the “Corporate Applicant Information Document” available at: <http://www.maine.gov/dmr/aquaculture/forms/experimental.html>

2. PROPOSED LEASE SITE INFORMATION

Acreage of Existing Lease	2.75
Acreage of proposed expansion (up to 25% of existing lease or 4 acres, whichever is less)	3.44 acres total 2.75 acres * 25% = 0.68 acres of expansion 2.75 acres + 0.68 acres = 3.44 acres
Town	Eliot
County	York
Waterbody	Spinney Creek
Type of Culture Proposed for Expansion	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Would your proposed expansion discharge anything into the water such as feed or additives ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note: If you checked yes, you will need to contact the Maine Department of Environmental Protection (DEP) Wastewater Licensing Program (Gregg.wood@maine.gov , 207-287-7693). Further sampling may be required by DMR, or DEP, depending on the characteristics of the site or the proposed activities.
Is any portion of the proposed expansion above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note: If you selected yes, please complete the permission requirements included in section “15. Landowner/Municipal Permission Requirements”.

Reasons for Expansion

When the wind blows from certain directions it can push a portion of the outside line of oyster cages slightly beyond the current lease area. We wish to remedy this by increasing the buffer zones on the 800' sides of the lease by 6' each. We also wish to put 4 more longlines of 25 cages each, totalling 100 cages, on the northeast side of the lease. These will all be in line with each other as shown in the attached diagram. The additional outside line requires 25' of width. This means that the northeast side of the lease would be expanded by 31' total and the southwest side by 6'.

The math on this is as follows:

-please note that 1 acre is 43,560 square feet

$800' * 31' = 24,800$ square feet / 43,560 square feet = 0.57 acres

$800' * 6' = 4800$ square feet / 43,560 square feet = 0.11 acres

3. VICINITY MAP

Directions: Using a NOAA Chart or USGS topographic map, show the area within a minimum of one-half mile of the existing lease site and proposed expansion. **Note:** Please label as: 'Vicinity Map'.

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 existing lease boundaries
- The proposed expansion

VICINITY MAP - EXPANDED LEASE AREA STANDARD LEASE - SPINNEY'S CREEK ELIOT, YORK COUNTY, MAINE

PREPARED FOR:
LORI & THOMAS HOWELL - SPINNEY CREEK SHELLFISH COMPANY
MAILING ADDRESS: 13 KINGS HIGHWAY SOUTH, ELIOT, ME 03903

DATE STAMP: JANUARY 27, 2023/3:45 P.M

 **CIVIL
CONSULTANTS**

PROJECT # 17-187.00



DRAWING LOCATION: J:\AAA\2017\1718700\CARLSON\DRAWING\2023-EXPANDED-STANDARD-lease-area-vicinity-map.dwg

4. BOUNDARY DRAWING

Directions: Depict the boundaries of the existing lease site and proposed expansion. Label all corners, directions, and distances. **Note:** Please label as: 'Boundary Drawing'.

5. COORDINATE DESCRIPTION

Directions: Provide geographic coordinates for each corner of your expanded lease proposal. If you use a datum other than WGS84 or NAD83 for your expanded coordinates, please include the datum used.

Note: Please label as: 'Expanded Coordinates'.

Included in Boundary Drawing below



1 inch = 250 ft.

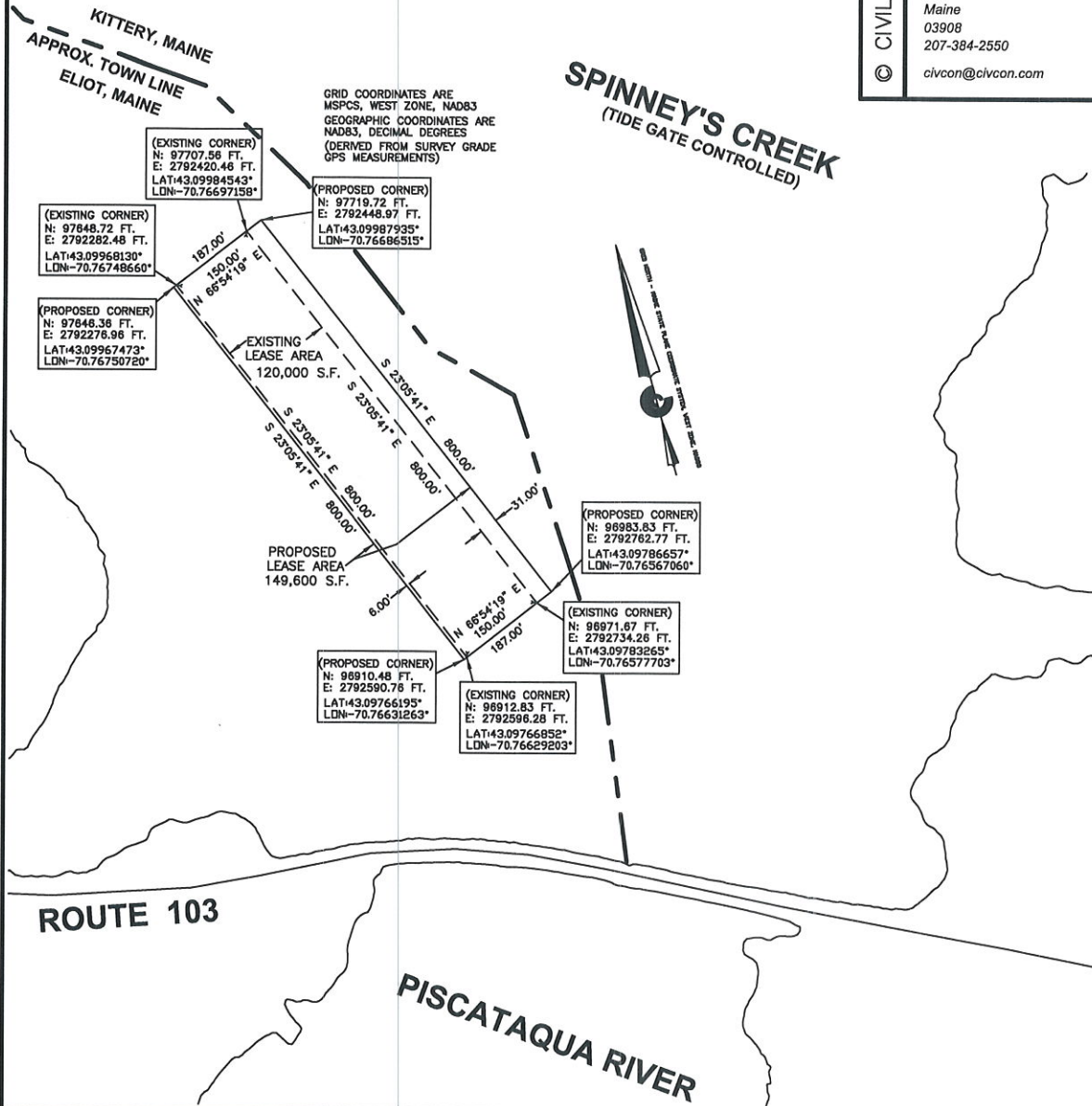
PROPOSED LEASE AREA
EXISTING LEASE AREA

CIVIL CONSULTANTS

CIVIL CONSULTANTS

Engineers
Planners
Surveyors

P. O. Box 100
South Berwick
Maine
03908
207-384-2550
civcon@civcon.com



BOUNDARY DRAWING - PROPOSED EXPANDED LEASE AREA - SPINNEY'S CREEK, ELIOT, YORK COUNTY, MAINE

LORI & THOMAS HOWELL - SPINNEY CREEK SHELLFISH COMPANY

MAILING ADDRESS: 13 KINGS HIGHWAY SOUTH, ELIOT, ME 03903

DRAWING LOCATION: J:\AAA\2017\1718700\CARLSON\DRAWING\2023--expanded--STANDARD-- lease-area-8--5X11PLAN.dwg

JANUARY 27, 2023

6. 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 this section.

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. Maximum Structure and Mooring System Schematic

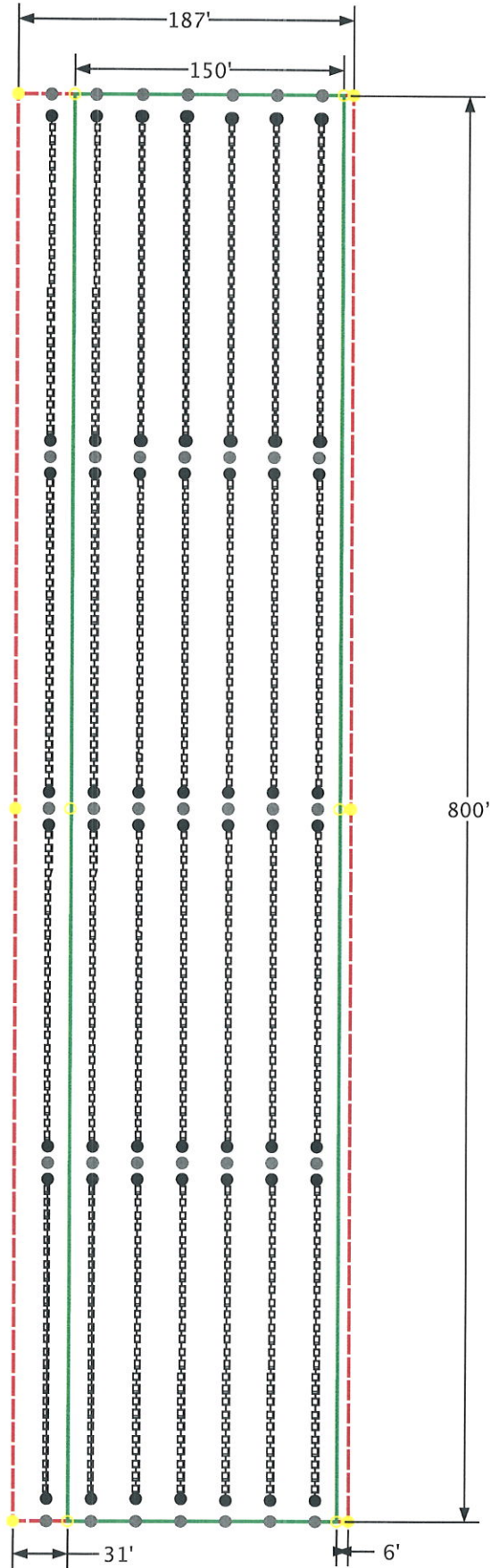
Directions: Include drawings of your **maximum gear layout**. Include units referenced (i.e. 10in, 10ft, etc.).

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

Overhead View PISC SC Proposed Expansion

2.75 acres + 25% = 3.44 acres
600 cages increased to 700 cages
Northeast side of lease increased by 25'
Increased outside buffer zones by 6'

Green outline- existing lease
Red outline- proposed lease



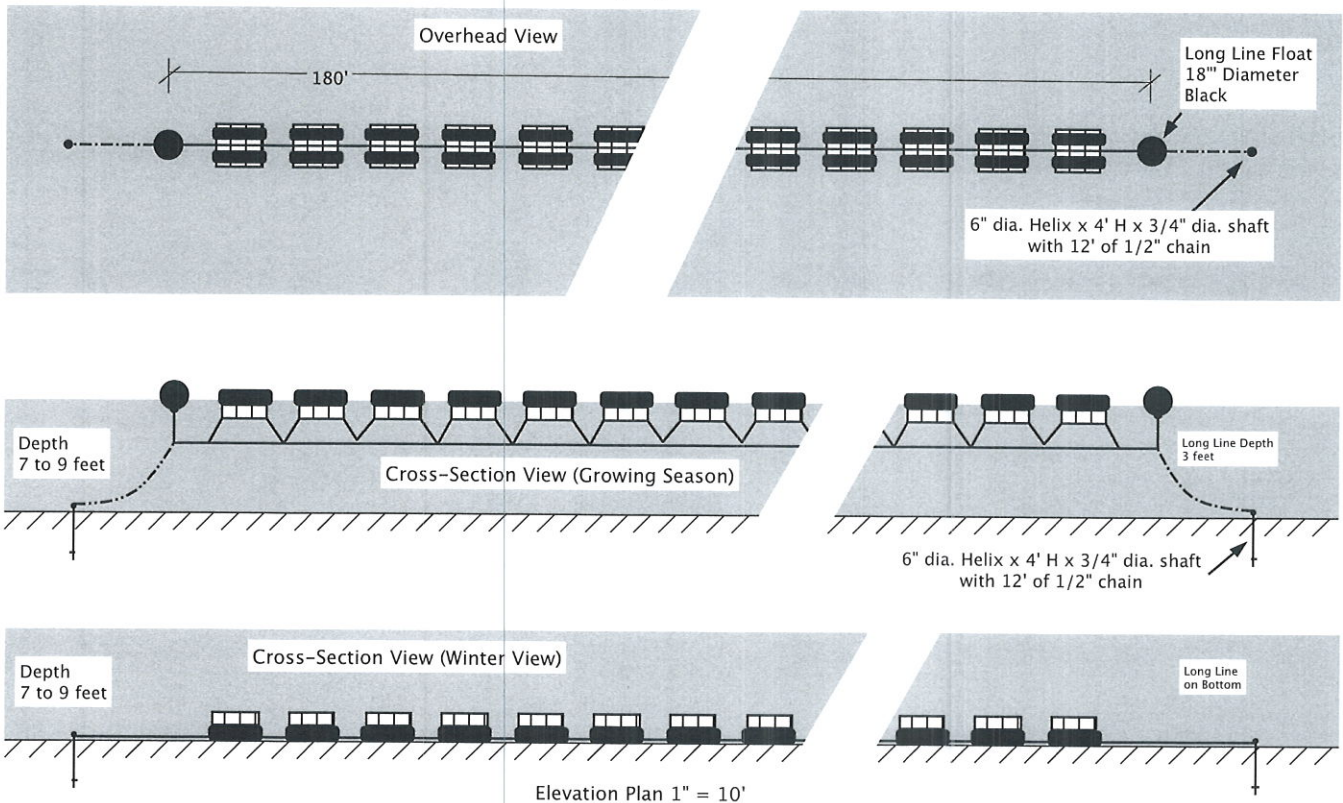
2. Cross Section View: Please include the following and label as “Cross-Section View”:

- Profile of gear cross-section as it will be deployed in the proposed expansion
- The sea bottom
- Label gear with dimensions and materials
- Show mooring gear with mooring type, scope, hardware, and line type and size
- Depths from structure(s) to sea-floor relative to 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 the proposed gear type(s) (i.e. overwintering).

Cross Section View

180' Long Line using
36" x 41.5" cages
25 cages per line



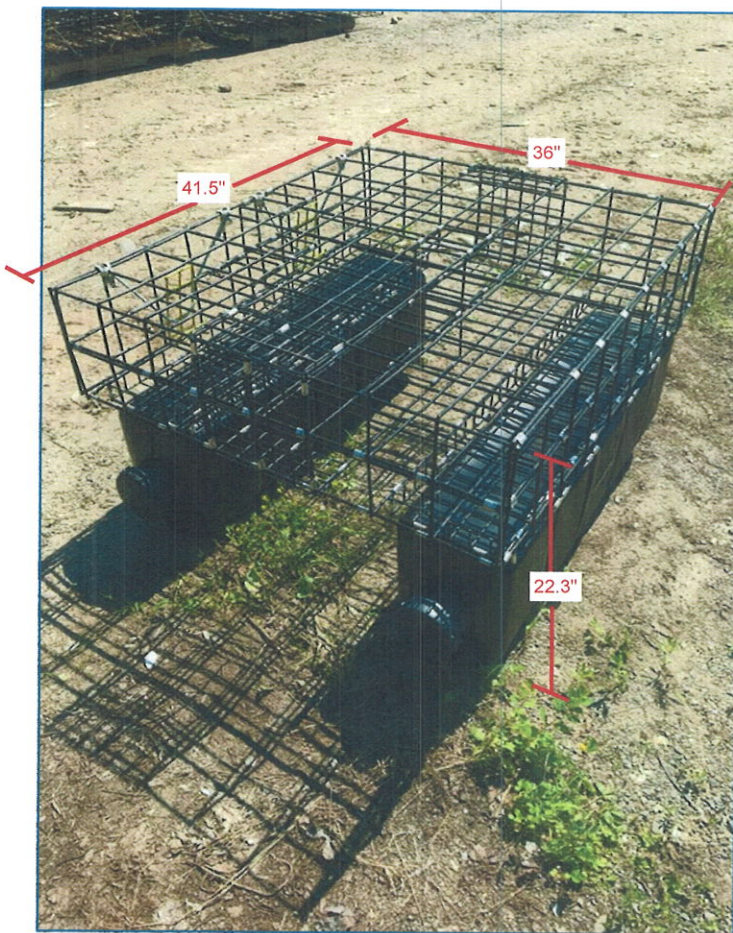
B. Gear Information

Directions: Please include a drawing of an individual piece of gear for each gear type you plan to use on your proposed expansion.

1. **Gear Drawing:** Please include the following for each gear type (e.g. Polar circles, marine algae longline, oyster cages) to be used and label as “New Gear Drawing”. This view must show the following:
 - Length, width, and height of each gear type.
 - Color of proposed gear.

Gear Drawing

Oyster Cage
41.5" x 36" x 22.3"



C. On-Site Support Structures

1. Describe structures such as barges, sheds, etc., to be located on the proposed expansion. Provide a schematic and indicate the dimensions, including height above sea level, materials, etc.

N/A- no change

2. Describe the storage and use of oil, gasoline or other hazardous material on this expansion. If you did not provide a spill prevention plan in your initial application, please do so here.

N/A- no change

Note: If a lease expansion 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).

7. 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 describe how the proposed expansion activities would affect your current operations (seeding, harvesting, tending, maintenance, etc.).

Currently we go out to the lease 3 times a day on the oyster boat, this could increase to 4 times a day depending on how many oysters we have and how fast they are growing. These trips are to service the oyster ranches. As processing of oysters happens off-site, these trips to the farm are relatively short, lasting roughly 30 minutes for each trip. We estimate that this boat will be on site for a maximum of 2 hours a day.

We also have seasonal maintenance to do on the oyster lease. This includes raising the farm in the spring, sinking the farm in the fall, and flipping cages up and then down once every other week throughout the growing season. It can be expected that a second boat will be on the farm for a few hours during these activities.

With the expanded lease we would be able to grow a maximum of 1.5 million oysters, up from 1 million that was granted in our original lease. As we continue to optimize our farming activities, we have learned that we can grow more animals in this highly productive water body in approximately 12 months.

B. 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), and if your expansion would include 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)

There is minimal bird activity on our lease in Spinney Creek. Daily work on the farm keeps the number of birds down. In addition, all shellfish brought into the Spinney Creek Shellfish facility are depurated for a minimum of 44 hours to remove potentially harmful microorganisms.

8. NOISE AND LIGHT

A. Please describe how the proposed expansion activities would affect the noise and light emitted from your current lease.

No noise or light are currently emitted from the lease, and it will remain that way after the proposed expansion. The only noise related to the lease comes from boat traffic which travels at headway speed.

9. ENVIRONMENTAL CHARACTERIZATION

Directions: Using your knowledge of the area, describe the environment of the proposed expansion. 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 within the proposed expansion?

Spinney Creek is an impounded body of water, meaning the tide exchange is minimal each day. The lease is located in 7-9 feet of water.

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

Spinney Creek is an impounded body of water, meaning the tide exchange is minimal each day. The lease is located in 7-9 feet of water.

C. What are the bottom characteristics within the proposed expansion (mud, sand, gravel, rock, ledge or some mix, etc.)?

Mud

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

Flat

E. Describe marine organisms within the expansion by species or common names. Based on your personal observations or other sources of information, are these species abundant, common, or rare?

Common marine organisms within the lease expansion are as follows: Atlantic silversides, juvenile herring, sticklebacks, mummichogs, cunners, longhorn sculpin, grass shrimp, blennys, pipefish, green crabs, quahogs, and skeleton shrimp.

It is more rare to see the following marine organisms within the lease site: striped bass, brown trout, American eels, rock crabs, winter flounder, and blue claw crabs.

F. 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.

There is no submerged aquatic vegetation observed within the proposed lease expansion area.

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

Yes No

10. EXISTING USES

A. Describe the existing uses of the proposed expansion (i.e. fishing, sailing, etc.).

There is one recreational lobsterman who places a couple traps in the deepest part of Spinney Creek, right next to the causeway. This proposed expansion would be approximately 150 yards from this area, which is no change from the original distance between the lease and the lobster pots. There are no other lobster pots in any other areas of Spinney Creek, as the rest of Spinney Creek is too shallow and warm for lobster habitat.

There is limited recreational fishing in Spinney Creek and what little there is, is typically in the deeper section of the Creek, located adjacent to the Rt 103 causeway. This proposed expansion is approximately 200 yards from the causeway, and the expansion would push the boundary less than 6 feet closer to the causeway.

The nearest part of this expansion is approximately 225 yards away from the closest dock. The proposed expansion would push the lease boundary 6 feet closer to this dock.

During the summer there is kayaking, paddleboarding, a few small sail and power boats in Spinney Creek. Kayaking, sailing, paddleboarding, etc., occurs everywhere in Spinney Creek and the proposed expansion will not alter these uses. All vessels within Spinney Creek will be able to navigate through the oyster lease if the operator chooses to.

B. Describe any effects your proposed expansion might have on existing uses of the area.

There is ample room for navigation of all of these within and around the lease.

11. EXCLUSIVE USE

If your lease expansion is granted, what activities would you request be excluded from occurring within the boundaries of the expansion? In your answer please address applicable uses of the area described above.

We ask that the oyster gear not be touched, and advise against fishing inside of the lease due to the possibility of entanglement in the oyster gear. However, we do not seek to keep the general public from exploring the lease altogether.

12. RIPARIAN LANDOWNERS AND SITE ACCESS

Is your existing lease or proposed expansion within 1,000ft of shorefront land (which extends to mean low water or 1,650 ft. from shore, whichever is less)?

Yes No

If yes, the following supporting documents are required:

A. Tax Map.

A labeled copy of the appropriate tax map(s) depicting the location of the proposed lease site.

The map(s) needs to include the following elements:

- Label the map “Tax Map: Town of (name of town).”
- Legible scale
- Tax lot numbers clearly displayed
- The boundaries of the existing lease and proposed expansion

ELIOT & KITTERY TAX MAP PARCELS STANDARD LEASE - SPINNEY'S CREEK ELIOT, YORK COUNTY, MAINE

PREPARED FOR:
LORI & THOMAS HOWELL - SPINNEY CREEK SHELLFISH COMPANY
MAILING ADDRESS: 13 KINGS HIGHWAY SOUTH, ELIOT, ME 03903

DATE STAMP: MAY 29, 2019/8:45 A.M.

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PROJECT # 17-187.00



B. Riparian List.

Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000 feet of your existing lease and/or the proposed expansion. Have the tax collector or clerk of the municipality certify the riparian list.

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.

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: Eliot

MAP #	LOT #	Landowner name(s) and address(es)
4	75	Shaun E Flaherty and Diana D Flaherty 38 Meadow Lane Eliot, Maine 03903
4	76	Karen M Laakso Revocable Trust 36 Meadow Lane Eliot, Maine 03903
4	77	Kevin Flanagan and Karla Flanagan 34 Meadow Lane Eliot, Maine 03903
4	78	Burns Family Revocable Trust Barbara and Robert Burns, Trustees 32 Meadow Lane Eliot, Maine 03903
1	108	Ronald A. Morrison, Jr., and Laurie L. Morrison 28 Spring Lane Eliot, Maine 03903
1	109	Theodore M. Huemmler 16 Spring Lane Eliot, Maine 03903
1	111	Stephen Jeffco 12 Spring Lane Eliot, Maine 03903
1	113	Roberta Place 4 Spring Lane Eliot, Maine 03903
1	120	Rui Monteiro-Claro and James Higgins 119 Kings Highway North Eliot, Maine 03903
1	121	John and Paula Dougherty 121 Kings Highway North Eliot, Maine 03903
1	122	Littlefield, Andrew K., Revocable Trust 120 Kings Highway North

		Eliot, Maine 03903
1	127	Victoria Auger 104 Pleasant Street Eliot, Maine 03903
1	137	George M. Nelson, II, Trust George M. Nelson and Sharon F. Nelson Trustees 10 Sea Breeze Lane Eliot, Maine 03903
1	142	Anne Marie Donegan Revocable Trust 11 Cole Street Eliot, Maine 03903
2	4	Mohammad Djafarian 256 Main Street Eliot, Maine 03903
2	5	MA Boccia and VHT Luong, Trustees 252 Main Street Eliot, Maine 03903
2	6	Adam Gilsdorf and Joan Clutting 246 Main Street Eliot, Maine 03903
2	7	Sean and Christina Leavitt 242 Main Street Eliot, Maine 03903
2	1	Great Cove Boat Club P. O. Box 272 Eliot, Maine 03903
2	3	Great Cove Boat Club P.O. Box 272 Eliot, Maine 03903

CERTIFICATION

I, Wendy Rawski, Town Clerk for the Town of Eliot 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: 10/05/2023

RIPARIAN LANDOWNER LIST

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: Kittery

MAP #	LOT #	Landowner name(s) and address(es)
2	74	Great Cove Boat Club P.O. Box 272 Eliot, Maine 03903
2	65	Cribby, Margaret 7 Pinkham Avenue Kittery, Maine 03904
2	65 A	Daly Tr. Thomas A. and Brown Tr., Masha K. 637 Apalachicola Road Venice, Florida 34285
2	64	Bourdeau, Robert W. and Bourdeau, Lorrie L. 10 Spinney Cove Drive Kittery, Maine 03904
2	75	John Sullivan 82 Eliot Road Kittery, Maine 03904
2	79	Stephen and Catherine Balazs 24 Bayview Lane Kittery, Maine 03904
2	80	Robert and Rosa Marsilia 20 Bayview Lane Kittery, Maine 03904
2	80A	Edith F. Meyer 16 Bayview Lane Kittery, Maine 03904
2	81A	Timothy Davio and Tanna Davio 14 Bayview Lane Kittery, Maine 03904
2	81B	Douglas and Dale Charamut 16 Emery Lane Kittery, Maine 03904
2	81C	Brian S. Ellis 8 Bayview Lane Kittery, Maine 03904

7	4	Katrina Wyllie 9 Emery Lane Kittery, Maine 03904
6	1	Bower, Amy S and Powell, John D. Braecopse Realty Trust c/o Amy Bower 79 Queen St Falmouth, MA 02540
6	2	Amelia H. Bensley and Ethan Dean Bensley 51 Old Dennett Road Kittery, Maine 03904
6	3	Nicole Osgood and Scott Osgood 57 Old Dennett Road Kittery, Maine 03904
6	4B	Kim B. Shepard and Rosemarie P. Shepard 67 Old Dennett Road Kittery, Maine 03904
6	4	Aimee O'Brien 69 Old Dennett Road Kittery, Maine 03904
6	5	Patricia A. Bradley and Stephen E. Bradley 71 Old Dennett Road Kittery, Maine 03904
6	5A	Michael J. Curry, Tr. And Tomi F. Curry, Trustee 79 Old Dennett Road Kittery, Maine 03904
6	6-3	Alan J. Verdi and Michelle G. Verdi 1 Silver Lake Drive Kittery, Maine 03904
6	6-2	Shari R. Johnson and Peter J. Johnson 5 Silver Lake Drive Kittery, Maine 03904
6	7	June M. Parker 93 Old Dennett Road Kittery, Maine 03904
6	8	David and Karlene Arnold 95 Old Dennett Road Kittery, Maine 03904
6	9-2	Justin and Stephanie Gonsalves 37 Mayfly Way Kittery, Maine 03904
6	10	Jonathan C. Wright, Trustee and Jonathan C. Wright, Tr. 103 Old Dennett Road Kittery, Maine 03904
5	8	Vito Lavopa and Filomena Knowles, et. al. 6 Annabelle Ln. New City, NY 10956

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CERTIFICATION

I, Jillian Richards Town Clerk for the Town of Kittery 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: J Richards DATE: 9/27/2023

C. Intertidal Land.

Is any portion of the proposed lease site above mean low water?

Yes No

Note: If you selected yes, please complete the permission requirements included in section “15. Landowner/Municipal Permission Requirements”.

13. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes the entirety of your proposed expanded operation, including your original lease:

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

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

Will your proposed expansion alter your current lease category?
 Yes No

Note: If yes, your current escrow account or performance bond must be amended to reflect the revised amount if your proposed expansion is issued.

I, (printed name of applicant) Lori Howell have read DMR Aquaculture Regulations 2.40(2)(A) and if this proposed expansion is granted by DMR I will amend my current escrow account or performance bond to reflect the amount determined by the lease category.

L. Howell, VICE President
Applicant Signature

11/27/23
Date

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

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

I, (printed name of applicant) _____ have read DMR Aquaculture Regulations 2.40(2)(A) and if this proposed expansion is granted by DMR I will amend my current escrow account or performance bond to reflect the amount determined by the lease category.

Applicant Signature

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

Date



MAINE DEPARTMENT OF MARINE RESOURCES

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

CORPORATE APPLICANT FORM

A. Corporate Applicant

See attached copy of Articles of Incorporation and Corporate History

1. Name of Corporation: Spinney Creek Shellfish, Inc.

2. Date of incorporation: 1983 State of incorporation: Maine

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

Name	Address	Title
Tom Howell	27 Howell Drive Eliot, Maine 03903	President
Lori Howell	27 Howell Drive Eliot, Maine 03903	Vice President

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

Name	Address
Tom Howell	27 Howell Drive Eliot, Maine 03903
Lori Howell	27 Howell Drive Eliot, Maine 03903

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

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

Since 1983, the applicant has held numerous leases. The company currently holds lease PISC-SC

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
Tom Howell	27 Howell Drive Eliot, Maine 03903	100% Joint
Lori Howell	27 Howell Drive Eliot, Maine 03903	100% Joint

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
None			

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.

The company has had two violations in our ⁴⁰36 years of business.

In the 1990's we sold littlenecks clams to a customer in New York. Because Maine measured clams from point to point, rather than across the hinge, these were of legal size in Maine, but were felt to be too small in New York. We paid a fine to the State of New York. Maine law on method of measurement has since been changed.

Also in the 1990's one of our Authorized Representatives suffered a calamity at his home and in the ensuing chaos, he failed to notify Marine Patrol of a harvest. Both Spinney Creek Shellfish, Inc. and the Authorized Representative paid a fine.

Corporate History

September 27, 1983 Incorporated as LRH Corporation
October 14, 1983 Name changed to Spinney Creek Oyster Co.
December 9, 1986 Tom Howell, Inc. was incorporated
September 30, 1990 Tom Howell, Inc. registered the d/b/a Spinney Creek Shellfish
December 10, 1991 Spinney Creek Oyster Co. was acquired by Tom Howell, Inc.
December 10, 1991 Tom Howell, Inc., d/b/a Spinney Creek Shellfish changed its name to Spinney Creek Shellfish, Inc.
December 31, 1991 Spinney Creek Oyster Co. was dissolved

Based on authorized capital stock

For Use By The Secretary of State

File No. 840424D

Fee Paid \$10. & \$50.

C.B. ---

Date 9-30-83

STATE OF MAINE

ARTICLES OF INCORPORATION

OF

LRH CORPORATION

For Use By The Secretary of State

FILED

September 28, 19 83

[Signature]
Deputy Secretary of State

A True Copy When Attested
By Signature

[Signature]
Deputy Secretary of State

Pursuant to 13A MRSA §403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

FIRST: The name of the corporation is LRH Corporation
and it is located in Maine, at Portland, Maine

SECOND: The name of its Clerk, who must be a Maine resident, and the address of its registered office shall be:

Name Richard A. Carriuolo

Street & Number 900 Maine Savings Plaza

City Portland, Maine 04101
(zip code)

THIRD: ("X" one box only)

a. The number of directors constituting the initial board of directors of the corporation is 3
(See §703, I.A.)

b. If the initial directors have been selected, the names and addresses of the persons who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and shall qualify are:

NAME	ADDRESS

There shall be no directors initially; the shares of the corporation will not be sold to more than twenty(20) persons; the business of the corporation will be managed by the shareholders. (See §703, I.B.)

FOURTH: ("X" one box only)

The board of directors is is not authorized to increase or decrease the number of directors.

If the board is so authorized, the minimum number, if any, shall be 1 directors. (See

§703, I.A.) and the maximum number, if any, shall be 9 directors.

File No. 840424D
 Fee Paid \$10.00
 B. 358
 Date 10-25-83

STATE OF MAINE
ARTICLES OF AMENDMENT
 (Amendment by Shareholders
 Voting as One Class)

October 18, 19 83
[Signature]
 Deputy Secretary of State
 A True Copy When Attested
 By Signature
[Signature]
 Deputy Secretary of State

Pursuant to 13-A MRSA §§805 and 807, the undersigned corporation adopts these Articles of Amendment:

- FIRST: All outstanding shares were entitled to vote on the following amendment as one class.
 SECOND: The amendment set out in Exhibit A attached was adopted by the shareholders (Circle one)
 A at a meeting legally called and held on, OR October 14, 19 83
 B by unanimous written consent on _____

THIRD: Shares outstanding and entitled to vote and shares voted for and against said amendment were:

Number of Shares Outstanding and Entitled to Vote	NUMBER Voted For	NUMBER Voted Against
100	100	0

FOURTH: If such amendment provides for exchange, reclassification or cancellation of issued shares, the manner in which this shall be effected is contained in Exhibit B attached if it is not set forth in the amendment itself.

FIFTH: (Complete if Exhibits do not give this information.) If the amendment changes the number or par values of authorized shares, the number of shares the corporation has authority to issue thereafter, is as follows:

Class	Series (If Any)	Number of Shares	Par Value (If Any)
n/a			

The aggregate par value of all such shares (of all classes and series) having par value is \$ _____
 The total number of all such shares (of all classes and series) without par value is _____ shares.

SIXTH: Address of the registered office in Maine: 900 Maine Savings Plaza, Portland, ME 04101
(street, city and zip code)

MUST BE COMPLETED FOR VOTE OF SHAREHOLDERS
 I certify that I have custody of the minutes showing the above action by the shareholders.
Richard G. Carriolo
(signature of clerk, secretary or assistant secretary)

LRH Corporation
(Name of Corporation - Typed or Printed)
 By* Richard G. Carriolo
(signature)
Richard A. Carriuolo, Clerk
(type or print name and capacity)
 By* _____
(signature)

(type or print name and capacity)

Dated: October 14, 1983

*In addition to any certification of custody of minutes this document MUST be signed by (1) the Clerk OR (2) the President or a vice-president AND the Secretary, an assistant secretary or other officer the bylaws designate as so, and certifying officer OR (3) if no such officers, a majority of the directors or such directors designated by a majority of directors then in office OR (4) if no directors, the holders, or such of them designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon OR (5) the holders of all outstanding shares.

NOTE: This form should not be used if any class of shares is entitled to vote as a separate class for any of the reasons set out in §806, or because the articles so provide. For vote necessary for adoption see §805.

FORM NO. MBCA-9 Rev. 80

based on authorized capital stock

For Use By The Secretary of State

File No. 19871394D

Fee Paid \$10.-\$50.

C.B. -----

Date JAN - 2 1987

2

STATE OF MAINE

ARTICLES OF INCORPORATION

OF

TOM HOWELL, INC.

For Use By The Secretary of State

FILED

December 24, 19 86

J.P. [Signature]
Deputy Secretary of State

A True Copy When Attested
By Signature

Deputy Secretary of State

Pursuant to 13A MRSA §403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

FIRST: The name of the corporation is Tom Howell, Inc.
and it is located in Maine, at 13 Kings Highway South, Eliot, Maine

SECOND: The name of its Clerk, who must be a Maine resident, and the address of its registered office shall be:

Name Lori Armbrust Howell

Street & Number 13 Kings Highway South, Eliot, Maine

City Eliot, Maine 03903
(zip code)

THIRD: ("X" one box only)

- a. The number of directors constituting the initial board of directors of the corporation is two (2)
(See §703, I.A.)
- b. If the initial directors have been selected, the names and addresses of the persons who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and shall qualify are:

NAME	ADDRESS
<u>Thomas L. Howell</u>	<u>13 Kings Highway South</u> <u>Eliot, Maine 03903</u>
<u>Lori Armbrust Howell</u>	<u>13 Kings Highway South</u> <u>Eliot, Maine 03903</u>

- There shall be no directors initially; the shares of the corporation will not be sold to more than twenty (20) persons; the business of the corporation will be managed by the shareholders. (See §703, I.B.)

FOURTH: ("X" one box only)

The board of directors is is not authorized to increase or decrease the number of directors.

If the board is so authorized, the minimum number, if any, shall be one (1) directors, (See §703, I.A.) and the maximum number, if any, shall be no maximum directors.

Filing Fee \$105.00

For Use By The Secretary of State	
File No.	19871394D
Fee Paid	\$105.00
C.B.	-----
Date	DEC 13 1990

STATE OF MAINE

STATEMENT OF INTENTION TO DO BUSINESS UNDER AN ASSUMED NAME

For Use By The Secretary of State	
FILED	
December 10,	19 90
<i>Gary Cooper</i> Deputy Secretary of State	
A True Copy When Attested By Signature	
<i>Paula O'Leary</i> Deputy Secretary of State	

Pursuant to 13-A MRSA §307, the undersigned, a corporation (incorporated under the laws of the State of Maine), (incorporated under the laws of the State of _____, and authorized to do business in Maine), gives notice of its intention to do business in this State under an assumed name.

FIRST: The name of the corporation is Tom Howell, Inc.

SECOND: The address of the registered office of the corporation in the State of Maine is 13 Kings Highway South, Eliot, ME 03903 (street, city, state and zip code)

THIRD: The corporation intends to transact business under the assumed name of Spinney Creek Shellfish

COMPLETE THE FOLLOWING IF APPLICABLE

FOURTH: If such assumed name is to be used at fewer than all of the corporation's places of business in this State, the location(s) where it will be used is (are): n/a

Dated: September 13, 1990

By *Lori Armbrust Howell* (signature) Lori Armbrust Howell Clerk (type or print name and capacity)

By *Lori Armbrust Howell* (signature) Secretary (type or print name and capacity)

This document MUST be signed by (1) the Clerk OR (2) the President or a vice-president AND the Secretary, an assistant secretary or other officer the bylaws designate as second certifying officer OR (3) if no such officers, a majority of the directors or such directors designated by a majority of directors then in office OR (4) if no directors, the holders, or such of them designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon OR (5) the holders of all outstanding shares.

FORM NO. MBCA-5 Rev. 90

SUBMIT COMPLETED FORMS TO: Secretary of State, Station 301, Augusta, Maine 04333

Filing Fee (See Sec. 1401)

For Use By The Secretary of State

File No. 19871394D

Fee Paid \$35.

C.B. _____

Date DEC 17 1991

STATE OF MAINE

ARTICLES OF AMENDMENT
 (Amendment by Shareholders
 Voting as One Class)

Pursuant to 13-A MRSA §§805 and 807, the under-
 signed corporation adopts these Articles of
 Amendment:

For Use By The Secretary of State

FILED

December 12, 19 91

Mary Cooper
 Deputy Secretary of State

A True Copy When Attested
 By Signature

Randa O'Leary
 Deputy Secretary of State

FIRST: All outstanding shares were entitled to vote on the following amendment as one class.

SECOND: The amendment set out in Exhibit A attached was adopted by the shareholders (Circle one)
 A. at a meeting legally called and held on, OR _____, 19____
 B. by unanimous written consent on _____

THIRD: Shares outstanding and entitled to vote and shares voted for and against said amendment were:

Number of Shares Outstanding and Entitled to Vote	NUMBER Voted For	NUMBER Voted Against
100	100	0

FOURTH: If such amendment provides for exchange, reclassification or cancellation of issued shares, the manner in which this shall be effected is contained in Exhibit B attached if it is not set forth in the amendment itself.

FIFTH: If the amendment changes the number or par values of authorized shares, the number of shares the corporation has authority to issue thereafter, is as follows:

Class	Series (if Any)	Number of Shares	Par Value (if Any)
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The aggregate par value of all such shares (of all classes and series) having par value is \$ n/a

The total number of all such shares (of all classes and series) without par value is 100 shares.

SIXTH: Address of the registered office in Maine: 13 Kings Highway South, Eliot, Maine 03903
(street, city and zip code)

MUST BE COMPLETED FOR VOTE OF SHAREHOLDERS

I certify that I have custody of the minutes showing the above action by the shareholders.

William Ambrose Howell
(signature of clerk, secretary or asst. secretary)

Tom Howell, Inc.
(Name of Corporation)

By* *Thomas L. Howell*
(signature)

Thomas L. Howell, President/Director
(type or print name and capacity)

By* *Lori Armbrust Howell*
(signature)

Lori Armbrust Howell, Secretary/Director
(type or print name and capacity)

Dated: 12/16/91

*In addition to any certification of custody of minutes this document **MUST** be signed by (1) the Clerk OR (2) the President or a vice-president AND the Secretary, an assistant secretary or other officer the bylaws designate as second certifying officer OR (3) if no such officers, a majority of the directors or such directors designated by a majority of directors then in office OR (4) if no directors, the holders, or such of them designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon OR (5) the holders of all outstanding shares.

NOTE: This form should not be used if any class of shares is entitled to vote as a separate class for any of the reasons set out in §806, or because the articles so provide. For vote necessary for adoption see §805.

FORM NO. MBCA-9 Rev. 88

SUBMIT COMPLETED FORMS TO: Secretary of State, Station 101, Augusta, Maine 04333

Filing Fee \$35.00

For Use By The Secretary of State	
File No. 19840424D...	
Fee Paid \$35.00	
C.B. -----	
Date DEC 23 1991	1

STATE OF MAINE

ARTICLES OF DISSOLUTION

Pursuant to 13-A MRSA §1110, the undersigned corporation adopts the following Articles of Dissolution for the purpose of dissolving the corporation.

For Use By The Secretary of State	
FILED	
December 20, 19 91	
<i>Nancy Cooper</i>	
Deputy Secretary of State	
A True Copy When Attested By Signature	
<i>Randa O. ...</i>	
Deputy Secretary of State	

- FIRST: A statement of intent to dissolve the corporation was filed with the Secretary of State on December 17, 19 91.
- SECOND: All debts, obligations and liabilities of the corporation have been paid and discharged, or adequate provision has been made therefor. (INCLUDES TAX OBLIGATION TO THE STATE OF MAINE. FALSE REPRESENTATION IS A CLASS D CRIME: 17-A MRSA 453.)
- THIRD: All remaining property and assets of the corporation have been distributed among its shareholders, in accordance with their respective rights and interests.
- FOURTH: There are no suits pending against the corporation in any court, or adequate provision has been made for the satisfaction of any judgement, order or decree which may be entered against it in any pending suit.
- FIFTH: All required Annual Reports have been filed with the Secretary of State. (Note: if the dissolution process is completed on or before June 1st, then the Annual Report covering the previous calendar year is not required.)
- SIXTH: The address of the registered office of the corporation in Maine is 13 Kings Highway South, Eliot, Maine 03903
(street, city, state and zip code)

Dated: December 17, 1991

Spinney Creek Oyster Co.
(Name of Corporation)
By *LeGrande R. Howell*
(signature)

LeGrande R. Howell, President
(type or print name and capacity)
By *LeGrande R. Howell*
(signature)

Lori Armbrust Howell, Secretary/Clerk
(type or print name and capacity)

This document **MUST** be signed by (1) the Clerk OR (2) the President or a vice-president AND the Secretary, an assistant secretary or other officer the bylaws designate as second certifying officer OR (3) if no such officers, a majority of the directors or such directors designated by a majority of directors then in office OR (4) if no directors, the holders, or such of them designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon OR (5) the holders of all outstanding shares.

FORM NO. MBCA-11D Rev. 90


SUBMIT COMPLETED FORMS TO: Secretary of State, Station 101, Augusta, Maine 04333

14. 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 aquaculture lease expansion process.

Printed name: Lori Howell

Title (if corporate applicant): VICE PRESIDENT

Signature:  Date: 11/27/23

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

Note:

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

ADDITIONAL APPLICANTS

Printed name: _____

Title (if corporate applicant): _____

Signature: _____ Date: _____

15. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS (if applicable)

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

Step I: Obtain written permission from all intertidal landowners.

Pursuant to 2.10(3)(G) the Department requires *written permission of every owner of intertidal land in, on, or over which the expanded lease 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 expanded lease site from the municipal officers (i.e. the selectmen or councilors of the town, or the mayor and aldermen or councilors of a city.) Consent means a majority vote of the municipal officers as recorded in a public meeting.

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

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

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