

EXPERIMENTAL LEASE APPLICATION

1. APPLICANT CONTACT INFORMATION

Applicant	Ice House Seafood LLC
Contact Person	Antonia Small
Address	P.O. Box 227
City	Port Clyde
State, Zip	ME 04855
County	Knox
Telephone	207.372.8610 land; 207-691-9677 cell
Email	<u>oryx@roadrunner.com</u>
Payment Type	<input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card

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

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	St. George, village of Port Clyde
Waterbody	Derelict lobster pound contained within a fish weir at the end of Lincoln Lane in Port Clyde Harbor
General Description (e.g. south of B Island)	NW of Port Clyde Village, on the harbor
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	2.87 acres; 3-year term
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom) <input type="checkbox"/> Net Pen (finfish)
How many pending experimental lease applications (including this one) do you have pending?	<input checked="" type="checkbox"/> One (1) <input type="checkbox"/> Two (2) <i>Note: An applicant may have no more than two pending experimental leases at any time.</i>
Do you have a legal interest in any entity that has a pending experimental application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" provide the name of the applicant(s): _____

Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note: The proposed lease site is comprised of 1 impoundment that retains seawater in the intertidal zone ("above Mean Low Water") <i>Note: If you selected "Yes", you need to complete the steps outlined in the section titled: "Landowner/Municipal Permission Requirements".</i>
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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"):	WU, Inset C
Growing Area Section (e.g. "A1"):	A

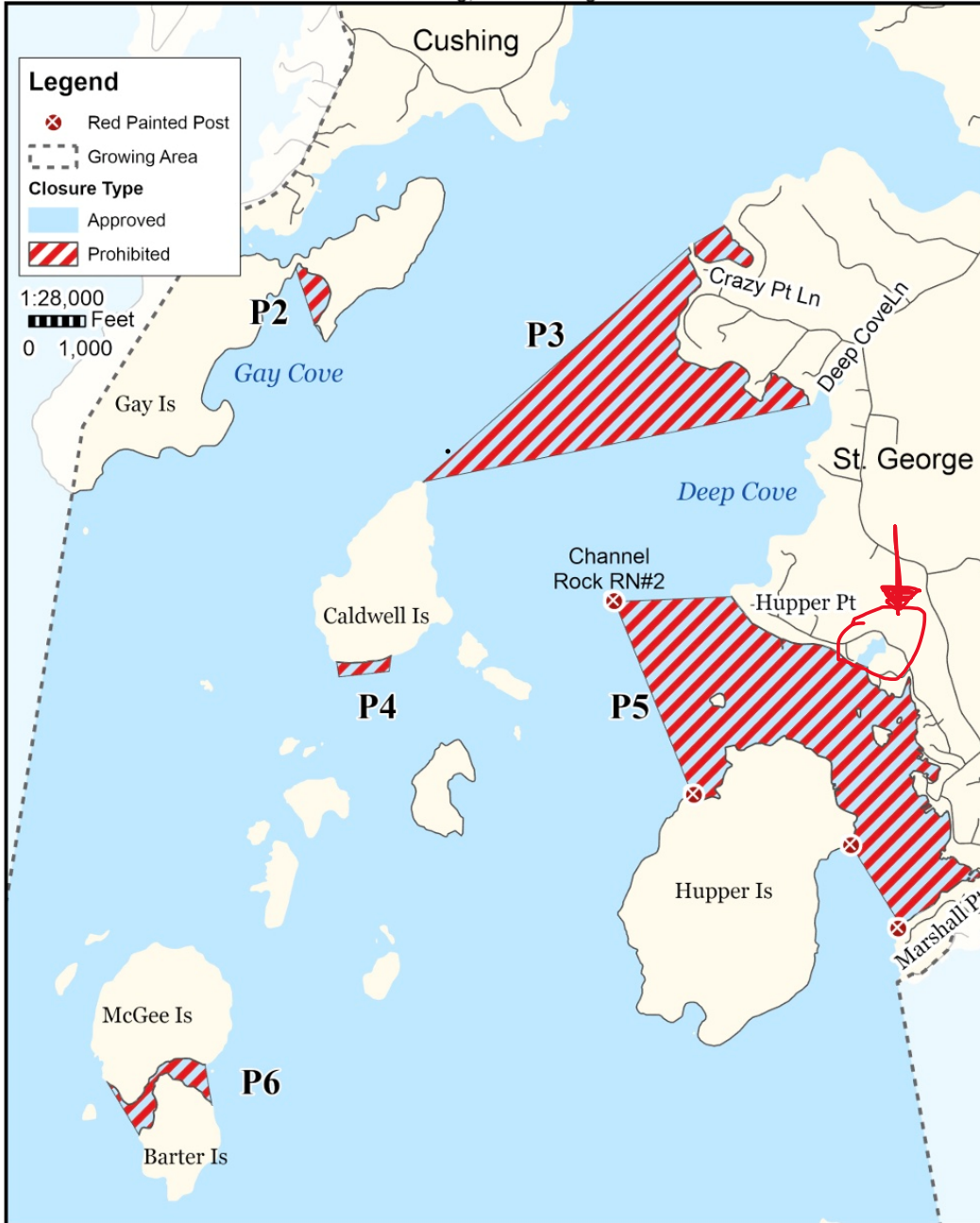
Note: If you are proposing to grow molluscan shellfish in waters classified as anything other than open/approved, you will need to contact the Bureau of Public Health to discuss your plans at the following email: DMRPublicHealthDiv@maine.gov



Maine Department of Marine Resources

Growing Area WU, Inset C
Cushing, Saint George

9/20/23



This map is provided as a courtesy. Read the provided legal notice for closure details. Closures are not shown outside of the designated growing area. Maritime navigational aids are for reference only and are not suitable for maritime navigation.

Lobster Pound/Proposed site is circled in red – to the right of “Hupper Pt”

4. GENERAL LEASE INFORMATION

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

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern Oyster <i>Crassostrea virginica</i>	Muscongus Bay Aquaculture 24 Seal Ledge Lane P.O. Box 204 Bremen, ME 04551 And/or A DMR approved hatchery	When at full production capacity, we anticipate the site will hold a maximum of 750,000 oysters at various stages of growth (seed/juvenile to market-sized).
2. Sea Scallops (<i>Placopecten magellanicus</i>)	Marsden Brewer 88 North Stonington Road Stonington, ME	Providing our maximum oyster biomass is well fed, we'd like to experiment with growing scallops on the site: 50,000 +/-
3. Bay Scallops (<i>Argopecten irradians</i>)	Muscongus Bay Aquaculture 24 Seal Ledge Lane P.O. Box 204 Bremen, ME 04551 And/or A DMR approved hatchery	
4. Green Sea Urchins <i>Strongylocentrotus droebachiensis</i>	Springtide Seaweed, LLC 14 Factory Rd Gouldsboro ME 04607 And/Or Steve Eddy at U. Maine Center for Aquaculture Research	Again, providing the oyster biomass is well fed, we'd like to experiment with growing green sea urchins on the site: up to 50,000 +/-
5. Sugar kelp (<i>Saccharina latissima</i>), Skinny kelp (<i>Saccharina angustissima</i>), Winged kelp (<i>Alaria esculenta</i>), Horsetail kelp (<i>Laminaria digitata</i>), Dulse (<i>Palmaria palmata</i>), Irish Sea Moss (<i>Chondrus crispus</i>), Laver (Porphyra), Sea Lettuce (<i>Ulva lactuca</i>), Shotgun kelp (<i>Agarum cribosum</i>)	Springtide Seaweed, LLC 14 Factory Rd Gouldsboro ME 04607 And/or A DMR approved hatchery	Up to 100,000 pounds +/-

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

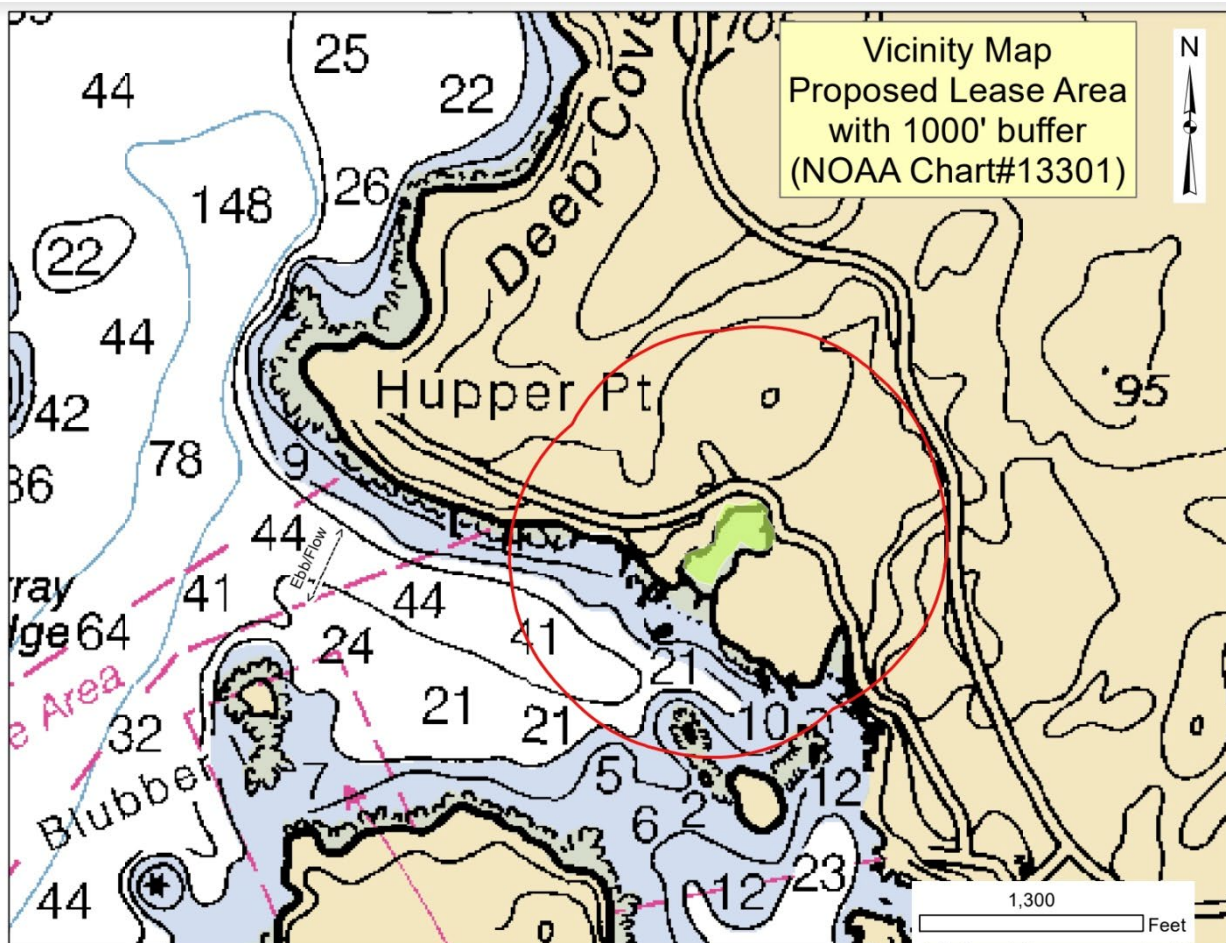
5. VICINITY MAP

Note: If you attach the map, please label it: 'Vicinity Map'.

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

The map needs to display the following:

- The waters, shore lands, and lines of mean high and mean low water within the general area of the lease
- An arrow indicating true north
- A scalebar
- The approximate lease boundaries
- A 1,000-foot radius buffer around each corner



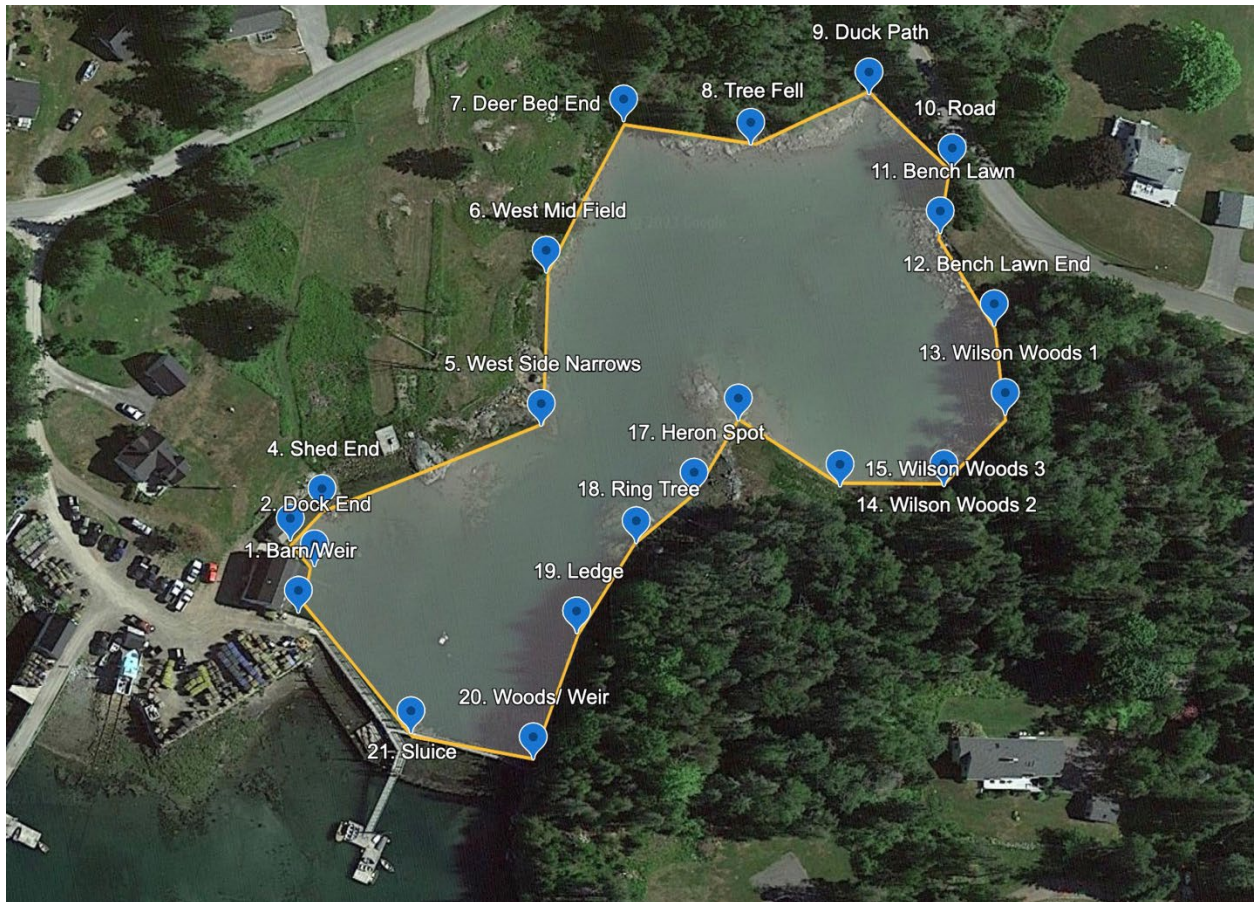
Green area represents the 2.87 acre lobster pound, enclosed by a fish weir to the southwest.

6. BOUNDARY DRAWING

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

Directions: Depict the boundaries of the proposed lease site. Provide a drawing with all corners, directions, and distances labeled.

BOUNDARY DRAWING – via Google EARTH



COORDINATES : SEE NEXT PAGE

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.

1. Barn / Weir
43.9330978
-69.2641241

36.6'

2. Dock End
43.9331940
-69.2640839

26.6'

3. Under Shed
43.9332477
-69.2641523

32.8'

4. Shed End
43.9333094
-69.2640617

179.5'

5. West Side Narrows
43.9334869
-69.2634261

116.5"

6. West Mid Field
43.9338063
-69.2634112

129.2'

7. Deer Bed End
43.9341215
-69.2631869

98.68'

8. Tree Fell
43.9340733
-69.2628183

98'

9. Duck Path
43.9341781
-69.2624757

85.7'

10. Road
43.9340185
-69.2622368

48.5'

11. `Bench Lawn
43.9338878
-69.2622707

81.6'

12. Bench Lawn End
43.9336947
-69.2621139

67.9'

13. Wilson Woods 1
43.9335097
-69.2620819

71.5'

14. Wilson Woods 2
43.9333612
-69.2622592

79.2'

15. Wilson Woods 3
43.9333603
-69.2625599

92.4'

16. East Side Narrows
43.9334982
-69.2628544

65.7'

17. Heron Spot
43.9333434
-69.2629824

57.6'

18. Ring Tree
43.9332423
-69.2631504

82.3'

19. Ledge
43.9330542
-69.2633232

101'

20. Woods / Weir
43.9327923
-69.2634488

95.5'

21. Sluice
43.9328459
-69.2638037

124.7'

1. Barn / Weir
43.9330978
-69.2641241

7. RESEARCH PROGRAM AND OPERATIONS

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

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

Please note:

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

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

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

The purpose of our commercial research is to determine

- 1) If moving our farm from the more exposed waters of Deep Cove, Port Clyde to the protected and warmer waters of the lobster pound, will expedite early oyster growth rates to create a more fiscally viable crop.
- 2) Test gear configurations for the purposes of determining best husbandry practices to scale.
- 3) The addition of scallops, seaweed and sea urchins will help determine whether these additional species will also thrive in the pound, creating an operational multi-species farm, allowing different species to contribute to the overall financial health of the operation.

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

Oysters of 1st year class will start in spat bags housed within the standard ADPI rigid-mesh bags with floats on either narrow end to suspend the seed on the surface. Or, seed will start in a blue barrel upweller on our dock. We'd like to compare the methods during this experimental lease period. Seed 3-5 mm

Once seed reaches 6 – 8 mm, 1st year class oysters will be moved to standard ADPI rigid-mesh bags with flotation on the long/wide sides placed narrow-end-to-end, thereby submerging oysters below the waterline.

Oysters of 2nd, 3rd and 4th year class and market-size will be held in standard ADPI rigid-mesh bags with flotation on the long/narrow sides (surface floating),

OR in standard ADPI rigid-mesh bags with flotation on the long/wide sides placed narrow-end-to-end, thereby submerging oysters below the waterline,

OR in standard ADPI rigid-mesh bags with the flotation along one long/narrow end, such that the bag is fully submerged, and the float acts as a bird deterrent,

OR in standard ADPI rigid-mesh bags with no floats, but shelved within the 10-bag lobster crate “condos”, suspended in the water column by 4 buoys on each corner,

OR in standard ADPI rigid-mesh bags with no floats, but shelved within the 6-bag oyster ranches.

Bag gauges: **4 mm – 14 mm.**

Scallops and Sea Urchins will be cultured in a series of **lantern nets, from smaller gauge to larger**. Lantern nets will be suspended from their own lines **OR** interspersed between the floating oyster bags. Alternatively scallops and sea urchins will be grown in **ADPI rigid-mesh** bags. Sea urchins may also be kept in shrimp traps, adapted for this purpose.

Kelp will be cultured on long lines suspended parallel, underneath, or perpendicular to the oyster bag arrays.

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

Year-round:

Oyster gear will remain in floating position year-round unless weather dictates dropping bags below the surface for ice or severe weather threat. As ice has not been a major factor for the past 11 years, aerators may suffice to keep ice out.

Regular sorting, tending will occur weekly as needed and weather conditions permit.

Spring:

Sorting of inventory from previous season(s) will begin in the spring (March – April).

New oyster seed will be added to site when it arrives in May/June.

2nd year scallop seed moved to next gauge lantern nets.

Harvesting of kelp will occur in spring months.

Summer:

Regular sorting, tending.

3rd and 4th year class oysters will be moved to our Deep Cove LPA sites for natural tumbling.

Scallop seed into lantern nets (1st gauge size)

Sea Urchins get moved to Deep Cove LPA sites for higher summer water temperatures in the pound.

Fall - Winter:

1st year oysters may be moored below the water's surface in oyster ranches until spring – ranches or condos would be employed. OR, remain in their floating bags with floats on the wide/narrow sides, keeping animals below the surface.

Weather conditions depending, floating bags with older class oysters, will remain on the surface for winter with aerators keeping ice at bay.

3rd and 4th year class oysters will be brought back to dock when market-ready for bagging and tagging.

Harvest – we begin harvesting oysters in late summer and continue until late winter early spring. We will harvest market-size scallops and sea urchins between 3 – 5 years

Seaweed

Kelp lines will be set and seeded in late fall / early winter and harvested in the following spring. Additional varieties may require seeding in spring and harvesting in fall.

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

Intend to be on the site 4 - 7 days per week March – December. As needed for harvest January and February.

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

Daily March 1 – December 31 (as needed for routine maintenance) and as needed in the winter to keep the farm safe and tidy. We live across the street from the pound.

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

A Carolina skiff provides access to the waters of the pound.
Oysters of 3rd and 4th year classes will be moved out to Deep Cove LPAs during summer and fall months for natural tumbling. They are moved in their ADPI rigid plastic bags. When ready for market, they come back to the pound for sorting and tagging and holding for market during winter months.
Oyster, scallop or sea urchin cages will be brought alongside docks within pound boundary to be culled, counted, bagged and tagged for market.
Seaweed will be harvested directly in the pound, cutting product off long lines either into the skiff or brought to dock.

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

1st, 2nd, 3rd and 4th year oysters will remain on the surface or move to just a few feet below the surface. Using floating bags, ranches or condos as necessary.
Oyster bags on lines in the area furthest from the sluice gate may be consolidated into the space closest to the gate/weir for January and February when the risk of ice is greater. Or, additional aerators will be employed to keep the ice from forming.
The pound provides enclosed boundaries so that loss of gear is eliminated.
Adding aerators to the pound to keep ice at a minimum is an additional off -season strategy.

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

A tumbler, a washdown hose, aerators, a tumbler, an upweller, and a hoist – using electricity on site.

Our agreement with the landlord is to keep operations between 6 am and 5 pm, seven days a week

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

All animals will be maintained within mesh bags to deter predation.

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

Examples may include:

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

This site will be primarily for farming oysters up to the point of market-sized oysters and then removing them to Deep Cove.

Once retrieved for market, oysters will be kept in closed lobster crates alongside the docks. Additional deterrent measures include the ADPI rigid plastic bags with one Go Deep float attached along one narrow end, such that the bags are fully submerged with the rounded float presenting at the water's surface. The long end of the Zip ties, used to attach the floats, serve as additional deterrent.

Scallop and sea urchin gear would always be suspended below the surface of the water at a depth to deter roosting.

8. EXISTING USES

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

- 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

The pound has been fallow since 2011. No recreational commercial fishing occurs in the pound.

2. Recreational Fishing
N/A
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)
N/A
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.)
There is a small-boat dock on the other side of the fishing weir accessible to boat owners making their way to Hupper Island, or to their commercial fishing vessels. The pound itself does not provide ingress or egress to property owners via the water.
5. Other uses (kayaking, swimming, etc.)
Petersdorfs (on-site managers) occasionally swim in the pound. They live adjacent to the pound and manage the lobster wharf.

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 proposed lease.
As mentioned above, there is small boat dock within 75 feet of the proposed lease site. There is also a commercial fishing wharf approx. 150 feet from the proposed lease site.

C. Are there public beaches, parks, or docking facilities within 1,000 feet of the proposed lease site. If yes, please describe and include approximate distances from proposed lease.
Dock is private.

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
ASMA221; ASMA321; ASMA421

9. CURRENT OPERATIONS

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

A. Describe your existing aquaculture operations, including the acronyms of all active leases and/or licenses.

ASMA117 – Intertidal site in Deep Cove: primarily used for natural tumbling and finishing of market-sized oysters. Will maintain site for same future use.

ASMA221; ASMA321; ASMA421 – within the lobster pound: primarily used for the grow out of spat – to 2nd/3rd year oysters. Will relinquish LPAs, upon approval of this application.

JCOT118; JCOT219; JCOT319; JCOT419 – suspended gear on Deep Cove: had been primary grow site and winter over site. Now 3rd + 4th year grow site. Will maintain these 4 sites for emergency use and “finishing” oysters.

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

ASMA221; ASMA321; ASMA421 are current LPAs within the lobster pound and would be **relinquished** upon approval of this application.

ASMA117 in Deep Cove will be **maintained** for the purposes of “finishing” our oysters, as will sites JCOT118; JCOT 219; JCOT 319; JCOT 419.

10. 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?

The man-made impoundment holds water back at a minimum depth of 3 ft below mean high. Depth within the impoundment varies greatly with a maximum depth of 12 ft at high tide, and 6 ft at low tide.

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

Depth varies due the bathymetry of the shoreline, maximum depth is 12 ft at mean high tide. Minimum depth is 3 ft along the shoreline.

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

There is little current speed outside the time when the top of the impoundment area is being flooded or evacuated around high or low tide. On the incoming tide the current is flowing in from SW to NE, on the outgoing tide, the current flow out is NE to SW. Current speed with the existing impoundment structure does not exceed 3 ft/sec across the dam boards. Existing aerators may be utilized to support circulation of the impoundment area.

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.)?

Mud, rock, ledge, some mix

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

Flat to sloping

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?

Minnnows - abundant
green crabs – common
shrimp - common
eels – very common

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

Not within the boundary of the lobster pound, which is created by a rock wall/berm and wooden weir structure.

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.

Within the lobster pound, we have not observed eelgrass – nor has John Petersdorf , who has managed the pound since 2011. Rockweed comes in and out on the tide through the fish weir, and some green and brown algae grows on, in and around the gear.

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

Rocky shoreland – one half forested, the other field and residential.

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

Yes No

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

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

Last long term ice formation observed in 2012. Observations from John Petersdorf who has lived on site and managed the pound/Bean Maine Lobster wharf since 2011.

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.

11. STRUCTURES *(if applicable)*

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

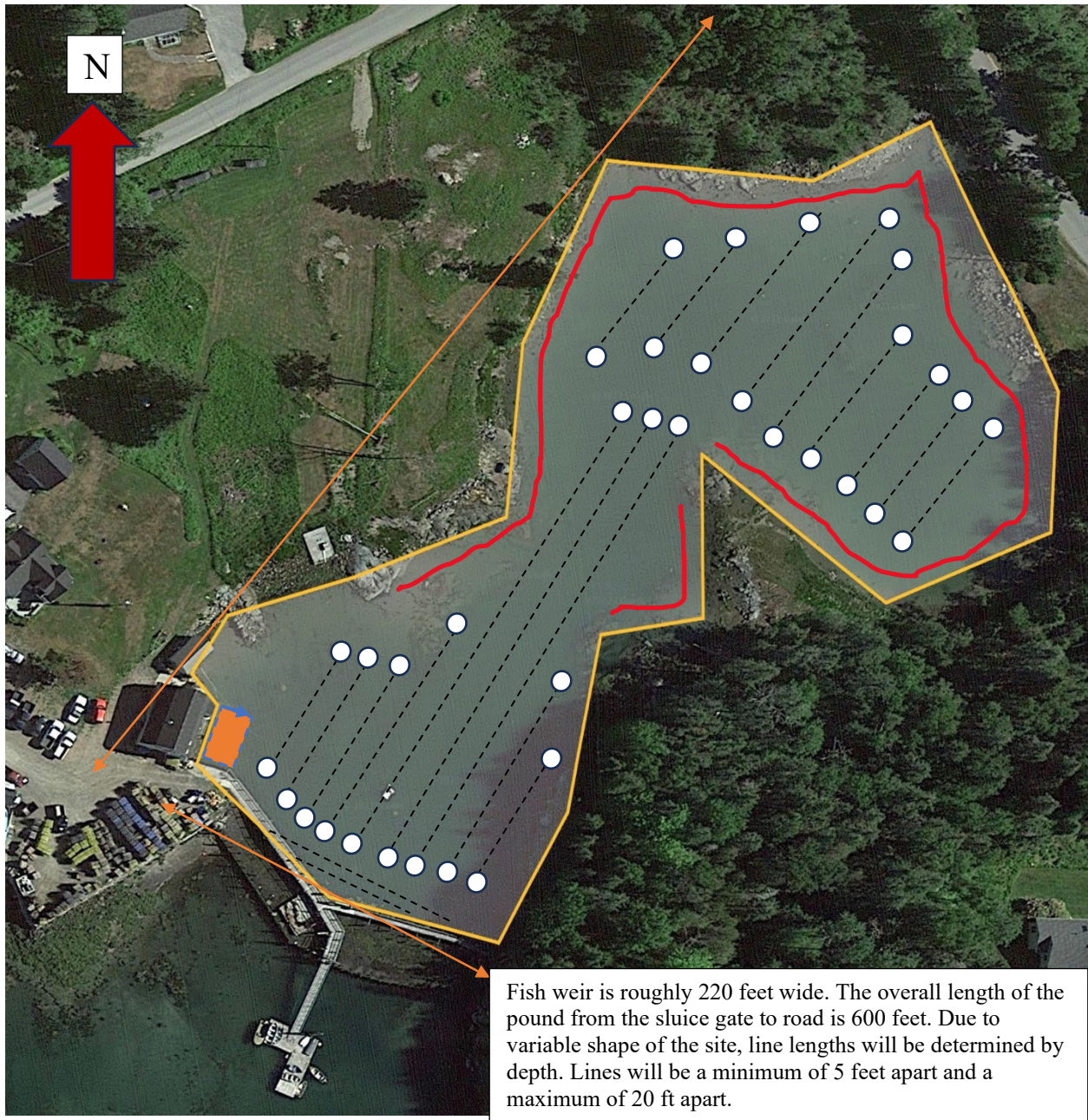
Note: You may embed the gear plans or attach them to the end of your application. If you attach the plans, please label them according to the instructions provided below.

A) Overhead View (please label this “Overhead View”):

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

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

OVERHEAD VIEW - SUMMER GEAR CONFIGURATION – ICE HOUSE OYSTERS, Port Clyde



YELLOW LINE: IMPOUNDMENT BOUNDARY

TWO ORANGE LINES: Width and Length

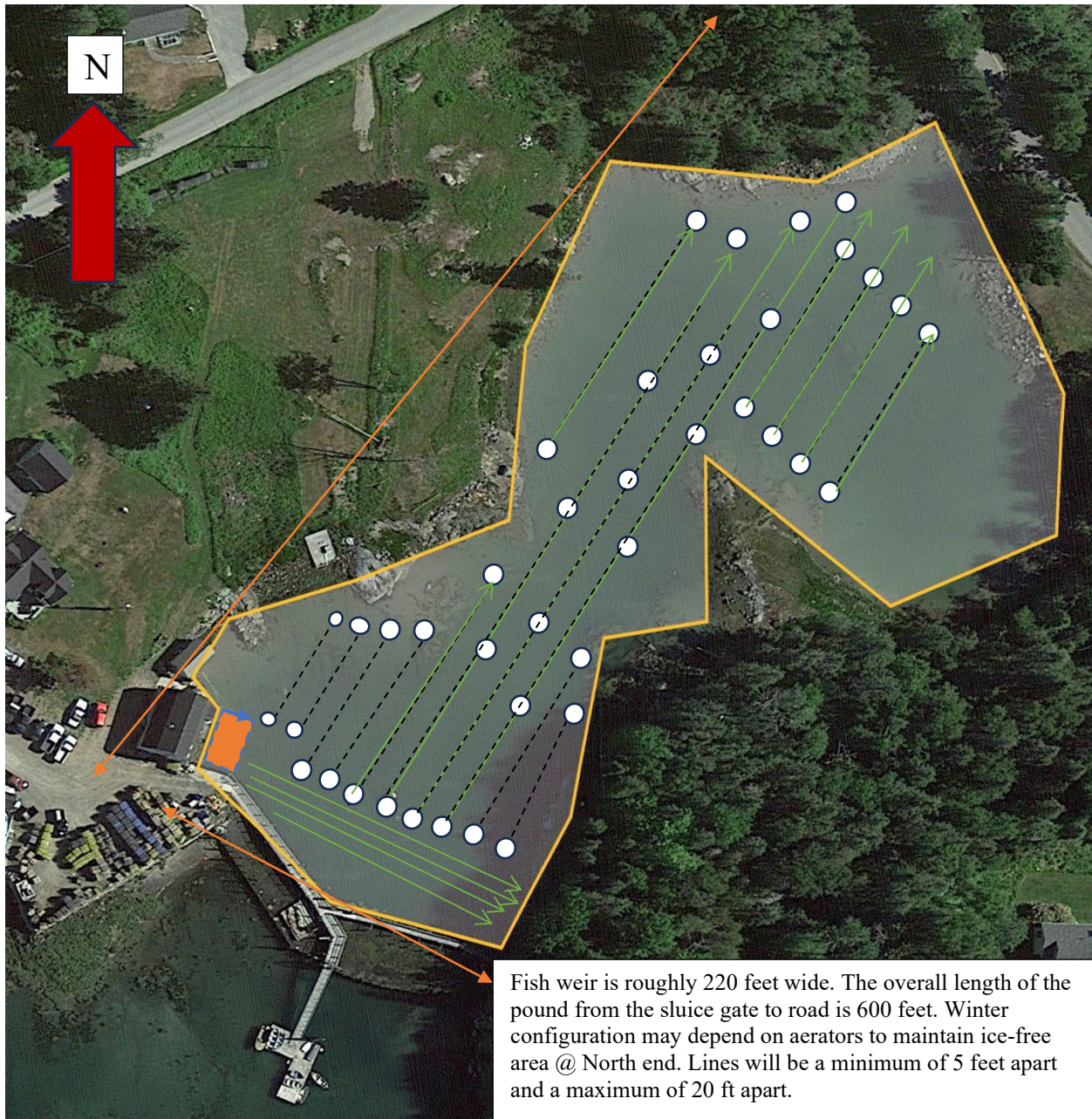
WHITE CIRCLES: Mooring Buoys

BLACK DASH LINES: Oyster bag/Scallop/Urchin gear lines

RED LINE: Area that may become summer seaweed opportunities.

ORANGE RECTANGLE: Two floating docks for oyster tumbling, sorting, culling, skiff tie-up, gear storage/rotation, oyster upweller, wash down hoses, and power washer for cleaning gear. Hoister moves bags from floating dock, or skiff, to parking lot level at harvest, or moving gear to cove LPAs.

WINTER GEAR CONFIGURATION – ICE HOUSE OYSTERS, Port Clyde



YELLOW LINE: IMPOUNDMENT BOUNDARY

TWO ORANGE LINES: Width and Length

WHITE CIRCLES: Mooring Buoys

BLACK DASH LINES: Oyster, Scallop, Sea Urchin bag lines

GREEN LINES: Seaweed Lines (suspended beneath oyster bags – see winter cross section)

ORANGE RECTANGLE: Two floating docks for oyster tumbling, sorting, culling, skiff tie-up, gear storage/rotation, oyster upweller, wash down hoses, and power washer for cleaning gear. Hoister moves bags from floating dock, or skiff, to parking lot level at harvest, or moving gear to Deep Cove LPAs.

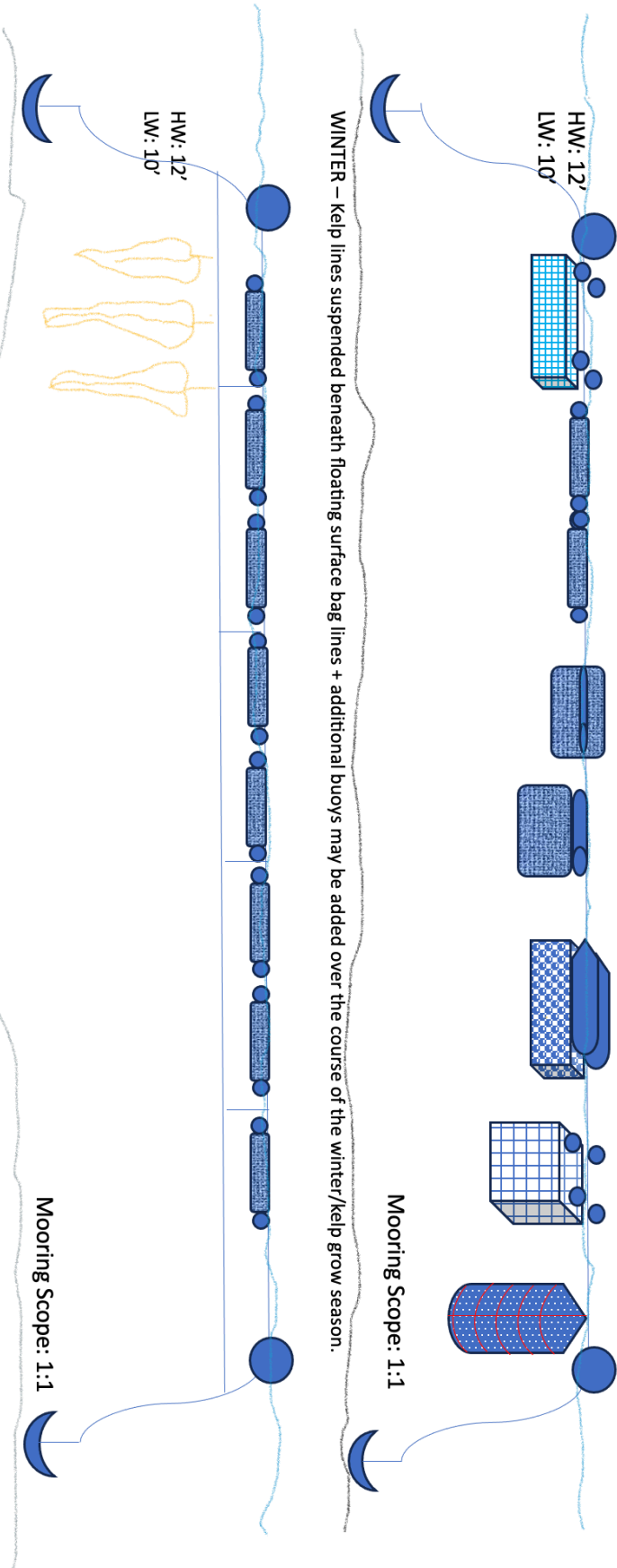
B) Cross-Section View (please label this “Cross-Section View”):

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

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

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

Cross Section View – L to R Gear Drawings: shrimp trap, floating surface bags, ½ submerged bag, full submerged bag, 6-bag ranch, 10-bag condo, lantern net.
 These gear options will be employed year-round. 50 lb mushroom anchors on either end. All 3/8" line.



Gear Configuration NOTE: Should we find overwintering for oysters is better done in deeper suspension enclosures (condos or ranches), we'll plan to move oyster lines to the outside parameters of the site, leaving the middle and end for kelp growth (see overview drawing for winter). As this is a new and experimental lease, we'd like to have some variability in how the gear is distributed across the farm as we learn to manage the site, more oysters and the additional species.

C) Gear Description

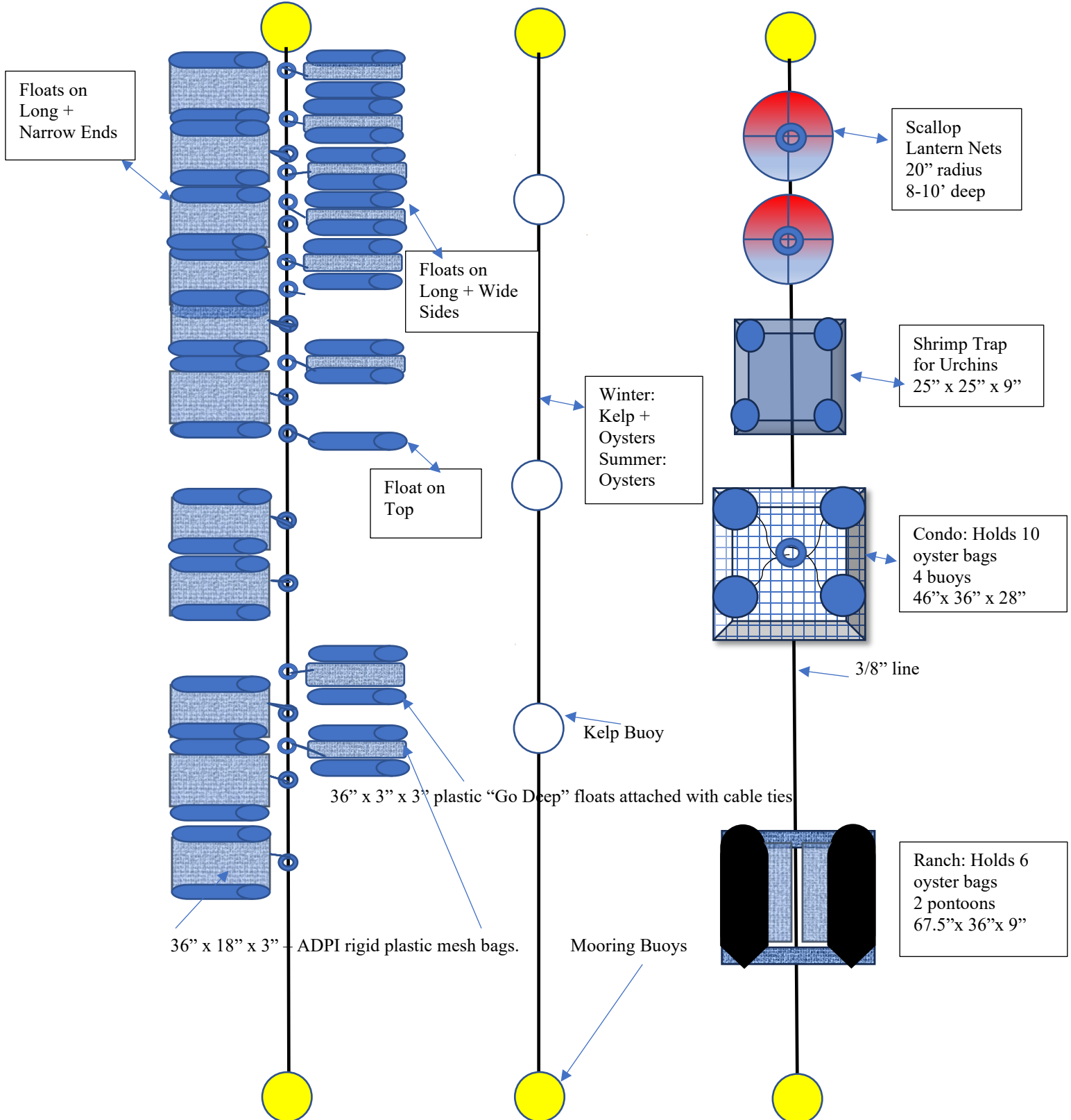
Directions: List and describe each individual gear type that you will use in the table below.

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
ADPI Rigid mesh bags 4mm – 14mm	36" x 18" x 3"	Year-round	1000 bags	Oysters, sea urchins
Go Deep Floats	36" x 3" x 3"	Year-round	2000 floats	Oysters, sea urchins
Lantern Nets 4 – 16mm mesh	20" radius x 8' deep	Year-round	Up to 100	Scallops, sea urchins
Esterpro sink rope	3/8"	Year-round	Up to 20,000 feet	Oysters, scallops, sea urchins + kelp
Mushroom Anchors	25, 50lbs	Year-round	Up to 50	Oysters, scallops, sea urchins + kelp
Aerators	N/A	Year-round	Up to 10	Oysters, scallops, sea urchins + kelp
Surface Buoys – assorted size + color	11"- 15" up to 17"- 23"	Year-round	Up to 200	Oysters, scallops, sea urchins + kelp
Shell Game Tumbler	10' x 4.5' x 32"	Year-round	1	Oysters
6-Bag Ranches	67.5" x 36" x 9"	Year-round	Up to 50	Oysters, sea urchins, scallops
10-bag Condos	46" x 36" x 28"	Year-round	Up to 50	Oysters, sea urchins, scallops
Spat Bags	15" x 25"	Spring	Up to 50	Oysters
Lobster + Fish Crates	32" x 20" x 15"	Year-round	Up to 50	Oysters, scallops, sea urchins, kelp
Floating Docks	24' x 12' x 16" 20' x 12' x 16"	Year-round	2	Oysters, scallops, sea urchins, kelp
Shrimp Traps	25" x 25" x 9.5"	Year-round	Up to 100	Sea urchins
Awning	10' x 10' x 8.4'	Year-round	Up to 2	Dock
Upweller - barrels	36" x 24"	Spring	Up to 5	Oysters

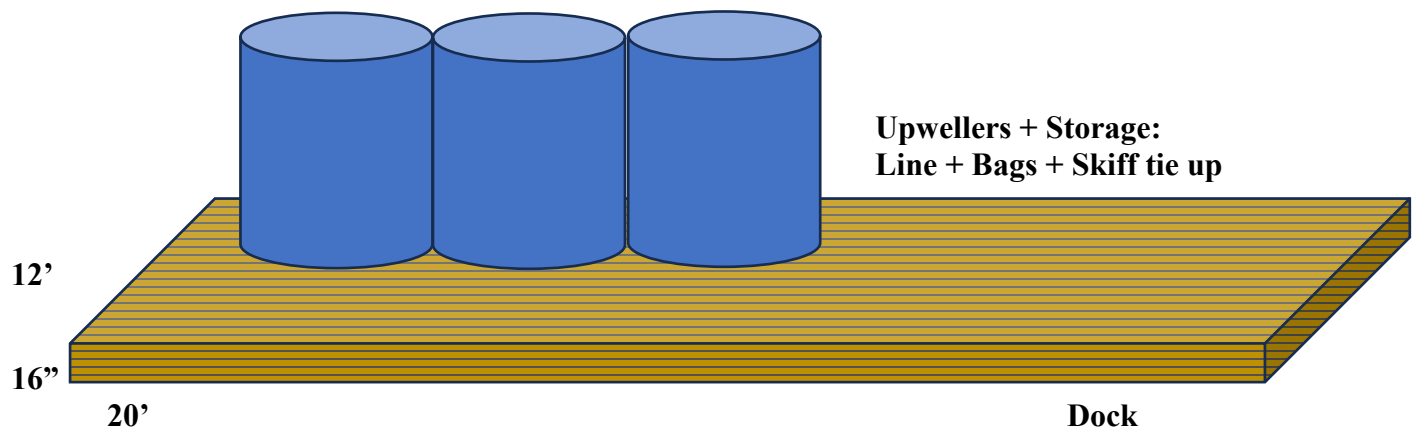
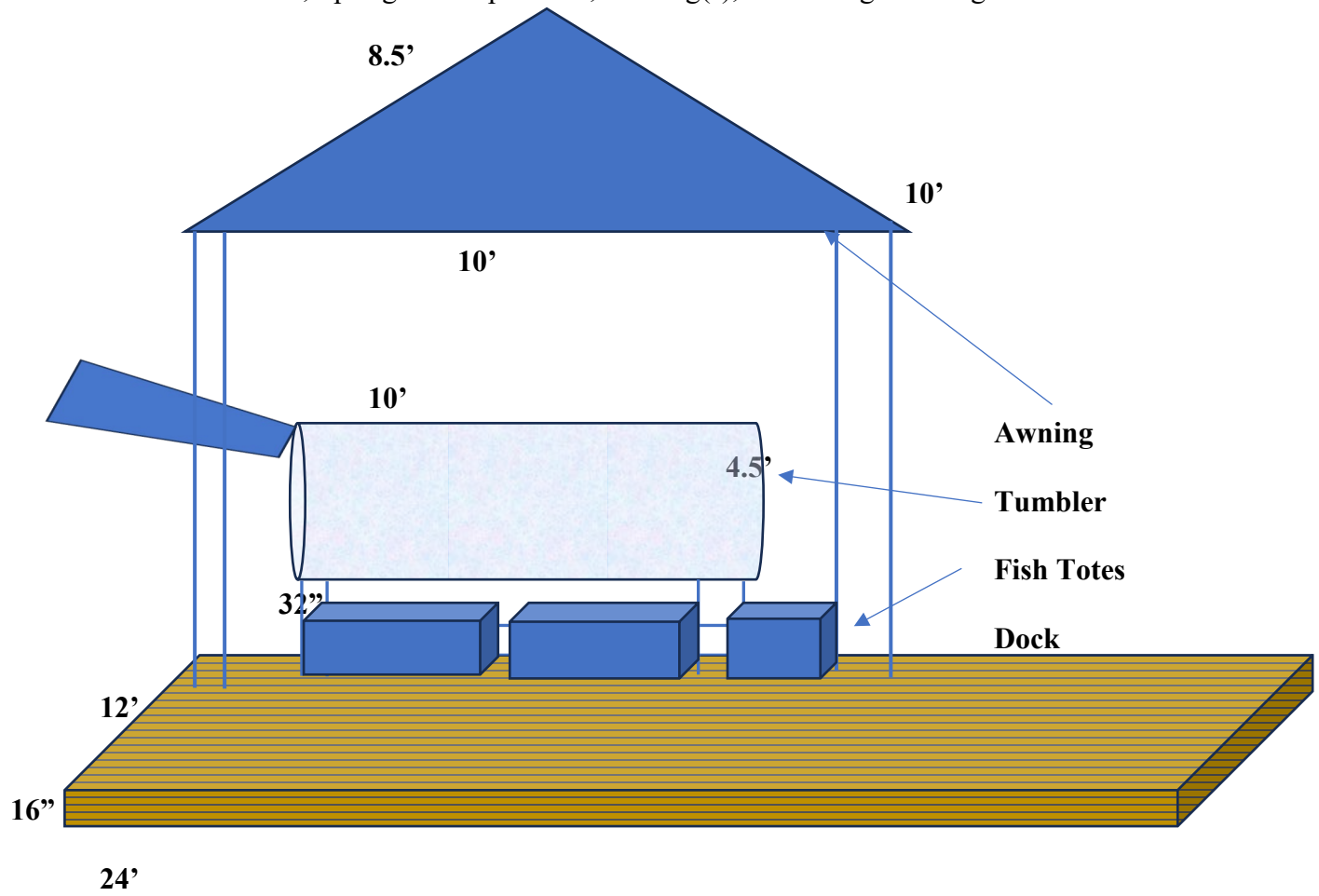
Gear Drawing (please label this “Gear Drawing”).

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

GEAR Drawing: Overhead View (*Year-round unless otherwise noted*)



Docks with TUMBLER, Spring-time Upwellers, Awning(s), and Storage for Bags and Line



12. 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. Marker buoys must be yellow and host reflective material.

Yes No

If you answered no, explain why and suggest alternate markings.

As the entire farm sits within the boundaries of the impoundment, we respectfully request to not have to mark the perimeters of the farm as there is no additional marine traffic in the pound and the additional buoys may make our own navigation more challenging. In the event this request is not granted, we'd like to mark the site with 4 yellow buoys (17"x23") at the corners.

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.

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>
3. If any portion of the site is intertidal you need to complete the steps outlined in “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 (i.e. where on shore) will you access the proposed site?

We will be accessing the proposed site from the Bean Maine Lobster wharf parking lot and area associated with the pound. We are tenants of this pound and have access from 6 am to 5 pm per our rental agreement. Tax map 103-002 for St. George, Maine.

TAX MAP



RIPARIAN LANDOWNER LIST

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

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

TOWN OF: St. George, Maine 04860 – village of Port Clyde, Maine 04855

MAP #	LOT #	Landowner name(s) and address(es)
103	003	<u>Daniel + Sheryl Tishman</u> <u>148 Horse Point Road – physical address</u> <u>100 Park Avenue, 18th Floor</u> <u>New York, NY 10017 – mailing address</u>

<u>103</u>	<u>004</u>	<u>Keith E. Monaghan</u> <u>152 Horse Point Road – physical address</u> <u>PO Box 85</u> <u>Port Clyde, ME 04855 – mailing address</u>
<u>103</u>	<u>005</u>	<u>Mona S Monaghan</u> <u>154 Horse Point Road – physical address</u> <u>PO Box 85</u> <u>Port Clyde, ME 04855 – mailing address</u>
<u>103</u>	<u>006</u>	<u>Donald S Moore</u> <u>160 Horse Point Road – physical address</u> <u>PO Box 67</u> <u>Port Clyde, ME 04855 – mailing address</u>
<u>103</u>	<u>007</u>	<u>Donald S Moore</u> <u>166 Horse Point Road – physical address</u> <u>PO Box 67</u> <u>Port Clyde, ME 04855 – mailing address</u>
<u>103</u>	<u>008</u>	<u>Katarina Mesarovich</u> <u>170 Horse Point Road – physical address</u> <u>PO Box 8</u> <u>Port Clyde, ME 04855 – mailing address</u>
<u>103</u>	<u>009</u>	<u>Katrina Ann Morehouse</u> <u>174 Horse Point Road – physical address</u> <u>181 Spruce Head Road</u> <u>South Thomaston, ME 04858 – mailing address</u>
<u>103</u>	<u>010</u>	<u>I.E. & J.H. Bracy</u> <u>176 Horse Point Road – physical address</u> <u>21 Gull Rock Road</u> <u>Tenants Harbor, ME 04860 – mailing address</u>
<u>102</u>	<u>038</u>	<u>Edward R & Kathleen H Nowicki</u> <u>Little Raspberry Island – physical address</u> <u>7249 Dursely Court</u> <u>Solon, OH 44139-7039 – mailing address</u>
<u>102</u>	<u>039</u>	<u>Edward R & Kathleen H Nowicki</u> <u>Raspberry Island – physical address</u> <u>7249 Dursely Court</u> <u>Solon, OH 44139-7039 – mailing address</u>
<u>102</u>	<u>041</u>	<u>Jonathan W Coggeshall, JR</u> <u>Horse Point Road – physical address</u> <u>PO Box 37</u> <u>Port Clyde, ME 04855 – mailing address</u>

<u>102</u>	<u>040</u>	<u>Cook's Cove, LLC & dba Sea Sparkle</u> <u>78 Horse Point Road – physical address</u> <u>PO Box 156 c/o Linda Bean's Perfect Maine</u> <u>N. Vasalboro, ME 04962 – mailing address</u>
<u>102</u>	<u>036</u>	<u>Tatiana P. Fischer</u> <u>10 Johnny's Wharf Road – physical address</u> <u>PO Box 38</u> <u>Port Clyde, ME 04855 – mailing address</u>
<u>102</u>	<u>037</u>	<u>Linda's Landing, LLC & a.k.a. Johnny's Wharf</u> <u>28 Johnny's Wharf Road – physical address</u> <u>PO Box 156 c/o Linda Bean's Perfect Maine</u> <u>N. Vasalboro, ME 04962 – mailing address</u>
<u>102</u>	<u>042</u>	<u>Jonathan W Coggeshall, JR</u> <u>Horse Point Road – physical address</u> <u>PO Box 37</u> <u>Port Clyde, ME 04855 – mailing address</u>

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Bill Batty Jr ^{Deputy} Town Clerk for the Town of St George 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: [Signature]

DATE: 12/13/23
12/13/23
BB



14. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

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

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

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

Antonia Swan Co-Owner

12.13.2023

Applicant Signature

Date

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

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

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

[Signature] CO-OWNER

12/13/23

Applicant Signature

Date

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

15. APPLICANT SIGNATURE PAGE

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

Printed name: ANTONIA SMITH

Title (if corporate applicant): Co-Owner

Signature: Antonia Smith Date: 12.13.2023

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

[Signature] - 12/13/23
CO-OWNER

16. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS *(if applicable)*

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

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

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

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

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

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

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

Bean Maine Lobster
29 Gordon Drive
Rockland, ME 04841
207-593-7699
John@beanmainelobster.com

December 7, 2023

To Whom It May Concern,

Re: Experimental Aquaculture Lease Application of Ice House Seafood, LLC (DBA Ice House Oysters), in the existing lobster impoundment on Lincoln Lane, in Port Clyde, ME. The prospective experimental lease is located within the Port Clyde Town Map parcel M103-002.

Bean Maine Lobster, LLC, hereby grants permission to Ice House Seafood, LLC, the applicant for the above-referenced lease, riparian access to the proposed lease site via land parcel 103-002. As further clarification, said land will be used to access the lease site within the lobster impoundment.

Respectfully submitted,

John Petersdorf
CEO

Bean Maine Lobster

A handwritten signature in black ink, appearing to be 'John Petersdorf', written over a large, faint, oval-shaped watermark or background mark.



Town of St. George

3 School Street, P.O. Box 131
Tenants Harbor, Maine 04860-0131
Telephone: 207-372-6363
Fax: 207-372-8954

November 9, 2023

Antonia Small
Ice House Seafood, LLC
P.O. Box 227
Port Clyde, ME 04855

Dear Ms. Small:

I am writing to confirm that at their meeting on October 16, 2023, the Town of St. George Select Board voted to give their support to Ice House Seafood, LLC's proposed experimental aquaculture lease on Horse Point Road in the Village of Port Clyde. We understand that under 12 MSRA, the Commissioner of the Department of Marine Resources may not lease areas in the intertidal zone without consent of the municipal officers.

Please contact me if there is anything further that we can provide on this matter.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Rick Erb', is written over the typed name.

Rick Erb
Town Manager

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20241421DC Pages 2
Fee Paid \$ 175
DCN 2230252230120 DLLC
—FILED—
01/24/2023

Julie L Flynn
Deputy Secretary of State

A True Copy When Attested By Signature

Julie L Flynn
Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

Ice House Seafood LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "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

Antonia Small

(Name of noncommercial registered agent)

121 Horse Point Road Port Clyde, ME 04855

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

P.O. Box 227 Port Clyde, ME 04855

(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 **1.18.2023**



(Signature of authorized person)

Antonia Small

(Type or print name of authorized person)

(Signature of authorized person)

(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



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: Ice House Seafood, LLC
2. Date of incorporation: February 7, 2023 State of incorporation: Maine
3. List the names, addresses, and titles of all officers:

Name	Address	Title
Antonia Small	PO Box 227 Port Clyde, ME 04855	Co-owner
John E. Cotton	PO Box 227 Port Clyde, ME 04855	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

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

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

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

John E. Cotton – Standard Lease application – pending
 John E. Cotton – Experimental Lease – STGDC1X - granted
 John E. Cotton – 4 LPAs – granted
 Antonia Small – 4 LPAs - granted

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
Antonia Small	P.O. Box 227 Port Clyde, ME 04855	51%
John E. Cotton	P.O. Box 227 Port Clyde, ME 04855	49%

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
John E. Cotton	P.O. Box 227 Port Clyde, ME	STGDC1X	3.67

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

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

Yes No

If you selected “yes”, please provide details.

B. Partnership Applicant

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

1. Name of Partnership: _____

2. Date of formation: _____ State of partnership: _____

3. List the names, addresses, and ownership shares of all partners:

Name	Address	Ownership Shares

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

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

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

5. List the names and addresses of any partner owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person, based on their ownership shares from question 3.

Name	Address	Lease Acronym	Acreage

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

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

Yes No

If you selected "yes", please provide details.