

## STANDARD LEASE APPLICATION: NON-DISCHARGE

### 1. APPLICANT CONTACT INFORMATION

Applicant	Merritt Island Oysters		
Contact Person	Jordi St. John		
Address	18 Harbor Ridge Road		
City	West Bath		
State, Zip	ME 04530		
County	Sagadahoc		
Telephone	207-841-2551		
Email	merrittislandoysters@gmail.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application		<input type="checkbox"/> Final Application
	<small>[submitted before scoping session]</small>		<small>[submitted after scoping session]</small>
Dates	Pre-Application Meeting: 1/26/24	Draft Application Submitted: 4/1/24	Scoping Session:
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card		Final Application: <input type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card

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

### 2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	West Bath
Waterbody	New Meadows River
General Description (e.g. south of B Island)	West of Merritt Island
Lease Information	
Total acreage requested (100-acre maximum)	1.77
Lease term requested (20-year maximum)	20
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear)  <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)

Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**Note:** If you selected yes, you need to complete the steps outlined in the section titled: “Landowner/Municipal Permission Requirements”

**3. GROWING AREA DESIGNATION**

**Directions:** Information for growing area designations can be found here: <https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

Growing Area Designation (e.g. WL):	WL
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](mailto:DMRPublicHealthDiv@maine.gov)

**4. SPECIES INFORMATION**

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

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. American/Eastern Oyster ( <i>C. virginica</i> )	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551  Mook Sea Farm 321 ME-129 Walpole, ME 04573  Merrymeeting Shellfish Company 2 Town Landing Rd Bath, ME 04530  Downeast Institute 39 Wildflower Ln Beals, ME 04611	250,000

<b>B.</b> Do you intend to possess, transport, or sell whole or roe-on scallops? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**If you answered “yes”** please contact the Bureau of Public Health to discuss your plans at the following email: [DMRPublicHealthDiv@maine.gov](mailto:DMRPublicHealthDiv@maine.gov)

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

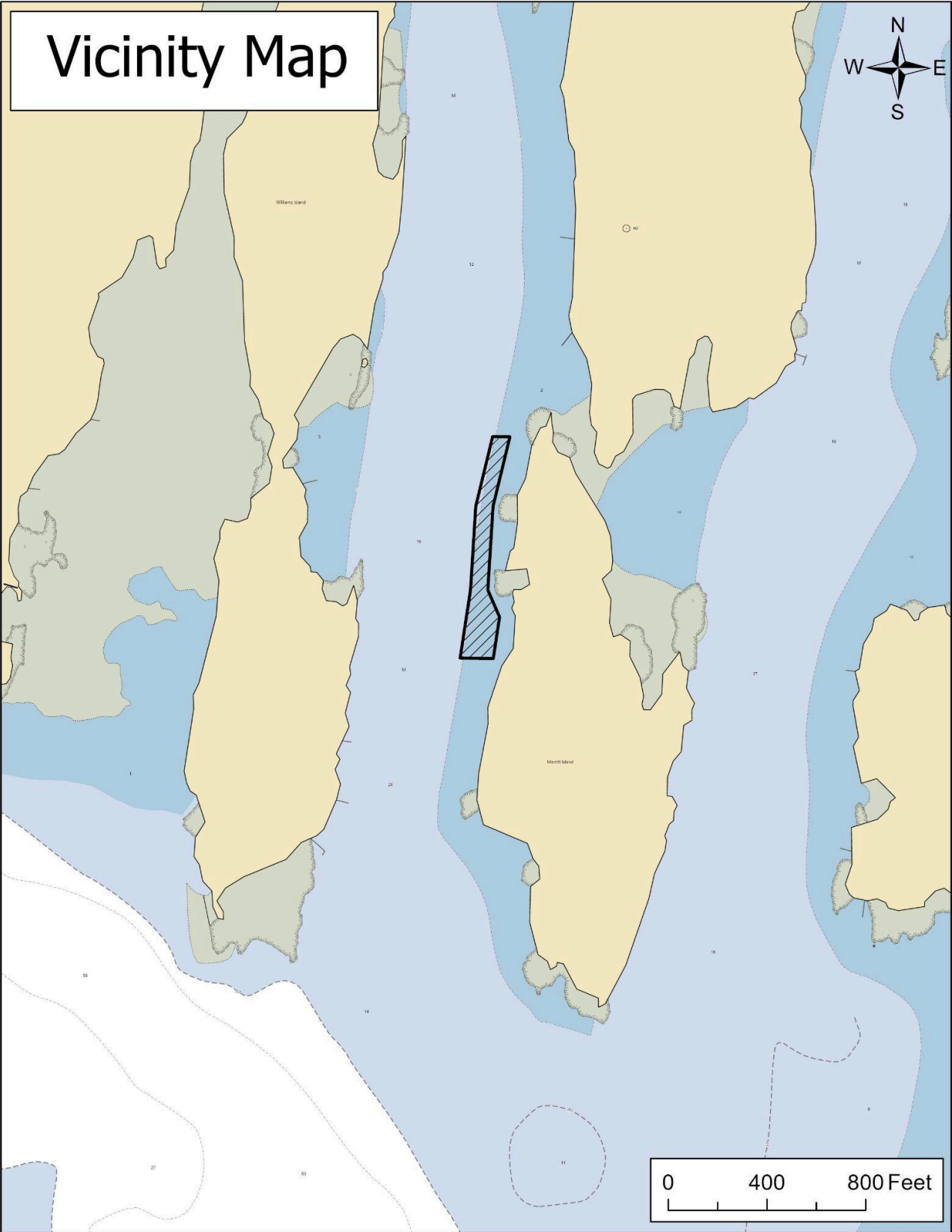
## **5. VICINITY MAP**

**Note:** Please label as: ‘Vicinity Map’.

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

The map needs to display the following:

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



## 6. BOUNDARY DRAWING

**Note:** Please label as: 'Boundary Drawing'.

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

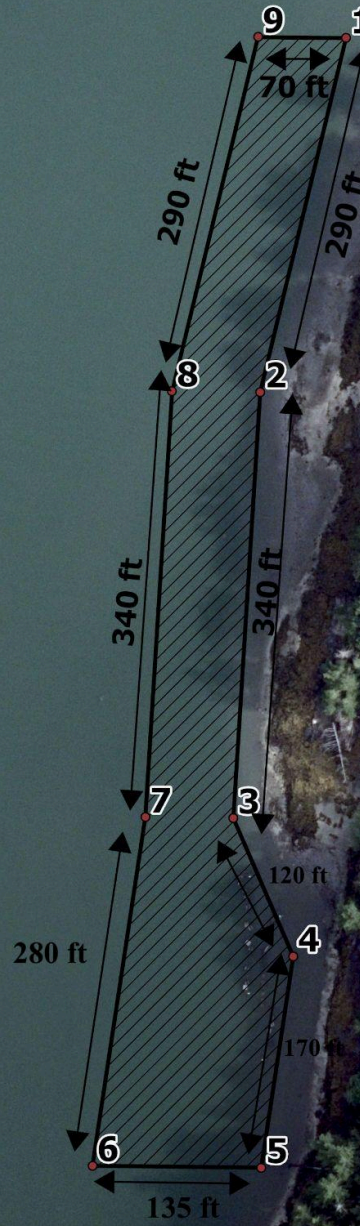
- Coordinate Description

Provide geographic coordinates for each corner of the lease site in latitude and longitude 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.

SITE	LAT	LONG
1	43.860613	-69.87322
2	43.859837	-69.873467
3	43.858906	-69.873535
4	43.858605	-69.87335
5	43.858143	-69.873439
6	43.858143	-69.873948
7	43.858906	-69.8738
8	43.859837	-69.873733
9	43.860613	-69.873485



Boundary Drawing



Orthophotos were produced for the State of Maine Department of Environmental Protection. James W. Sawall and Norman Jean Associates were primary contractors and





## 7. SITE DEVELOPMENT

**Directions:** If your operations require the use of cages, nets, ropes, trays, or any object (structure) other than the organism to be grown directly on the bottom or buoys to mark the corners of the lease site, you must submit gear drawings and maximum structure schematics (information below). This section is intended to provide accurate plans depicting the physical structures to be placed in the proposed area. All dimensions need to be labeled with the appropriate units (i.e. 10ft, 10in). If you are proposing a bottom lease (no gear), please skip to question “F. Marking”.

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

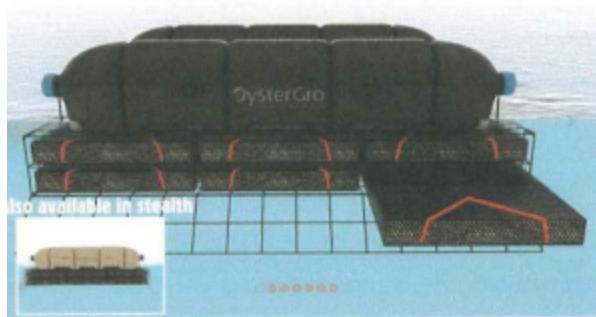
### A. Gear Information

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

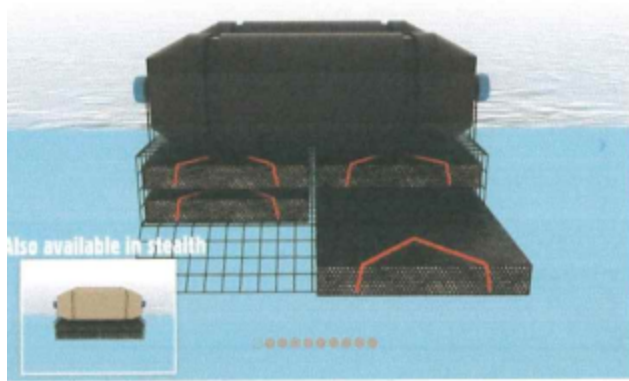
1. Gear Drawing: Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as “Gear Drawing”. This view must show the following:
  - Length, width, and height of each gear type.



Rigid Mesh Bag (35”L x 18”W x 3”H)



**OysterGro floating 6-bag cages (60”L x 36”W x 24”H)**



**OysterGro floating 4-bag cages (41”L x 36”W x 24”H)**



**Oyster Bag Float (35”L x 24” W x 3” H)**





8-bag Oyster Condo (45"L x 40½"W x 22½"H)

2. Gear Table: List and describe each individual gear type that you will use in the table below. (e.g. polar circles, marine algae longline, oyster cages, moorings, mooring lines, buoys, etc.).

<b>Specific Gear Type</b> <i>(e.g. soft mesh bag)</i>	<b>Dimensions</b> <i>(e.g. 16"x20"x2")</i>	<b>Time of year gear will be deployed</b> <i>(e.g. Spring, Winter, etc.)</i>	<b>Maximum amount of this gear type that will be deployed on the site</b> <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	<b>Species that will be grown using this gear type</b>
Rigid Mesh Bag	18.5"x35"x3"	Year Round	900 Bags	American Oysters
OysterGro 6-bag cage	60"x36"x24"	Year Round	24 cages	American Oysters
OysterGro 4-bag cage	41"x36"x24"	Year Round	150 cages	American Oysters

GoDeep Oyster Bag Float	32"x3"x3"	Spring, summer, fall	120	American Oysters
8 Bag Oyster Condo	45"L x 40½"W x 22½"H	Winter	50	American Oysters
Mushroom mooring	75lb	Year Round	22	N/A
Shackle	¾" Shackle	Year Round	44	N/A
Mooring Chain	5/8" mooring chain	Year Round	22	N/A
Anchor Line	½" x 20'	Year Round	22	N/A
Yellow reflective buoys	12" x 16"	Year Round	4	N/A

**B. Maximum Structure and Mooring System Schematic**

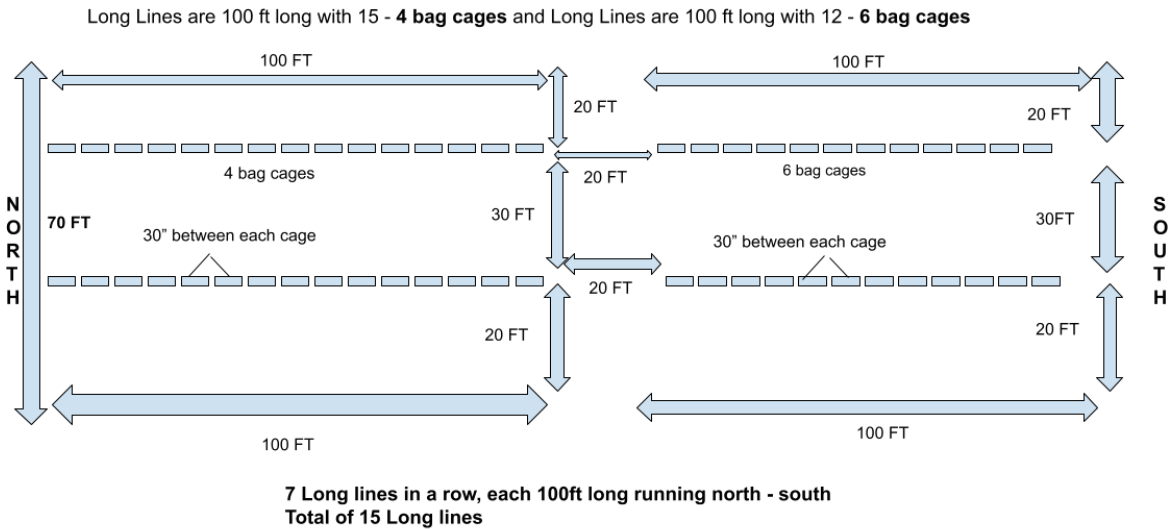
**Directions:** Include drawings of your maximum gear layout. Include units referenced (i.e. 10in, 10ft, etc.).

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

**Overhead View - April through December:** This proposed lease site at full capacity is 15 long lines with floating 4-bag and/or 6-bag cages and/or individual floating bags.

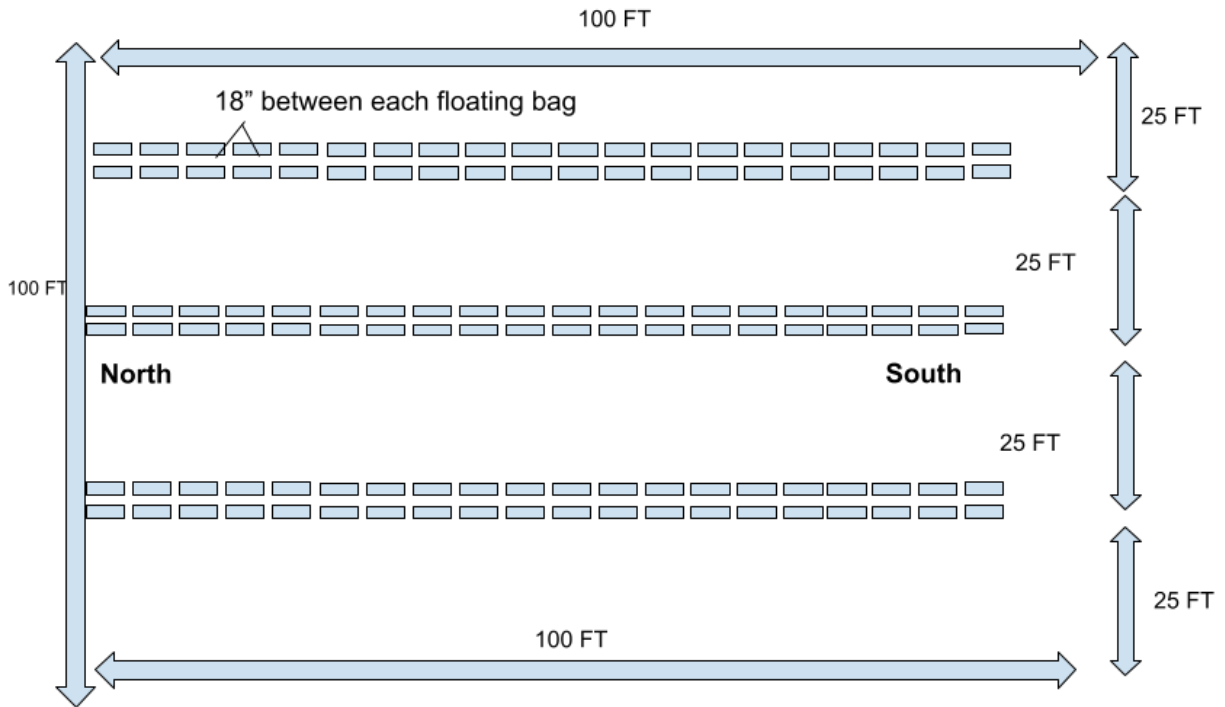


**Overhead View - Northern end has 2 long lines side by side east to west and running north to south.**



**NOTE:** 15 long lines each 100 ft long running north - south. Gear is floating 4-bag and/or 6-bag cages and/or individual floating bags. Lines have 15 - 4 bag cages or 12 - 6 bag cages per line.

**Overhead View - Southern end has 3 long lines**



**\*South End has 3 lines wide (East to West)**

- Long Lines are 100' long & 4' wide.
- Individual floating bags - 20 bags long side by side. 40 total bags

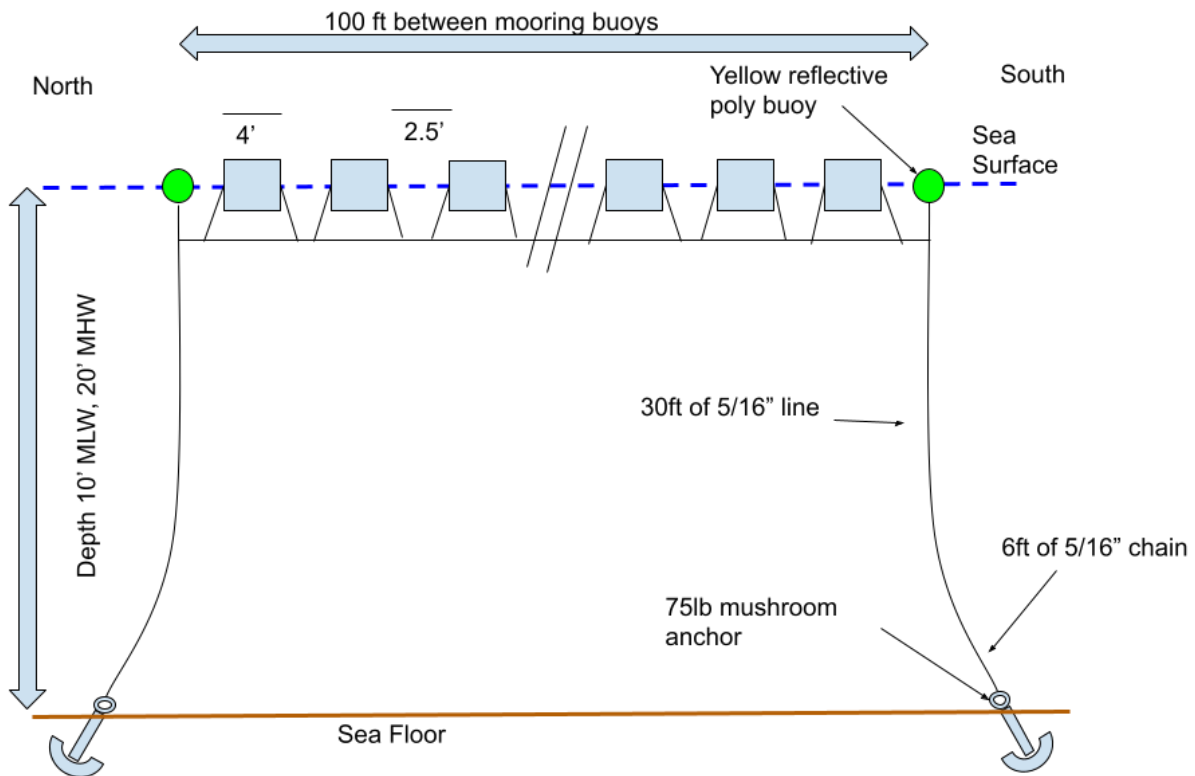


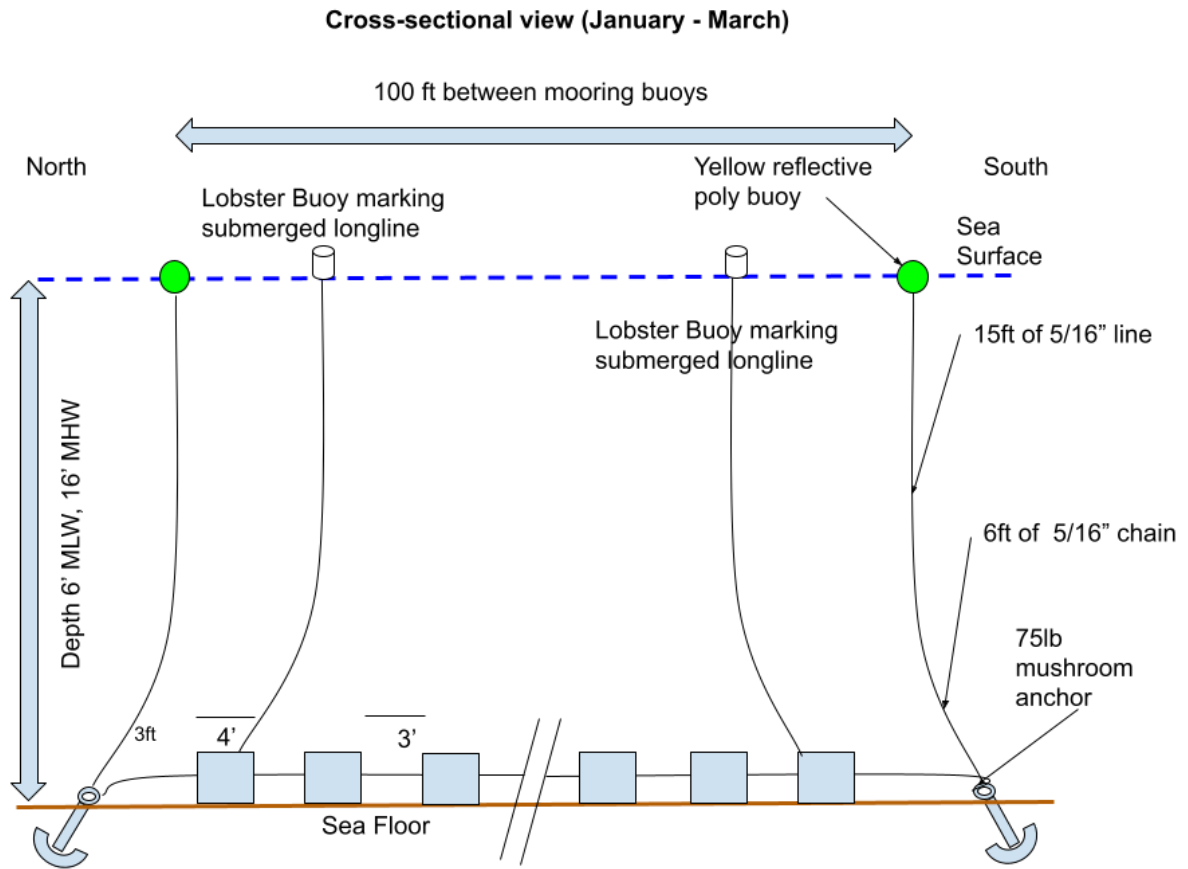
**NOTE:** 100 ft long lines with the above drawn for 40 individual floating bags, side by side (20 on each side). 3 long lines only at the southern end of the proposed lease.

2. Cross-Section View. Please include the following and label as “Cross-Section View”:
- The sea bottom.
  - Profile of gear in cross-section as it will be deployed.
  - Label gear with dimensions and materials.
  - Show mooring gear with mooring type, scope, hardware, and line type and size.
  - Depth of gear in relation to the water’s surface at mean low water and mean high water (if applicable).

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

**Cross-sectional View of Floating Cages (April - December)**





**C. On-Site Support Structures**

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

N/A. No on-site structure. Work from the oyster skiff.

2. Describe the storage and use of oil, gasoline, or other hazardous materials on site. If petroleum products are to be stored on site, provide a spill prevention plan.

N/A. No on-site storage.

#### **D. Gear Color**

Provide the color of the gear and structures proposed to be used at the lease site.

Yellow buoys with reflective material and my lease acronym along with “SEA FARM” in 2-inch high letters will be at the corners of the lease. Green buoy markers will be at the end of each long line. Winter buoys will be blue. All gear including cages, floats and bags will be black or gray.

#### **E. Equipment Layout**

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



Vantage Point 1: 43.859993, -69.877995 Looking south and slightly east at the northern tip of Merritt Island along the western shore of the island.



Vantage Point 2: 43.858385, -69.873607 Looking north and slightly east at the lease area along Merritt Island’s western shore.

**F. Marking**

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease. Effective January 1, 2023, marker buoys need to be yellow and host reflective material.

Yes  No

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

N/A

**Note:** If a lease is granted, you will also be required to mark the site in accordance with appropriate US Coast Guard Regulations. If you have questions about US Coast Guard Regulations contact: 1<sup>st</sup> Coast Guard District, Aids to Navigation Office (617-223-3293).



## 8. PRODUCTION ACTIVITIES

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

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

Oyster seed will be purchased from certified hatcheries listed in 4A of this application. Oysters will then be seeded into bags between the months of May and July. The seed will be placed into mesh bags in OysterGro cages. As the seed grows, the density in each bag will be lowered and the bags will be cleaned. I will be onsite 3 times per week.

**B.** Please explain your proposed tending/maintenance activities.

As the oyster seed grows the densities will be lowered and moved into additional bags with larger mesh holes and cages. In order to minimize biofouling the cages or floating bags will be flipped with the oysters out of the water to air dry for 6 to 24 hours. Bags will be shaken by hand to help shape the oysters with a deep cup and manually culled by size. This will occur between May and November. All gear including lines, anchors, chains, cages, bags, etc will be inspected regularly to ensure it is in good condition.

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

Site / farm visits will occur 3-4 days per week.

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

Harvesting will be done using a boat. Cages are tilted up and hooked onto the rail of the boat in order to pull out bags and harvest oysters by hand directly out of the grow bags. Oysters will then go directly into an ice slurry. Harvesting will generally occur during the day Monday through Friday.

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

On-site harvesting will occur 1-3 days per week.

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

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

Surface cages will either be sunk to the bottom between the months of mid December and mid April, or removed from the farm. 8 Bag Oyster Condos will be used only from December to April to overwinter some of the oyster bags on the bottom. Marker buoys at each end of each longline will remain on the surface.

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

The plan is to keep the oysters in mesh bags and to clean off biofouling to mitigate predators.

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

Examples may include:

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

If necessary the following techniques may be used to minimize the potential pollution impacts from roosting birds:

Zip ties on floating oyster gear sticking up to deter birds.

Utilize OysterGro BirdAway Hawk System only as necessary to deter roosting. (See below)



## 9. NOISE AND LIGHT

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

- A.** What type of boats will be used on the site? When and how often will these vessels be on the site?

Primary vessel is a 17ft Carolina Skiff with a 25hp E-Tec outboard engine. This vessel will be on the site when working, which is 3-4 days per week.

- B.** What type of powered equipment (e.g. generator, power washer, grading equipment, barges, etc.) will be used on the site? When and how often will the equipment be used?

The outboard motor on the skiff is shut off while working along each long line and only used to move to other lines. So only used for 5 minutes at a time.

A power washer may be used 0-3 times per week for 5 - 10 minutes to clean oysters or the boat. The power washer will clean the oysters using pressurized sea water.

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

The outboard motor on the skiff will be shut off while working along each long line and only used to move to other lines. So only used for 5 minutes at a time.  
A power washer will only be used for short periods of time because much of the cleaning is done by hand.

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

No more than 2 shielded headlamps that have a 4 watt LED bulb will be used.

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

Work will only happen in the dark if there is an emergency situation. Such as to repair damaged gear or prepare for a storm.

## 10. CURRENT OPERATIONS

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

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

2 - Limited Purpose Aquaculture operations (JSTJ117 and JSTJ218)  
The LPAs are located on the western side of Merritt Island in the New Meadows River in West Bath. In this location I (Merritt Island Oysters) am cultivating oysters in floating bags and cages from April to December. January to March oysters are overwintered on the seafloor.

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

If this lease is granted the 2 current LPA licenses (JSTJ117 and JSTJ218) will be relinquished.



## 11. ENVIRONMENTAL CHARACTERIZATION

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

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

Mean low water depth ranges from 4ft to 16ft within the proposed lease site. The eastern side of the lease closer to the western shore of Merritt Island is about 4ft at MLW and it gets gradually deeper to the west, away from Merritt Island.

Northwest corner: 16ft. Northeast corner: 4ft. Southwest corner: 14ft. Southeast corner: 4ft

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

Mean High Water depth ranges from 13ft to 25ft within the proposed lease site. The eastern side of the lease near the western shore of Merritt Island is about 13ft at MHW and it gets gradually deeper to the west, away from Merritt Island.

Northwest corner: 25ft. Northeast corner: 13ft. Southwest corner: 24ft. Southeast corner: 13ft.

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

The approximate ebb current is 0-2.5 knots in a southerly direction and the flood current is 0-2.5 knots in a northerly direction.

**D. The following questions (D.1 through D.6) may be answered in writing or by submitting a video. If you plan to submit a video, please contact the Department prior to video collection.**

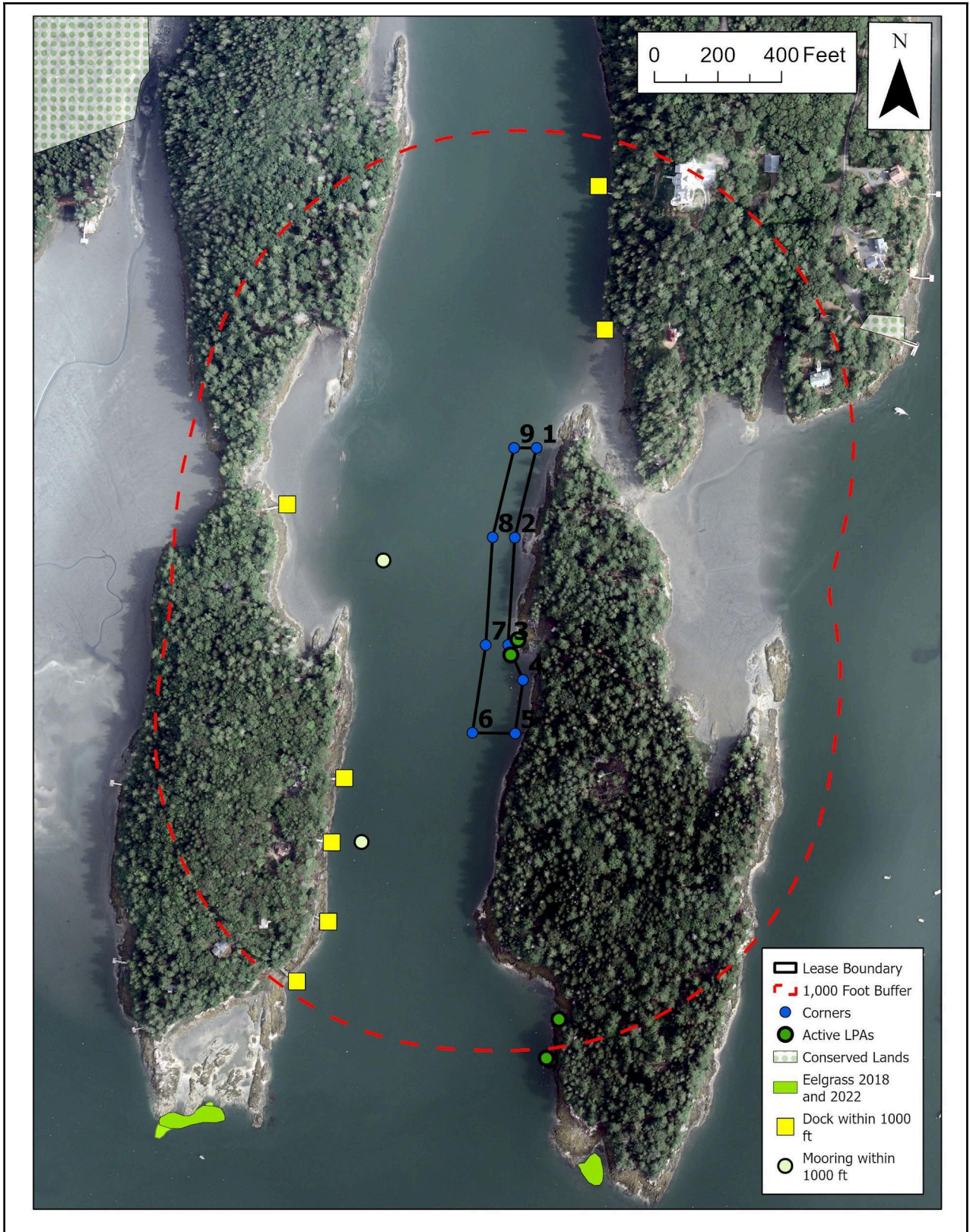
**1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?**

The bottom of the lease site is primarily mud and soft sediment, along with some shell fragments and a small sandy area.

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

The bottom topography of the proposed lease area is fairly flat north to south and slopes gradually downward/deeper water towards the channel which is to the west of Merritt Island.

<p><b>3.</b> Describe marine organisms by species or common names. Based on your personal observations or other sources of information, are these species abundant, common, or rare?</p>
<p>Based on having at 2 LPA's in the proposed lease area starting in 2017, the common marine species are green crabs and rock crabs that have been observed around the site. The crabs are common.</p>
<p><b>4.</b> Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>There are no shellfish beds along the western shore of Merritt Island. Striped bass and menhaden migrate into the New Meadows in the spring and leave in the fall.</p>
<p><b>5.</b> Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.</p>
<p>There was no submerged aquatic vegetation observed in the lease area. Method for observation within the proposed lease area was snorkeling and depth sounder/fish finder. South of the lease there is Eelgrass at the southern tip of Merritt Island and Williams Island. Please see the image below marking Eelgrass areas with bright green in 2018 and 2022. Information from <a href="https://maine.maps.arcgis.com/apps/webappviewer/index.html?id=b846cf37b1d64c988f89eafa085c8b7a">MaineDEP Casco Bay Eelgrass 2018</a> and (Seagrass 2022 (Cape Elizabeth to Phippsburg)<a href="https://maine.maps.arcgis.com/apps/webappviewer/index.html?id=b846cf37b1d64c988f89eafa085c8b7a">https://maine.maps.arcgis.com/apps/webappviewer/index.html?id=b846cf37b1d64c988f89eafa085c8b7a</a>)</p>



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

The proposed lease runs along part of the western shore of Merritt Island, which is owned by Bowdoin College and is protected from development. The shoreline is rocky then wooded. To the west of the proposed lease site is Williams Island, which is mostly rocky shore and wooded. There are 5 summer cottages with docks along the eastern shore of Williams Island, the closest being about 600 ft away from the proposed lease area.

**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](mailto:John.Perry@maine.gov), phone: 207-287-5254) prior to application submission.

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

Over the past 11 years only twice has there been significant ice formation at the proposed site. To the north of the site there can be more ice during the colder winters (Dec 2017- Feb 2018). There was no ice in the winter of 2023 - 2024. A small layer of surface ice can be seen near the shoreline on occasion on cold winter nights during Jan - Feb 2022. Winter water temp is typically 32-42 during the winter months. See photos below.

**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.





**January 2022**



**January 2018: Northern Tip of Merritt Island**



## 12. EXISTING USES

<p><b>A.</b> Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.</p>
<p><b>1. Commercial Fishing</b></p> <p>There is lobster fishing in the spring, summer, and fall on the New Meadows River happening Monday through Saturday. Traps are set along the eastern shore of Williams Island 600 ft to the west of the proposed site. Also on the southern tip of Merritt and Williams Islands 1,000 ft away. Very few traps are set near the center of the channel 300ft west of the proposed site, but the traps are not as dense as they are to the south of Merritt and along Williams Island. In the past year, less fishing occurred in the spring and summer in the area, while more fishing occurred in the fall. Clammers dig on the mudflat in Back Cove of the New Meadows River 1 mile north west of the proposed lease. There is pogie fishing that happens between the months of June and November along the New Meadows River, and is most common in the months of June, July, and August. This only occurs 2-3 days per week. Boats have been observed setting purse seines 300 ft or more to the west of the proposed lease site.</p>
<p><b>2. Recreational Fishing</b></p> <p>There are recreational vessels fishing for striped bass on the entire New Meadows River. People are fishing everyday in June, July and August. On occasion recreational fishing will occur 250 ft from the proposed lease boundaries.</p>
<p><b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</b></p> <p>There are recreational boaters that stay in the middle of the channel between Williams and Merritt Island, 300ft from the proposed lease. The New Meadows River flats out into mud at low tide in Back Cove, which is north of the proposed lease. So not many boaters go into Back Cove, it is a low traffic area and the proposed lease is set to be on the eastern side of the channel along Merritt Island's western shore.</p>
<p><b>4. Ingress and egress (i.e. coming and going) of shorefront property owners within 1,000 feet of the proposal (e.g. docks, moorings, landing boats on shore, etc.)</b></p>

Ingress and egress around the proposed lease site includes 5 summer homes, 4 docks and 2 moorings to the west along Williams Island. There are a few small motor boats and a sailboat over at Williams Island. To the north in Back Cove there are waterfront homes and 2 docks and 1 mooring within 1000ft of the proposed lease. There are 3 power boats that spend the summer in Back Cove. It is a low traffic area because most of Back Cove muds out at low tide. Also the main part of the New Meadows River turns west at the southern tip of Merritt Island and Williams Island and a portion of the river turns to east and heads north into Mill Cove. Both these branches are deeper water than going into Back Cove. Lastly the proposed lease will be on the eastern side of the channel along Merritt Island's western shore, which is an undeveloped island.

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

There are some kayakers that paddle past the proposed lease site. Some of them are neighbors that live nearby and some visit the area because Merritt Island is a site on the Maine Island Trail as is Williams Island. This is only during the summer months and I will talk with some of the people while I am working on the current LPAs. Also Bowdoin College keeps canoes on the mainland to go to the southern tip of Merritt Island, where they have a campsite. I am also in contact with the Bowdoin Outing Club. No swimming occurs in the area. The proposed lease site does not block access to either Merritt or Williams Island.

**B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.**

Yes there are 7 private docks and 3 private moorings within 1,000ft of the proposed lease site. Williams Island docks are 650ft, 680ft, 920ft and 1,000ft. The docks on Harbor Ridge/Rich Hill are 570ft and 885ft away. One mooring is 300ft, another is 840ft. There are no other access points in the area. All of these docks are seasonal from April to November.

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

N/A

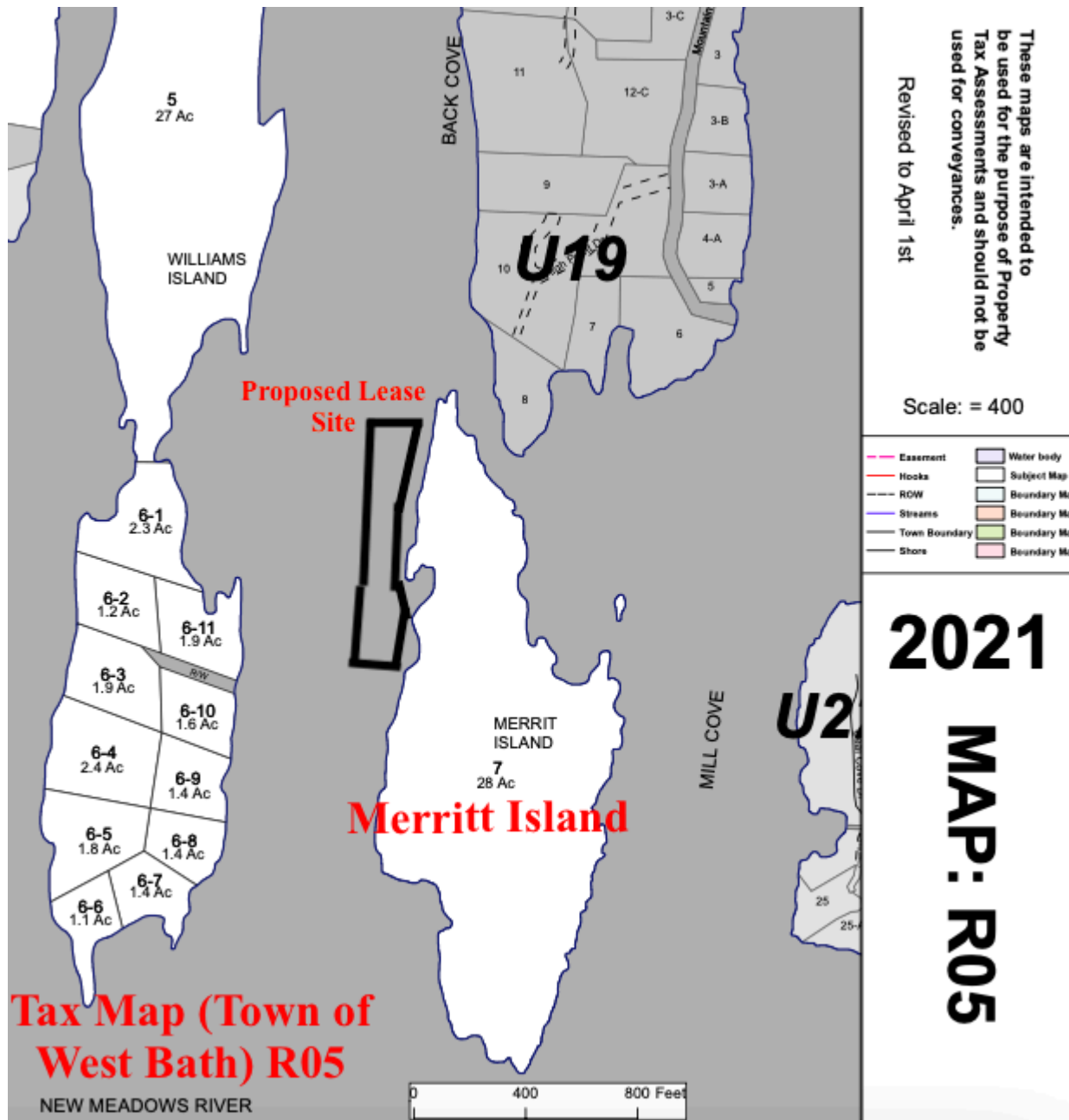
**D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 1,000 feet of your proposed lease site? If yes, please list their acronyms below. Current and pending aquaculture leases and active LPA licenses may be found here: <https://www.maine.gov/dmr/aquaculture/leases/index.html>**

My own 2 Limited Purpose Aquaculture operations (JSTJ117 and JSTJ218)  
Eric Varney (EVAR118) is 1,000ft away.

**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





Scale: 0 100 200 Feet





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



determination guidance document to ensure all riparian landowners are included:  
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

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

3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: "Landowner/Municipal Permission Requirements".

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

Yes  No

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

**C.** How will you access the proposed site?

Access to the proposed lease will be by boat. The boat is on a mooring in Mill Cove and access is through the Harbor Ridge Homeowners Association dock, which as a homeowner I am a member of the association.

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

Proposed activities will not affect riparian ingress or egress. Riparians on Williams Island access their homes via docks on the east side of the Island. The proposed lease is on the west side of Merritt Island so will not interfere with ingress or egress. Also riparian owners to the north will not be affected because the proposed lease site will not block the channel between Merritt and Williams Islands. Bowdoin College either hikes to the campsites at the southern tip of the island or paddles canoes next to the proposed lease site.



STATE OF MAINE  
 DEPARTMENT OF MARINE RESOURCES  
 21 STATE HOUSE STATION  
 AUGUSTA, MAINE  
 04333-0021

PATRICK C. KELHER  
 COMMISSIONER

JANET T. MILLS  
 GOVERNOR

**- RIPARIAN OWNERS LIST -**

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

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

**TOWN OF: West Bath**

MAP #	LOT #	Landowner name(s) and address(es)
U19	6	Jeffery & Margaret Pierce: PO Box 1774 Boca Grande, FL 33921
U19	7	Jeffery & Margaret Pierce: PO Box 1774 Boca Grande, FL 33921
U19	8	Bowdoin College: c/o Matthew Orlando Sr. Treasurer: 5600 College Station Brunswick, ME 04011
U19	9	Joseph Harold: 40 High Point Dr W. Bath, ME 04530
U19	10	Andrea Leers: 1200 Washington St Apt 318 Boston, MA 02118
R05	5	Alice Mellin & Peter Morse: PO Box 579 Yarmouth, ME 04096
R05	6-1	Richard & Leann Fisher: PO BOX 225 Woolwich, ME 04579
R05	6-2	Frederick & Stephen Weinert: 2760 D ST Springfield, OR 97477

OFFICES AT 32 WHEATON LANE, DEARBOROUGH BUILDING, AUGUSTA, MAINE  
<http://www.dmr.maine.gov/dmr>

PHONE: (207) 624-6551

FAX: (207) 624-6631

R05	6-3	Ronald Korhonen: 139 Pleasant Point RD Cushing, ME 04563
R05	6-4	Justin Falango & Paul Kimball: PO BOX 187 Alstead, NH 03602
R05	6-5	Nathaniel & Kimberly Davidson: 24 Marquis Rd Freeport, ME 04032
R05	6-6	Paul & Nancy Perkins: 52 Green St Bath, ME 04530
R05	6-7	Gert-Paul & Kathleen Walter: 71 Whitcomb Rd Boxborough, MA 01719
R05	6-8	Dennis & Elizaveta Coyne: 9 Babbit LN Harvard, MA 01451
R05	6-9	Monty & Beth Vogel: 214 Hearthside RD Standish, ME 04084
R05	6-10	Gregory & Veronica Vogel: 534 VIA DE LA VALLE UNIT E SOLANA BEACH CA 92075
R05	6-11	Greg & Ingrid Howard: 59 Holt Rd Wilton, NH 03086
R05	7	Bowdoin College: c/o Matthew Orlando Sr. Treasurer: 5600 College Station Brunswick, ME 04011

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



**CERTIFICATION**

I, Kary A. Perry, Town Clerk for the Town of West Bath, 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: Kary A. Perry DATE: 3/21/2024

OFFICES AT 32 BLOSSOM LANE, MARQUARDT BUILDING, AUGUSTA, MAINE  
<http://www.Maine.gov/dnr>

PHONE: (207) 624-6550

FAX: (207) 624-6025

## 14. TECHNICAL CAPABILITY

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

Jordi St. John will manage this proposed lease. Jordi has been running Merritt Island Oysters and farming oysters in this location on the New Meadows River for the past 7 years. Jordi also has a 100 ton USCG captains license and is a PADI certified advanced open water diver.

## 15. FINANCIAL CAPABILITY

### A. Financial Capability

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

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

Please see the letter below from Fidelity.

### B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Leasing: \$500 per year  
Labor: \$15,000 per year  
Fuel: \$500 per year  
Gear/Equipment: \$5,000 per year  
Seed: \$5,000 per year  
Total: \$26,000 per year

Personal Investing

P.O. Box 770001  
Cincinnati, OH 45277-0045



JORDI ST JOHN  
KATRINA CALDWELL ST JOHN  
18 HARBOR RIDGE RD  
WEST BATH, ME 04530-6531

March 28, 2024

Dear Jordi St John:

Thank you for contacting Fidelity Investments. Please accept this letter on behalf of Jordi St John of 18 Harbor Ridge Rd West Bath, ME 04530, owner of account ending in 3851.

Please be advised the above referenced client's accounts are currently unrestricted and able to receive deposits.

I hope this information is helpful. For any other issues or general inquiries, please contact a Fidelity representative at 800-544-6666. Thank you for choosing Fidelity Investments.

Sincerely,

A handwritten signature in black ink, appearing to read "JS", written over a light blue horizontal line.

Joseph Sanchez  
Personal Investing Operations

Our File: W551644-27MAR24

Fidelity Brokerage Services LLC, Members NYSE, SIPC.



**16. ESCROW ACCOUNT OR PERFORMANCE BOND**

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input type="checkbox"/>	No gear/structure, no discharge	\$500.00
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input checked="" type="checkbox"/>	>400 square feet of gear/structure, no discharge	\$5,000.00*
<input type="checkbox"/>	Gear/Structure, discharge	\$25,000.00

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

I, (*printed name of applicant*) **Jordi St. John** have read DMR Aquaculture Regulations Chapter 2.64(10) (D) and if this proposed lease is granted by DMR, I will either open an escrow account or obtain a performance bond, in the amount determined by the lease category.



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

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

4/1/24

**Date**

**17. APPLICANT SIGNATURE PAGE**

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

Printed name: Jordi St. John

Title (if corporate applicant): \_\_\_\_\_

Signature:  Date: 4/1/24

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

**Note:**

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

**Additional Applicant:**

Printed name: N/A

Title (if corporate applicant): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**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: Merritt Island Oysters LLC
- 2. Date of incorporation: 09/24/2018                      State of incorporation: Maine

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

Name	Address	Title
Jordi St. John	18 Harbor Ridge Rd W. Bath, ME 04530	Owner

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

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

Name	Address
Jordi St. John	18 Harbor Ridge Rd. West Bath, ME 04530

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

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

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

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

Name	Address	Percentage of Owned Stock
Jordi St. John	18 Harbor Ridge Rd. West Bath, ME 04530	100%

**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
None			

**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
None			

**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.



STATE OF MAINE  
Department of the Secretary of State  
Bureau of Corporations, Elections and Commissions  
101 State House Station  
Augusta, Maine 04333-0101

September 27, 2018

JORDI ST. JOHN  
MERRITT ISLAND OYSTERS, LLC  
18 HARBOR RIDGE ROAD  
WEST BATH ME 04530

ATTESTED COPIES  
WR DCN: 2182692310047

Enclosed please find copies of documents recently placed on file with our office. Each copy has been attested as a true copy of the original and serves as your evidence of filing. We recommend that you retain these permanently with your records.

Charter#: 20191774DC Legal Name: MERRITT ISLAND OYSTERS, LLC

CERTIFICATE OF FORMATION

DCN: 2182692310048 Page(s) 2

Total Pages 2

File No. 20191774DC Pages 2  
Fee Paid \$ 175  
DCN 2182692310048 DLLC  
FILED  
09/24/2018

MAINE  
LIMITED LIABILITY COMPANY  
  
STATE OF MAINE  
  
CERTIFICATE OF FORMATION

  
Deputy Secretary of State

A True Copy When Attested By Signature

  
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:

Merritt Island Oysters, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "LLC," "LC," or "LC" or, in the case of a low-profit limited liability company, "LJC" or "Lc" - see 31 MRSA 15(8).)

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:

Aquaculture

(Type of professional services)

Form No. MLLC-6 (1 of 2)

**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

Jordi St. John

(Name of noncommercial registered agent)

18 Harbor Ridge Road West Bath, ME 04530

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


\_\_\_\_\_  
(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 9/18/18

  
\_\_\_\_\_  
(Signature of authorized person)

Jordi St. John

(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 17-A MRSA §23.2)

\*\*Pursuant to 31 MRSA §167(6), 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

Form No. MLLC-6 (2 of 2) Rev. 10/31/2012

**18. LANDOWNER/MUNICIPAL PERMISSION REQUIREMENTS (if applicable)**

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

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

Pursuant to DMR Regulations Chapter 2.10(3)(G) the Department requires *written permission of every owner of intertidal land in, on, or over which the activity will occur*. It is your responsibility to obtain written permission and include it with your application materials. Please note that the Department does not provide forms for landowner permission.

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

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

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

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

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

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