

LEASE TRANSFER APPLICATION

1. LEASE. Identify the lease to be transferred.

Acronym of Lease Proposed for Transfer	DAM CC3
Date Lease Expires	June 25, 2033
Town	South Bristol, ME
Water Body	Clarks Cove, Damariscotta River
Acreage	3.58
Authorized Species	<i>Saccharina latissima, Laminaria angustissima, Alaria esculenta, Laminaria digitata, Agarum cribrosum, Palmaria palmata, Porphyra umbilicalis, Chondrus crispus, Ulva lactuca, Gracilaria tikvahiae, Chorda tomentosa, Agardhiella tenera, Desmarestia viridis, Scytosiphon lomentaria, and Petalonia fascia</i>
Army Corps of Engineers Authorization Number	NAE-2016-00071
Payment Type	<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card

2. TRANSFEROR. Identify the present lessee (if multiple lessees, provide information for each one; use a separate sheet if necessary).

Applicant	Maine Fresh Seafarms, LLC
Contact Person	Carol Fischer representing Peter Fischer
Address	256 Lower Round Pond Road
City	Bristol
County	Lincoln
State, Zip	Maine 04539
Country	USA
Telephone	207-563-8086
Email	cajackson58@gmail.com

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.

3. PAST USE OF LEASE

Has this lease been used for aquaculture during its term?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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A. If “Yes”, describe the aquaculture activities, including but not limited to seeding, cultivation, or harvest of organisms.

Lease site has been actively used in past years for the cultivation of sugar kelp. Seed kelp are purchased from Springtide Seaweed as seedlines and outplanted in October/November of each year. Deployment of seed lines is accomplished in a small runabout vessel and requires about 4 hours with two people to set out ten seed lines. Seed lines are typically about 5-6 feet below the surface waters. Kelp lines are monitored for growth every few weeks throughout the winter and spring months until harvest time in April. Harvest is accomplished by pulling one line at a time up to the surface along side the harvest vessel (24' catamarine) where the kelp fronds are cut free from the long line. Seaweed is landed in Clarks Cove at the Abandoned Farm wharf owned by Thomas Myers.

B. If “No”, explain why no aquaculture has been conducted.

4. TRANSFEREE. Identify the proposed transferee (*if multiple transferees, provide information for each one; use a separate sheet if necessary*).

Applicant	Pemaquid Oyster Company, Inc.
Contact Person	Chris Davis
Address	PO Box 302
City	Waldoboro
County	Lincoln
State, Zip	Maine 04572
Country	USA
Telephone	207-832-1075
Email	Chrisopher.v.davis@gmail.com
Transfer Type	<input type="checkbox"/> Include transferee on lease with current leaseholder <input checked="" type="checkbox"/> Transfer entire lease to transferee

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.*

5. TRANSFEREE’S CURRENT LEASE(S). List all Maine aquaculture leases now held by the transferee(s).

Lease Acronym	Expiration Date	Town	Water Body	Acreage	Authorized Species
DAM GL2	2/18/43	Newcastle	Damariscotta River	1.83	Oyster Eastern Oyster, European Flat, Sea scallop
DAM GL3	9/1/26	Newcastle/Damariscotta	Damariscotta River	10.14	Oyster Eastern, Oyster European Flat
DAM GL4	7/9/28	Newcastle/Damariscotta	Damariscotta River	8.08	Oyster Eastern Oyster, European Flat, Clam Northern Quahog / Hard, Clam Surf / Hen, Clam Razor Atlantic

6. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If the lease is within 1,000 ft of shorefront land (**which extends to mean low water or**



JANET T. MILLS
GOVERNOR

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

PATRICK C. KELIHER
COMMISSIONER

- 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: South Bristol

MAP #	LOT #	Landowner name(s) and address(es)
28	02	CLARKS COVE ENTERPRISES, LLC C/O THOMAS M. MYERS P.O. BOX 78 WALPOLE ME 04573
27	23	BRUNNER, DIRK R AND BRUNNER, LINDA D 331 CLARKS COVE ROAD WALPOLE ME 04573
28	08	ROUNDS, JOHN & PEIER REV TRMCVICKAR, JOAN 7 ORCHARD DRIVE WALPOLE ME 04573
28	05	ROUNDS, JOHN ROUNDS, ATHAR 7 ORCHARD DRIVE WALPOLE ME 04573
28	03	RICE, DAVID P.O. BOX 15 WALPOLE ME 04573
<u>28</u>	<u>07</u>	UNIVERSITY OF MAINE DARLING MARINE CENTER C/O TIM MILLER 193 CLARKS COVE ROAD WALPOLE ME 04573

Property Map South Bristol Maine



1 inch = 400 feet



Legend

- Current Parcels
- Adjacent Maps
- Ponds
- sub parcel lines
- Easements
- Private Roads
- Public Roads
- Road Class
- Secondary
- Local
- Private
- Wetlands (NWI)
- Streams
- Tidal Waters
- Inherital rocks and fill

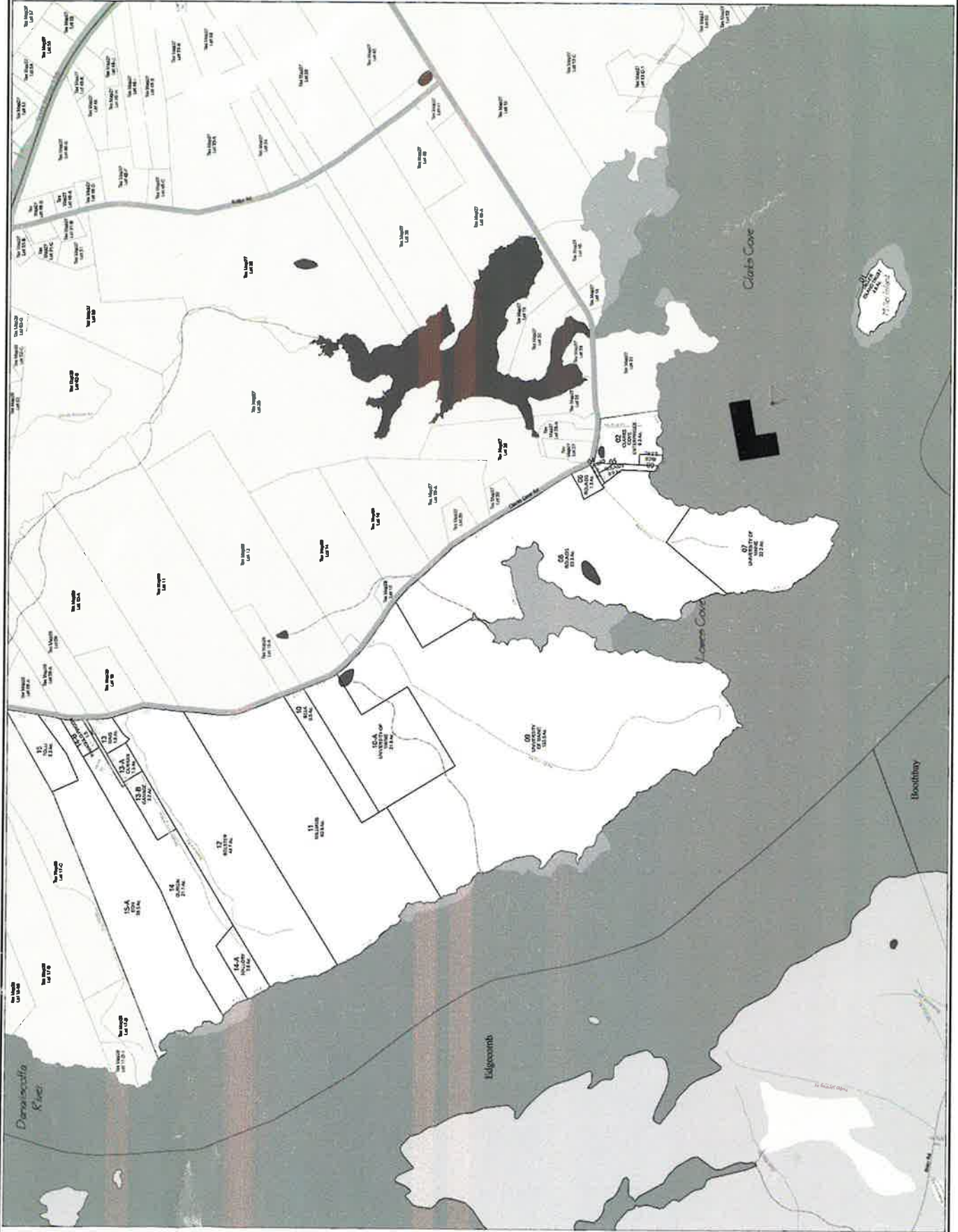
Notes:
This map is a general site map for the proposed development of a dam and reservoir on the South Bristol River. It is not a boundary survey and should not be used for conveyance purposes. The map shows the current parcels, adjacent maps, and the proposed dam and reservoir. The map also shows the wetlands, streams, and tidal waters. The map is prepared by Robert Crab and is dated April 1, 2020.

For Assessment Purposes Only
Not a Boundary Survey
Not to Be Used for Conveyance

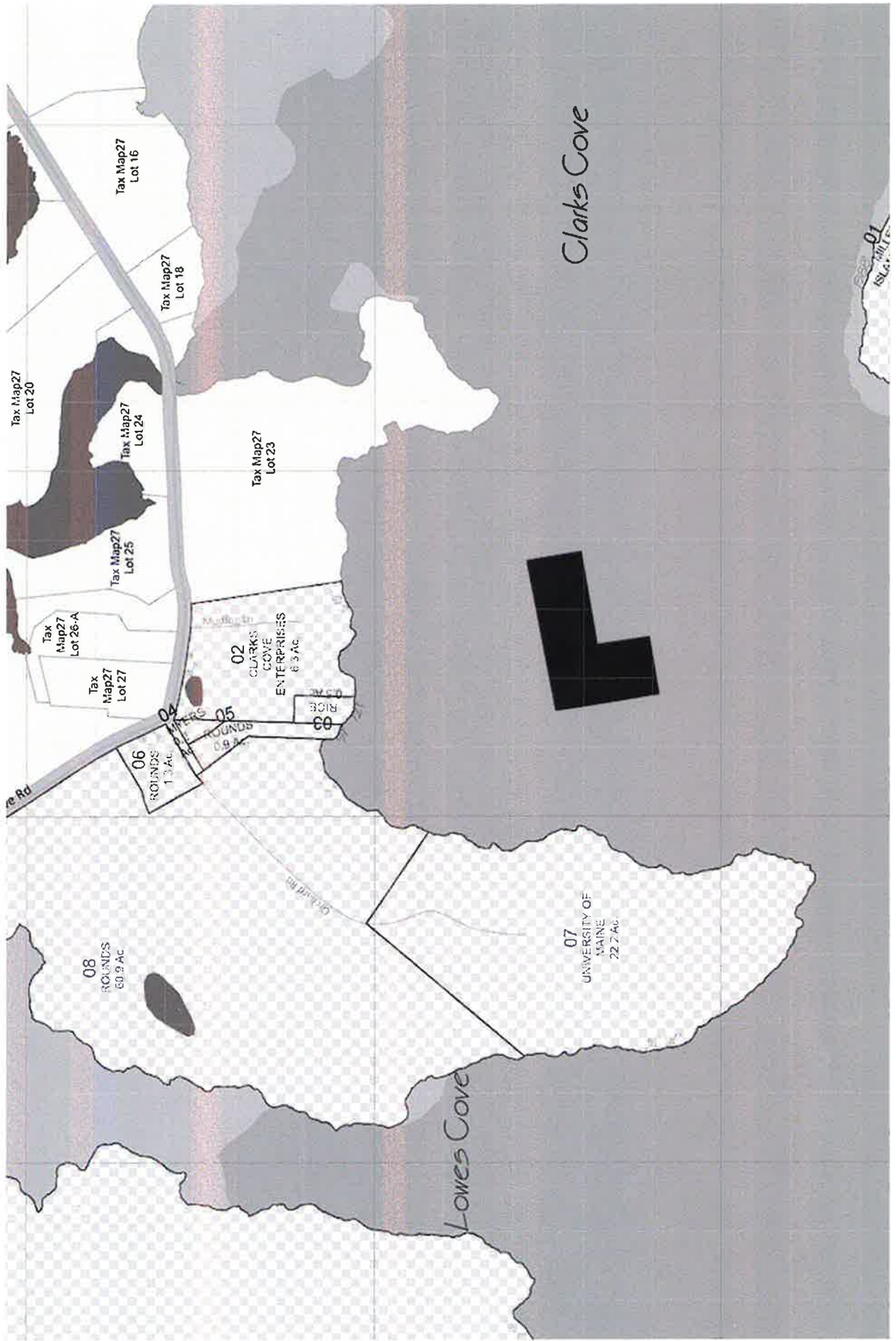
April 1, 2020

prepared by
Robert Crab
21 Clark Cove Road
Watkins, ME 04573

MAP 28



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Detail Site map of DAM CC3
for clarity of Map/Lot Numbers

7. TECHNICAL CAPABILITY OF THE TRANSFEREE

Provide information regarding professional expertise. For each transferee, attaching a resume or documentation of practical experience necessary to undertake aquaculture activities would satisfy this requirement.

Pemaquid Oyster Company (Principals: Carter Newell, Jeffrey McKeen & Chris Davis) has been actively conducting various forms of aquaculture since 1986. The three equal partners have operated Pemaquid Oyster Company, Inc. as a profitable, commercial venture since its inception. The company annually employs 6-7 people.

Newell’s aquaculture experience began in the early 1980s where he served as Director of R&D for the Great Eastern Mussel Farms, Tenants Harbor, ME until it’s closing in the mid 2000’s. He formed Pemaquid Mussel Company in the mid 2000’s and had successfully farmed mussels in various Maine locations since then. In past years, Newell has farmed sugar kelp on an LPA in Clarks Cove adjacent to DAM CC3. Newell holds a PhD in an aquaculture subdiscipline.

Davis has taught, researched and conducted seaweed and shellfish farming since the mid 1980’s. Since, 2004 he has served as Executive Director of the Maine Aquaculture Innovation Center. Davis hold a PhD in an aquaculture related dicipline. Davis serves on the DMR Aquaculture Advisory Council. Davis has served as a director for the Maine Aquaculture Association since 2001. He also served as a director of the East Coast Shellfish Growers Association from 2009-2014.

McKeen has been an active aquaculture farmer since the late 1980’s. He serves on the DMR Shellfish Advisory Council.

8. FINANCIAL CAPABILITY OF THE TRANSFEREE

A. 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.

See attached letter from Crystal Spear of Camden National Bank.

B. Please provide cost estimates of the aquaculture activities the transferee plans to conduct on this lease.

November 13, 2023

To Whom It May Concern,

Pemaquid Oyster Co, Inc has been a "good standing" customer of Camden National Bank since 1990. All accounts have been managed "appropriately and as agreed".

Best- Crystal



Crystal Spear/ Vice President

Waldoboro & Thomaston Banking Center Manager

cspear@camdennational.bank

207-790-2602 (o)

207-542-6951 (m)

NMLS # 712993

[Schedule Appointment](#)



Annual costs:

Seed spools: \$150/spool x 20 = \$3,000

Spare line/buoys etc \$1,000

Fuel \$500

Labor \$3,000

Marketing \$500

Lease fees and licenses: \$500

9. BIRD DETERRENT

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 all applications involving 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)

Given that the use of the lease will be for submerged longlines to grow the kelp, bird deterrents will not be necessary.

9. FORM OF OWNERSHIP

Corporations or Partnerships. Complete the following steps if any transferees are organized as corporations or partnerships, including LLCs.

1. Include a copy of corporate filing information with this application *See attached*
2. Complete and submit with this application the "Corporate Applicant Information Document" available at:
<http://www.maine.gov/dmr/aquaculture/forms/standard.html> *See attached*



MAINE

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

[Subscriber activity report](#)

This record contains information from the CEC database and is accurate as of: Wed Feb 07 2024 14:30:26. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
PEMAQUID OYSTER COMPANY, INC.	19901010 D	BUSINESS CORPORATION	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
11/29/1989	N/A	MAINE

Other Names	(A=Assumed ; F=Former)
NONE	

Principal Home Office Address

Physical	Mailing
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Clerk/Registered Agent

Physical	Mailing
MICHAEL B. PEISNER ONE CANAL PLAZA SUITE 1000 PORTLAND, ME 04101	MICHAEL B. PEISNER P. O. BOX 7320 PORTLAND, ME 04112

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STATE OF MAINE

ARTICLES OF INCORPORATION

For Use By The Secretary of State

File No. 19901010D

Fee Paid \$30-\$75

C.B.

Date DEC 11 1989

For Use By The Secretary of State
FILED

November 29, 19 89

Mary Cooper
Deputy Secretary of State

A True Copy When Attested
By Signature

Penelope French
Deputy Secretary of State

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

FIRST: The name of the corporation is Pemaquid Oyster Company, Inc.
and it is located in Maine, at RFD #1, Box 149, Damariscotta, ME 04543

SECOND: The name of its Clerk, who must be a Maine resident, and the address of its registered office shall be:
Name Clayton N. Howard
Street & Number P.O. Box 460, Main Street
City Damariscotta, Maine 04543
(zip code)

THIRD: ("X" one box only)

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

NAME	ADDRESS

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

FOURTH: ("X" one box only)

The board of directors is is not authorized to increase or decrease the number of directors.
If the board is so authorized, the minimum number, if any, shall be one directors. (See §703, I.A.) and the maximum number, if any, shall be ten directors.

FIFTH: ("X" one box only)

There shall be only one class of shares, viz, COMMON
(file of class)
Par value of each share (if none, so state) none
Number of shares authorized 250

There shall be two or more classes of shares.

The information required by §403 concerning each such class is set out in Exhibit _____ attached hereto and made a part hereof.

SUMMARY

The aggregate par value of all authorized shares (of all classes) having a par value is \$ _____.

The total number of authorized shares (of all classes) without par value is 250 shares.

SIXTH: ("X" one box only)

Meetings of the shareholders may may not be held outside the State of Maine.

SEVENTH: ("X" if applicable) There are no preemptive rights.

EIGHTH: Other provisions of these articles, if any, including provisions for the regulation of the internal affairs of the corporation, are set out in Exhibit _____ attached hereto and made a part hereof.

DATED November 16, 1989

INCORPORATORS

RESIDENCE ADDRESSES

Robert G. Roe
(signature)
Robert G. Roe
(type or print name)

Street RFD #1 Box 149
Damariscotta, ME 04543
(city, state and zip code)

(signature)

(type or print name)

Street _____
(city, state and zip code)

(signature)

(type or print name)

Street _____
(city, state and zip code)

For Corporate Incorporators

Street _____
(city, state and zip code)

By _____
(signature)

(type or print name and capacity)

Articles are to be executed as follows:

If a corporation is an incorporator (§402), the name of the corporation should be typed and signed on its behalf by an officer of the corporation. The address of the principal place of business of the incorporator corporation should be given. The articles of incorporation must be accompanied by a certificate of an appropriate officer of the corporation certifying that the person executing the articles on behalf of the corporation was duly authorized to do so.

P11c



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: Pemaquid Oyster Company, Inc.
- 2. Date of incorporation: Nov. 29, 1989 State of incorporation: Maine
- 3. List the names, addresses, and titles of all officers:

Name	Address	Title
Carter R Newell	36 Pond Street, Bucksport, ME 04416	President
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	Vice-president
Chris Davis	PO Box 302, Waldoboro, ME 04572	Treasurer

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

Name	Address
N/A	

- 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
Carter R Newell	36 Pond Street, Bucksport, ME 04416	33.33
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	33.33
Christopher Davis	PO Box 302, Waldoboro, ME 04572	33.33

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
Carter R Newell	36 Pond Street, Bucksport, ME 04416	DAM GL2	0.61
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	DAM GL2	0.61
Christopher Davis	PO Box 302, Waldoboro, ME 04572	DAM GL2	0.61
Carter R Newell	36 Pond Street, Bucksport, ME 04416	DAM GL3	3.38
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	DAM GL3	3.38
Christopher Davis	PO Box 302, Waldoboro, ME 04572	DAM GL3	3.38
Carter R Newell	36 Pond Street, Bucksport, ME 04416	DAM GL4	2.69
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	DAM GL4	2.69
Christopher Davis	PO Box 302, Waldoboro, ME 04572	DAM GL4	2.69
Carter R Newell	36 Pond Street, Bucksport, ME 04416	DAM CC2	2.33
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	DAM CC2	0.32
Christopher Davis	PO Box 302, Waldoboro, ME 04572	DAM CC2	0.32
Carter R Newell	36 Pond Street, Bucksport, ME 04416	EAST GL	4.64
Jeffrey McKeen	PO Box 158, Bristol, ME 04539	EAST GL	0.64
Christopher Davis	PO Box 302, Waldoboro, ME 04572	EAST GL	0.64

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.

10. TRANSFEROR'S STATEMENT (if multiple lessees/transferees, provide additional completed signature pages as necessary)

By signing this application, the UNDERSIGNED LESSEE hereby states that they have read and understand the requirements of the Department's statutes and rules governing aquaculture and the transfer application instructions. The undersigned lessee certifies that the following information is true and correct:

- The lease site is in good order and is in compliance with all DMR aquaculture laws and regulations;
- There are no rent bills outstanding;
- The required bond or escrow account is in place and will remain effective until the transferee obtains new coverage; and
- All required reports have been filed.

Print name: Maine Fresh Seafarm, LLC – Carol Jackson (for Peter Fischer).

Title (if corporate applicant): Personal Representative for Peter Fischer
Clerk/Registered agent

Transferor's Signature: Carol Jackson Date: 11/29/23

Print name: Maine Fresh Seafarm, LLC - Martha Barker (for Seth Barker)

Title (if corporate applicant): Personal Representative for Seth Barker, deceased

Transferor's Signature: Martha Barker Date: 11/29/23

11. TRANSFEREE'S STATEMENT (if multiple transferees, provide additional completed signature pages as necessary)

By signing this application, the UNDERSIGNED TRANSFEREE hereby states that they have read and understand the requirements of the Department's statutes and rules governing aquaculture and the transfer application instructions. The undersigned transferee hereby certifies that:

- The information in this application is true and correct;
- I understand that I am bound by the requirements of Maine law and DMR's statutes and rules governing aquaculture;
- I understand that I am assuming the existing lease, including any conditions; and
- Upon approval of the transfer by DMR I will either open an escrow account or obtain a performance bond, as required by DMR.

Print name: Christopher V. Davis, Treasurer of Pemaquid Oyster Company, Inc.

Title (if corporate applicant): Pemaquid Oyster Company, Inc.

Transferee's Signature:  Date: January 15, 2024

Print name: _____

Title (if corporate applicant): _____

Transferee's Signature: _____ Date: _____

Pemaquid Oyster Company, Inc.
P.O. Box 302
Waldoboro, Maine 04572
207 832-1075

Exclusive purveyors of Pemaquid Oysters®

February 7, 2024

Aquaculture Division
Maine DMR
State House Station 21
Augusta ME 04333-0021

Greetings,

Please find enclosed an application for the transfer of aquaculture lease DAM CC3 from Maine Fresh SeaFarms, LLC to Pemaquid Oyster Company, Inc. As you know, the principals of Maine Fresh SeaFarms (Peter Fischer and Seth Barker) have both passed away and we are working with their spouses (Carol Jackson and Martha Barker) to both enable the transfer as well as ensure that the farm site continues to operate in a safe and sustainable manner until the transfer is complete. Please contact me directly if you have questions about this transfer request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher V. Davis". The signature is fluid and cursive, with the first name being the most prominent.

Christopher V. Davis, Ph. D.