

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	FareWell LLC		
Contact Person	Peter A. Smith		
Address	PO Box 594		
City	Newcastle		
State, Zip	Maine 04553		
County	Lincoln County		
Telephone	207-380-2788		
Email	farewelloysters@gmail.com		
Type of Application	<input type="checkbox"/> Draft Application <small>[submitted before scoping session]</small>		<input checked="" type="checkbox"/> Final Application <small>[submitted after scoping session]</small>
Dates	Pre-Application Meeting: March 24	Draft Application Submitted: July 19	Scoping Session: Nov 4, 2023
Payment Type	Draft Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card		Final Application: <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 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	Newcastle
Waterbody	Damariscotta River
General Description (e.g. south of B Island)	Upper Dodge Cove
Lease Information	
Total acreage requested (100-acre maximum)	3.6 acres
Lease term requested (20-year maximum)	20 years
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Note: If you selected yes, you need to complete the steps outlined in the section titled: "Landowner/Municipal Permission Requirements".

3. GROWING AREA DESIGNATION

Directions: Information for growing area designations can be found here:

<https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

Growing Area Designation (e.g. WL):	WQ
Growing Area Section (e.g. "A1"):	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

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 or eastern oyster (<i>Crassostrea virginica</i>)	Muscongus Bay Aquaculture, 24 Seal Lane, Bremen, 04551 DEI, POBox 83, Beals, ME04611	I anticipate 1.5- 2 million on the site depending upon the time of year
2. European oyster (<i>Ostrea edulis</i>)	DEI or a DMR approved hatchery	I anticipate 100-200,000
3.		
4.		
5.		

B. Do you intend to possess, transport, or sell whole or roe-on scallops? Yes No

If you answered “yes” please contact the Bureau of Public Health to discuss your plans at the following email: DMRPublicHealthDiv@maine.gov

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

5. VICINITY MAP

Note: Please label as: ‘Vicinity Map’. **SEE PAGE 20**

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’. **SEE PAGE 21**

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.

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: **SEE PAGE 22-24 FOR GEAR DRAWINGS**
 - Length, width, and height of each gear type.
2. Gear Table: List and describe each individual gear type that you will use in the table below. (e.g. polar circles, marine algae longline, oyster cages, moorings, mooring lines, buoys, etc.).

Specific Gear Type (e.g. soft mesh bag)	Dimensions (e.g. 16"x20"x2")	Time of year gear will be deployed (e.g. Spring, Winter, etc.)	Maximum amount of this gear type that will be deployed on the site (i.e. 200 cages, 100 lantern nets, etc.)	Species that will be grown using this gear type
Floating cages with soft mesh bags	40.5"Lx36"Wx24"H	Year round	100-150 cages	Crassostrea virginica& o.edulis
Suspended trays on long line w/buoys	20"square, 4"H or 24"sq	Year round	100-120 stacks, five per stack	Crassostrea virginica& o.edulis
Low-drag poly buoys	7"x22"	Year round	140	Crassostrea virginica& o.edulis
Half-inch poly rope	0.5"x 100ft	Year round	36	Crassostrea virginica& o.edulis
Screw-auger helix moorings	1"x10"x 60"	Year round	20	Crassostrea virginica& o.edulis

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”: **SEE PAGE 25 FOR 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.

2. Cross-Section View. Please include the following and label as “Cross-Section View”: **SEE PAGE 26 FOR 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).

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

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

D. Gear Color

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

Black floats on the cages, cages of black or green vinyl coated steel, black or dark grey suspended trays (submerged), black buoys or dark green buoys at the top of each stack of suspended trays and yellow marker buoys at each corner of the lease site (as described in 7F of this application).

E. Equipment Layout – SEE PP. 27-29

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.

F. Marking

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

Yes No

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

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

8. PRODUCTION ACTIVITIES

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

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

Seeding occurs July through early September in floating mesh trays and kept on site through grow out. Seeding typically occurs one day per week. Seed is monitored and attended to throughout the season as needed, daily through bi-weekly. Production activities for both types of oysters will be the same (applies to all sections of question 8).

B. Please explain your proposed tending/maintenance activities.

The site is attended to on a daily basis. Condition of the gear and animals is monitored daily and anti-fouling practices (flipping gear etc.) attended to as needed. Harvesting market sized oysters occurs one-three times per week, depending upon the stage of the growth season.

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

We are on site daily, minimum 4 hours per day.

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

Oysters are harvested by hand from the cages and trays and placed into wet storage. There is no plan to drag on this site.

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

One to five times per week, depending upon stage of the growth season.

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.

Oyster cages are sunk to the bottom containing bags with oysters for the winter. Suspended trays will remain submerged below the surface of the water (with the buoys at the top of each stack, as depicted on the gear layout).

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

We use wire deterrents on pontoons. Our active presence on the site helps to keep predators from approaching the floats.

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

Examples may include:

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

We do not send oysters directly to the market from the lease. All market sized product goes into wet storage prior to harvest where it is kept submerged, covered and not accessible to birds. We attached zip ties to the cages and the suspended trays are submerged the entire time.

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?

Gasoline powered boats (skiffs) are used to tend and access the gear and animals. Vessels will be on site during daylight hours. On site daily, as in question C.

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?

Along with the Yamaha boat engine, a crane is used to raise the gear from the water. The crane hydraulics use vegetable oil, and the crane is powered by a small gasoline power pack generator on the boat in a contained aluminum box. We typically run the crane for the maximum of a total of an hour per day when on site. We run the boat for approximately a half hour per day while on site.

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

We limit the use of them to only what is needed. We run the rpms of the engines low so they do not produce excessive noise. Because we do not drag, the boat and power equipment is not in continuous use while on the site. For example, when using the crane, the boat engine is turned off. When using the boat engine, the crane engine is off. The aluminum box attached to the boat (mentioned in 9B) contains the crane power pack and mitigates sound. People on the boat can easily speak to one another and be heard while the power pack is in operation.

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.

Should an emergency arise during non-daylight hours, head lamps will be used to make work possible.

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

Working before or beyond daylight would be for emergency purposes only, for storm preparation or dealing with problems that require immediate attention. Head lamps will be used to make any necessary repairs possible.

10. CURRENT OPERATIONS

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

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

We currently use LPAs on the proposed site (PSMI 821,921,1021 and HBUR 122). We currently use floating cages on the LPAs as permitted. As discussed above, we are on site to attend to oysters and equipment between three to five days per week, depending upon time of year/season.

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.

The purpose of this standard lease application is to have the lease boundaries overlay the 4 existing LPAs -- plus the space needed to include the moorings, as required by DMR regulations. Three of the LPAs have been at this location and actively maintained since 2014. If the lease is granted, all four LPAs listed in 10. A. 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?

Approximate depths on mean low water are 13-15 feet across the site.

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

Approx. depths at mean high water are 23-25 feet across the site.

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

Approx. current speed is one to two knots. Direction is north to south and south to north in relation to the tides.

<p>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.</p>
<p>1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?</p>
<p>Mud, soft mud</p>
<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p>Gentle slope up from south to north.</p>
<p>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?</p>
<p>Various fish and marine life commonly seen on the Damariscotta River: American eel, green crabs, red crabs, periwinkles, various marine algae, tunicates (sea squirts, etc.), etc.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>There are no shellfish beds or known fish migration routes through the site.</p>
<p>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.</p>
<p>We do not observe any aquatic vegetation growing at this site. Have been at the site since 2014 making observations since then up to the date of this application.</p>

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

Forested, light residential. Granite rocky shoreline.

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

Yes No

Note: The location of Essential Habitats in the State of Maine, along with information on how projects within these areas are reviewed, can be found here: <https://www.maine.gov/ifw/fish-wildlife/wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html>

If a project is located within an Essential Habitat, applicants are strongly encouraged to contact the MDIFW Environmental Review Coordinator (John.Perry@maine.gov, phone: 207-287-5254) prior to application submission.

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

I have been actively at this site since 2014, and working seasonally full time on the Damariscotta River since 2003. Personal observations about ice in the Upper Dodge Cove are that most winters the ice will make up along the shore extending usually only a couple hundred feet across the water from the shore (not out to the proposed site). It doesn't usually ice up hard. Only one time in recent times, 2015, the entire Dodge Cove area was frozen as far south as Glidden Ledge. The biggest ice flows are from further up in Damariscotta River that flow through the river along the navigational channel and that area over 1000 feet from the proposed site. Data wrt temps (from seatemperature.org, which uses daily satellite reading from NOAA): The coldest month is March, with an average water temperature 37.8 degrees F, Boothbay Harbor, Maine data.

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

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

12. EXISTING USES

<p>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.</p>
<p>1. Commercial Fishing</p>
<p>Lobstering south of location approx. 600 feet away during the lobstering season at low frequency. Menhaden fishing in summer once or twice a week NE of site approx. 1000-2000 ft away, low frequency.</p>
<p>2. Recreational Fishing</p>
<p>Sporadic recreational fishing during the day a couple times a week at 200-800 hundred feet from the site during summer season.</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</p>
<p>Recreational and lobster fishing boats as mentioned above. Sometimes small pleasure craft and sail craft during the summer, mostly on the weekends. Sometimes they gather near the state park dock which is over 800 feet away from the site. The navigable channel of the river is over 1000 feet from the site.</p>
<p>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.)</p>
<p>Currently, there are four private seasonal docks and one state-park seasonal dock within this section of the cove that access the water. The users of these docks have been coming and going since 2014 when three of the current LPAs were started. Two private docks were put in since 2014, one in 2023. The state-park and private docks have easy ingress and egress currently and will remain the same in relation to the proposed site. Basically, the proposed lease is placed over the existing LPA sites, three of which have been in use since 2014.</p>
<p>5. Other uses (kayaking, swimming, etc.)</p>
<p>Kayaks, paddle boards, etc. paddle through and around the site, as well throughout the entire cove during summer season, sometimes sporadic (related to the weather), sometimes daily (August, in good weather) throughout the entire Dodge Cove area. Mostly riparians. These activities do not typically happen on the proposed site, but we currently do and will continue to welcome folks to do so.</p>

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

The state-park dock is approximately 830 from the nearest point of the proposed site. Four private docks approximate distances: 400, 500, 610 and 660 feet. The state-park and private docks have easy ingress and egress currently and will remain the same in relation to the site. There are seven moorings associated with the private docks. Currently we've all been co-existing our uses of the water in the cove and the proposed site will maintain current use. Basically, the proposed lease is placed over the existing LPA sites, three of which have been in use since 2014.

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.

Yes. As mentioned above, the state-park dock is approximately 830 feet of the proposed site.

D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 1,000 feet of your proposed lease site? If yes, please list their acronyms below.

Current and pending aquaculture leases and active LPA licenses may be found here: <https://www.maine.gov/dmr/aquaculture/leases/index.html>

DAM DP approx. 450 ft, DAMDL2 approx. 200 ft., LPA RPAN120, 220,320,420 approx. 620 ft, DAMDPT approx. 500 ft

LPAs within the proposed site: PSMI 821, 921, 1021 and HBUR 122.

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: **SEE PP. 30-35 FOR TAX MAPS AND RIPARIAN LANDOWNER LISTS.**

1. A labeled copy of a tax map(s) depicting the location of the proposed lease site and including the following elements:
 - Label the map “Tax Map: Town of (name of town).”
 - Legible scale
 - Tax lot numbers clearly displayed
 - The boundaries of the proposed lease
2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list. Refer to the riparian determination guidance document to ensure all riparian landowners are included:
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

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

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

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

Yes No

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

C. How will you access the proposed site?

Boats launched from public access boat launches.

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

No change in current use described above in section 12. Because the owner of FareWell LLC has been operating on the same location since 2014, the activities will remain the same type of activities.

14. TECHNICAL CAPABILITY

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

Owner/operator Peter A Smith has been oyster farming on the Damariscotta River for over 20 years. Peter began his farming career working with Pemaquid Oyster Company in his early twenties. In his early thirties, Peter started an oyster farm with a business partner in 2014. It was a successful farm and business, with employees and an annual revenue of approx. \$250,000 before it was closed after the pandemic.

FareWell LLC (applicant), formed in 2020, is an oyster farm wholly owned by Peter. Peter currently employs one other person, who is both a farm hand and bookkeeper. Additional part-time farm hands will be hired as needed. However, due to Peter's efficient use of equipment and farm practices, the focus is to remain a mom & pop size farm.

Peter hires professionals where needed; tax accountants, attorneys, etc.

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 from our financial institution. Funding for the proposed site remains the same as existing LPAs, except for the addition of the suspended tray lines between the current LPAs. The funds for the cost of adding the suspended trays have already been attained. This does not require external funding.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Mooring Materials \$2500
Installation of moorings \$1500
Cages & Bags \$n/a – use existing cages/bags
Suspended trays \$4500 plus shipping
Additional buoys: marker buoys \$360, suspended tray line buoys \$6000
Annual labor costs between \$30,000 – 60,000
No additional boat is needed for the proposed site.

17. 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*) PETER SMITH 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.

Peter Smith
Applicant Signature
Note: Add title if signing on behalf of a corporate applicant.

11/30/2023
Date

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

I, (*printed name of applicant*) _____ 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.


Date

18. 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: PETER SMITH

Title (if corporate applicant): Owner/President

Signature:  Date: 11/30/2023

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

Note:

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

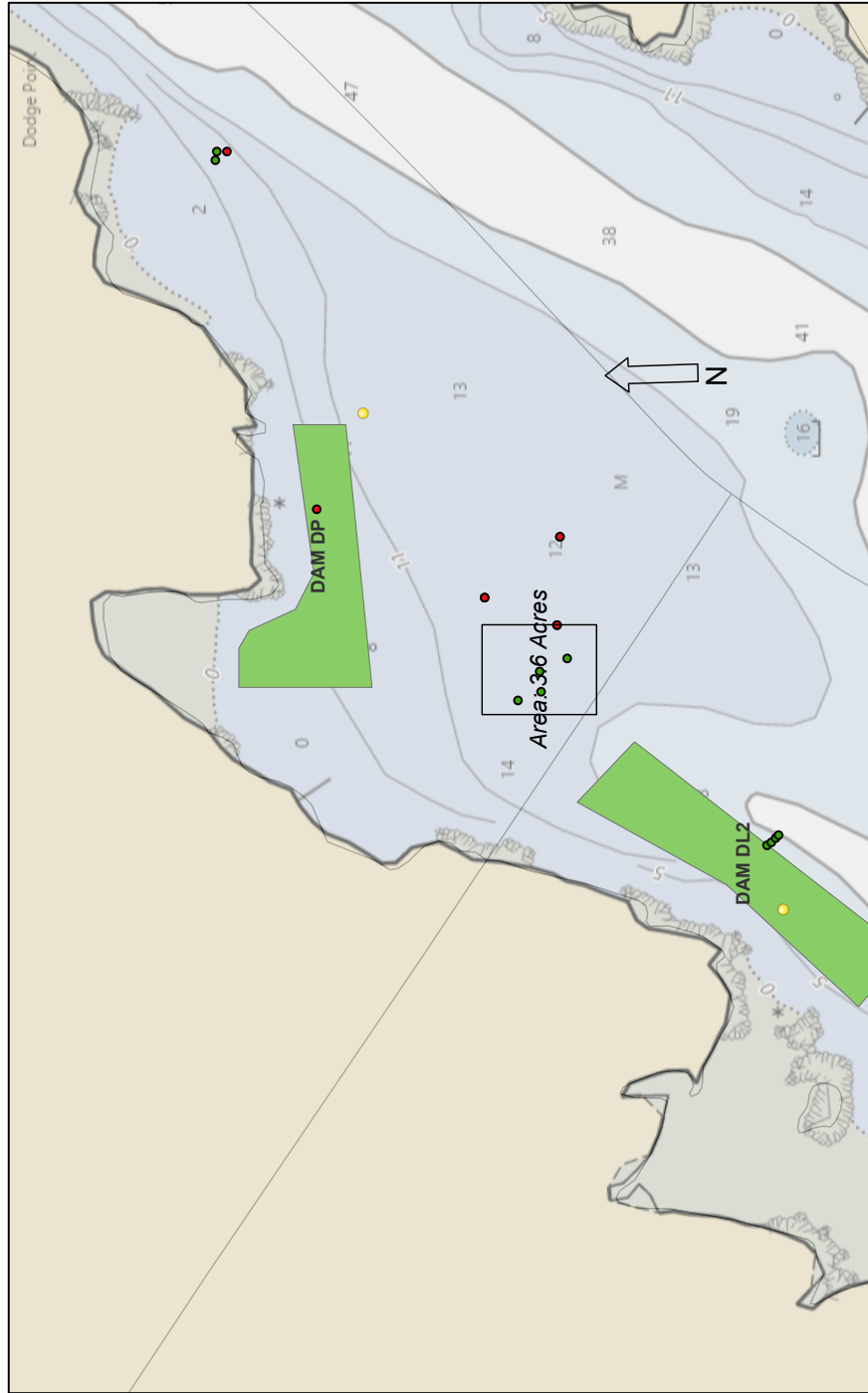
Additional Applicant:

Printed name: _____

Title (if corporate applicant): _____

Signature: _____ Date: _____

FareWell Standard Lease Application Vicinity Map



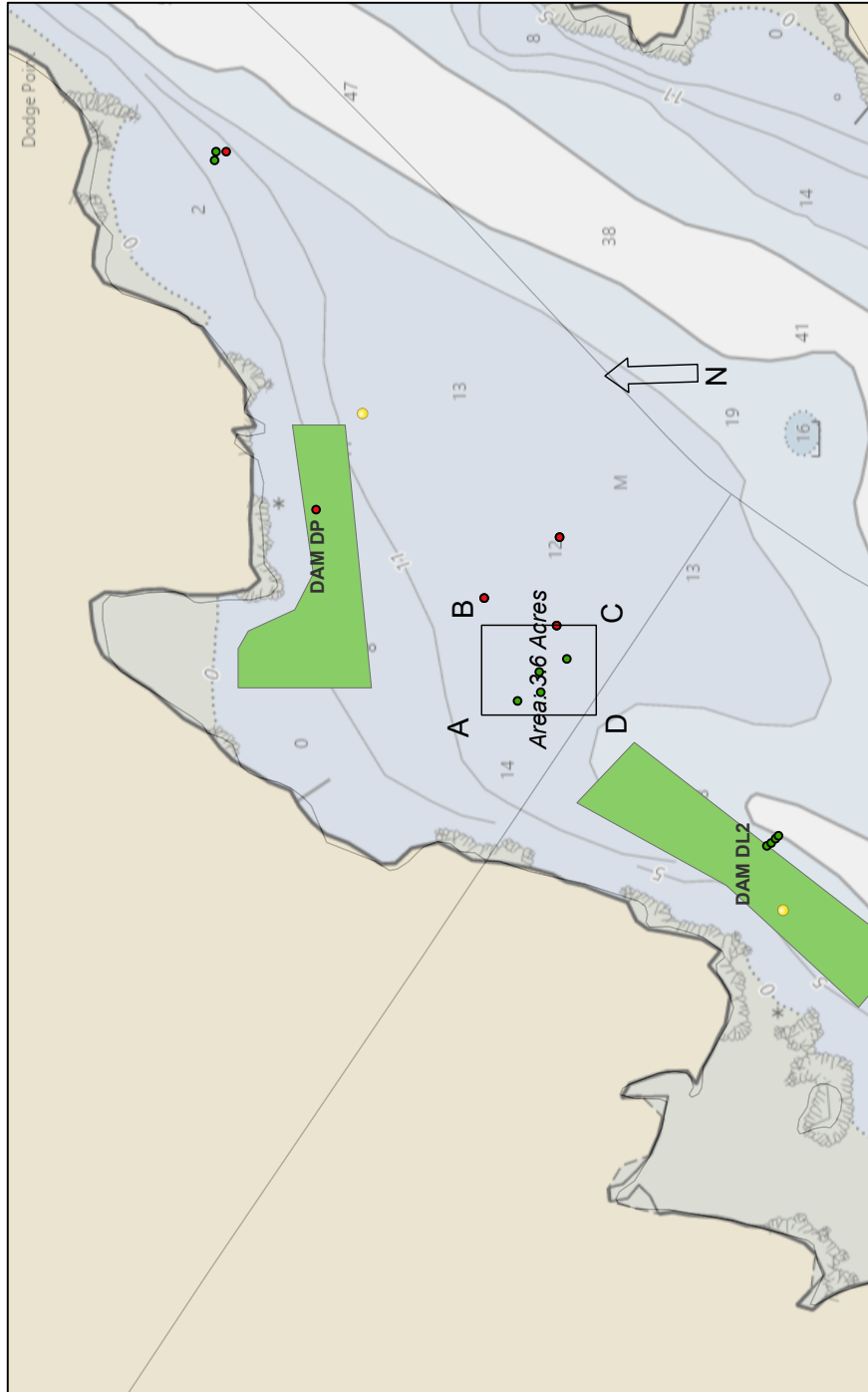
7/19/2023, 12:11:56 PM

Override 1

- Terminated
- Active or Pending Aquaculture Leases
- Approximate Center Point of Lease Applications Under Review
- Active
- Limited Purpose Aquaculture (LPA) Licenses
- Active
- Maine Town and Townships Boundary Polygons Feature

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FareWell Standard Lease Application Boundary Drawing

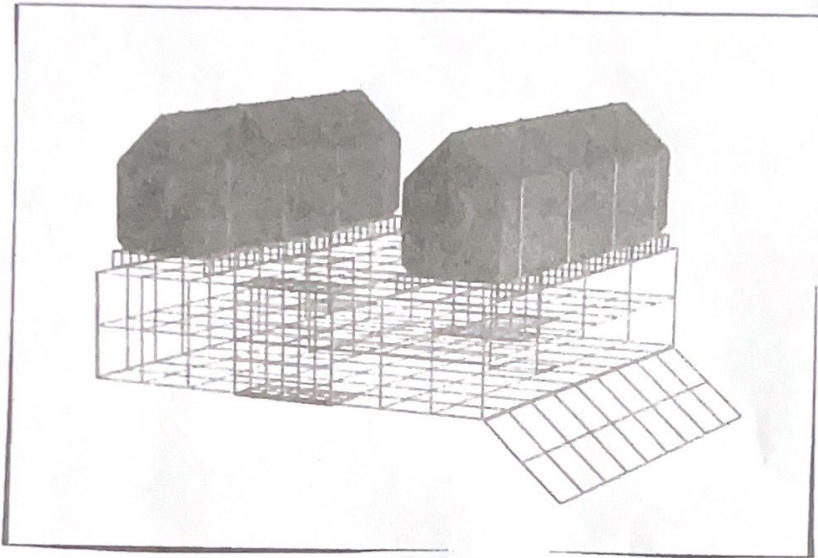


COORDINATES:
 A. 43.982444, -69.566254
 B. 43.982444, -69.564924
 C. 43.981209, -69.564924
 D. 43.981224, -69.566254
 SOURCE: DMR Aquaculture Map Tool

Lengths:
 AB & DC = 370 feet
 AD & BC = 450 feet

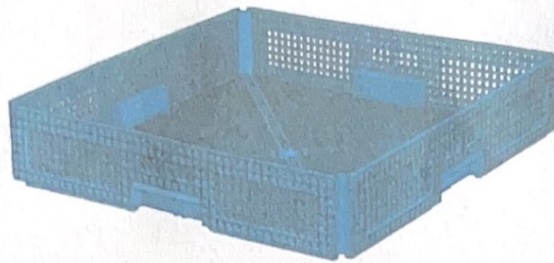
Gear Drawing

Oyster Ranch Cages

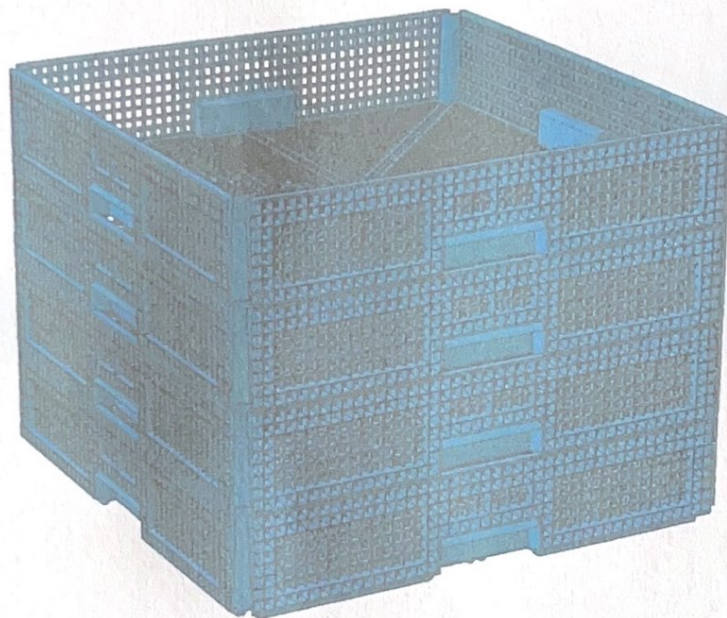


L 40.5"
W 36"
H 24"

Gear Drawing



Suspended
Tray
20 inch Square
4 inch H



Suspended tray stack example

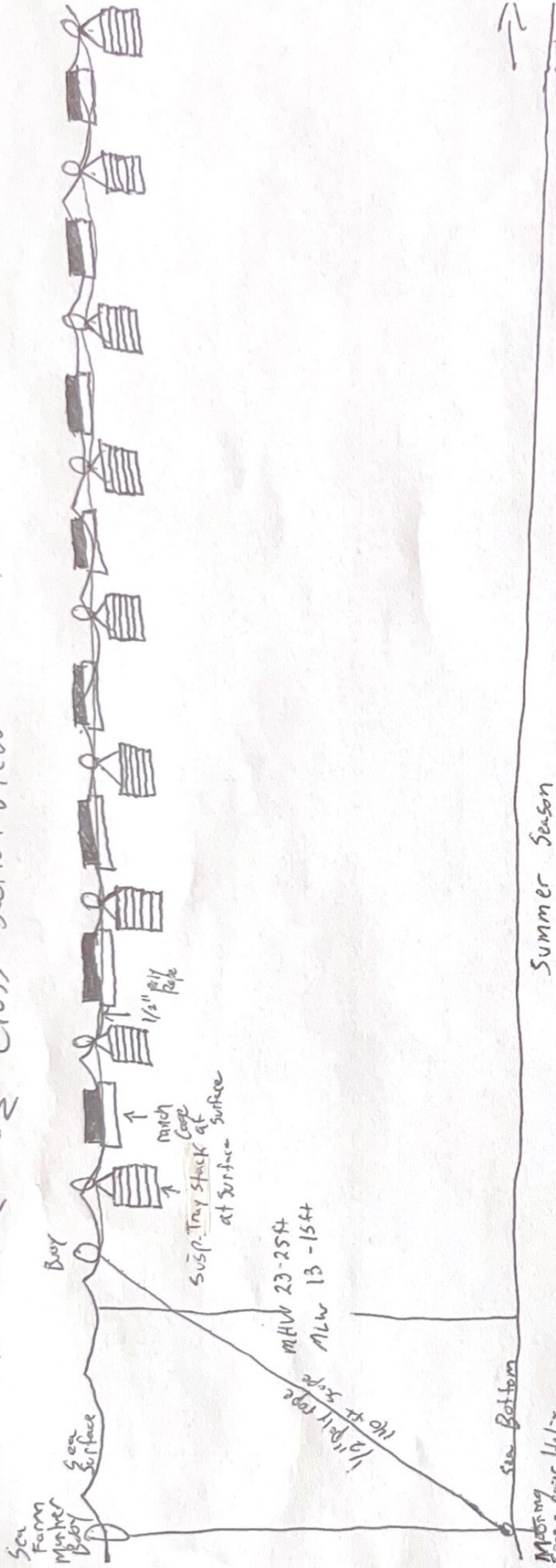
GEAR DRAWING



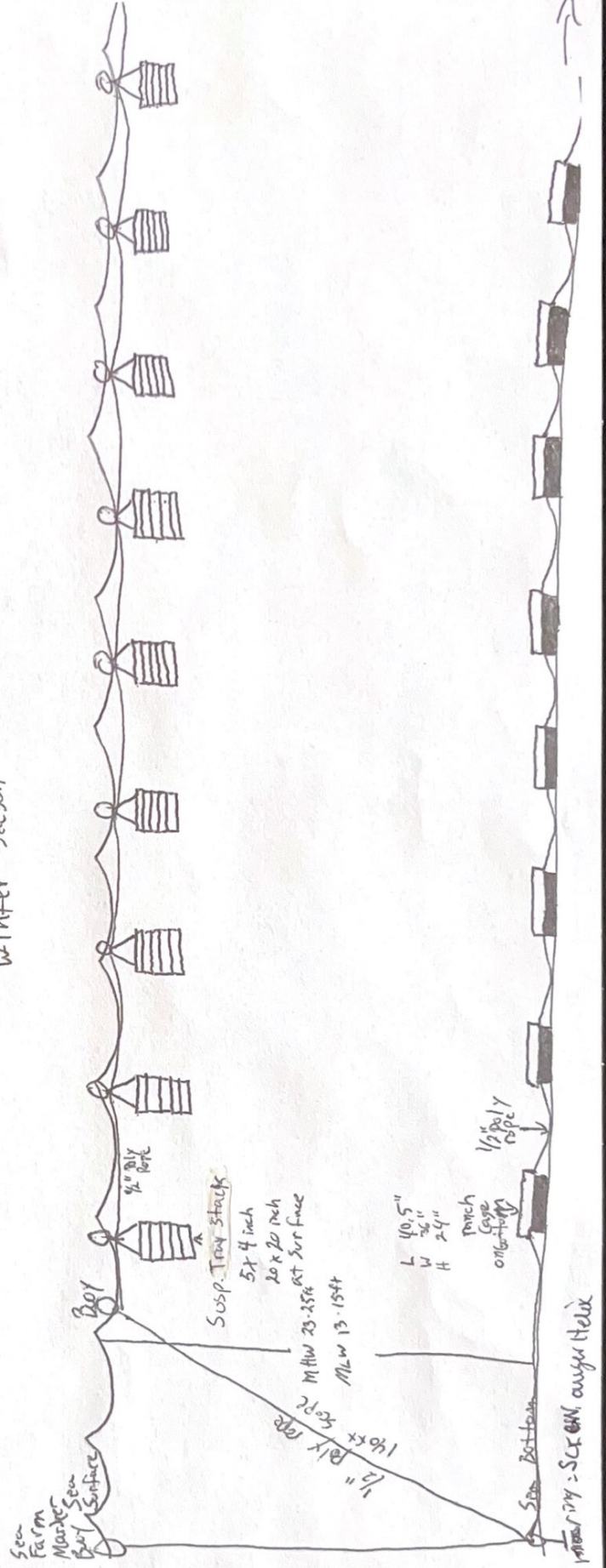
Suspended tray 24" sq, 8" H

Cross-Section View

NOT TO SCALE



Summer Season
Winter Season



Equipment layout



Cages on current LPAs - an example of cages in use in the water

Equipment layout

Page 28

Lavanna Preserve

Morhegan - Hiking Area

Bristol

Willey Brook

Damariscotta River

proposed site



Google

Google, Data SIO, NOAA, U.S. Navy, NGA, GEBCO, Landsat / Copernicus, Data LDEO-Columbia, NSF, NOAA (43°59'11"N 69°34'19"W) 743 ft

State Park?

Edscomb

Edscomb

Equipment layout

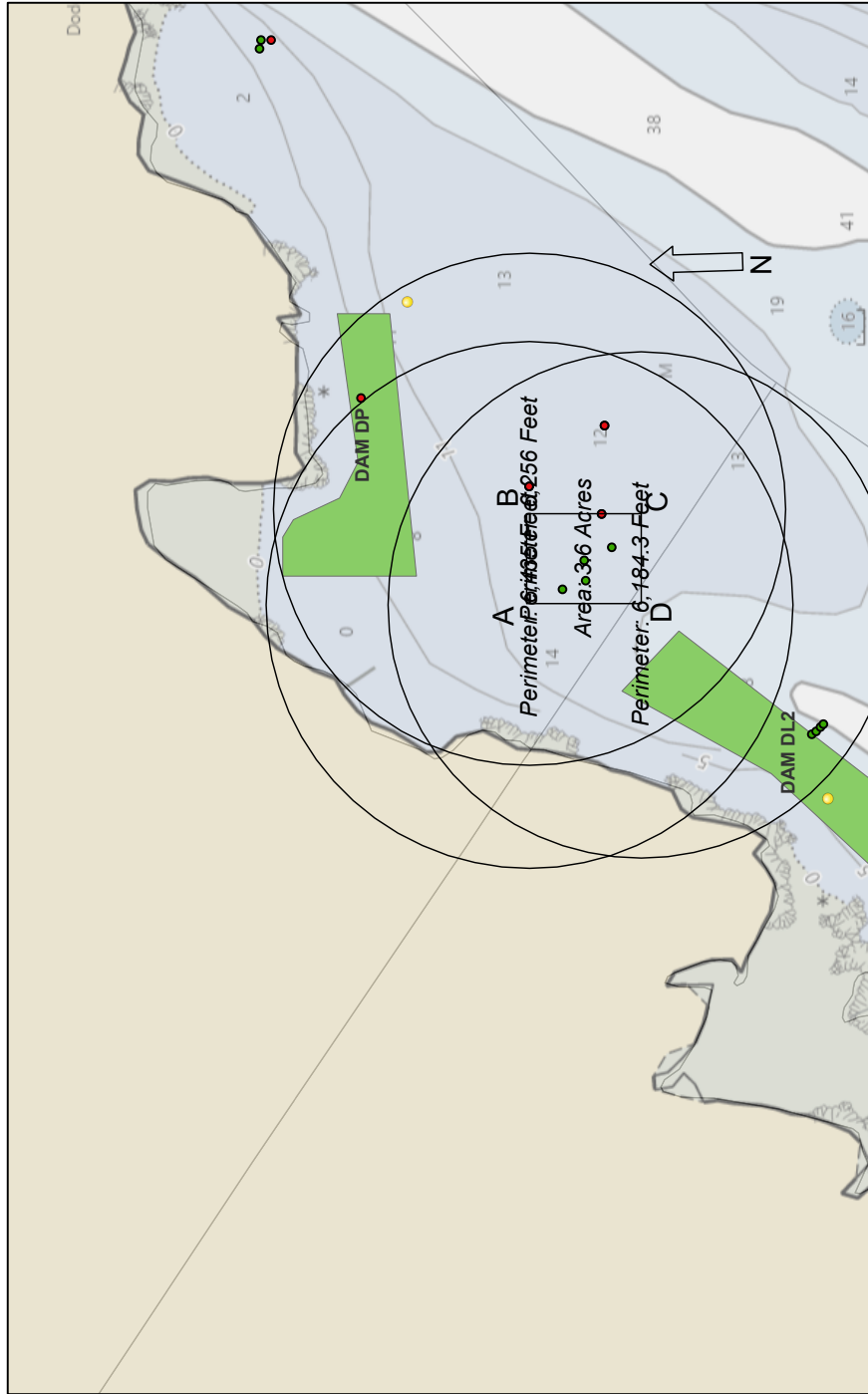
View is North looking South - from Upper Dodge Cove South.



Cages as in photo

Susp. tray lines are drawn onto the photo. The only thing visible from the surface will be the olive green/black buoys at top of each stack along the line (see Cross-Section View)

FareWell Riparian Estimates for Standard Lease App

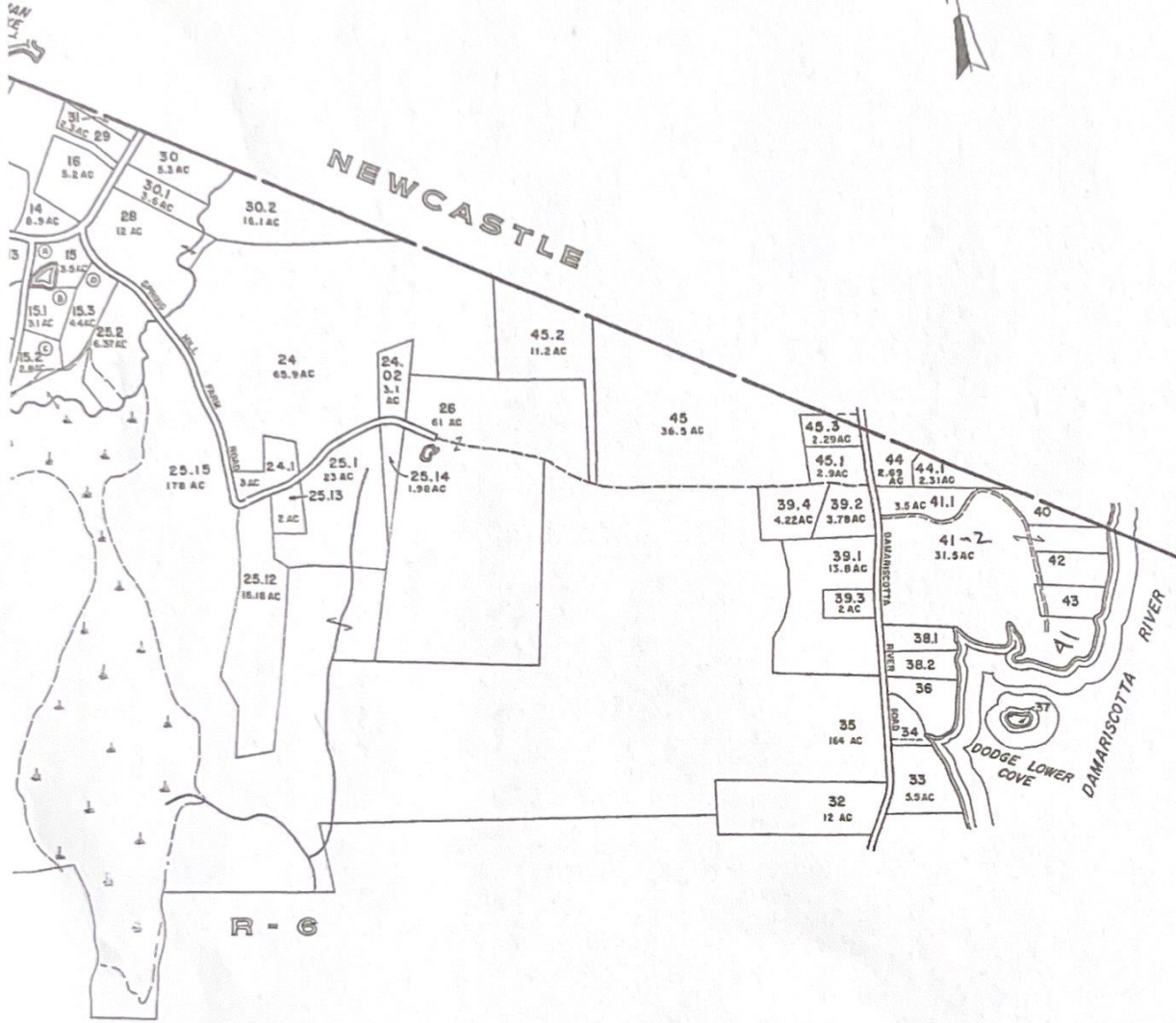


7/19/2023, 1:41:28 PM

Override 1

- Override 1
- Approximate Center Point of Lease Applications Under Review
- Limited Purpose Aquaculture (LPA) Licenses
- Active
- Terminated
- Active or Pending Aquaculture Leases
- Maine Town and Townships Boundary Polygons Feature

1:9,028
 0 300 600 1,200 ft
 0 90 180 360 m
 Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | MaineDMR, MaineGeoLibrary | MaineDMR, Web AppBuilder for ArcGIS



R - 6

NO PARCEL 9, 5, 27

PROPERTY MAP
EDGECOMB TAX MAP
 MAINE

SCALE IN FEET
 0 500 1000

R-7

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE CERTIFIED

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

TOWN OF: EDGEComb

40 Brook Hill Rd

MAP #	LOT #	Landowner name(s) and address(es)
R-7	41	Audrey Ing 3333 Kāhala maaina Place, Honolulu HI 96817-1033
R-7	41-2	Gerald + Nancy Plummer 14 Francis Hill Rd, Westford MA 01886
R-7	42	Carita Crawford - Keene PO Box 561, Newcastle ME 04553
R-7	43	Angantyr's Hall Trust c/o Carita Crawford-Keene PO Box 561, Newcastle ME 04553
R-7	40	Karl V + Jyl Tiffany Chandler 5 Plymouth Rd, Newtown Square PA 19073
MAP		

56 Brook Hill Rd

56 Brook Hill Rd

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Claudia P. Coffin, Town Clerk for the Town of Edgecomb 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: Claudia P. Coffin DATE: 2/16/2023

DGECOMB

DA

4A

River Rd

4

Brick Hill Rd

5

5-6

5-5

5-4

5-1

5-2

5-3

Chandler, DO 1-
2006

Common
Lot

Robert W Bickel
Marlise R Bickel
407 Chester Ave
Moosebroom NJ
08057

SOM
3

Karl + Jyl Chardler
5 Plymouth Rd
Newtown Square PA 19073

TAX MAP
Newcastle
(Zoomed in
for legibility)
See also
next page
w/scale
noted

2

State of Maine
Dodge Point

TAX MAP

Property Map
 Town of Newcastle
 Lincoln County, Maine
 July 23, 2020

- Large lot
- Parcel Line
- Right of Way
- RI Right of Way
- Boundary Stone
- Location
- DA
- Other
- Public Right of Way
- Can, Road and Street
- Non-Federal Water
- Adjacent Water
- 5 Adjacent Water

- Lead Use Rating Districts
- C Commercial
- LI Light Industrial
- RI Residential
- R Rural
- DA District A
- DB District B
- DD District D
- VB Village Business
- VC Village Center
- VR Village Residential

NOTES: This map is intended for property tax assessment purposes only. It is not intended to be used for any other purpose. The information on this map is based on the best available information and is not a guarantee of accuracy. The information on this map is not to be used for any other purpose. The information on this map is not to be used for any other purpose. The information on this map is not to be used for any other purpose.



Northtown Communications, Inc.
 401 South Main Street, Suite 100
 Newcastle, Maine 04240



Map 1

Map 1

page 34

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE CERTIFIED

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

TOWN OF: Newcastle

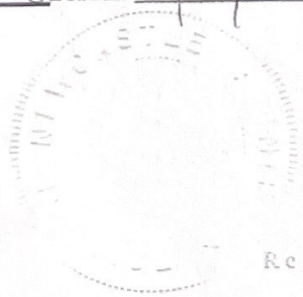
MAP #	LOT #	Landowner name(s) and address(es)
1	2 + X	State of Maine (Dodge Point State Park) Bureau of Taxation 16 State House Station Maintenance & Operations Augusta ME 04333
1	6	Karl & Jyl Chandler 5 Plymouth Rd, Newtown Square PA 19073
1	5-3	Robert W. Bickel 407 Chester Avenue Morristown NJ 08057
1	5-2	David W. St. Onge PO Box 465 Newcastle ME 04553
1	3	State of Maine Dodge Point Dept. of Conservation 16 State House Station Maintenance & Operations Augusta ME 04333
1	Common Lot	Mary McCann / Matthew Garrigue 574 Main St. #114, Damariscotta ME 04543

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Cheryl Clifford Town Clerk for the Town of Newcastle 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: Cheryl Clifford DATE: 7/19/2023



Bangor Savings Bank

You matter more.™

7/18/2023

To whom it may concern:

Peter Smith has an account for his business Farewell LLC at Bangor Savings Bank that is in good standing with no NSF or overdraft issues. Peter has been a customer of the bank since 1997.

Sincerely,


Dani Flynn

Senior Teller

Bangor Savings Bank

619 Main Street

Damariscotta, ME 04543



Lease Application

Lewis, Bryant J <Bryant.J.Lewis@maine.gov>
To: FareWell Oysters <farewelloysters@gmail.com>

Wed, Apr 5, 2023 at 3:26 PM

Pete,

I double-checked with Hannah Brazier and you were being asked to speak with one of us to confirm if there were any Public Health high risk concerns you should be aware of and there are not for the location you have chosen for your potential lease. Water quality is stable there and the area is low risk for biotoxin closures. I have included a link to our biotoxin guidance document for industry members who have a lease or wet storage so that you can understand your options in providing shellfish samples to us in the event of a biotoxin closure. Biotoxin closures are extremely rare in the Damariscotta River and typically only impact the lower river when they do occur. Let me know if you still wish to speak by phone.

[Biotoxin Guidance 2023.pdf \(maine.gov\)](#)

Bryant Lewis

ME Department of Marine Resources

Growing Area West Program Supervisor

194 McKown Point Road

West Boothbay Harbor, ME 04575

Cell: 207-215-4107

page 37



Peter Ames <peter.ames@gmail.com>

Experimental lease application request to withdraw

2 messages

Peter Ames <peter.ames@gmail.com>
To: <DMRAquaculture@maine.gov>

Thu, Jul 13 at 10:28

Hello

I would like to withdraw my application for an experimental lease in Upper Dodge Cove Damariscotta river Newcastle Maine. Please reference the link below:

https://www.maine.gov/dmr/sites/maine.gov/dmr/files/leases/COMPLETE_12.02.21_PeterSmith.pdf

Many thanks
Pete Smith
207-380-2788

DMR, Aquaculture <DMRAquaculture@maine.gov>
To: Peter Ames <peter.ames@gmail.com>

Thu, Jul 13 at 14:50

Hello,

This email acknowledges receipt of your request. The attached application is withdrawn and no longer under consideration by DMR. Notice of the withdrawn application will be processed by DMR. If you submitted a copy of the application to the U.S. Army Corps of Engineers (ACOE), please also let them know that you have withdrawn. As a courtesy, their email address is provided below. Thank you.

ACOE email: cenae-r-me@usace.army.mil

Sincerely,

Lisa, DMR Aquaculture Division

Maine Department of Marine Resources

Attn: Aquaculture Division

21 State House Station

Augusta, ME 04333-0021

From: Peter Ames <peter.ames@gmail.com>
Sent: Thursday, July 13, 2023 10:28 AM
To: DMR, Aquaculture <DMRAquaculture@maine.gov>
Subject: Experimental lease application request to withdraw

page 38

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]

COMPLETE_12.02.21_PeterSmith.pdf



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: _____ FareWell LLC _____

2. Date of incorporation: _____ Feb 18, 2020 _____ State of incorporation: _____ Maine _____

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

Name	Address	Title
Peter A. Smith	PO Box 594 Newcastle ME 04553	President

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

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

Name	Address
Peter A. Smith	PO Box 594 Newcastle ME 04553

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 Applicant: Peter A. Smith, Experimental Lease Application Pending

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
Peter A. Smith	PO Box 594 Newcastle ME 04553	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: _____ N/A _____
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.

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20205364DC Pages 2
Fee Paid \$ 175
DCN 2200502270004 DLLC
---FILED-----
02/18/2020


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:

Farewell 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: P10042

Troubh Heisler LLC
 (Name of commercial registered agent)

Noncommercial Registered Agent

 (Name of noncommercial registered agent)

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

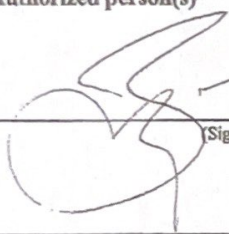
 (mailing address if different from above)

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 N/A, and made a part hereof.

****Authorized person(s)**

Dated February 13, 2020



 (Signature of authorized person)

 (Signature of authorized person)

F. Jay Meyer, BRN 6832

 (Type or print name 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