

#5

EXPERIMENTAL LEASE APPLICATION

1. APPLICANT CONTACT INFORMATION

Applicant	<u>Brian Tarbox</u>
Contact Person	<u>Brian Tarbox</u>
Address	<u>14 Fuller Road</u>
City	<u>Spruce Head</u>
State, Zip	<u>Maine ,04859</u>
County	<u>Knox</u>
Telephone	<u>(207)596-5149</u>
Email	<u>briankatietarbox@gmail.com</u>
Payment Type	<input checked="" type="checkbox"/> <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 checked regularly. If you do not use email, please leave this blank.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	<u>St. George</u>
Waterbody	<u>Wheeler Bay</u>
General Description (e.g. south of B Island)	<u>Northwest of Norton Island</u>
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	<u>3.99 acres, 3-years</u>
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> <input type="checkbox"/> Suspended (gear in the water and/or on the bottom) <input type="checkbox"/> Net Pen (finfish)
How many pending experimental lease applications (including this one) do you have pending?	<input type="checkbox"/> One (1) <input type="checkbox"/> Two (2) <i>Note: An applicant may have no more than two pending experimental leases at any time.</i>
Do you have a legal interest in any entity that has a pending experimental application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <input type="checkbox"/> No If "Yes" provide the name of the applicant(s): _____
Is any portion of the	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <input type="checkbox"/> No

#6

proposed lease site above mean low water?	<i>Note: If you selected "Yes", you need to complete the steps outlined in the section titled: "17. Landowner/Municipal Permission Requirements".</i>
---	---

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"):	<u>WV</u>
Growing Area Section (e.g. "A1"):	<u>A</u>

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 you plans at the following email: DMRPublicHealthDiv@maine.gov

4. GENERAL LEASE INFORMATION

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

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. <u>Suger Kelp (Saccharina Latissima)</u>	<u>Atlantic Sea Farms</u> <u>20 Pomerleau Steet</u> <u>Biddeford, ME 04005</u>	<u>15,000 linear feet of seed lines (all Species combined)</u>
2. <u>Skinny Kelp (Saccharina Angustissima)</u>	<u>Atlantic Sea Farms</u> <u>20 Pomerleau Steet</u> <u>Biddeford, ME 04005</u>	<u>15,000 linear feet of seed lines (all Species combined)</u>
3. <u>Winged Kelp (Alaria Esculenta)</u>	<u>Atlantic Sea Farms</u> <u>20 Pomerleau Steet</u> <u>Biddeford, ME 04005</u>	<u>15,000 linear feet of seed lines (all Species combined)</u>
4. <u>Dulsa (palmaria Palmala)</u>	<u>Atlantic Sea Farms</u> <u>20 Pomerleau Steet</u> <u>Biddeford, ME 04005</u>	<u>15,000 linear feet of seed lines (all Species combined)</u>
5. <u>Sea Lettuce (ulva Lactuca)</u>	<u>Atlantic Sea Farms</u> <u>20 Pomerleau Steet</u> <u>Biddeford, ME 04005</u>	<u>15,000 linear feet of seed lines (all Species combined)</u>

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

#7

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: You may embed the maps within the document, or attach the maps to the end of your application. If you attach the maps, please label them according to the instructions provided below. If you attach the map, please label it: 'Vicinity Map'.

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

The map needs to display the following:

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

6. BOUNDARY DRAWING

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

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

#8

7. RESEARCH PROGRAM AND OPERATIONS

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

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

Please note:

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

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

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

The purpose of this study is to determine the commercial viability of a seaweed farm At the proposed lease site.

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

All seaweed species will be seeded on 10- 1,000 ft longlines between October and December, Depending o availability. Longlines will be spaced at least 10 ft apart and suspended approximately 7 ft below the sea surface. Weights and bouys may be used at the site to Maintain the 7 ft depth. Seed will remain on the site during the winter growing season (November –March) and will be periodically monitored for growth and ouling. Seaweed will be harvested from longlines between late Apirl-June. All gear, except moorings and mooring lines(which will be sunk to bottom in the off season), will be removed from site after harvest is completed and no later than June 15.

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

Seeding: October-December

Tending: Seeding – Harvest, approximately Decmber-March

Harvesting: late April-June

#9

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

Seeding will require approximately 2-4 days on site in fall/early Winter. Harvesting will require 10-15 days on site in the Spring.

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

The site will be visited at least every 2 weeks, with the goal of weekly visits, to maintain gear And to monitor seaweed growth. The site will also be visited after any major storms.

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

Seaweed will be harvested using a lobster boat. Longlines will be hauled onto the deck using a winch and through a block secured on a boom. Kelp will be cut from the longline, by hand, into 1,000 lb bags. All kelp will be offloaded the same day as harvest.

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

During harvest, all longlines and bouys will be removed from the site and stored at my address (14 Fuller Road Spruce Head). Moorings, mooring lines, and required markers will remain onsite year-round. Mooring lines and chain will be sunk to the seafloor during the offseason (June 16th- Oct. 14th).

10

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

No machinery will be used at the site beyond a lobster boat and skiff.

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

None

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

Examples may include:

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

N/A

#11

8. EXISTING USES

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

A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency, and d) proximity to the lease site for each existing use.
1. Commercial Fishing <u>Lobstering occurs during the summer months, mainly June-September. No commercial fishing activity occurs during the winter.</u>
2. Recreational Fishing <u>None.</u>
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water) <u>Very little boating activity occurs during the summer months and boats rarely transit the area During the winter.</u>
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.) <u>N/A</u>
5. Other uses (kayaking, swimming, etc.) <u>None.</u>
B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from proposed lease. <u>No.</u>
C. Are there public beaches, parks, or docking facilities within 1,000 feet of the proposed

#12

lease site. If yes, please describe and include approximate distances from proposed lease.

No.

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>

Yes, Southeast corner of experimental lease PEN SLx is ~ 500 feet from northwest corner of the proposed site. I also have 4 LPAs at the proposed site that will by the new purposed lease.

9. CURRENT OPERATIONS

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

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

I currently operate 4 LPAs (BTAR 120, 220, 320, 420).

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

The purposed experimental lease incorporates the footprint of my current LPAs. If the Purposed lease is granted I will relinquish my 4 LPAs (BTAR 1 20, 220, 320, 420).

10. EXCLUSIVE USE

#13

If your lease is granted, what activities would you request be excluded from occurring within the boundaries of the lease site? In your answer please address applicable commercial and recreational fishing, boating activities, and other activities you listed in the 'Existing Uses' section of this application.

I request that all fishing be from the site and that boats be asked to transit around the Lease area when longlines are in the water, generally Oct. 15th – June 15th, to maintain farm gear and safe navigation for all user. For the remainder of the year, June 16th–Oct. 14th we would welcome any activity that would not interfere with the mooring of required lease markers

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?

25-45 ft.

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

37-57 ft.

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

The current speed is approximately 1 knot and flows roughly north during the flood and South during the ebb.

#14

<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><u>The bottom is mainly rock and gravel with areas of mud.</u></p>
<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p><u>The bottom slopes from East side boundary to the West side boundary of the purposed site.</u></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><u>Small Lobster and crabs, there seems to be more lobster and crab from July-November and less from January – June.</u></p>

#15

<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p><u>No shellfish beds or known fish migration routes.</u></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><u>Based on data collected in 2010, the proposed lease is outside of the eelgrass zone and the nearest eelgrass coverage is over 1000 ft from site. I also have been diving on the proposed lease site and didn't see any eelgrass. Eelgrass beds are generally observed in shallow water which allow for adequate light penetration to support photosynthesis. The Proposed site is in a water depth between 25ft(MLW) and 37(MHW) which is not ideal habitat for eelgrass.</u></p>
<p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p><u>The purposed site is located approximately 500ft Northwest of an uninhabited rocky ledge.</u></p>
<p>E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

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.

#16

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

Yes

No

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

12. STRUCTURES *(if applicable)*

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

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

A) Overhead View (please label this "Overhead View"):

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

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

B) Cross-Section View (please label this "Cross Section View"):

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

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

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

#17

C) Gear Description

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

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
<u>Marine Algae Culture Lines/Longlines</u>	<u>3/8" rope, 1,000 Ft long</u>	<u>Seasonal: Oct. 15th- June 15th</u>	<u>15 Culture lines, spaced 10ft apart</u>	<u>Marine Algae</u>
<u>Crosslines</u>	<u>3/8" rope, 1,000 Ft long</u>	<u>Seasonal: Oct. 15th- June 15th</u>	<u>3 Crosslines, Spaced 250ft apart</u>	<u>Marine Algae</u>
<u>Required Lease Markers (corners & middle Bouys</u>	<u>Yellow low-drag Bouys: approx. 13" diameter; 24 " length</u>	<u>Year round (including Associated mooring Lines & chain)</u>	<u>6 Total</u>	<u>Marine Algae</u>
<u>Mooring Bouiys</u>	<u>Poly balls- 100 Lbs displacement Approx. 18" diameter</u>	<u>Seasonal: Oct. 15th- June 15th</u>	<u>30 Total</u>	<u>Marine Algae</u>
<u>Mooring lines</u>	<u>3/4" poly line, 60-65 ft long</u>	<u>Year-round, but sunk to seafloor from June 16th – Oct. 14th (except for those associated with Required lease markers)</u>	<u>36 Sections</u>	<u>Marine Algae</u>
<u>Mooring Chain</u>	<u>3/4 " Chain , 2' Long</u>	<u>Year-round, but sunk to seafloor from June 16th – Oct. 14th (except for those associated with Required lease markers)</u>	<u>36 Sections</u>	<u>Marine Algae</u>
<u>Moorings</u>	<u>1,500lbs concrete Blocks; 3'x3'x1'</u>	<u>Year-round</u>	<u>36 Total</u>	<u>Marine Algae</u>
<u>Depth control Bouys</u>	<u>Traditional Lobster bouys; Approx. 7"x12"</u>	<u>Seasonal: Oct. 15th- June 15th</u>	<u>Up to 7 per culture line, 105 Total</u>	<u>Marine Algae</u>
<u>PVC pipe (for depth Control lines)</u>	<u>1/2 diameter; 7ft long</u>	<u>Seasonal: Oct. 15th- June 15th</u>	<u>105 Total</u>	<u>Marine Algae</u>
<u>Counterweights For depth control Lines(for depth control lines)</u>	<u>10 lbs; 8" long</u>	<u>Seasonal: Oct. 15th- June 15th</u>	<u>105 Total</u>	<u>Marine Algae</u>

D) Gear Drawing (please label this "Gear Drawing").

#18

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

13. 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 must 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.

14. RIPARIAN LANDOWNERS AND SITE ACCESS

- A. If your lease is within 1,000ft of shorefront land (**which extends to mean low water or 1,650 ft. from shore, whichever is less, according to NOAA charts**), the following supporting documents are required:
1. A labeled copy of a tax map(s) depicting the location of the proposed lease site and including the following elements:
 - Label the map “Tax Map: Town of (name of town).”
 - Legible scale
 - Tax lot numbers clearly displayed
 - The boundaries of the proposed lease
 2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list. Refer to the riparian determination guidance document to ensure all riparian landowners are included:
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

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.

#19

3. If any portion of the site is intertidal you need to complete the steps outlined in “17. 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 “17. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

The site will be accessed by boat or skiff leaving from Wheeler’s Bay.

RIPARIAN LANDOWNER LIST

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

On this list, please include the map number, lot number, and the current owners’ names and mailing addresses for all 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: _____

MAP #	LOT #	Landowner name(s) and address(es)
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

#20

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, _____, Town Clerk for the Town of _____ 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: Brian Tarbox DATE: 4/11/2023

15. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

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

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

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

Brian Tarbox
Applicant Signature

4/11/2023
Date

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

#21

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

Brian Tarbox
Applicant Signature

4/11/2023
Date

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

16. APPLICANT SIGNATURE PAGE

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

Printed name: Brian Tarbox

Title (if corporate applicant): _____

Signature: Brian Tarbox Date: 4/11/2023

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.

22

Note:

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

23

17. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS (if applicable)

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

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

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

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

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

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

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

24

Depth Control Buoy

Lenth: 12 inches

Width: 7 inches

PVC Pipe (for depth control lines)

Diameter: ½-inch

Length: 7 feet



Counterweights (for depth control lines)

Weight: 10 pounds

Length: 8 inches



25

Marine Algae Culture Lines/ Longlines & Crosslines

Diameter: 3/8-inch
Length: 1,000 feet (culture lines),
150 feet (crosslines)



Required Lease Markers

Diameter: 13 inches
Length: 24 inches



Mooring Bouys

Diameter: 18 inches
Displacement: 100 pounds



Mooring Lines

Diameter: 3/4-inch
Length: 60-65 feet



Mooring Chain

Diameter: 3/4-inch
Length: 2 feet



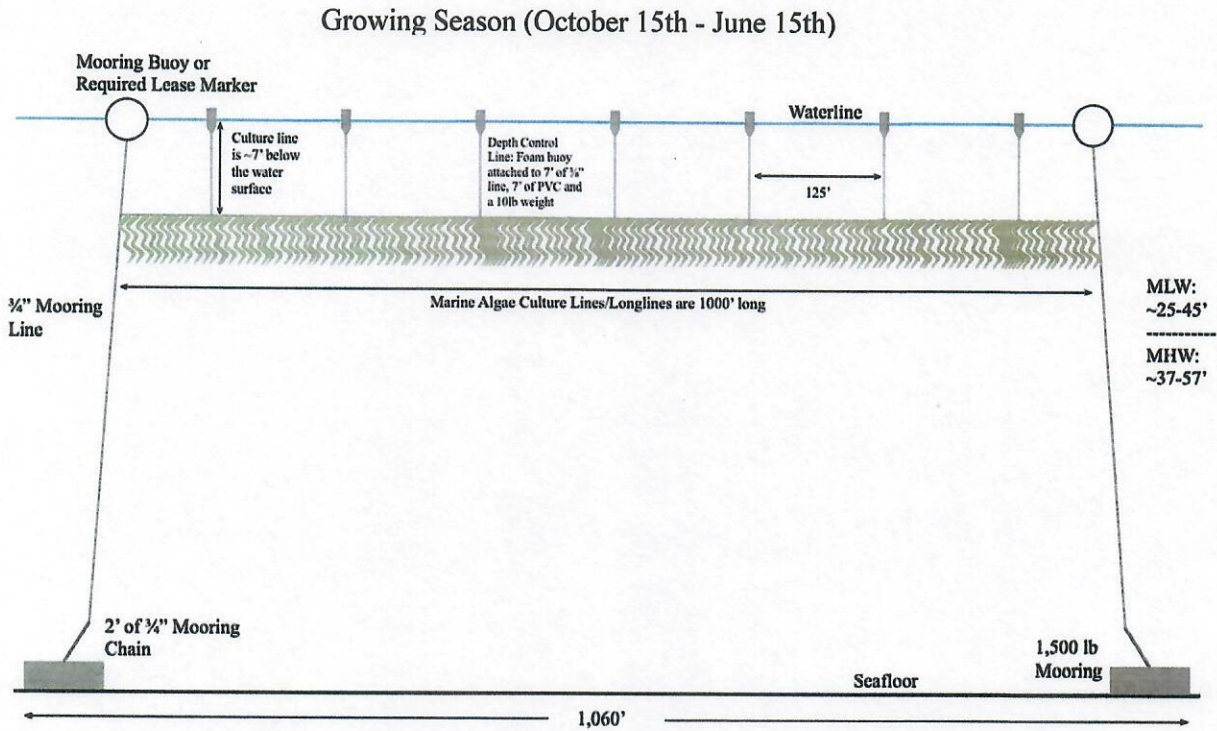
Moorings

Weight: 1,500 pounds
Lenth: 3 feet
Width: 3 feet
Height: 1-foot



26

Figure 4. Structures: Cross-Section View - Section 12B



Off Season (June 16th - October 14th)

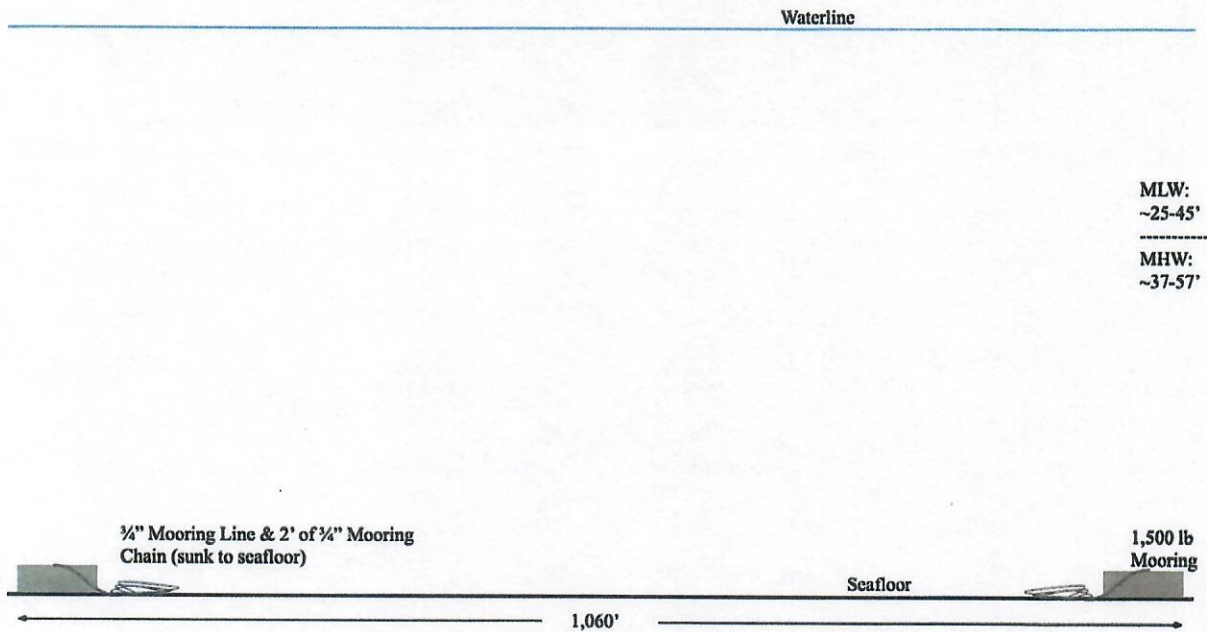
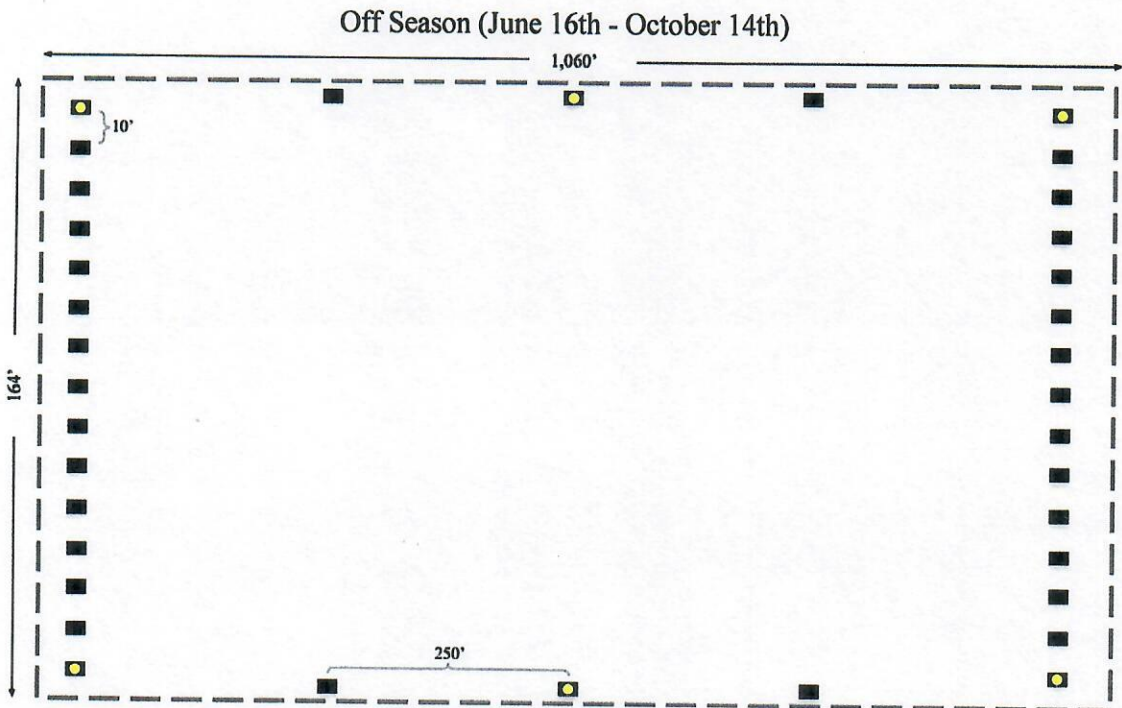
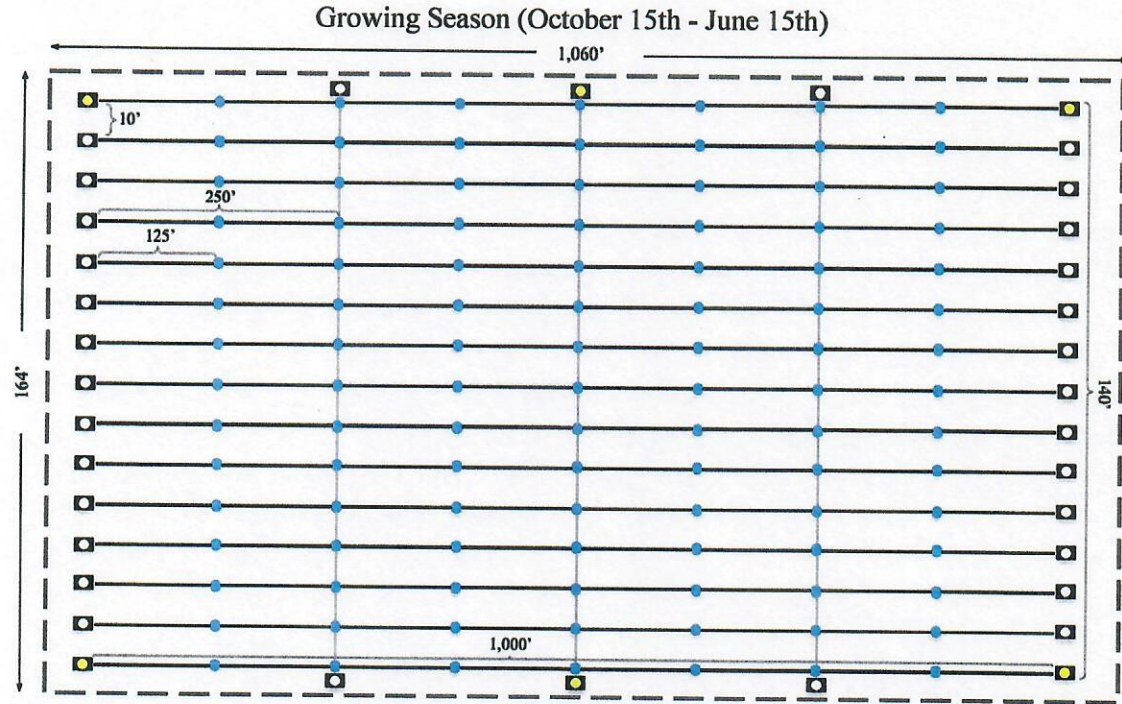


Figure 5. Structures: Gear Description - Section 12C

#27

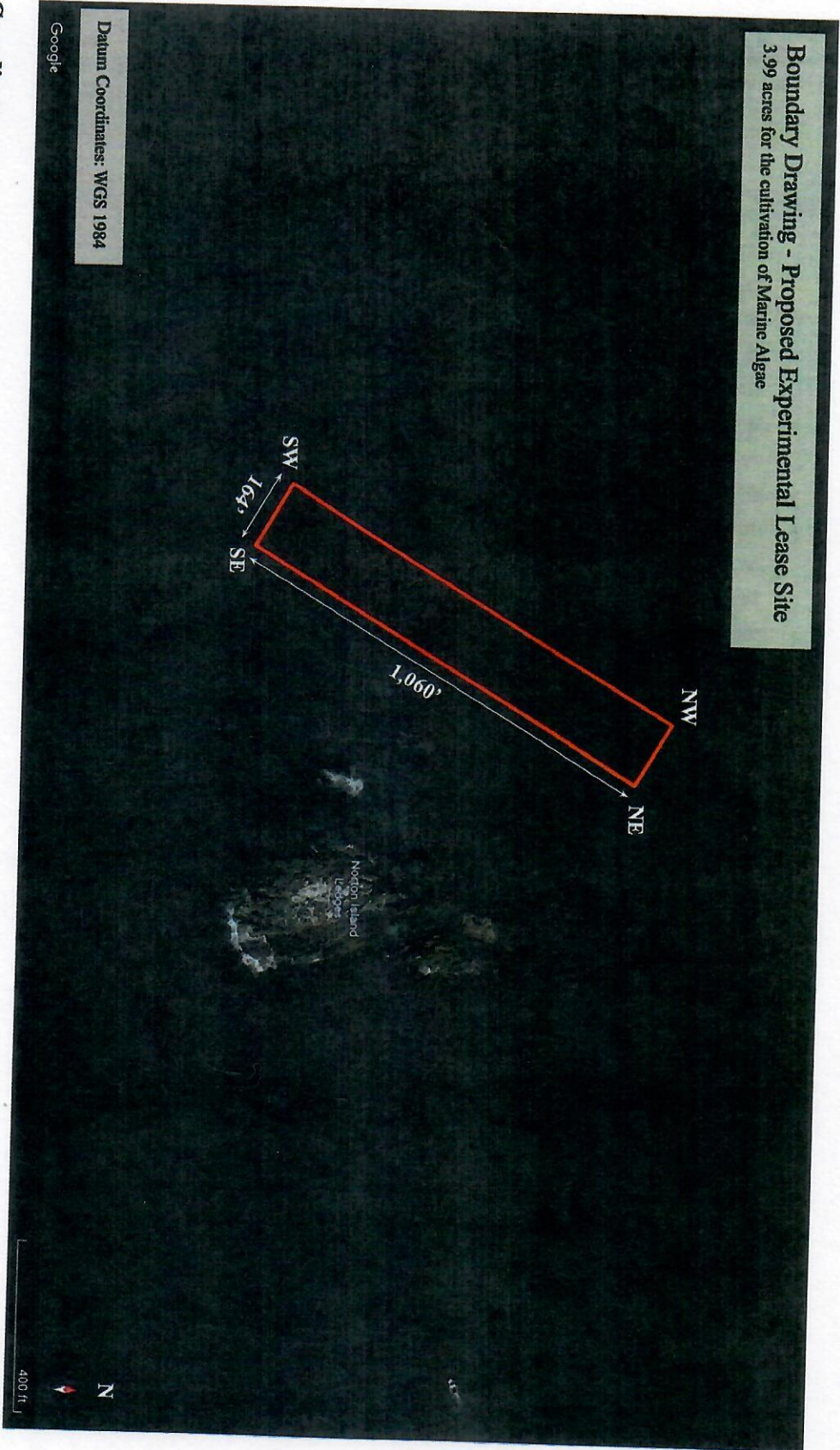
Figure 3. Structures: Overhead View - Section 12A



Dashed Grey Line (---): Lease Boundary
Thick Black Line (—): Culture Lines/ Longlines
Thin Black Line (—): Crosslines
Black Rectangles (■): Moorings

White Circles (○): Mooring balls
Yellow Circles (○): 2023 required lease marking requirements
Blue Circles (●): Depth Control Lines with buoy and weight

Boundary Drawing - Proposed Experimental Lease Site
3.99 acres for the cultivation of Marine Algae



Datum Coordinates: WGS 1984

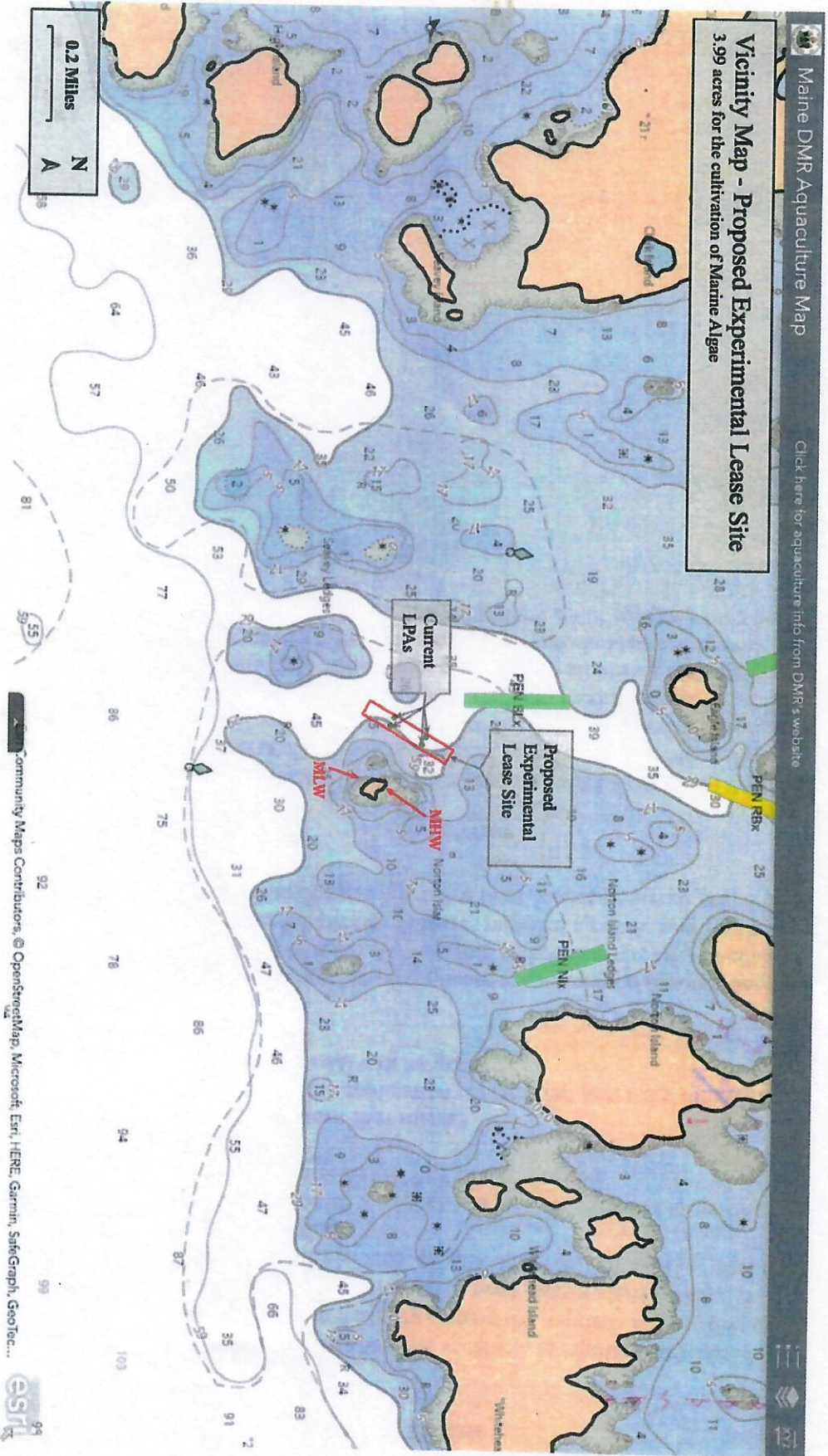
Google

Coordinates:

- NW: 43°58'39.828"N, 69°09'23.904"W
- NE: 43°58'39.036"N, 69°09'21.96"W
- SW: 43°58'30.828"N, 69°09'31.284"W
- SE: 43°58'30.036"N, 69°09'29.34"

#822

Figure 1. Vicinity Map - Section 5



62#

Figure 2. Boundary Drawing - Section 6

Keith Miller

#30

11 Eagle Quarry Rd.
Spruce Head Me. 04859

I am writing this letter about
Brian Tarbox having a Experimental
Kelp Field. Brian is a ~~dedicated~~ Great
Friend and A true Fisherman, what
Ever he does, He puts his all into
making it work. I am sure he
will be a great Kelp Farmer.

Keith Miller

#31

I Have grown up and been fishing Wheeler bay for over 20 years. kelp has become a great asset not only financial but its a great for environment. kelp is done in the off season of lobstering so doesnt interfere with fishing. I support and welcome more kelp farming in the bay

Richard Philbrook