

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Butterfield Shellfish		
Contact Person	Keith Butterfield		
Address	17 Haskell Ave		
City	Raymond		
State, Zip	ME, 04071		
County	Cumberland		
Telephone	857.753.1302		
Email	keith@butterfieldshellfish.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application [submitted before scoping session session]		<input type="checkbox"/> Final Application [submitted after scoping session]
Dates	Pre-Application Meeting: 2/1/23	Draft Application Submitted: 3/7/23	Scoping Session:
Payment Type	Draft Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card		Final Application: <input type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card

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

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Yarmouth
Waterbody	Casco Bay
General Description (e.g. south of B Island)	Southeast of Little Moshier Island
Lease Information	
Total acreage requested (100-acre maximum)	3.1
Lease term requested (20-year maximum)	20
Type of culture (check all that apply)	<input checked="" 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: “19. 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):	WI
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.

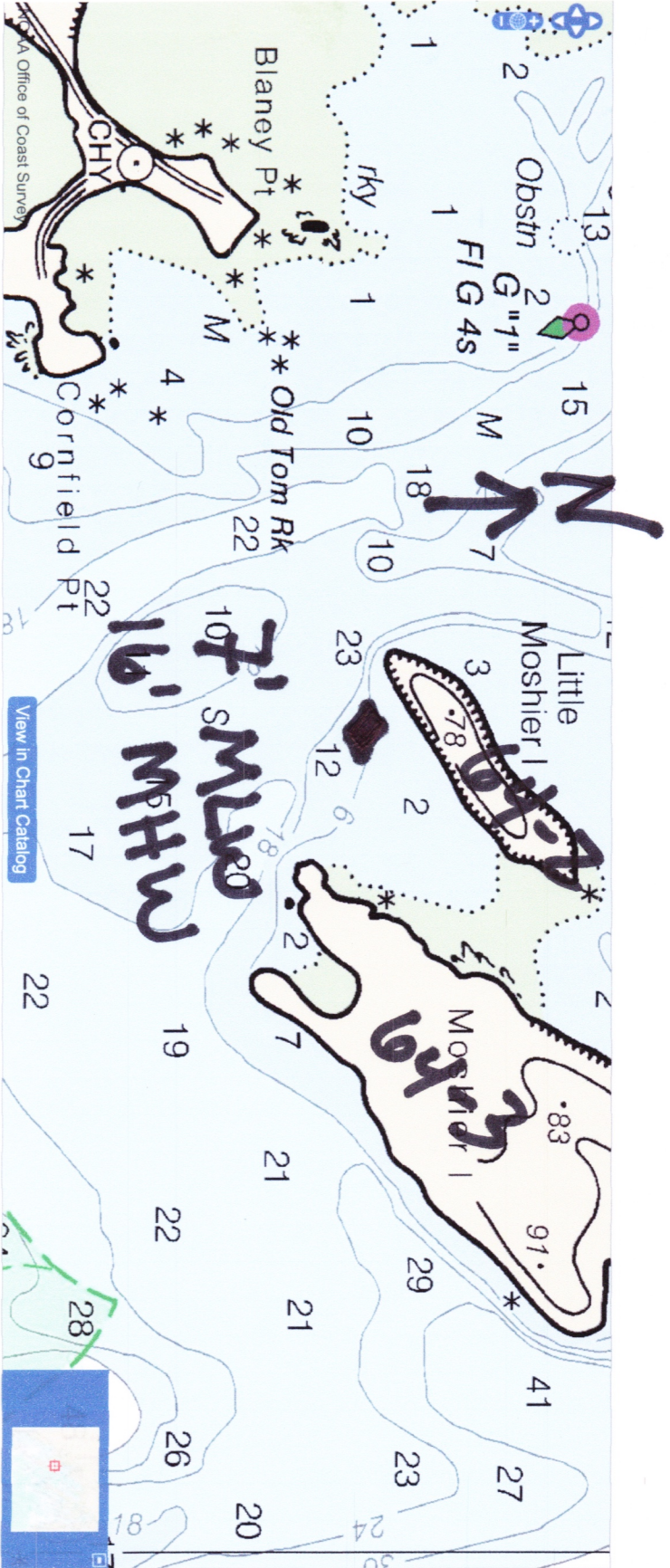
Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern Oyster, <i>Crassostrea virginica</i>	Mook Seafarm, 321 State Rt 129, Walpole, ME 04573. Muscongus Bay Aquaculture, 24 Seal Ledge Lane, Bremen, ME 04551	2 million
2. Atlantic Surf Clam, <i>Spissula solidissima</i>	Downeast Institute, 39 Wildflower Lane, Beal, ME 04611	200,000
3. Quahog, <i>Mercenaria mercenaria</i>	Downeast Institute 39 Wildflower Lane, Beal, ME 04611. Muscongus Bay Aquaculture, 24 Seal Ledge Lane, Bremen, ME 04551	200,000
4. Arctic Surf Clam, <i>Mactromeris polynyma</i>	Downeast Institute 39 Wildflower Lane, Beal, ME 04611.	200,000
4. Sea Scallops, <i>Placopecten magellanicus</i>	Local wild harvest from Casco Bay Mooring Co. or another local harvester	200,000

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

Vicinity Map



Boundary

SW 43.77928
-70.11169

SE 300'
NE

70.109756
779147

70.110867
7791087
70.110867
7791087
70.110867
7791087

CAS MIX

CAS MIX

7. SITE DEVELOPMENT

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

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

A. Gear Information

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

1. **Gear Drawing:** Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as “Gear Drawing”. This view must show the following:
 - Length, width, and height of each gear type.
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
FlipFarm – Hexcyl Baskets	29" x 10 5/8" x 5 7/16"	Year Around	8500 baskets	Oysters, Atlantic and Arctic Surf Clams, Quahogs, scallops
Seafloor Cages	4' x 4' x 4'	Year Around	50 cages	Oysters, Atlantic and Arctic Surf Clams, Quahogs, Sea Scallops
Bottom/No Gear	Seafloor Pen (4' height mesh fence)	Year Around	Initially install a pen of 20' x 20' x 4' to trial it. If it works well then expand to 250' x 250' x 4'	Sea Scallops
Yellow corner buoys and 30 gal blackstringline buoys	55 gallon drum and torpedo style, respectively	Year around	4 buoys	All
FlipFarm Empty Station, Fill Station, Heli-Cat Flipper	Each is appr. 4' x 14'	Year Around	one of each workstation	All

15/16" PolySteel String Line Rope and 7/16" EsterPro Sinking Haul Line Rope

15/16" x 500' 7/16" x 500'

Year Around

20 String lines and 20 Haul Lines

All

B. Maximum Structure and Mooring System Schematic

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

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

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

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

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.

FlipFarm Heli-Cat, Empty Shuttle and Fill Shuttle. Raft 12’ x 16’. A 38’ catamaran barge may be used for temporary work.

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.

No petroleum products are to be stored on site.

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
Gear is black. Yellow large corner buoys designating the lease perimeter.

E. Equipment Layout

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

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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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.

Seed will be placed in the same gear as proposed during the spring and summer. Arctic Surf Clam seed may be deployed in the fall.

We will be on site for one week for seed activity in the spring and one week in the fall.

B. Please explain your proposed tending/maintenance activities.

Biofouling control will be performed by flipping the FlipFarm Baskets with the Heli-Cat weekly. Harvesting, stocking, sorting tasks will be performed daily.

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

Daily work activities will occur.

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

Harvesting is performed manually by using the FlipFarm Empty Shuttle. No dragging.

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

Harvesting may occur on any weekday during daylight hours.

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.

This area does not ice over and does not require sinking. However ice sheets migrating out of the rivers in the spring may require a diversion buoy line that will be placed in March and removed in April.

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

It is the mission of Butterfield Shellfish to have no negative impact on wildlife. Predators will be controlled by flipping.

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)

Weekly FlipFarm flipping will keep the gear clean. This lease site receives a large amount of fresh tidal water twice per day which also lends to a safe water supply for growing shellfish.

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?

24’ Carolina Skiff and 19’ Carolina Skiff will be used Monday through Friday.

An oyster grader may be used for as many as 8 weeks per year from June through August.

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?

A Generator and oyster grader may be used up to 8 weeks per year from June through August. A quiet air compressor (under 90 Dba) may be used up to 12 weeks per year from April through August.

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

A quiet electric winch will be used for the daily tasks of filling and emptying baskets. The use of pressure washers, generators and sorters will be done during weekdays only and for limited time during the spring and summer.

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

No lighting or after dark work will be performed.

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

Only in the event of a farm emergency would we work beyond daylight hours, such as a broken line.

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.

CASELMx: This proposed Standard Lease is already operating as an Experimental Lease. Currently growing oysters.
CASMIx: This is an Experimental Lease currently and proposed to be a Standard Lease. Currently growing oysters.

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.

Land owners have asked me to consolidate both of my leases into one larger lease in the location of the current CASMIx. I will make every effort to meet this request by working with DMR.

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?

10'

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

22'

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

Current is approximately 0.5 knots SE to NW

<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>Soft mud</p>
<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p>Flat</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>Commonly find Rock Gunnel Fish, mussels and barnacles.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>No known migration routes or shellfish beds.</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 have not observed any eelgrass within the boundaries of the proposed lease. When setting the anchors in 2022, it was reported by the diver that no eelgrass was observed under the farm.</p>

6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)
Shoreline on Moshier and Little Moshier Islands is muddy and rocky.

E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

12. EXISTING USES

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
Lobster traps have been observed within 500 feet of the lease. They begin appearing in late June and they are gone by September. We have observed on more than six traps within 500 feet of the lease.
2. Recreational Fishing
A fair amount of striper fishing takes place by recreational fishing around the southern point of Little Moshier Island approximately 500 feet away. Recreational fishing is welcome all around the farm.

3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)
The lease is approximately 500' or more from the navigable channel and does not impact navigation. Some boaters cut in between the islands but there remains plenty of space for these short cuts. Some boaters anchor in the area and go swimming or sunning. Recreational boaters are welcome around the farm.
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.)
This proposed lease does not impinge on ingress or egress to either island. Scott Labrecque who owns Little Moshier Island has a dock on the opposite side of Little Moshier Island which is not at all impacted by this lease.
5. Other uses (kayaking, swimming, etc.)
Lots of kayakers use these waters and are welcome all around the farm. We sell oysters to several kayakers. Some swimming occurs in the bay and has not been impacted by the lease.

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.
Scott Labrecque has a dock on the opposite side of Little Moshier Island about 600' from the lease boundary.

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.
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>

No

13. EXCLUSIVE USE

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'm willing to work with lobsterman who want to fish within the lease boundaries but otherwise no motorized boats are permitted within the lease boundaries. Kayaks are welcome to paddle through the farm if they desire.

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.

3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: “19. 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 “19. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

By boat. Our boat is docked at the Boatyard at 123 Even Keel Road, Yarmouth, ME 04096. Sometimes we trailer our boat and launch at the Yarmouth public ramp. We have a year around permit for using the launch.

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

No impact on riparian ingress and egress.

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: Yarmouth

MAP #	LOT #	Landowner name(s) and address(es)
64-2		Scott and Clare Labrecque, 18 brookside Dr, Falmouth
64-3		John and Jennifer Nolan 381 Falmouth Rd, Falmouth

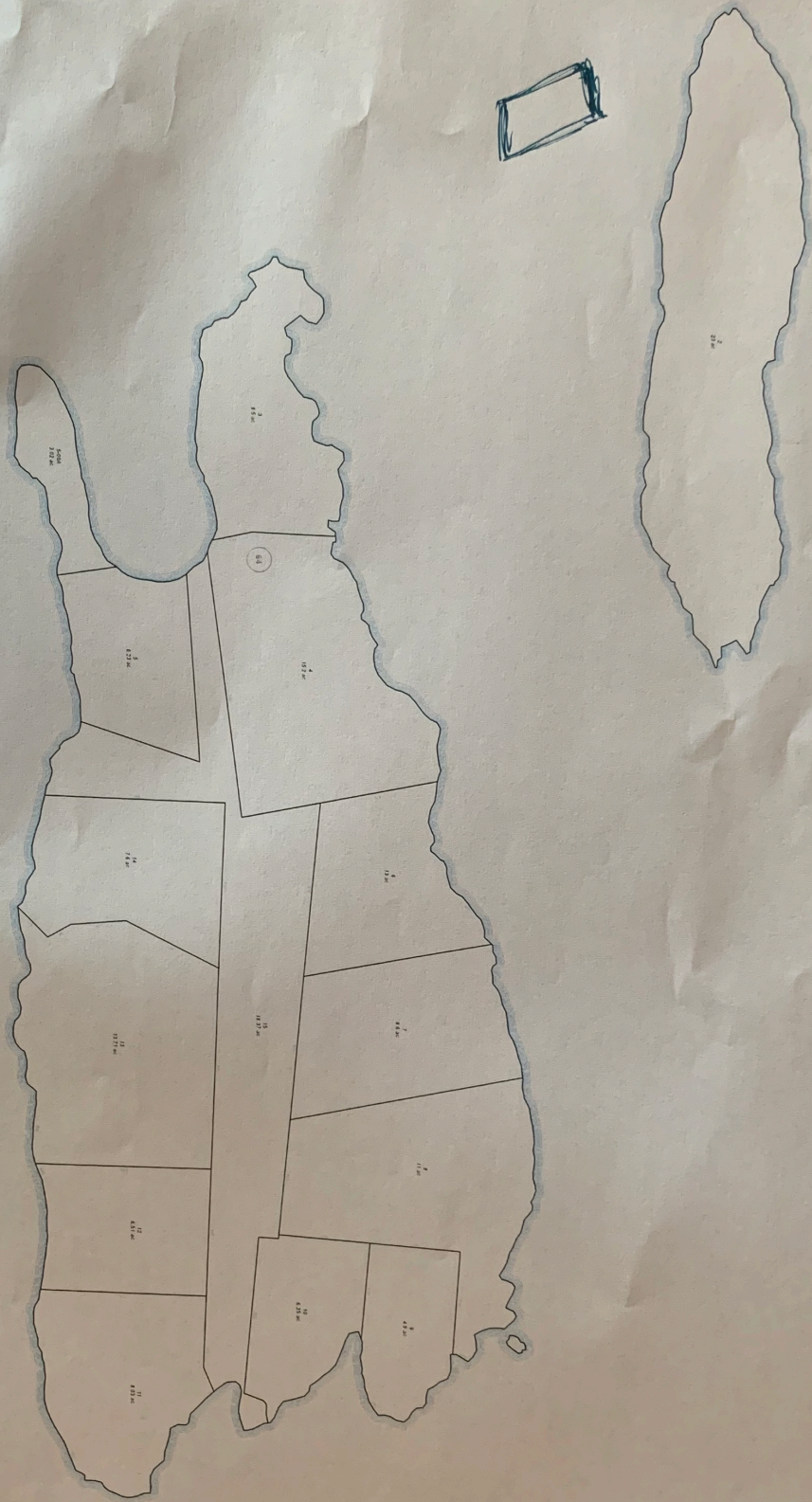
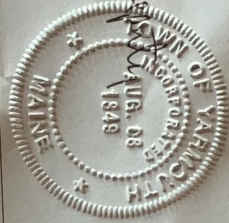
Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Ruth A. Bennett Deputy Town Clerk for the Town of Yarmouth certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

SIGNED: [Signature] DATE: 2/16/23

John A. Swartz
4/25/19



Assessors Maps



Property Boundary

Paper Streets

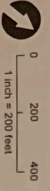
Water Body

45 Map Number

Sample Property Label

Lot 3
Unit 31
1.2 Acres

20 of 32



MAP 64(A)

The Town of Vermont shall hold the land under the
disposition in land conveyed hereunder as the
property of the State of Vermont. No other
purpose. Map revised by 2018.

15. TECHNICAL CAPABILITY

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

I've been farming oysters in this water area for about 10 years.

16. 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.

See page 32 for signed document.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

The site has already been outfitted with all 8,000 baskets at a cost of approximately \$360k. The FlipFarm Heli-Cat, and work shuttles, boats, lines, anchors, etc. cost approximately \$150k.

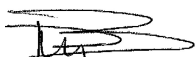
17. ESCROW ACCOUNT OR PERFORMANCE BOND

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*) Keith P. Butterfield 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.



2/15/2023

Applicant Signature

Date

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

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

I, (*printed name of applicant*) _____ 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

Date

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

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: Keith P. Butterfield

Title (if corporate applicant): _____

Signature:  Date: 2/15/2023

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: _____

19. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS (if applicable)

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

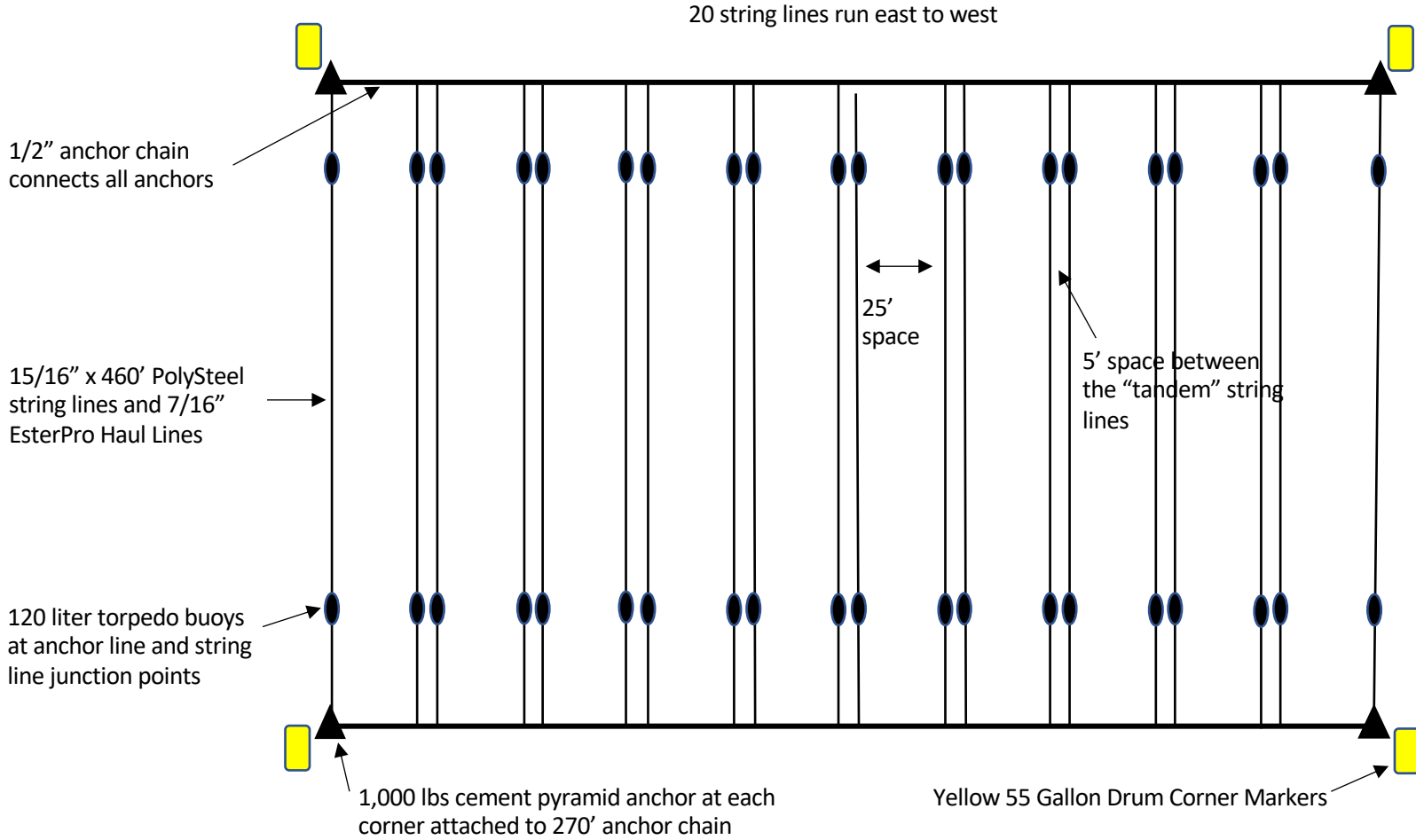
If the municipality where the proposed lease site is located has a shellfish conservation program, it is your responsibility to obtain consent for the proposed lease site from the municipal officers (i.e. the selectmen or councilors of the town, or the mayor and aldermen or councilors of a city.) Consent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

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

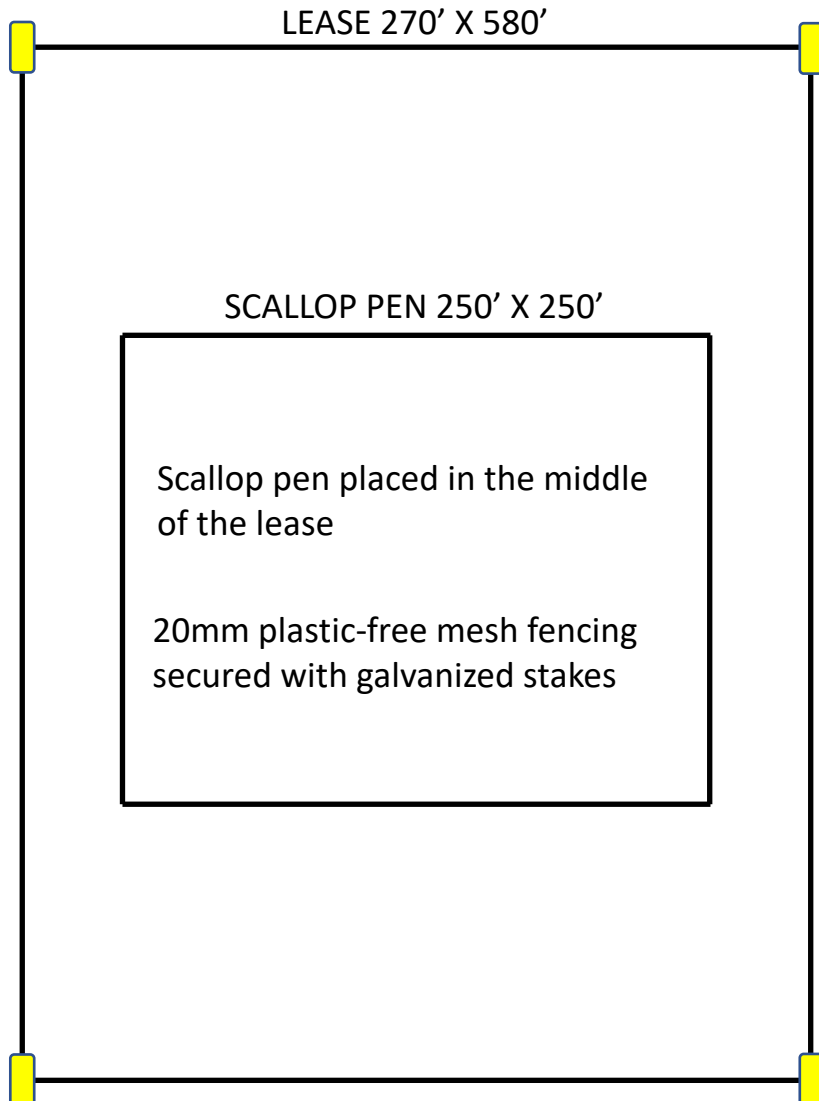
Does the municipality, where the proposed site is located, have a shellfish conservation program? Yes No

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

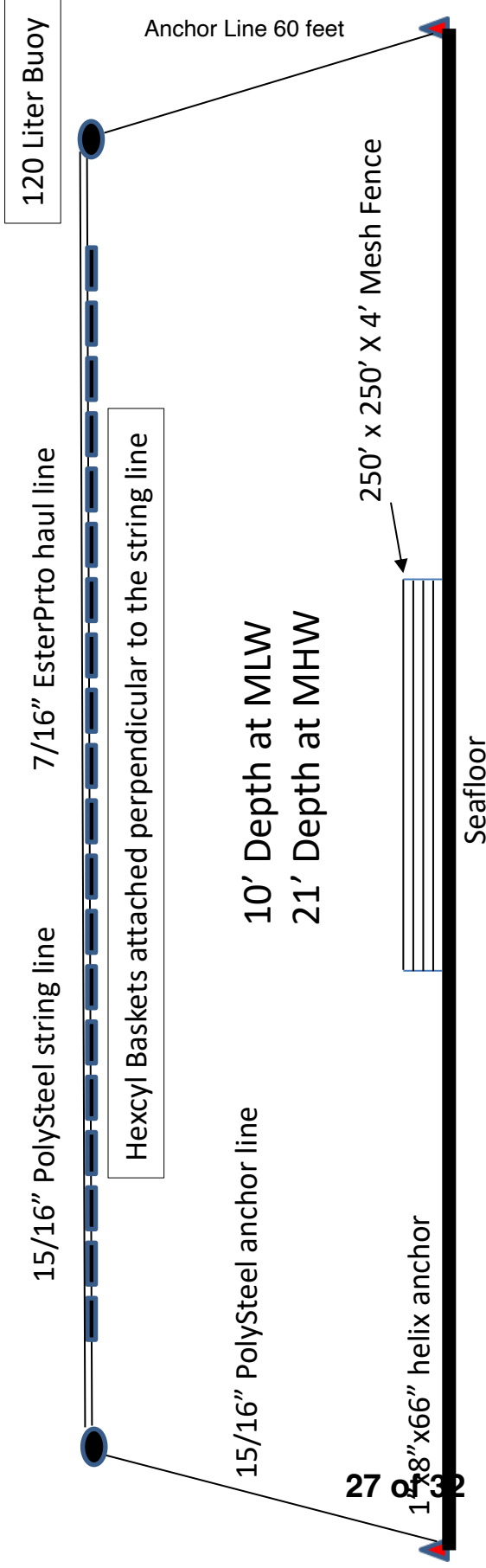
OVERHEAD VIEW 580' x 270'



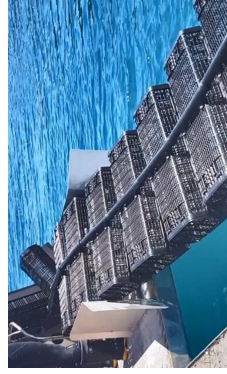
OVERHEAD VIEW OF SCALLOP PEN



Cross Section View



- 1'x8"x66" helix anchor screws at the end of each string line and corner pyramid anchors attached by 1/2" chain
- 480' of 15/16th PolySteel string line and 7/16" EsterPro haul line
- Approximately 400 Hexcyl Baskets per string line with no spacing between baskets
- Approximately 20mm mesh plastic-free/green fence pen 250' x 250' x 4' anchored with galvanized stakes



Hexcyl Baskets have a perpendicular axle attachment of PVC tubing that the string line passes through. This axle protects the rope from chaffing and fouling and also acts as a swivel for the basket to be flipped over or stood upright for opening and dumping into a basket without heavy lifting. Please visit the manufacturer website for more details at <https://www.flipfarm.co.nz/>



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

Regulatory Division
CENAE-RDC

April 26, 2021

Keith Butterfield
17 Haskell Avenue
Raymond, Maine 04071

Mr. Butterfield,

This letter concerns Department of the Army General Permit No. NAE-2019-00353 (Maine DMR Lease Acronym "CAS-ELMx") which authorized the installation and maintenance of up to 52 – 36" x 40" x 24" floating oyster cages along 29 – 150 ft. lines of 15 cages each and up to 10 – 36" x 48" x 4" nursery boxes within one tract encompassing a total 3.19 ac. below the mean high water line of Casco Bay located east of Little Moshier Island at Yarmouth, Maine.


In accordance with your recent request, the permit is hereby modified to reflect recent design changes that reflect your desire to change the type and number units and layout of gear. The new design includes the installation and maintenance of up to 4,200 – 29" x 11" x 6" floating Hexcyl™ baskets along 10 - 480 foot lines containing up to 420 baskets per line and oriented in a northwest to southeast direction. The site will continue to be used to cultivate *Crassostrea virginica* (American oyster). The lines connecting the floating baskets will be moored by 8-in. dia. helix anchors or equivalent. The floating baskets will be moored to the substrate for overwintering.

This work is shown on the updated plans attached entitled "Overhead View" and "Cross Section View" in two sheets undated.

All other conditions of the original permit remain in full force and effect.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


For Frank J. Del Giudice
Chief, Permits & Enforcement Branch
Regulatory Division

HEXCYL BASKET SPECIFICATIONS

HEXCYL SHELLFISH BASKETS

	Hexcyl Pro 0304	Hexcyl Pro 0507	Hexcyl Pro 1014	Hexcyl Pro 1521	Hexcyl Pro 2028	Hexcyl HD 1521
FIVE SIZES Click on images						
Mesh Size	3mm (1/8") 5mm (3/16") minimum	5mm (3/16") 10mm (7/16") minimum	10mm (7/16") 20mm(3/4") minimum	15mm (5/8") 40mm(1-1/2") minimum	20mm (3/4") 70mm(2 3/4") minimum	15mm (5/8") 40mm(1-1/2") minimum
Volume	25 litres (6.6 gallons)					
Dimensions	732mm (29") long 270mm (10 5/8") wide 140mm (5-7/16") high					

MATERIAL SPECIFICATIONS

Our baskets and clips will outperform other plastic baskets because we use a specially developed Ultra High Impact Resistant materials known for sub zero temperature performance. All materials have the highest possible Ultra Violet resistance. We have had product in the field for over 10 years.

HEXCYL Basket/Lid



Ultra high Impact grade Material

Food Grade - When used in accordance with FDA application guidelines, this product meets the requirements of FDA 21 CFR 177.1520 (c) 3.1a and AS2070-1999 section 4.1.1(a).

Flamability - DIN 4102 B2: normal combustibility similar to wooden pallets.

HEXCYL Clips

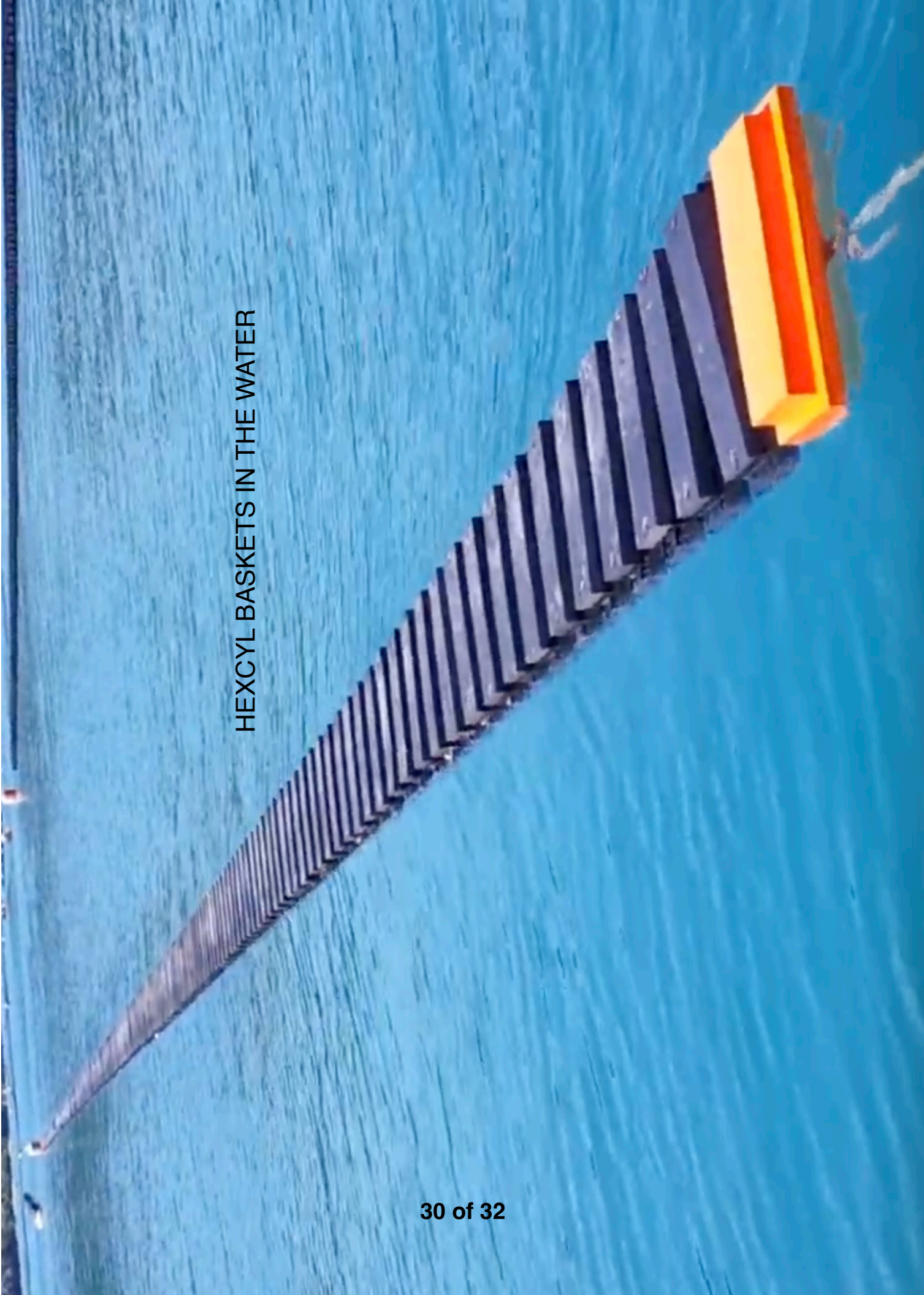


Ultra high impact grade, UV Stable material

PACKING and TRANSPORT

Adelaide Shipping Port is 13 km(13 minutes) from our manufacturing and container loading site at Wingfield, South Australia, 5014

HEXCYL BASKETS IN THE WATER



SEAFLOOR CAGE
36" X 35" X 45"





June 27, 2023

To: Department of Marine Resources:

Re: Keith Butterfield

Keith Butterfield has a long time, established pays as agreed relationship with Gorham Savings Bank since June 10, 2013.

All accounts are in good standing and his financial capacity, as demonstrated by his banking relationship, is satisfactory.

If you have any questions or concerns, please feel free to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a horizontal line that tapers off to the right.

Julie L. Viola
Senior Vice President
Gorham Savings Bank