

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Michael E. and Mark L. Gaffney		
Contact Person	Michael Gaffney		
Address	PO Box 404		
City	Georgetown		
State, Zip	Maine 04548		
County	Sagadahoc		
Telephone	(207) 751-7956		
Email	mike@erosoyster.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application <small>[submitted before scoping session session]</small>		<input type="checkbox"/> Final Application <small>[submitted after scoping session]</small>
Dates	Pre-Application Meeting: 1/13/21	Draft Application Submitted: 2/9/2021	Scoping Session:

Note: If applicant is a corporation or a partnership, the "Corporate Applicant Information Document" available at: <http://www.maine.gov/dmr/aquaculture/forms/standard.html> must also be completed.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Georgetown
Waterbody	Robinhood Cove
General Description (e.g. south of B Island)	North of Little Phoebe Island
Lease Information	
Total acreage requested (100-acre maximum)	7 acres
Lease term requested (20-year maximum)	20 years
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. WATER QUALITY

Directions: Water Quality Information can be found here: <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>

Pollution Area (e.g. "19-A"):	21-E
Pollution Area Section (e.g. "B.2". or "none"):	none
Water Quality Classification (e.g. approved, restricted, etc.):	Approved/unrestricted

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, juveniles, and/or smolts	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern Oyster (Crassostrea Virginica)	Mook Sea Farm 321 ME-129 Walpole ME 04573	2,000,000
2. Quahog (Mercenaria Mercenaria)	Downeast Institue 39 Wildflower Ln. Beals, Maine 04611	500,000
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 you 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'.

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

The map needs to display the following:

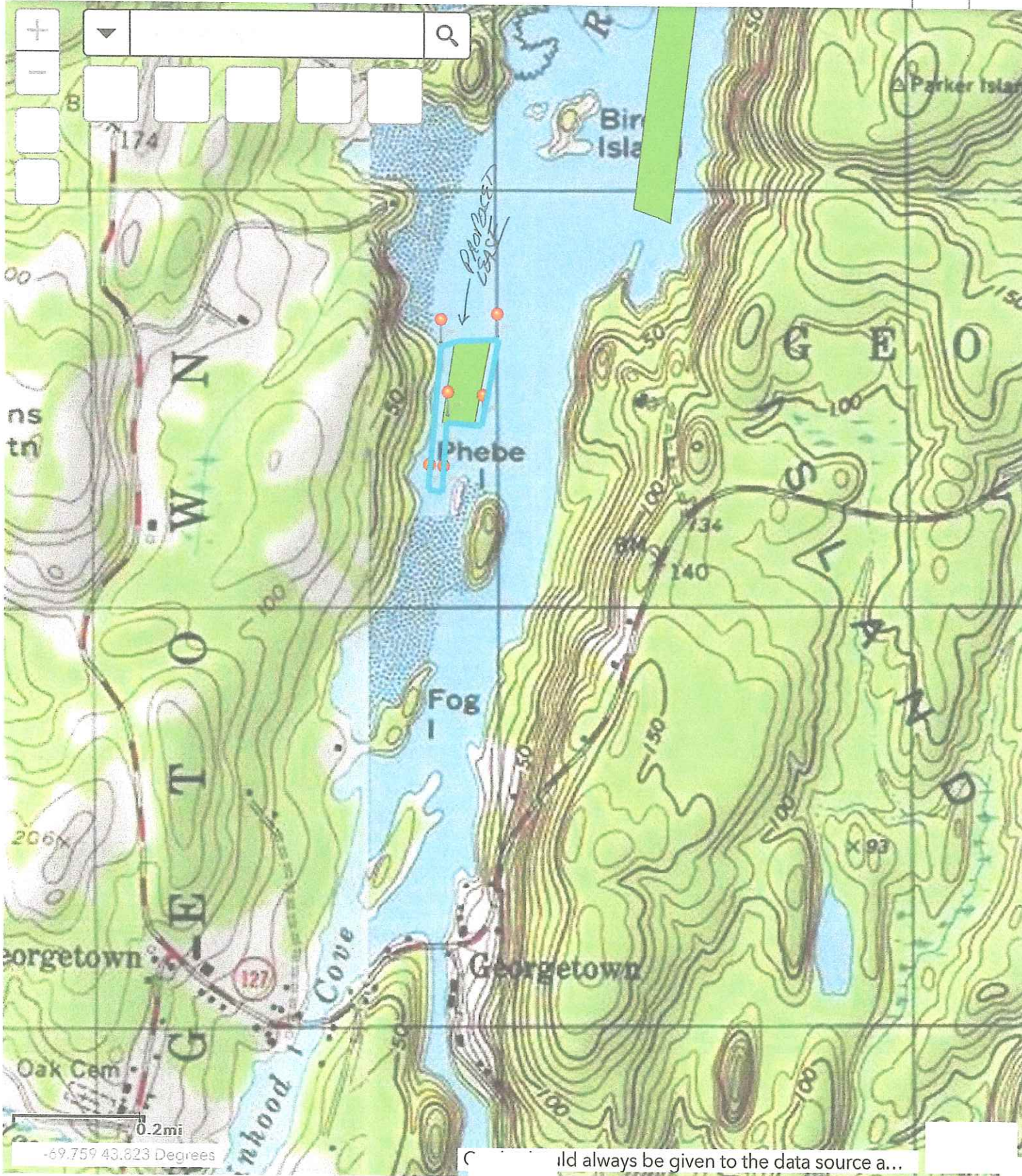
- The waters, shore lands, and lines of mean high and mean low water within the general area of the lease
- An arrow indicating true north
- A scale bar
- The approximate lease boundaries

6. BOUNDARY DRAWING

Note: Please label as: 'Boundary Drawing'.

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

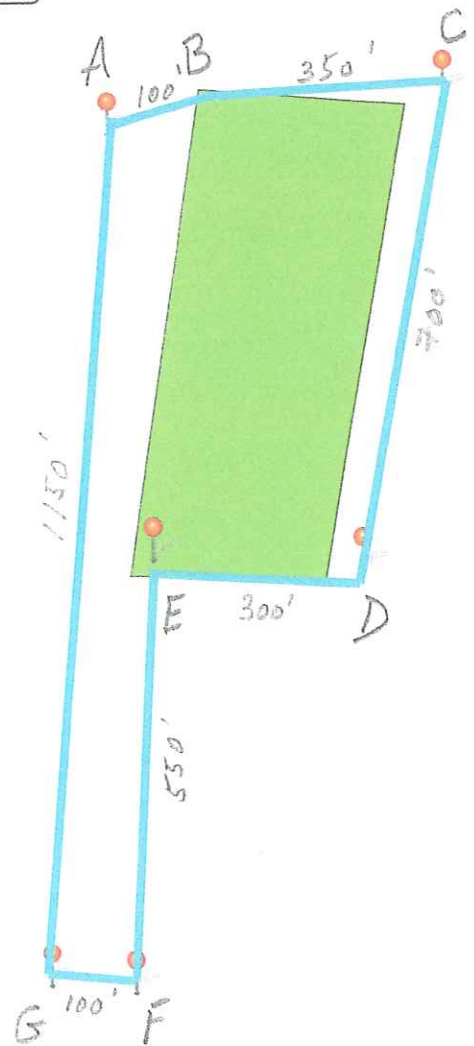
- Coordinate Description
Provide geographic coordinates for each corner of the lease site in latitude and longitude as accurately as possible (e.g., to the nearest second or fraction of a second). Identify the datum from the map, chart, or GPS unit used to develop these coordinates. The datum will be shown on the map or chart you are using. The Coordinate Description may be provided separately from the Boundary Drawing.



Map navigation controls including zoom in (+), zoom out (-), and a search bar with a magnifying glass icon.

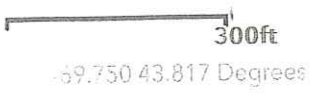


GREEN = EXISTING LEASE
 BLUE = PROPOSED LEASE PERIMETER



SEE ADDENDUM FOR BOUNDARY COORDINATES

THIS DRAWING IS MAGNIFICATION OF VICINITY MAP



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id always be given to the data source a...

COORDINATES ADDENDUM
TO BOUNDARY DRAWING &
VICINITY MAP

corner	lat	long
A	43.817159	-69.747289
B	43.817468	-69.746173
C	43.817298	-69.745572
D	43.815564	-69.746023
E	43.81561	-69.747096
F	43.814031	-69.747224
G	43.814062	-69.747654

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

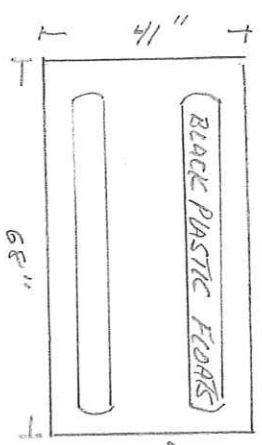
Directions: Include a drawing of an individual piece of gear for each of the gear type(s) you plan to use. Include units referenced (i.e. 10in, 10ft, etc.).

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
Oyster Cage (2 pontoon – 6 bag)	68"x41"x23"	On surface March 15 to December 15 – sunk remainder of year	720	Easter oyster + quahog
Oyster Cage (2 pontoon – 4 bag)	45"x36"x22"	On surface March 15 to December 15 – sunk remainder of year	40	Eastern oyster + quahog
Oyster Cage (2 pontoon – 2 bag)	40"x36"x12"	On surface March 15 to December 15 -- sunk remainder of year	180	Eastern oyster + quahog
Nursery box	24"x24"x6"	On surface May 15-Sept. 15 – ashore remainder of year	120	Eastern oyster + quahog

GEAR DRAWINGS

6 BAG CAGE

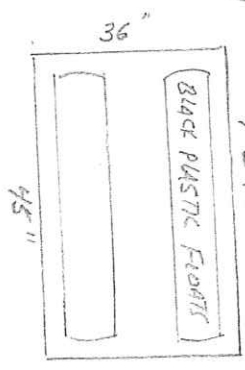


LOBSTER WIRE OVERLAP CAGE CONSTRUCTION

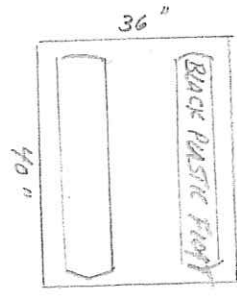
NURSERY BOX (WOOD CONSTRUCTION)



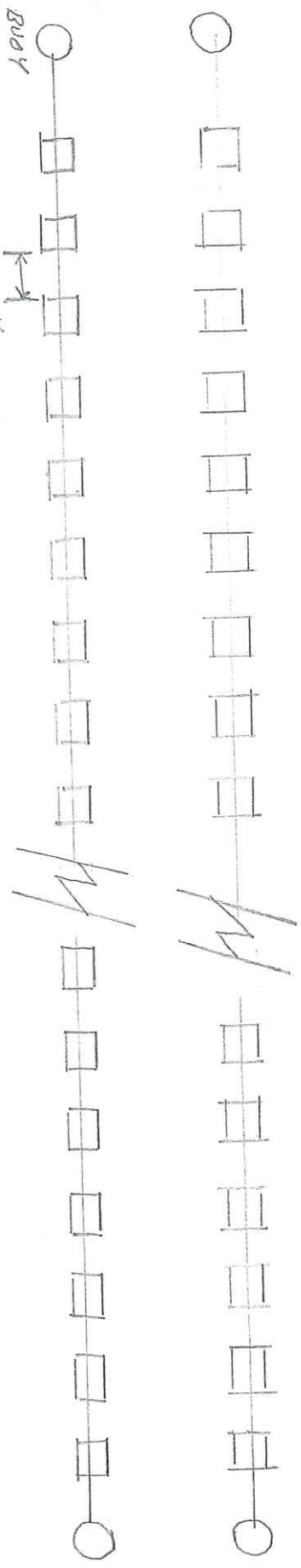
GEAR PLAN VIEW (OVERHEAD VIEW)



4 BAG CAGE

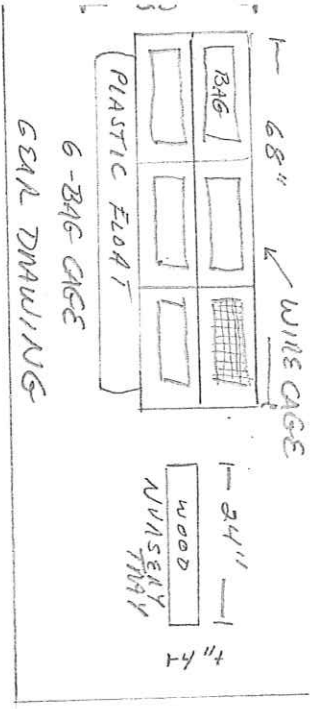


2 BAG CAGE

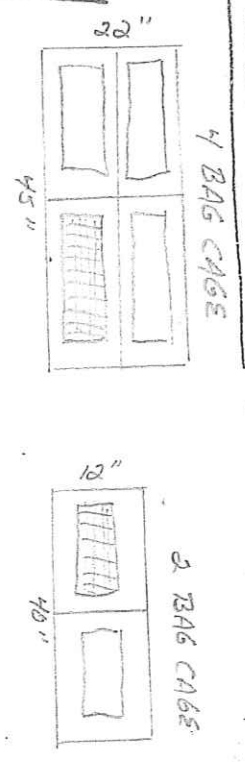
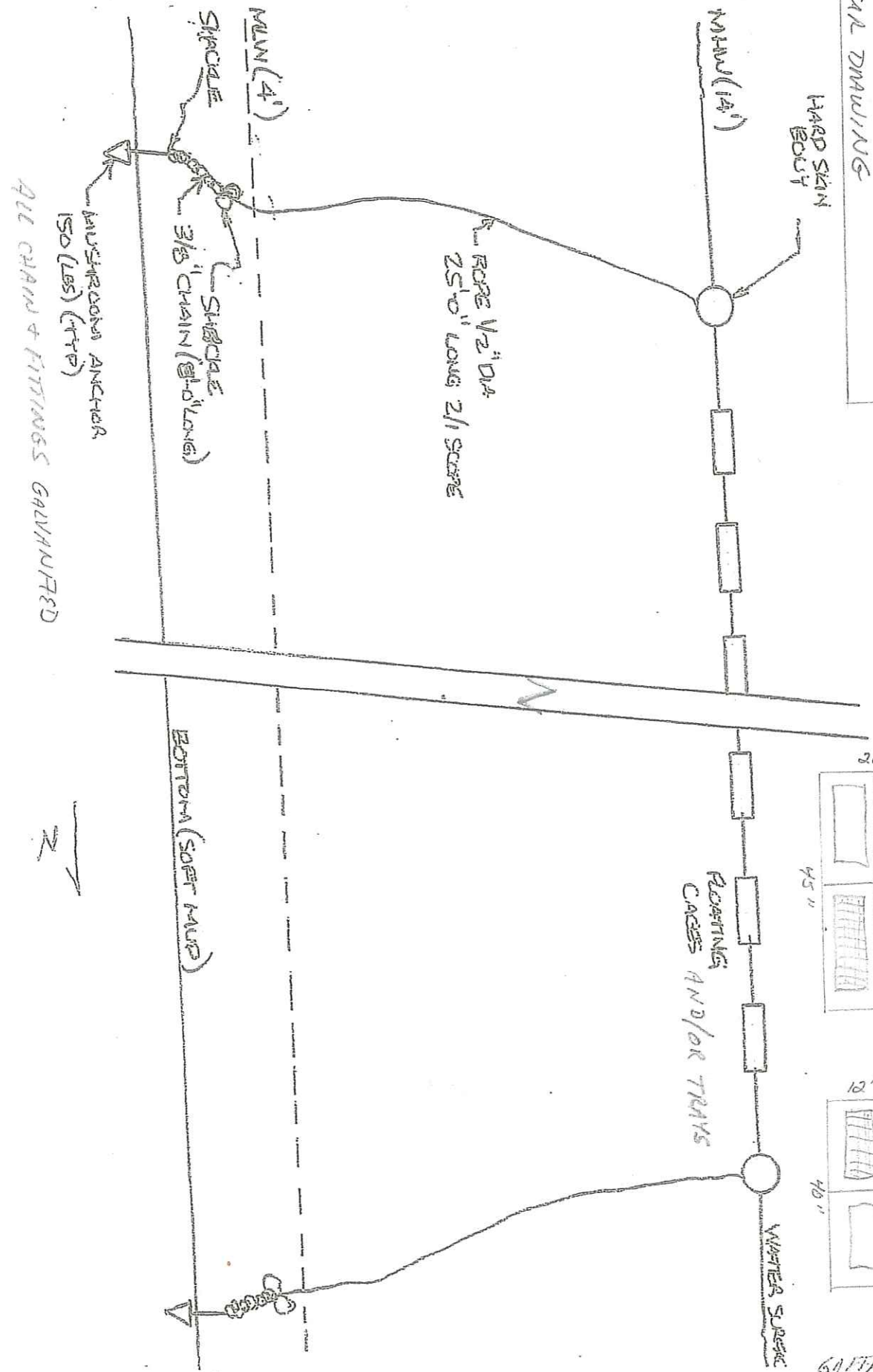


8'-6" MAX

LONG LINE SEGMENT - MAX 200' - 30 CAGES/TRAYS PER LINE SEGMENT ANCHORS AT EACH END

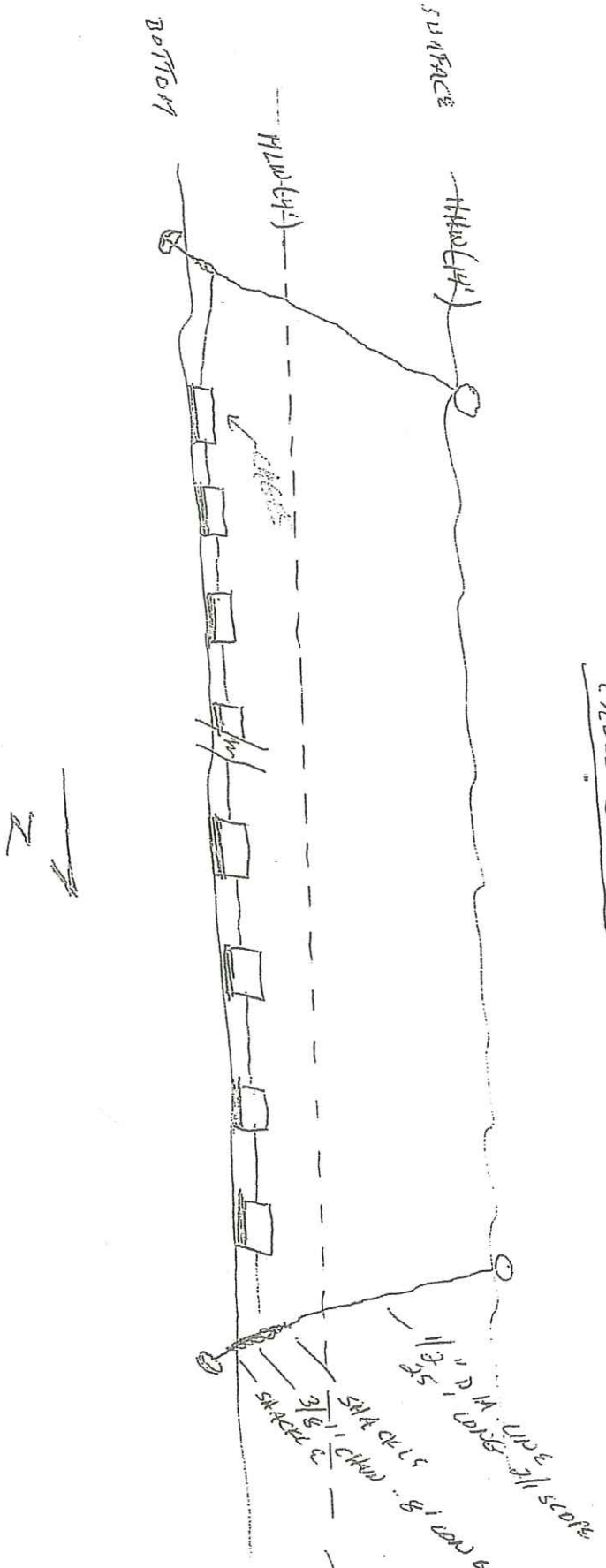


GEAR PLAN - CROSS SECTION (APRIL-DECEMBER)



FLUORINE CAGES AND/OR TRAYS

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OVERWINTERING PLAN (DECEMBER - MARCH)
CROSS SECTION

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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.

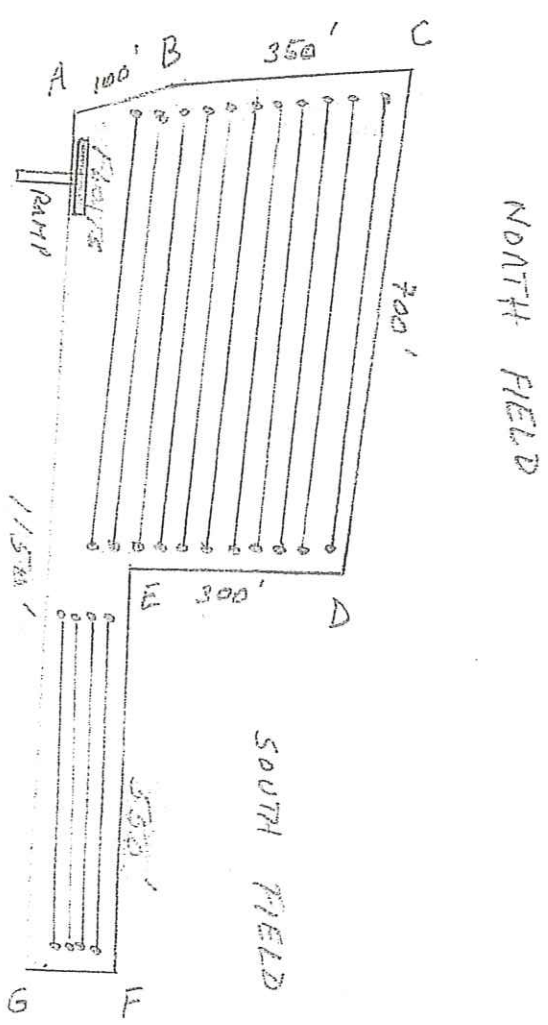
2. Cross-Section View. Please include the following and label as "Cross-Section View":
 - The sea bottom.
 - Profile of gear in cross-section as it will be deployed.
 - Label gear with dimensions and materials.
 - Show mooring gear with mooring type, scope, hardware, and line type and size.
 - Depth 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 below, 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.
Shore attached ramp and floats - Ramp is aluminum - Floats are wood with closed cell foam – stainless steel fasteners and galvanized fittings - <i>ALL CONCRETE PERMIT IS ATTACHED NAE-2017-02771</i>
2. Describe the storage and use of oil, gasoline or other hazardous materials on this facility. If petroleum products are to be stored on site, provide a spill prevention plan.
No hazardous materials will be stored on this facility.

MAXIMUM STRUCTURE AND MOORING SYSTEM SCHEMATIC (OVERHEAD VIEW)



The proposed lease will consist of two fields of floating gear

NORTH FIELD

- The North field will consist of 11 lines of gear, each 600' long
- Each line will be secured by 4 equally spaced 150lb mushroom anchors
- Lines will be spaced 30' apart

SOUTH FIELD

- The South field will consist of 4 lines of gear, each 450' long
- Each line will be secured by 4 equally spaced 100lb mushroom anchors
- Lines will be spaced 20' apart

BOTTOM PLANTING

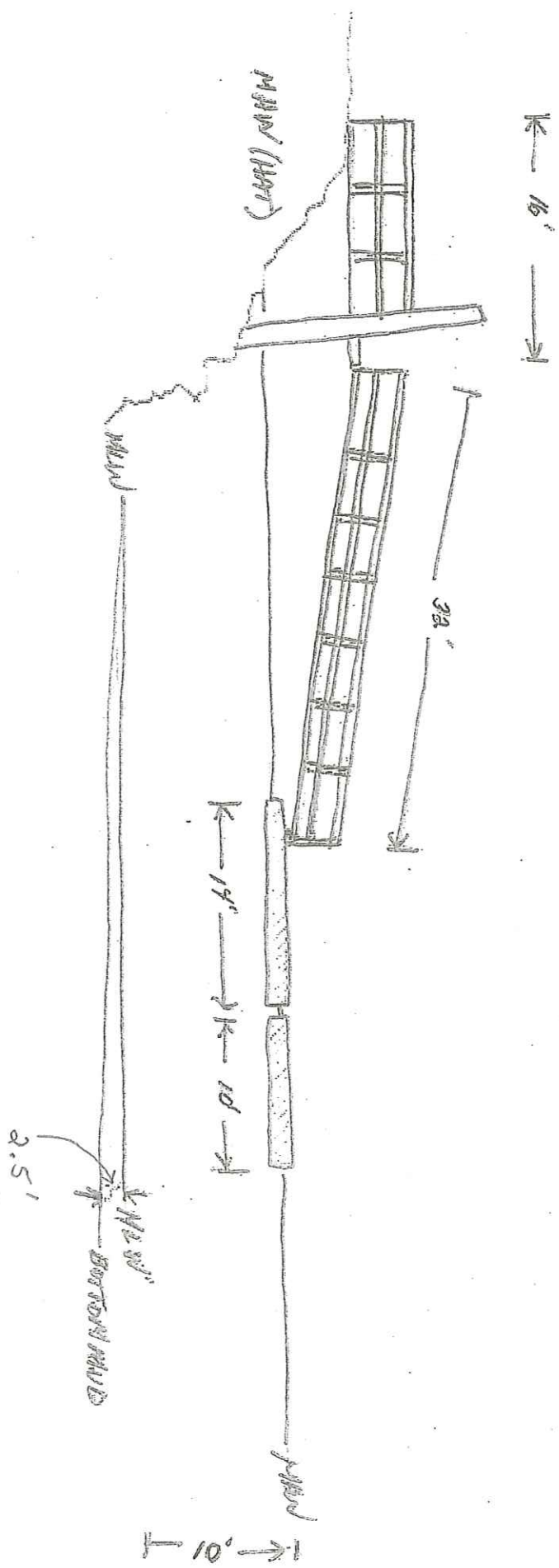
Bottom planting of shellfish may occur anywhere within the footprint of the lease area (North and South Fields)

Bottom plant harvesting will be by hand held basket rake from either of the farm's two skiffs. Rake dimensions - 10' wooden handle, stainless steel 12 prong head (12" x 9" x 6").

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GAFFNEY/ENOS
PIER/RAMP/FLOATS

ELEVATION / SECTION VIEW



ARMY CORP 5 PERMIT
NAE-2017-02771
16680-2100-30N

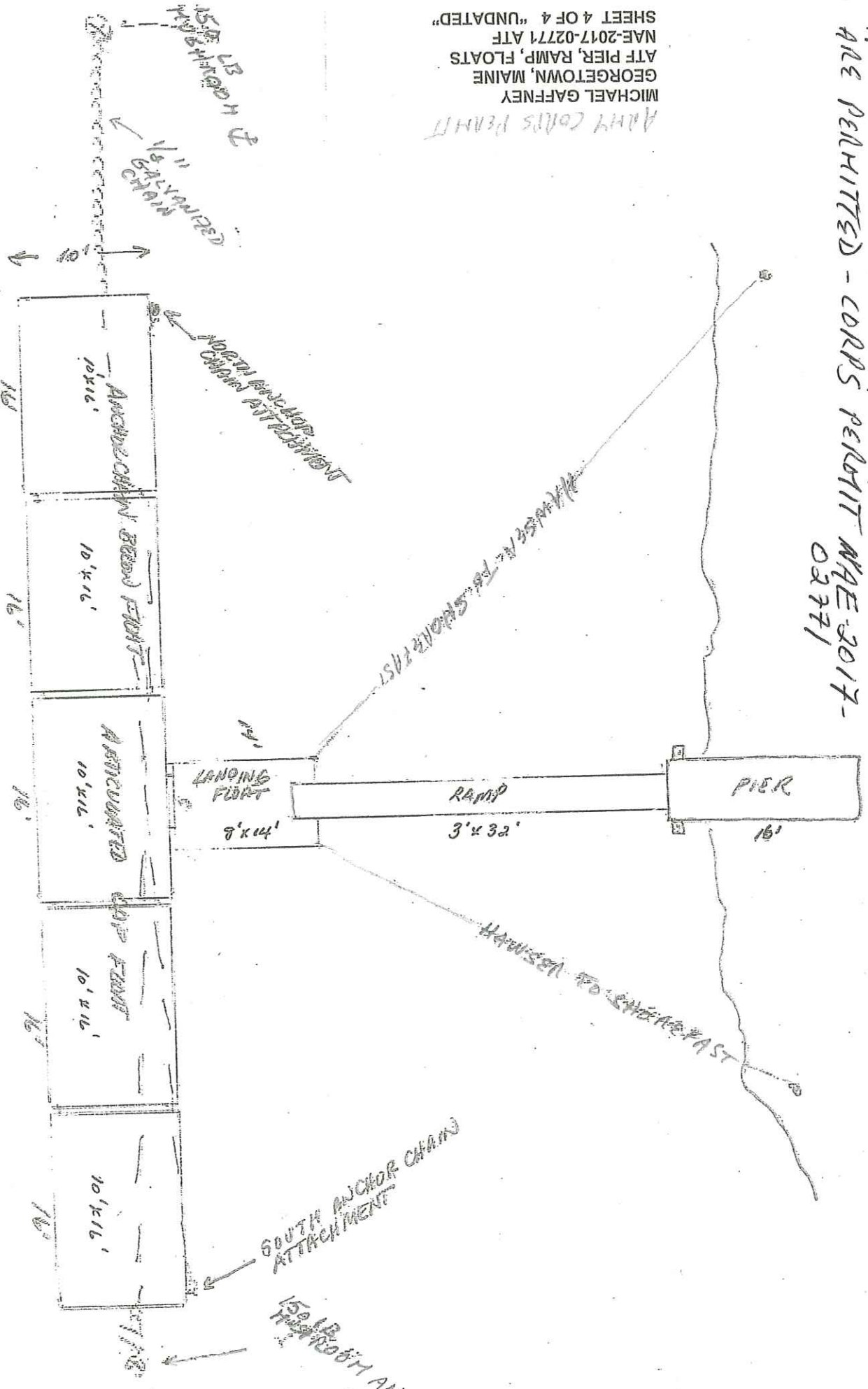
MICHAEL GAFFNEY
GEORGETOWN, MAINE
ATF PIER, RAMP, FLOATS
NAE-2017-02771 ATF
SHEET 3 OF 4 "UNDATED"

GAFFNEY

5B GAFFNEY

ARMY CORPS PERMIT
 MICHAEL GAFFNEY
 GEORGETOWN, MAINE
 ATF PIER, RAMP, FLOATS
 NAE-2017-02771 ATF
 SHEET 4 OF 4 "UNDATED"

PLAN/OVERHEAD
 GAFFNEY/CNOS PIER + FLOATS + RAMP
 ALL STRUCTURES (PIER, RAMP, FLOATS)
 ARE PERMITTED - CORPS PERMIT NAE-2017-
 02771



*NOTA BENE - FLOATS ARE WITHIN FOOTPRINT OF BASE. RAMP IS NOT.

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REPLY TO
ATTENTION OF

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

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

MICHAEL GAFFNEY
145 HEALD ROAD
GEORGETOWN, MAINE 04548

CORPS PERMIT # NAE-2017-02771
CORPS GP ID# 17-641
STATE ID# EXEMPT

DESCRIPTION OF WORK:

To retain and maintain a 5' x 16' pile supported pier with a 3' x 32' ramp leading to an 8' x 14' landing float leading to a series of 5 - 16' x 10' floats perpendicular to the shore below the mean high water line of Robinhood Cove off 145 Heald Road, Map R-4 Lot#21 at Georgetown, Maine as shown on plans entitled "Michael Gaffney" on 4 sheets undated.

LAT/LONG COORDINATES: 43.8173087° N -69.747403° W USGS QUAD: PHIPPSBURG, MAINE

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP). Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 37 of the GP (page 16) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 13, 2020. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 13, 2021.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

II. STATE ACTIONS: PENDING [], ISSUED [], DENIED [] DATE NA

APPLICATION TYPE: PBR: TIER 1: TIER 2: TIER 3: LURC: DMR LEASE: NA:

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 11/16/17 LEVEL OF REVIEW: CATEGORY 1: CATEGORY 2:

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 404 10/404 103

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. 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>

NEAL.LEEANN.B.1239
504007

Digitally signed by NEAL.LEEANN.B.1239504007
DN: cn=US, o=U.S. Government, ou=DoD, ou=FA,
ou=USA, cn=NEAL.LEEANN.B.1239504007
Date: 2017.11.11 13:03:56 -0500

LEEANN B. NEAL
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

FRANK J. DEL GIUDICE 12-19-2017
DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION

50 GAFFNEY

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
Oyster cages (wire and pontoons are all black). Gear buoys are blue. Lease buoys are yellow.

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? <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).

EQUIPMENT LAYOUT

PHOTO TAKEN LOOKING SOUTH ACROSS PROPOSED LEASE AREA
FROM WEST SHORE AT VANTAGE POINT "A" COORDINATE.
NO GRASS AT CUMMISUT LEASE IS VISIBLE BECAUSE IT IS SOME
(WINTER).



EQUIPMENT LAYOUT

PHOTO TAKEN LOOKING NORTH ACROSS PROPOSED LEASE AREA
FROM WEST SHORE AT Vantage POINT "G" AND "F" (SEMI QUARTS
NO GRAD AT CURRENT LEASE AS VISIBLE BECAUSE IT IS SUN (WINTER).



8. PRODUCTION ACTIVITIES

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

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

Seeding will occur in late May, early June. Seed purchased from Mooks and Downeast Institute is placed in wooden nursery boxes which are then affixed to groundlines on the lease. Young oysters are removed from nursery boxes and placed in bags/cages in late July, mid-August.

B. Please explain your proposed OYSTER & QUAHOG tending/maintenance activities.

The lease is tended and maintained daily when the gear is on the surface by the farm manager who is both an owner and a year-round full-time employee. The lease is located directly and closely off the property of the lease holders and is visible from the windows of their residence.

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

Daily – please see above.

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

Thus far, all harvesting is done from surface cages and we expect this will continue to be the case. We do intend to experiment with the use of hand rake for harvesting of bottom planted oysters. We do not intend to drag harvest.

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

We are at site 7 days a week 12 months a year. Harvesting will be done daily from April through October, and then 2x a week in the winter months.

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.

Gear will be sunk in same location where it floats. Gear not positioned on the lease is stored on the owners' property directly adjacent to the lease.

H. Please provide details on any predator control techniques you plan to employ, including the use of bird deterrents. Will you use commercially available or custom equipment? If commercially available equipment, please include the brand and model names. If custom equipment, please attach a detailed schematic that includes the dimensions, materials, and function of the equipment.

No predator control techniques have been used or are planned.

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?

21' Carolina skiff and 16' New Jersey skiff will be employed. They are tied up alongside floats within the perimeter of the lease and so are on the site daily.

The 21' skiff is powered by a 90HP Yamaha 4-stroke outboard
The 16' skiff is powered by a 25HP Yamaha 2-stroke outboard

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?

We will be operating an oyster tumbler, shaker table, high volume pump, and power washer on the shore-attached floats which also house the two skiffs mentioned above. All equipment will be powered by electricity (shore power) other than the power washer which will be gas driven. The 21' skiff is powered by a 90HP Yamaha 4-stroke outboard. The 16' skiff is powered by a 25HP Yamaha 2-stroke outboard. One skiff is operating each day, but usually attached to the gear with the engine off. Tumbler and shaker table operation will be seasonal, 2 hours at a time, about mid-day. Power washer is used about twice a week for 2 hours at a time.

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

We are adding shore power to our floats allowing us to change over to all-electric powered equipment, with possible exception of power washer (we may go electric with that too) which will reduce noise levels. Also, our boats travel only a hundred feet to the lease and we operate almost entirely at idle speed (except occasionally to clean out the carbs).

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.

We don't currently plan on any lights on the site.

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

Not anticipated other than in a possible emergency – sinking gear in advance of a hurricane.

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.

SAS Plx – Same operation as described in this application – we hope to convert (and expand) our experimental lease operation into a standard lease operation. The only that would change is the size of our operation, the inclusion of our floats into the lease footprint (instead of relying on a wet storage permit) and the use of our own tumbler/shaker table rather than use the Robinhood Coop equipment.

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.

Existing Experimental lease will be terminated as this standard lease would incorporate the same footprint as the experimental lease.

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?

3-5 feet

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

12-14 feet

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

Max current is 1.5 knots, running north and south. Our strings of gear also run north and south in alignment with the current.

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

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

Mud with two rock/ledge outcroppings within the lease footprint

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

Flat

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?

Occasional – striped bass, green crab,

4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.

No shellfish beds. Some striped bass in the summer months.

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.

No eelgrass within the proposed lease area – only mud. This is based on our observation of using this water for recreational and farming purposes over 20 years.

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

Rocky shoreline – then conifer and deciduous forest and grass (the lease abuts the owners' property where our residence is located).

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.

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 the activity occurs; c) frequency; and d) proximity to the lease site.</p>
<p>1. Commercial Fishing</p> <p>None</p>
<p>2. Recreational Fishing</p> <p>Occasional striped bass trolling (mostly kayak/canoe but sometimes small outboard) – in summer months – maybe 6 times a year – generally outside the lease perimeter.</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).</p> <p>Most boating activity is during the summer with north/south transit of channel connecting mooring area south of Phoebe Island to Upper reaches of Robinhood Cove and Sheepscot River. The eastern boundary of this proposed lease is 600 feet to the west of the centerline of this channel. Other than shoal draft craft (kayaks and small outboards) boats rarely venture over to this west side of the cove because it is shallow, has unmarked rocks, and is off the beaten path. One neighbor does sail his keel boat over towards my farm a few times in the summer months.</p>
<p>4. Riparian Ingress/Egress</p> <p>The only riparian owner adjacent to this proposed lease is the petitioner for this lease, and we have left ourselves (and neighbors) room to move boats in and out. The proposed lease area does not impede any riparian owners within 1000' feet of the lease to access their docks or moorings. The Heald and Longstreet floats and moorings are well clear of the lease and the Cogburn and Azzam moorings (closer) are accessed from petitioner's floats where these neighbors keep their dinghies.</p>
<p>5. Other uses (kayaking, swimming, etc.):</p> <p>No swimmers have been observed. Kayakers and small boat operators do pass through the lease area, or along the perimeter and some are coming specifically to visit or check out the farm. They are welcome</p>

<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.</p>
<p>Howard Heald's float 700' David Longstreet's float and mooring 700' Fateh Azzam's mooring 100' Lex Cogburn's mooring 200' Gaffney (applicant) moorings within lease footprint</p>

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

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 have never seen lobstering or other commercial fishing done in this area, and don't anticipate any in the future, but I would like to exclude it because I think it is incompatible with the density of the floating gear. Small boat recreational use (fishing and transiting north and south between the rows of gear) is not excluded.

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), 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.
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?

Access is by applicant's property and dock/float.

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

It will not interfere with any 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: Georgetown

MAP #	LOT #	Landowner name(s) and address(es)
R4	21	Michael & Gloria Gaffney PO Box 379 Georgetown, ME 04548
R4	36	Geoff Birdsall PO Box 221 Georgetown, ME 04548
R4	20-C	Lex Cogburn 5280 North Ocean Drive, Apt 12C, Singer Island, FL 33404
R4	20-B	Fateh Azzam & Mary McKone PO Box 249 Georgetown, ME 04548
R4	22	Dave Knauber PO Box 259 Georgetown, ME 04548
R4	23	Sharon Lapp c/o Diana Lapp. 450 St. James St., Portland ME 04102

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Alexandra Neese, Town Clerk for the Town of Georgetown 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: Alexandra Neese DATE: 1-28-21
Alexandra Neese 3-2-21

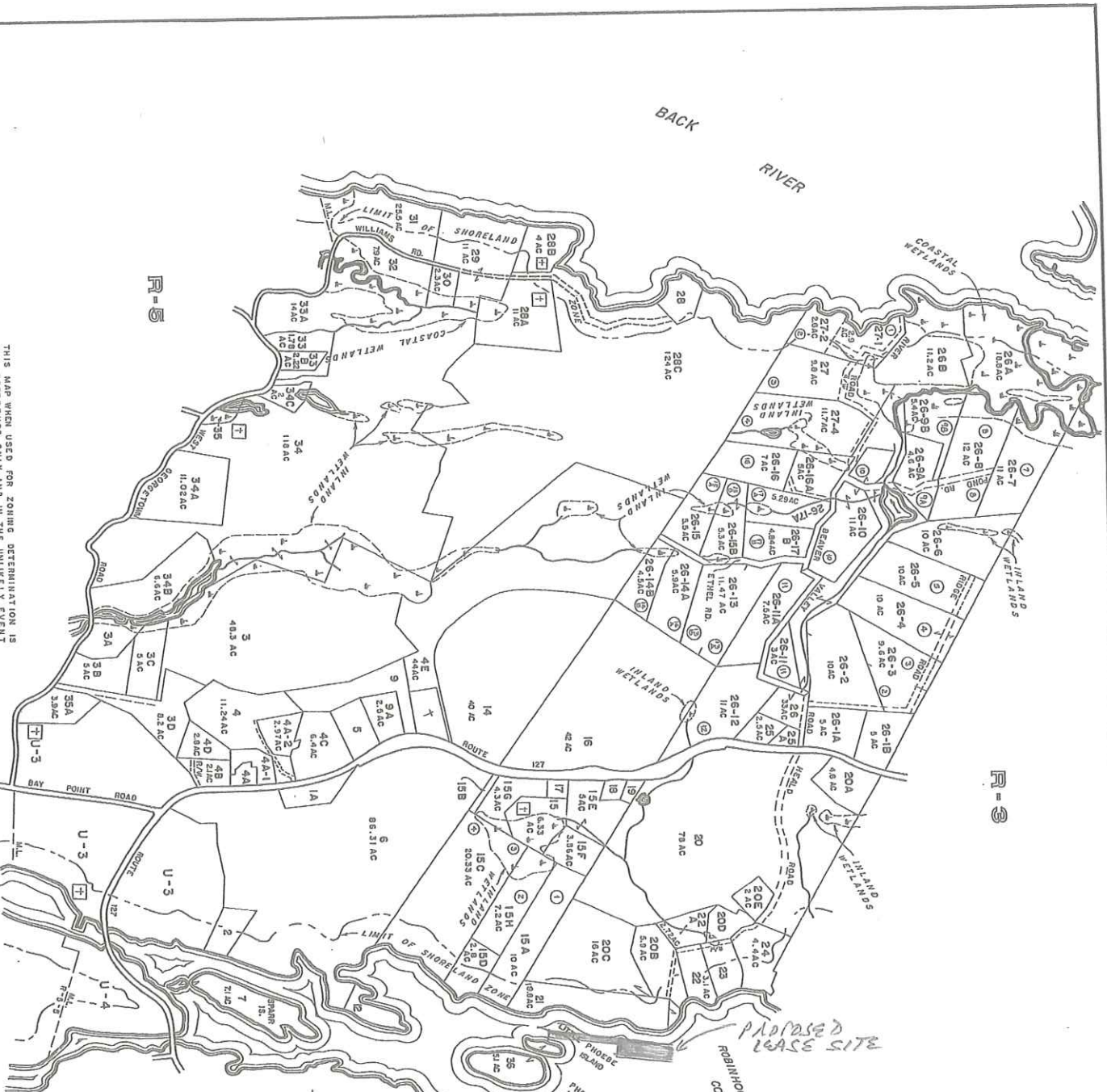
MAP #	LOT #	Landowner name(s) and address(es)
R4	15A	Nicholas Maurelis 4 Birchwood Dr. Great River, NY11739
R4	15D	Kathleen & Robert Ireland. 77 Higgins Farm Rd. Georgetown, ME 04548
R10	13	Helen Peters 133 South St. Needham, MA 02492
R10	13A	Harve Irene Garant III & Sarah M. Garant. 73 Kings Point Rd. West Bath, ME 04530
R10	8	David Longstreet PO Box 218 Georgetown, ME 04548
R4	15C	ROBERT + SHARON TRABONIA PO BOX 317 GEORGETOWN, ME 04548
R4	24	HOWARD + THERESA HEALD 20 CUNNINGHAM LANE GEORGETOWN ME 04548
R3	002-A	LON + LISA POVICH 9 SOUTHWICK CIRCLE WELLISLY MA 02421

Alexandra Neese
Town Clerk

Alexandra Neese 3-2-21
Town Clerk

16A

GAFFNEY



TRUE COPY ATTEST
Melvin M. Noyes
 TOWN CLERK

PROPERTY MAP
GEORGETOWN
 MAINE

SCALE IN FEET
 0 500 1000

R-4

NO PARCEL 8,10,11,1

THIS MAP WHEN USED FOR ZONING DETERMINATION IS FOR REFERENCE ONLY AND IN THE UNLIKELY EVENT OF A CONFLICT THE ORDINANCE WILL PREVAIL.

LEGEND
 ADJACENT SHEET NO. 12
 COMMON OVERLAP 150
 DEVELOPMENT LOT NO. 2
 SLOPED DIMENSION

PREPARED BY PHOTOGRAMMETRIC METHODS BY
 JOHN E. O'DONNELL & ASSOCIATES
 AUBURN, MAINE
 1974

16 B GAFFNEY

PREPARED BY PHOTOGRAMMETRIC METHODS BY
 JOHN E. DONNELL & ASSOCIATES
 AUBURN, MAINE
 1974

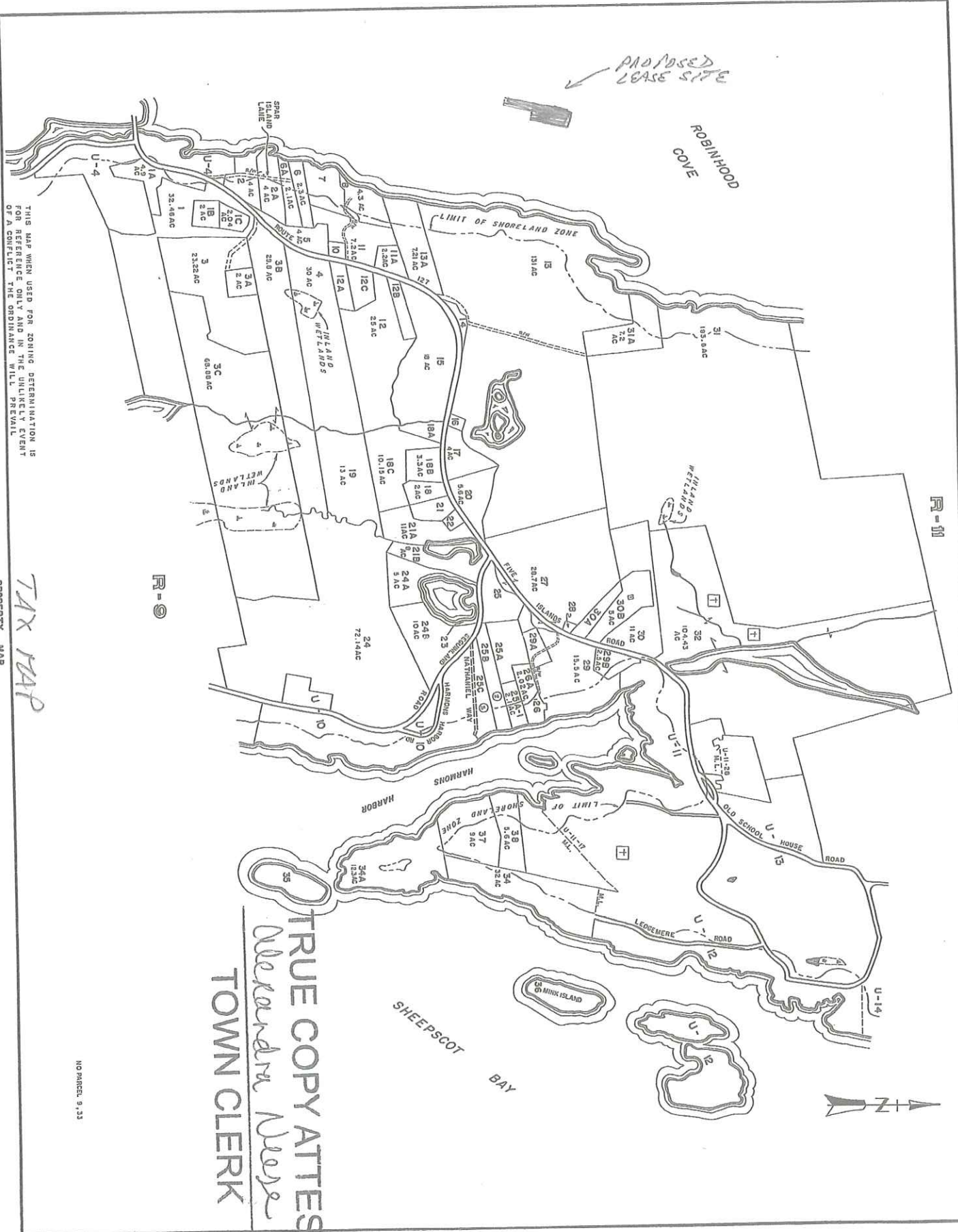
THIS MAP WHEN USED FOR ZONING DETERMINATION IS
 FOR REFERENCE ONLY AND IN THE UNLIKELY EVENT
 OF A CONFLICT THE ORDINANCE WILL PREVAIL

LEGEND
 ADJACENT SHEET NO. 12
 COMMON OWNERSHIP 10V
 DEVELOPMENT LOT NO. 1
 SCALED DIMENSION

PROPERTY MAP
GEORGETOWN
 MAINE

SCALE IN FEET
 0 500 1000

R-10



PROPOSED LEASE SITE

ROBINHOOD COVE

R-11

R-9

TAX MAP

TRUE COPY ATTEST
Alexandra Mage
 TOWN CLERK

16C GAFFNEY

NO PARCEL 9,133

TRUE COPY ATTEST
Melinda Nease
 TOWN CLERK



THIS MAP WHEN USED FOR ZONING DETERMINATION IS FOR REFERENCE ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF A CONFIDENTIALITY OR PREVAL

7/11/10

PREPARED BY PHOTODUPLICATION METHODS BY
 JOHN E. DONNELL & ASSOCIATES
 AUBURN, MAINE

LEGEND
 ADJACENT SHEET NO. 12
 COMMON DIMENSION 100'
 DEVELOPMENT LOT NO. 1
 SCALED DIMENSION ±

PROPERTY MAP
 GEORGETOWN
 MAINE

SCALE IN FEET
 0 500 1000

R-3

16 D GARNER

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.
Michael Gaffney Oyster farmer for 4 years Recreational boater 60 years Commercial fisherman 2 years USCG licensed deep sea deck officer 1969-1974 USCG Great Lakes pilot 1971-1975
Mark Gaffney Oyster farmer for 4 years Recreational boater for 40 years USCG Able Bodied Seaman Graduate Landing School – Marine Systems Technician

16. FINANCIAL CAPABILITY

A. Financial Capability

Please provide documentation to show you have the financial resources to implement the proposal. For example, you may submit a letter from a financial institution or funding agency indicating that you have an account in good standing, or their willingness to commit funds. Note: Any financial information you submit with your application is part of the public record. Please exercise discretion when submitting financial information.
Eros Oyster has checking account in good standing with Bath Savings Institution since 2018 as attested to in attached letter.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.
Cost already incurred since 2017 (\$150,000). Additional cost anticipated to achieve steady state by 2024 (\$50,000)



Ben. F. Tickard

Bath Savings Institution
Since 1852

February 5, 2021

Maine Department of Marine Resources

This letter is to verify that Fros Oysters has held a business account with us since August 24, 2018. Michael E. Gaffney is the signer on the account with a mailing address of PO Box 404 Georgetown ME 04548. This account has been in a status of good standing since it's origination with no record of any NSF.

Please feel free to reach out to me directly should there be any further assistance needed.

Sincerely,

Rebecca Ewald
E-Banking Specialist II
Bath Savings
105 Front St
Bath ME 04530

Bath Savings
Since 1852

Rebecca Ewald
E-Banking Specialist

rewald@bathsavings.com
T 207-442-7711
F 207-386-1018

105 Front Street
PO Box 548
Bath, ME 04530

MEMBER FDIC EQUAL HOUSING LENDER

General Inquiries
105 FRONT STREET, PO BOX 548 BATH, MAINE 04530
TEL 207-442-7711 FAX 207-442-9137
1-800-447-4559
MEMBER FDIC

17A GAFFNEY


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	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 square feet of structure.

I, (*printed name of applicant*) Michael E. Gaffney 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

2/9/21
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*) Mark L. Gaffney 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

2/9/21
Date

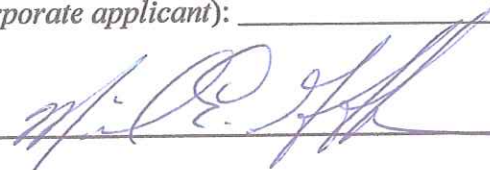
Note: Add title if signing on behalf of a corporate applicant.

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: Michael E. Gaffney

Title (if corporate applicant): _____

Signature:  Date: 2/9/2021

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: Mark L. Gaffney

Title (if corporate applicant): _____

Signature:  Date: 2/9/2021

19. LANDOWNER/MUNICIPAL PERMISSION REQUIREMENTS (if applicable)

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

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

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

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

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

Note to Applicants:

As you prepare your standard lease application for submission, please review the information below. It is intended to provide you with a general overview of when DMR communicates with applicants during the leasing process. It also includes answers to some frequently asked questions as they pertain to application processing.

When Will I Hear from DMR Regarding My Standard Lease Application?

Unless otherwise specified, DMR communicates with applicants via email. Please monitor any email address listed on your application on a regular basis. DMR communicates with standard lease applicants at specific times during the application review process, and you can expect to hear from DMR at the following times:

- 1. When your draft application is reviewed for completeness**
 - DMR strives to review draft applications within 30 days of receipt. However, you may be asked to submit additional materials or clarify aspects of your draft application, and this can lengthen the time it may take for a draft application to be reviewed.
 - DMR will notify you when the draft application can move forward to a scoping session.
- 2. When your final application is 'deemed complete'**
 - DMR strives to review applications within 30 days of receipt. However, you may be asked to submit additional materials or clarify aspects of your application, and this can lengthen the time it may take for an application to be deemed complete.
- 3. After DMR conducts the site visit a copy of the site report will be sent to you**
 - DMR conducts site visits for applications in the order they are deemed complete. However, the time of year, weather, and your proposed operations are all factors that may determine when site visits occur.
 - Site visits are scheduled and conducted at the discretion of DMR staff. Applicants are usually not present during site visits.
- 4. After the site visit has been conducted and the site report is compiled, DMR will contact you about scheduling the public hearing on your application.**
- 5. A copy of the draft decision will be sent to you for review and comment**
- 6. Should a lease be granted, there will be additional communications regarding the execution of your lease.**

Communications between an applicant and DMR tend to be more frequent during the application review period. Once an application has been deemed complete, communications become less frequent because the proposal is moving through the leasing process. Although DMR's communication with an applicant may become less frequent, applicants should feel free to contact DMR regarding the status of their proposal.

FAQs-Application Process

Why do I have to submit a "draft application?"

DMR regulations provide that before applicants can schedule a scoping session, they must provide DMR

with a draft lease application. Compiling a draft application helps you think through the important elements of your proposed operations. It also provides members of the public and other stakeholders with a tangible document that they can review and provide feedback on during the scoping session.

DMR will review your draft application and let you know when you can move forward with scheduling a scoping session.

What if, after the scoping session, I don't want to make any changes to the draft application?

If you don't want to make any changes to your draft application, you are still responsible for submitting the following prior to DMR's review of your "final application":

- Submit a new cover page (pg. 1 of this document) and applicant signature page (page 19 of this document) with a copy of the tear sheet advertising the scoping session and the final application fee.

DMR will not review a final application until all items listed above are received.

How does DMR staff review applications (applies to both draft and final applications)?

Applications are reviewed by DMR staff, in the order they are received, at regularly scheduled intervals. DMR staff are reviewing applications to make sure that they contain the requisite information and clearly answer the questions that are being asked. If items are missing or need further clarification, DMR will send you an incomplete letter, which specifies the elements of your application in need of modification. The letter will also include resubmission instructions.

DMR will then review any of the new information or materials you provide. Another incomplete letter may be sent if the additional information or materials need further clarification.

My final application was deemed complete. What does that mean?

The designation "deemed complete" means that the application contains the necessary information for further processing. It does not mean that the proposal will be granted.

How long does the leasing process take?

It depends on a variety of factors including the number of applications currently in process, the time of year an application is deemed complete in consideration of proposed operations, and the complexity of issues raised at a public hearing. These types of factors make it difficult to determine when a final decision on your proposal may be rendered.

When will my lease be granted?

Please note that applying for a lease is not a guarantee that your proposal will be granted. DMR will process your application and render a final decision on the proposal based on applicable evidence as it relates to the lease decision criteria. DMR will send you a copy of the draft proposed decision, which will either grant, or deny the proposal. DMR may also grant the proposal with modifications.

The leasing process is designed to serve multiple stakeholder groups, who all utilize Maine's coastal waters for a variety of different purposes and is intended to provide all stakeholder groups with the opportunity to provide feedback on your proposal. If you have questions about applying for a lease, please contact DMR at DMRaquaculture@maine.gov or 624-6567.