

STANDARD LEASE APPLICATION: NON-DISCHARGE**1. APPLICANT CONTACT INFORMATION**

Applicant	Jason Joyce and Joshua Joyce		
Contact Person	Jason Joyce		
Address	20 Grindle Rd.		
City	Swan's Island		
State, Zip	Maine, 04685		
County	Hancock		
Telephone	207 479 6490		
Email	swansislandcharters@gmail.com		
Type of Application	<input type="checkbox"/> Draft Application [submitted before scoping session] <input checked="" type="checkbox"/> Final Application [submitted after scoping session]		
Dates	Pre-Application Meeting: July 1 2022	Draft Application Submitted: Aug 30 2022	Scoping Session: Jan 21, 2023
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card Final Application: <input checked="" 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	Swan's Island
Waterbody	Burnt Coat Harbor
General Description (e.g. south of B Island)	Mill Pond
Lease Information	
Total acreage requested (100-acre maximum)	9.95
Lease term requested (20-year maximum)	20 years
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low water?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

3. GROWING AREA DESIGNATION

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

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

Growing Area Designation (e.g. WL):	EE
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>)	Muscongus Bay aquaculture 24 Seal Hedge Land Bremen, ME, 04551	2,000,000
2.		
3.		
4.		
5.		

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

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

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

5. VICINITY MAP

Note: Please label as: 'Vicinity Map'.

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

SEE Exhibit 1.

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 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.

SEE Exhibit 2

7. SITE DEVELOPMENT

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

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

A. Gear Information

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

1. Gear Drawing: Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as "Gear Drawing". This view must show the following:

SEE Exhibit 3 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
Soft Mesh Bags	35" x 20" x 4"	April 1 - Nov. 30	5,900 Bags	Oyster
Removable Posts	4-5' long 1.5" diameter	April 1 - Nov. 30	1,600 posts	Oyster
Post Holder	4-5' long 1.5" diameter	year round	1,600 post holders	Oyster
Helix Anchors	5' long	year round	166 5' helix (2 per line)	Oyster
Helix Anchors	2.5' long	year round	3,200 2.5' helix	Oyster
1/4" Line	1/4" Line	year round	800	Oyster

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.

SEE Exhibit 4

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).

SEE Exhibits 5 and 6

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.

No onsite support structures would be used

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 oil, gas, or other hazardous materials would be stored on site

D. Gear Color

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

The soft mesh bags are black in color, and posts would be dark grey.
Yellow marker buoys would be used at the corners, per DMR marking requirements.

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.

SEE Exhibit 7

F. Marking

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

☒ Yes ☐ No

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

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

8. PRODUCTION ACTIVITIES

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

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

The lease would be stocked with oysters in the months of April + May. We use our 8 LPA licenses (JJ04 117,217,318,418 and JOJO 117,217,318,418) located in the nearby lobster pound to culture our smallest seed and to overwinter our oysters. In the months of April + May, we would move oysters from these LPAs to this proposed lease. We would be on site 10 to 15 times during the seeding period, for no more than 4 hours at a time.

B. Please explain your proposed tending/maintenance activities.

Our lease would require very little routine maintenance because the gear design naturally flips the bags and tumbles the oysters twice each tide, any fouling growth on the bags is killed off by the sun. We plan to check on the gear visually (either from land or water) multiple times a week, and fix any issues that arise as needed.

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

We would be on site tending the gear a few times a month.

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

Oysters will not be harvested to market from this site, as the water quality is classified as restricted. We would move oysters from this lease to our LPA sites (JJ04 217,117,318,418 + JOJO 117,217,318,418), which are located in an area classified as open for shellfish harvest, in November. Oysters are moved by loading soft mesh bags from the lease site to lobster pound, where placed in oyster condos. Oysters will spend required amount of time at these LPAs before being harvested. In Spring, oysters with shell lengths of $2\frac{1}{2}$ " are not returned to the Mill Pond for another season, rather will remain on the LPAs for market.

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

Although we will not harvest oysters from this lease for market, we will remove all the oysters from the site in November. These oysters will be moved to LPAS (JJ04 117, 217, 318, 418, and JJ00 117, 217, 318, 418) for overwintering. We would be on site 4-5 days, for up to 4 hours each day, to remove gear and oysters from the site.

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 would be removed from the site each November. Gear would be stored at our dock, or on other properties we own, throughout the winter. Oysters will be overwintered at our LPAS in the lobster pound (JJ04 117, 217, 318, 418, and JJ00 117, 217, 318, 418).

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

So far we have not had an issue with predators, so we have no plans for predator controls.

- 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)

Oysters will not be harvested directly from this site to market. Instead, all product would be harvested to market from the LPA licenses we hold.

We have not seen birds roosting on our gear during the term of our experimental lease. If we do notice birds roosting, we will use wire ties / zip ties to deter them from roosting.

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?

Two Carolina skiffs with maximum lengths of 20' and maximum engine size of 50 hp. Vessels will be on site 20-30 times a season, and will remain onsite for no longer than 4 hours at a time.

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?

No machinery other than the boats listed above will be used on site. We do own tumbling equipment, but this activity would occur only at the lobster pound, and never on the lease site.

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

We would reduce the noise levels from boats used on the lease by powering our skiffs with 4-stroke engines.

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 lights would be used on site, other than head lamps and flashlights at night in emergency situations.

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

Work on site beyond daylight hours would only occur in emergency situations.

10. CURRENT OPERATIONS

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

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

We currently have one experimental lease (SWAN MPx) and 8 LPA licenses (JJ0Y 117, JJ0Y 217, JJ0Y 318, JJ0Y 418, JOJO 117, JOJO 217, JOJO 318, JOJO 418), all of which are used to grow oysters. This Standard lease would replace our experimental lease SWAN MPx. Our LPAs are used for seed culture for overwintering + for holding oysters prior to market harvest. Our experimental lease is currently used for summer grow-out of 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.

The experimental lease (SWAN MPx) would be replaced by this Standard lease, and the 8 LPA licenses would remain active.

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?

0-3 feet

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

9-13 feet

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

1-2 Knot ebb and 1-2 Knot flood. The current in the mill pond runs in a circular pattern.

<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>The bottom of the lease area is made primarily of mud</p>
<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p>There is a little dip in a few spots, but the proposed lease area is mostly 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>Seaweed is common on ledges and boulders outside of the site. There are a few periwinkles and barnacles and the occasional green crab. These organisms are rare within the proposed lease site. There are some old mussel shells, but live mussels are rare in the area</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>There was a small historical mussel bed in the area but live mussels are rare now. We are not aware of other shellfish beds or fish migration routes.</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 seen any live eelgrass in the mill pond since we began farming in the area.</p>

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

There are rocky, flat ledges, and occasional Spruce trees with the occasional gravel patch.

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

☐ Yes ☒ No

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

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

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

Over the last 5 winters,
Ice in on Dec. 15
Ice out on March 15

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

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

12. EXISTING USES

<p>A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.</p>
<p>1. Commercial Fishing</p>
<p>We have not observed commercial fishing in the mill pond.</p>
<p>2. Recreational Fishing</p>
<p>We have not observed recreational fishing in the mill pond.</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</p>
<p>There is a very minor amount of kayaking in the area in the summer months. There is a navigable channel within a 1/2 mile of the site outside of the mill pond. There is also a dock that collapsed, and is no longer used, within 240' of the site. It is extremely rare to see a powerboat in the mill pond because it is shallow and rocky.</p>
<p>4. Ingress and egress (i.e. coming and going) of shorefront property owners within 1,000 feet of the proposal (e.g. docks, moorings, landing boats on shore, etc.)</p>
<p>People do not typically access their shorefront property from the mill pond because at high tide the cove is shallow and rocky and at low tide it has extensive mud flats. Some property owners within 1,000 feet of the proposal are located outside of the mill pond, and have docks along the shoreline of Burnt Coat Harbor.</p>
<p>5. Other uses (kayaking, swimming, etc.)</p>
<p>There is minimal swimming in the area, we have never seen swimming in the mill pond. Kayaking is rare in the mill pond.</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.

Yes, there is 1 mooring used minimally during Severe Storms to hold a float that is only there for duration of Storm. There is also the Mill Pond Park public access point within 240' of the site, and a collapsed wharf within 240' of the site.

C. Are there public beaches, parks, docking facilities or federally, state, or municipally conserved lands within 1,000 feet of the proposed lease site? If yes, please describe and include approximate distances from proposed lease.

Yes, Mill Pond Park Public Access is within 240' of the site and is used mostly for landing Kayaks; not as a beach area for swimming.

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, we hold an experimental lease within the boundaries of this proposed lease (SWAN MPx). This proposed lease would replace SWAN MPx. There are also 2 LPA licenses about 1,200 feet South which are owned by Timothy Trafton (TTRA 119 and TTRA 219).

13. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If your lease is within 1,000ft of shorefront land (**which extends to mean low water or 1,650 ft. from shore, whichever is less, according to NOAA charts**), the following supporting documents are required:

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

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

☐ Yes ☒ No

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

C. How will you access the proposed site?

We would access the site from the Town Public Access at Mill Pond Park and from our dock from the west side of the harbor.

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

People do not typically access their shorefront property from the mill pond because at high tide, the cove is shallow and rocky and at low tide, it has extensive mud flats. Therefore, the lease is not expected to negatively affect riparian access. Additionally, there will be space between the rows of gear that small boats can operate in the mill pond could drive through and a 50-foot gearless corridor running north to south that boats can operate through.

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: Swan's Island

MAP #	LOT #	Landowner name(s) and address(es)
7	6	Timothy Adams 137 W. Harney St. Philadelphia, PA 19144
7	9	William Neilson 69 Mill Island Rd Arrowsic, ME 04530
7	10	Gary + Laurie Farley P.O. Box 305, Swan's Island ME 04685
7	11	Mill Pond Park Town of Swan's Island, P.O. Box 11, Swan's Island, ME 04685
7	12	Florian + Margaret Schieff 5219 Leonard Cordova Rd Pensacola, FL 32496
7	17	Casey Locke / Katherine Johnson 1441 W Rosemont Ave, Apt 3E, Chicago, IL 60660

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Gwen J. May Town Clerk for the Town of Swan's Island 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: Gwen J. May DATE: 12.31.24

Gwen J. May

Notary Public

STATE OF MAINE

My Commission Expires 07/10/2025

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TOWN OF: Swains Island

MAP #	LOT #	Landowner name(s) and address(es)
7	18	Marla Fugazzi 13 Deane St Ellsworth, ME 04605
7	21	Sarah Mirkkin 2500 N Lakeview Ave. Unit 3003, Chicago, IL 60614
7	26	Marina Peters 445 Elizabeth St., Fort Lee, NJ 07024
7	27	Carey Navarro 7907 Burthe St. New Orleans, LA 70118
7	28	See Land Company, LLC P.O. Box 220 Island Falls, ME 04747
7	29	Donald Carlson P.O. Box 188, Swains Island, ME 04685

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Gwen J. May Town Clerk for the Town of Swains Island 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: Gwen J. May DATE: 12.31.24

Gwen J. May

Notary Public

STATE OF MAINE

My Commission Expires 07/10/2025

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TOWN OF: Swan's Island

MAP #	LOT #	Landowner name(s) and address(es)
7	30	Marina Peters 445 Elizabeth St., Fort Lee, N.J. 07024
7	77	Leslie + Rhonda Ranguist 352 Minton Rd, Swan's Island, ME. 04685
7	32	Timothy Traflet 388 Minton Rd, Swan's Island, ME. 04685
7	Island 33	Joseph + Belva Staples 170 Red Point Rd, Swan's Island, ME. 04685
7	Island 34	Gary + Laurie Farley P.O. Box 305, Swan's Island, ME. 04685
7	22	Leslie + Rhonda Ranguist 352 Minton Rd, Swan's Island ME 04685

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TOWN OF: Swan's Island

MAP #	LOT #	Landowner name(s) and address(es)
7	23	William French / Paul Gott 2105 Parkside Dr. E Seattle, WA. 98112-2305
7	24	Nancy Carter / Gerri Lynn Smith 351 Minturn Rd, Swan's Island, ME. 04685
7	25	Leslie + Rhonda Rangvist 352 Minturn Rd, Swan's Island, ME 04685
7	48	Leslie + Rhonda Rangvist 352 Minturn Rd, Swan's Island, ME 04685

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Gwen J. May, Town Clerk for the Town of Swan's Island, 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: Gwen J. May DATE: 12-31-24

Gwen J. May

Notary Public

STATE OF MAINE

My Commission Expires 07/10/2025

14. TECHNICAL CAPABILITY

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

Both of us have spent our entire lives working on the water, and we both took the Aquaculture Business Development course through the Island Institute. Josh has been lobstering since 1993, Jason has been lobstering since 1988. Jason also has a Captain's license and runs charters out of multiple boats.

15. FINANCIAL CAPABILITY

A. Financial Capability

Please provide a letter from a financial institution indicating the applicant has an account in good standing.

Note: Any financial information you submit with your application is part of the public record. Please exercise discretion when submitting financial information.

Letters from financial institutions are attached with this application.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

We had most of the equipment until the 2 storm surges in Sand 24. Since then, it all washed away and we need to invest another 10K to be up and running.

16. 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) Jason Joyce have read DMR Aquaculture Regulations Chapter 2.64(10) (D) and if this proposed lease is granted by DMR, I will either open an escrow account or obtain a performance bond, in the amount determined by the lease category.


Applicant Signature

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

12/26/24
Date

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

I, (printed name of applicant) Joshua Joyce have read DMR Aquaculture Regulations Chapter 2.64(10) (D) and if this proposed lease is granted by DMR, I will either open an escrow account or obtain a performance bond, in the amount determined by the lease category.

Applicant Signature

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

12/26/24
Date

17. 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: Jason Joyce

Title (if corporate applicant): _____

Signature: [Signature] Date: 12/26/24

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: Joshua Joyce

Title (if corporate applicant): _____

Signature: _____ Date: 12/26/24

18. 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.

Obtain written permission from all intertidal landowners. Pursuant to 12 M.R.S.A. §6072(4)(F), the applicant must submit written permission of every riparian owner whose land to the low water mark will be used. The written permission needs to include the parcel and lot number of the shorefront owner(s), whose intertidal property the proposed site occupies, as recorded on the riparian landowner list.

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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

N

0 1,000 2,000 Feet

Exhibit 1: Vicinity Map

Swan's Island

Lease Proposal

Burnt Coat Harbor

Hockamock Head

Burnt Coat Harbor Light

Stanley Point

Harbor Island

Maine DMR, Maine Geological Survey, NOAA Office of Coast Survey



Exhibit 2: Boundary Drawing

Datum: WGS8

Field	LAT	LONG
NW	44.144364	-68.44117
Mid-N	44.14377	-68.439198
NE	44.143764	-68.437857
SE	44.142946	-68.437761
SW	44.142841	-68.441174

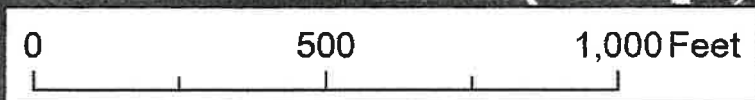
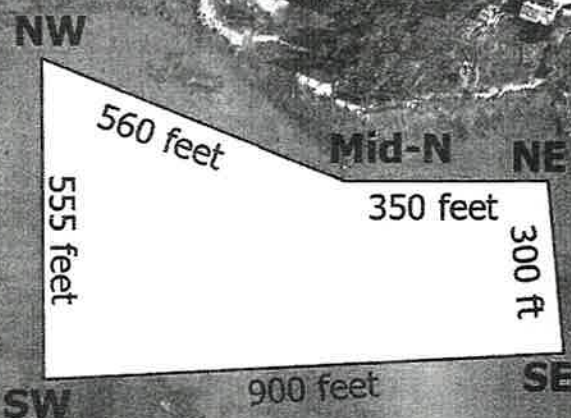


Exhibit 3: Gear Drawings

Removeable Post:

Length: 4' – 5'

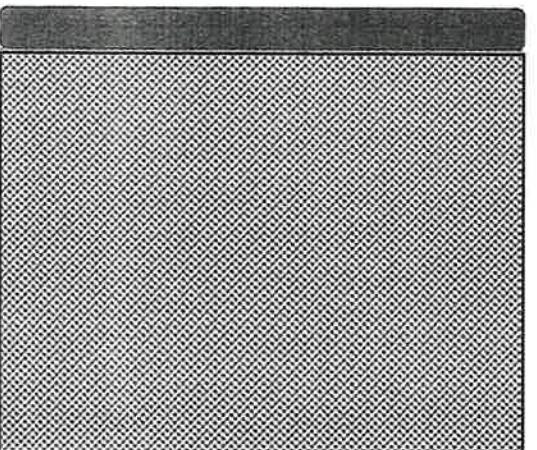
Diameter: 1.5"

Color: Gray



Helix Anchors:

Length: 2.5' or 5'



Soft Mesh Bag:

Size: 35" x 20" x 4"

Color: Black

Note: These bags have a float attached to one side of the bag, and on the other side, the bag would be attached to the horizontal line running between posts. This allows the bag to flip up when the tide is high, and hang down when the tide is low.

Post Holder:

Length:

Diameter:

Color:

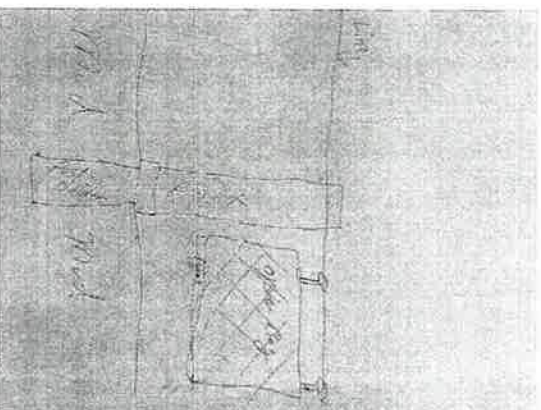
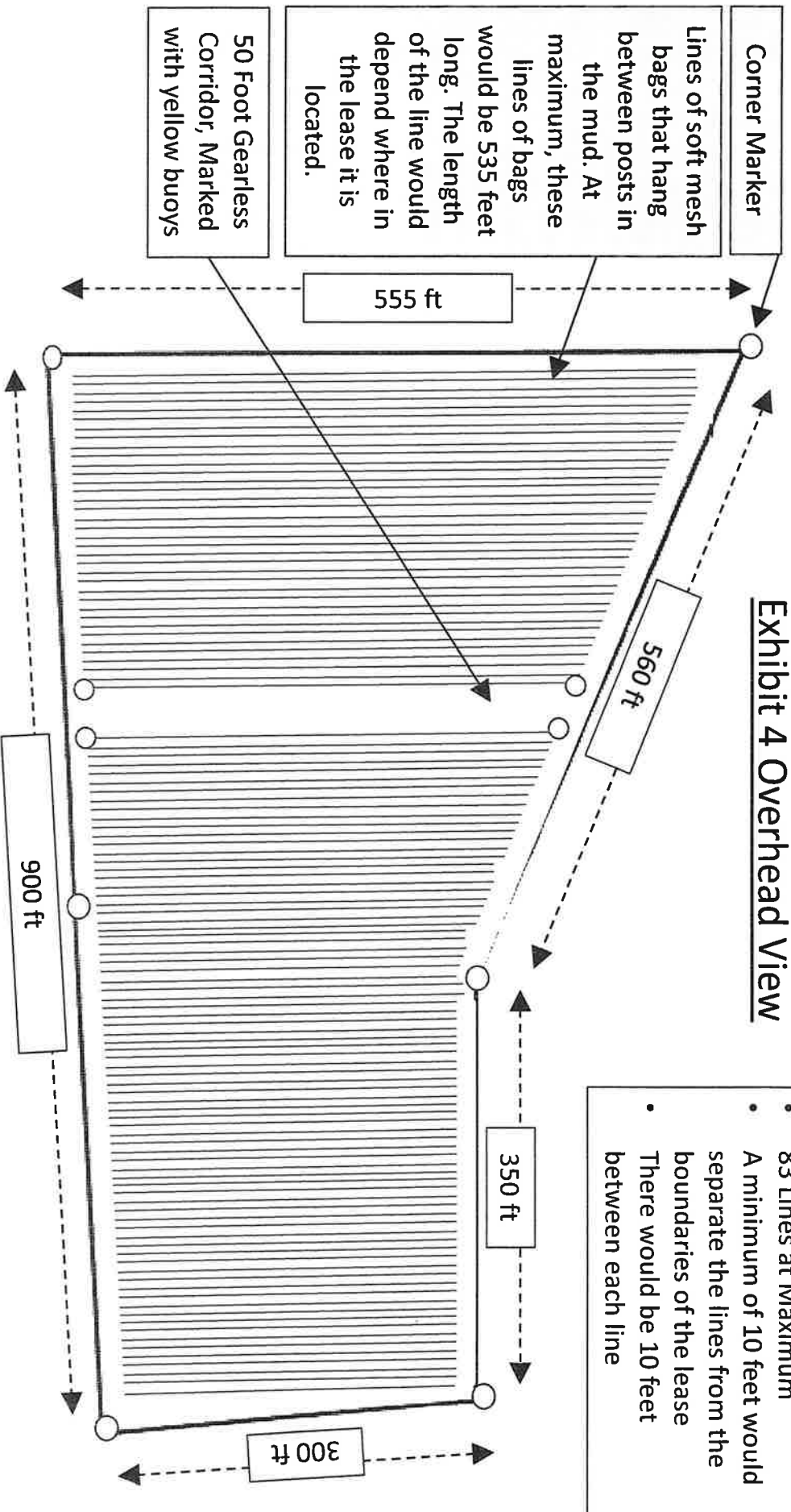


Exhibit 4 Overhead View



- 83 Lines at Maximum
- A minimum of 10 feet would separate the lines from the boundaries of the lease
- There would be 10 feet between each line

Overhead view of a single line:

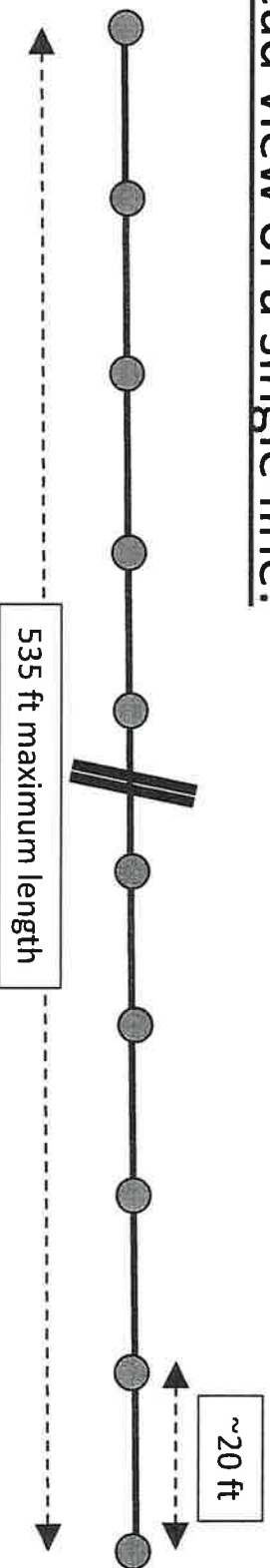
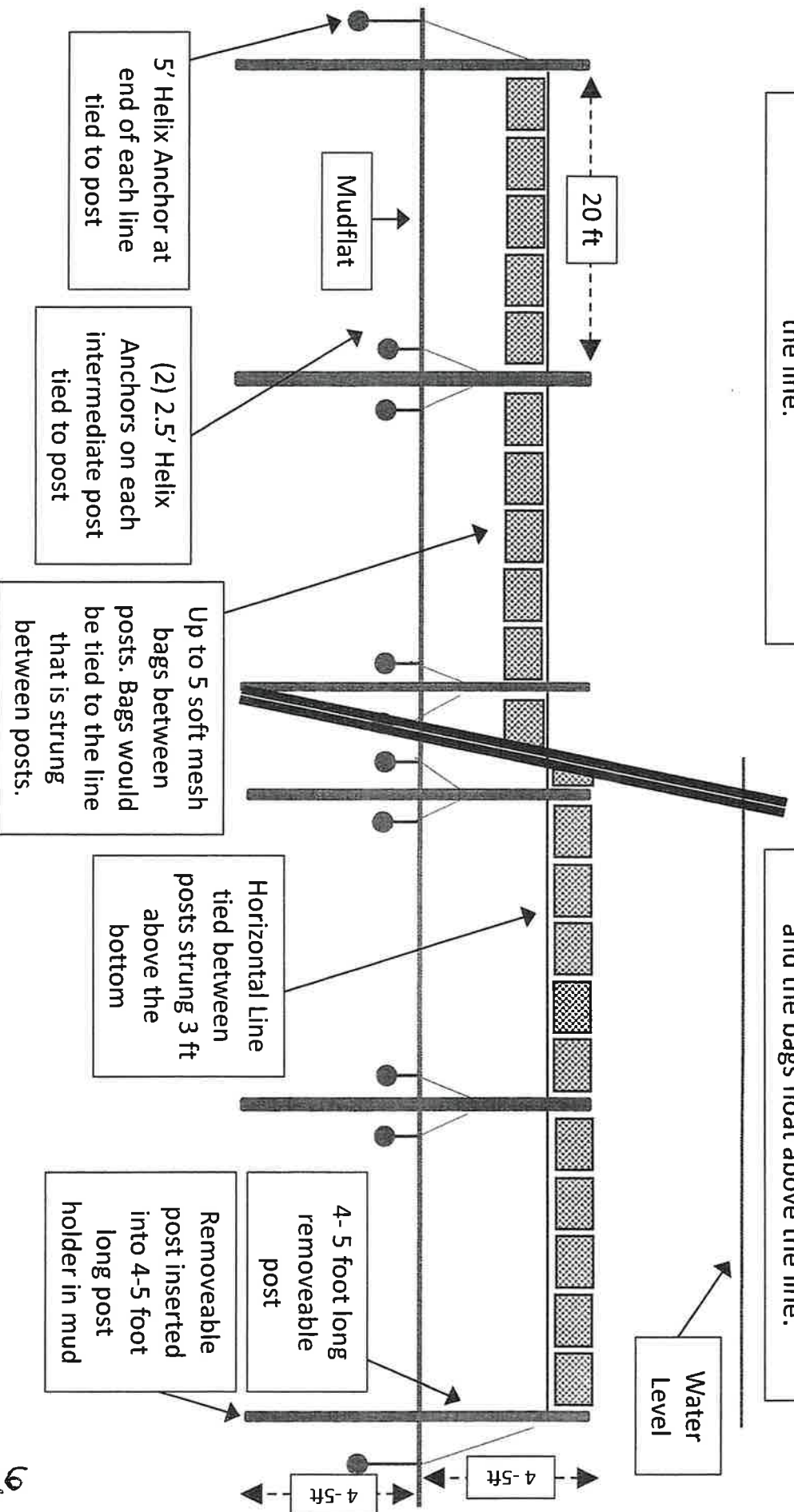


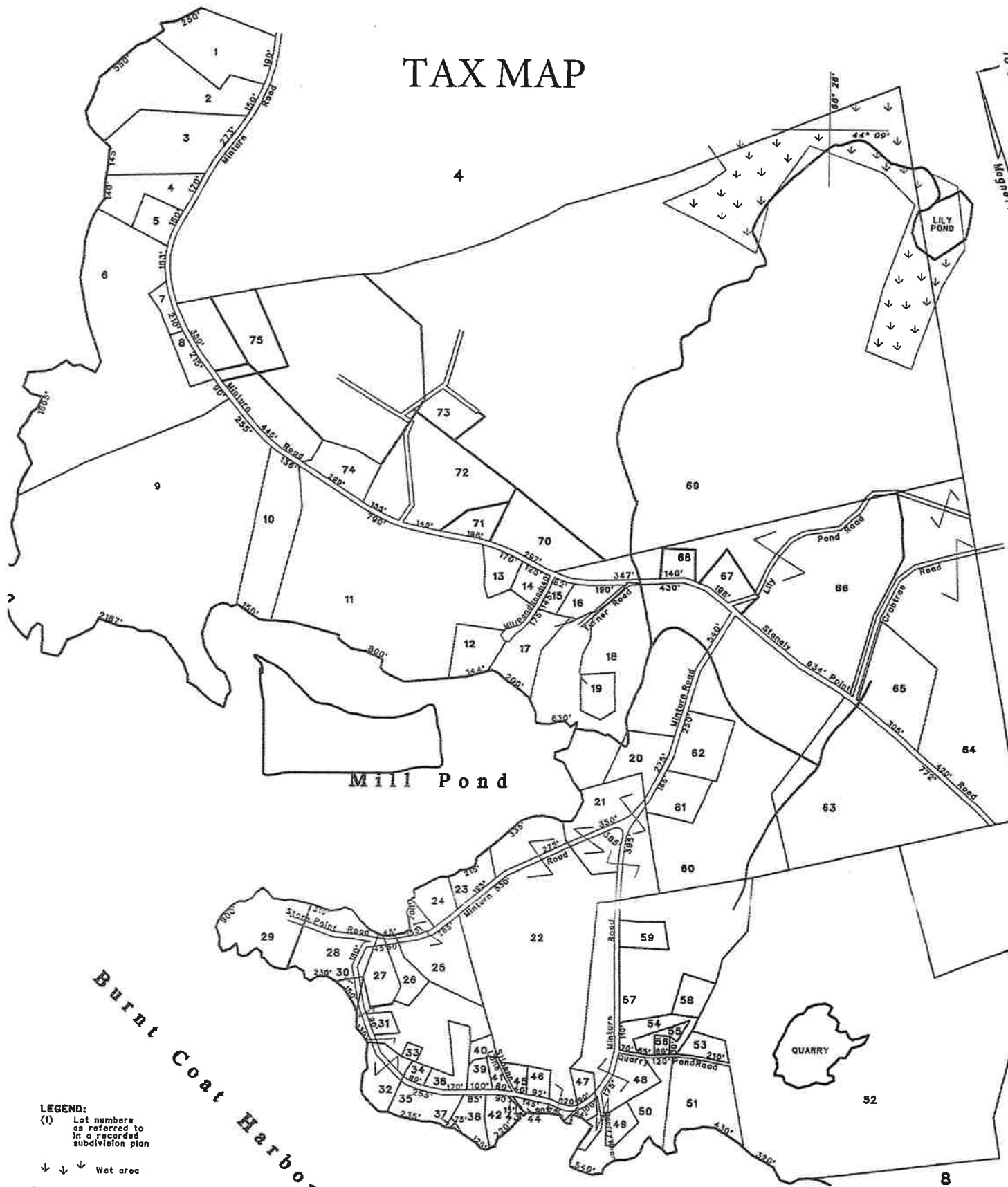
Exhibit 5: Cross Section View (April 1 – November 30)

At **low tide** the depth at the site is 0-3 feet. When the tide is low, the bags hang below the line.

At **high tide** the depth in the site is 9-13 feet. The gear is submerged at high tide, and the bags float above the line.



TAX MAP



LEGEND:
(1) Lot numbers
as referred to
in a recorded
subdivision plan

↓ ↓ ↓ Wet area
— Stream
— Boundary
Location
Uncertain

4	10
Map Number	10
7	10
8	10

200 0 200 400
SCALE FEET

Sheet 27

Preliminary
Tax Map For:

Town of Swans I
Hancock County, Maine
1" = 200' - March, 1991

Notes:

1) Tax maps for assessment purposes only.
Not to be used for conveyances.

2) All frontage distances shown are approximate.

Eastern Surveying Co., Inc, Hancock, Maine

Exhibit 6: Cross Section View (Dec 1 – March 31)

From December 1 to March 31, all gear would be removed from the site other than the helix anchors and the 4-5 foot long post holder that would stick 2' out of the mud.

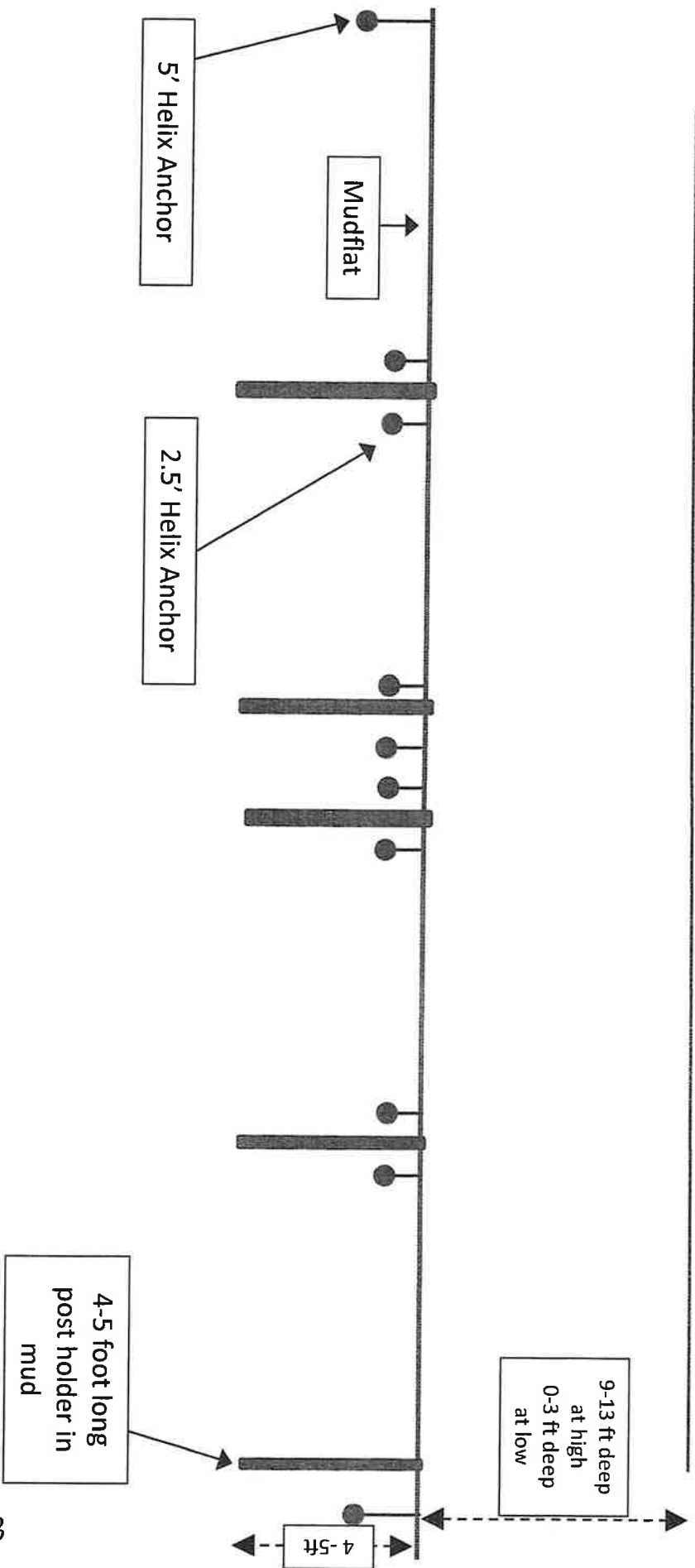


Exhibit 7: Equipment Layout

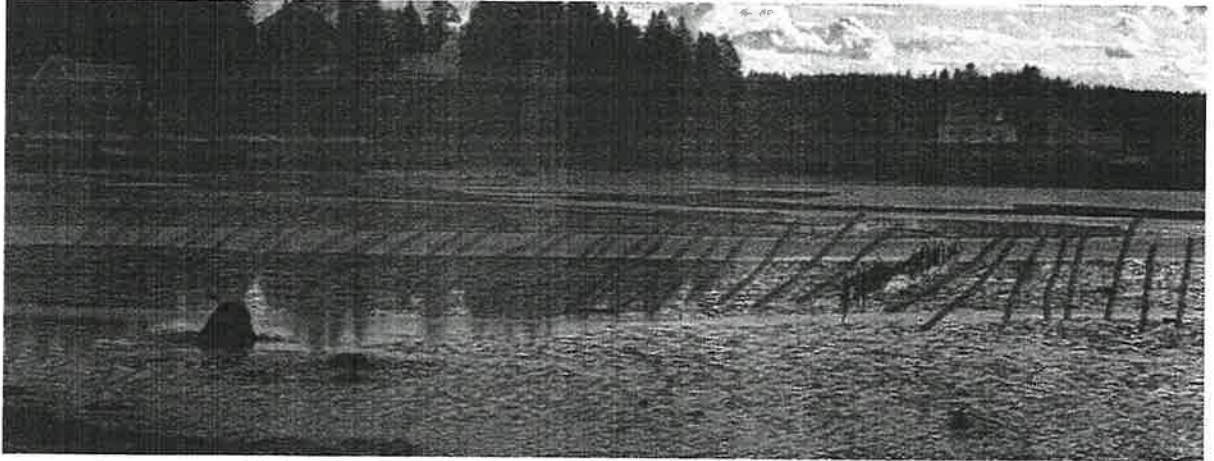
Picture 1. Approximate Boundaries Shown in Red. High Tide, so gear submerged.
Taken From -44.14431 N, -068.44006 W.



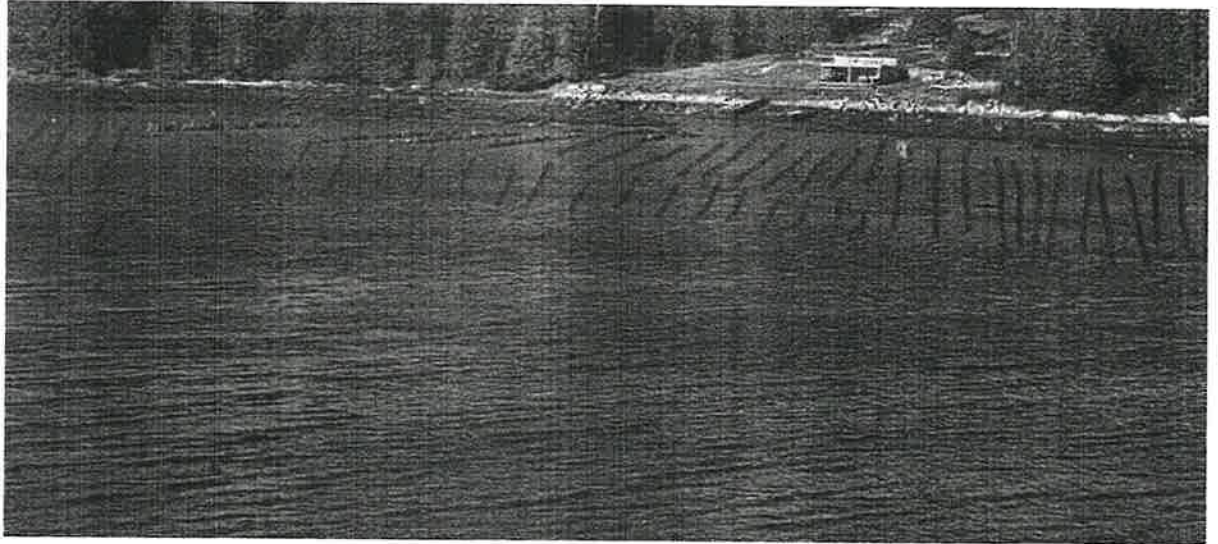
Picture 2. Approximate Boundaries Shown in Red. High Tide, so gear submerged.
Taken From -44.14197N, -068.44033 W.



Picture 3. Taken From About -44.14197N, -068.44033 W.



Picture 4. Taken From About -44.14431 N, -068.44006 W.



Bangor Savings Bank

You matter more.

State of Maine
Department of Marine Resources
Aquaculture Leases

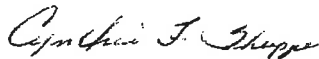
RE: Jason M Joyce
Swans Island Charters

To Whom It May Concern,

I am writing as requested by Mr. Joyce to verify his accounts have been open with us for over 4 years and have been in good standing the entire time.

Please feel free to contact me if you have any questions.

Sincerely,



Cynthia F Shoppe
Vice President,
Consumer Banking Relationship Manager
NMLS# 638275

Bangor Savings Bank
59 Foster Street, Ellsworth, ME 04605
Office: 207.974.4118
Fax: 207.667.4627
Bangor Savings Bank NMLS #449200
Email: cynthia.shoppe@bangor.com



November 10, 2022

To Whom It May Concern,

This letter is to confirm that Joshua V Joyce residing at 17 Ferry Rd Swans Island, ME 04685 has both demand accounts (checking & savings) and commercial loans with Bar Harbor Bank & Trust; all of which are in good standings.

If you have any further questions, please feel free to call me at 207-667-7194. Thank you for your time in this matter.

Regards,

A handwritten signature in cursive script that reads "Jacklyn Sinclair".

Jacklyn Sinclair
Assistant Branch Manager
Bar Harbor Bank & Trust
PO BOX 1089 | 125 High Street
Ellsworth, Me 04605
PH 207-667-7194
jsinclair@barharbor.bank

Municipal Officer Consent

TOWN OF SWAN'S ISLAND
P.O. Box 11
125 Harbor Road
Swan's Island, Maine 04685
e-mail swanisle@tdsteime.net
Tel: 207 526-4279 Fax: 207 526-4172

To: Cheyenne M. Adams
Scientist, Aquaculture Division
Dept. of Marine resources
194 McKown Point Rd
West Boothbay Harbor, ME 04575
207-441-8515

September 9, 2022

Dear Cheyenne,

On August 25th, the Town of Swan's Select Board voted, 2-0, to approve moving forward on the DMR application process. Josh and Jason Joyce's application is for the expansion of the oyster farm located in the Mill Pond and is going from an experimental to standard lease.

Sincerely,



Theresa Munch
Administrative Assistant to the Select Board

Municipal Officer Consent

Select Board Meeting Minutes – Aug 25th, 2022

Location: Town Office

Attendees: Select Board members - Sonny Sprague, Gary Turner, Jason Joyce

Visitors - Carol Loehr, Dexter Lee

Aug 11th, 2022 - minutes read by Jason Joyce. Sonny S. motioned to approve. Gary T. seconded. Minutes were approved.

Law Enforcement – Sheriff's contract signed for 2022 - 40 hours/week at \$30/hr - \$62000 yearly. 2021 was 42.5 hours/week at \$50.70/hr - \$112,047 yearly

League of Towns – The committee will meet on Swan's Island September 27th, 2022 at the library at 10 am.

Cemeteries –The town is looking for 1 more worker (\$20/hr 8-10 hrs /day) from the island to work Aug 29th, 30th, 31st.

Gary needs a spare Sunday to do the public restroom door.

Waiting for permission from Versant for the use of the post by the telephone pole across from the intersection of Harbor Rd. & Kent's Wharf Rd. Once approved we will order the mirror.

Swan's Island roads do not receive money for snow removal.

Request made by Jason Joyce for MP Oyster farm lease application vote by Select Board. A 2-0 vote was motioned and seconded to continue the DMR lease application process.

Building at dump and furnace room door to be completed by next week.

Treasurer's warrant signed.

Gary Turner made a motion to adjourn the Select Board meeting. Jason Joyce seconded. Motion approved. Meeting adjourned at 8:10 pm.

Respectfully Submitted,

Sonny Sprague

The Mill Pond Park Committee

To Department of Marine Resources, Aquaculture Committee: We The Mill Pond Park Committee, owner of parcel 11, map 7, give permission to Jason and Joshua Joyce to use our intertidal land for the proposed aquaculture activities.

Respectfully submitted, The Mill Pond Park Committee John Follis Chairman.

Seizett Wheaton

John Follis CHAIR
MPP