STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Downeast Institute				
Contact Person	Dianne Tilton or Sa	ra Randall			
Address	PO Box 83, 39 Wild	lflower Lane			
City	Beals				
State, Zip	ME 04611				
County	Washington				
Telephone	207-497-5769				
Email	dtilton@downeastinstitute.org; srandall@downeastinstitute.org				
Type of Application	Draft Aj	pplication	☐ Final Application		
	[submitted before scop	oing session session]	[subn	nitted after scoping session]	
Dates	Pre-ApplicationDraft ApplicatioMeeting:Submitted:			Scoping Session:	
Payment Type	Draft Application: ⊠ Check (included) □ Credit Card		-	plication: k (included) 🛛 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	Beals				
Waterbody	Mud Hole Cove				
General Description	Near Mud Hole Point in Eastern Bay				
(e.g. south of B Island)					
	Lease Information				
Total acreage requested	3.95				
(100-acre maximum)					
Lease term requested	20				
(20-year maximum)					
Type of culture (check all that apply)	Bottom (no gear)				
(interapping)	Suspended (gear in the water and/or on the bottom)				

Is any portion of the proposed lease site	🗌 Yes 🖾 No
above mean low water?	

Note: If you selected yes, you need to complete the steps outlined in the section titled: "19. Landowner/Municipal Permission Requirements.

3. GROWING AREA DESIGNATION

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

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

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

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: <u>DMRPublicHealthDiv@maine.gov</u>.

4. SPECIES INFORMATION

Α.	Please com	plete the	table belo	w and add	additional	rows as needed.
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	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.	Soft-Shell Clams <i>Mya arenaria</i>	Downeast Institute, 39 Wildflower Lane, Beals, ME	4.5 million 10-15mm juveniles (1000kg)
2.	Arctic Surf Clams Mactromeris polynyma	Downeast Institute, 39 Wildflower Lane, Beals, ME	2,600,000 juveniles at 2mm or 36000 @ 10-15mm (8kg)
3.	American Oysters Crassostrea virginica	Downeast Institute, 39 Wildflower Lane, Beals, ME	400,000 7-8 mm or 20,000 adults (1000kg)
4.	European Oysters Ostrea edulis	Downeast Institute, 39 Wildflower Lane, Beals, ME	400,000 7-8 mm or 20,000 adults (1000kg)
5.	Razor Clams Ensis leei	Downeast Institute, 39 Wildflower Lane, Beals, ME	4.5 million 10-15 mm (1000kg)
6.	Blue Mussels Mytilus Edulis	Downeast Institute, 39 Wildflower Lane, Beals, ME	239,100 @ 10-15 cm

7.	Sea Scallop Placopecten magellanicus	Alex de Koning, Frenchman's Bay, Bar Harbor or Downeast Institute, 39 Wildflower Lane, Beals, ME	2000 @ 2mm to 10mm
8.	Hard Clam Mercenaria mercenaria	Downeast Institute,39 Wildflower Lane, Beals, ME	2 million @ 2mm to 10cm

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

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

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: <u>DMRPublicHealthDiv@maine.gov</u>

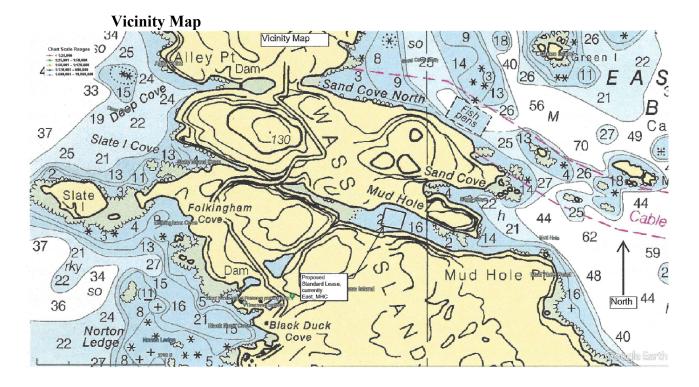
5. VICINITY MAP

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:

<u>Coordinate Description</u>

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.

Boundary Drawing #1



44.486250°N, -67.586750°W 44.485944°N, -67.585056°W 44.485194°N, -67.587139°W 44.484972°N, -67.585472°W

Boundary Drawing #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.

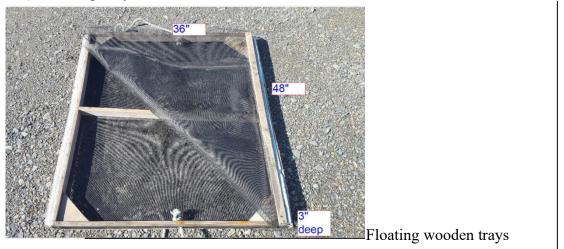
A. Gear Information

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.).

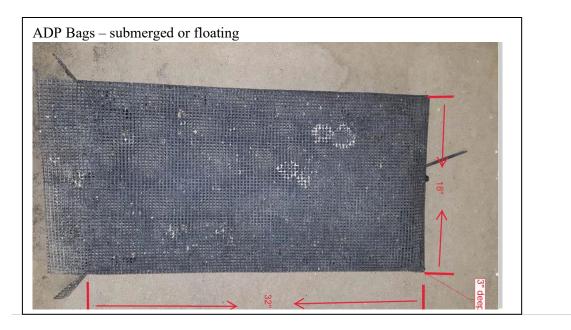
- 1. <u>Gear Drawing:</u> Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as "Gear Drawing". This view must show the following:
 - Length, width, and height of each gear type.

Gear Drawing(s)

1) Floating Tray



2) ADPI Oyster Bags (floating in the Spring to Fall, submerged in the winter)



3) Mussel Buoys

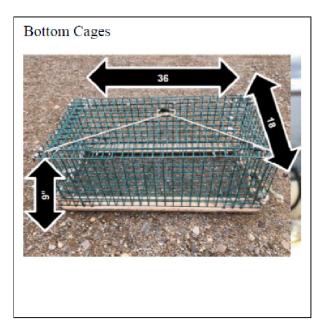


Mussel buoy is 16" dia.

4) Lantern Nets



5) Weighted Vinyl Coated Bottom Cages



6) Cinder Block Anchors



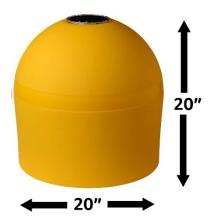


7) Lobster Buoys



Lobster buoy is 5" dia. x 11" long.

8. Corner Marker Buoy



9. ¹/₂" Galvanized Mooring Chain



10. Concrete Block (anchor)



Pyramid shaped- 22" x 22" x 36"

2. <u>Gear Table</u>: 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
--------------------------------------------------	-------------------------------------------	-------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------

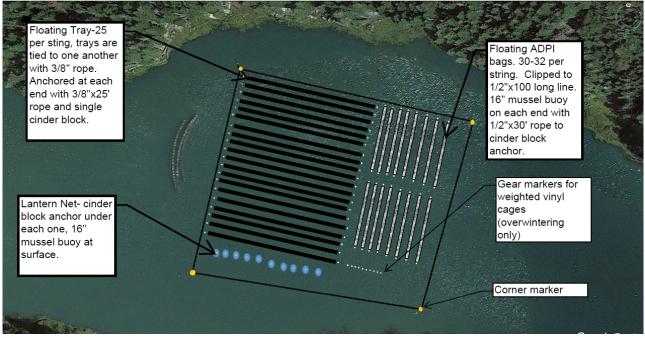
1. Floating Trays	36" x 48" x 3" deep	May 1- June 30	Maximum of 500	Soft-shell clams, hard clams, Arctic Surf Clams, razor clams, American and European oysters, scallops
2. Floating ADPI Oyster Bags	18" x 32"x 3"deep	May 1-June 30	Maximum of 500	American and European oysters
3. Mussel Buoys	16" diameter	Could be year round	Up to 10	All listed
4. Lantern Nets	20" dia. x 6'	June 1- Dec. 31	10	Sea scallops
5. Weighted Vinyl Coated Bottom Cages	36" x 18" x 9"	Dec. 31 - June 1	10	Sea scallops, American and European oysters
6. Cinder Block Anchors	8" x 8"x 16"	8" x 8"x 16"	Up to 82	All listed
7. Lobster Buoys	5" dia. x 11"	Dec. 31- June 1	Up to 82	All listed
8. Corner Marker Buoy	20" x 20" (lighted)	Year-round	4	n/a
9. Mooring chain	¹ / ₂ " x 25'	Year-round	4	n/a
10. Concrete Block (anchor)	22" x 22"x 36" -300 lbs.	Year-round	4	n/a

B. Maximum Structure and Mooring System Schematic

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

- 1. <u>Overhead View.</u> 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.

Overhead View



Length & Width:

Length of lease: 456.04 ft between NW and NE boundary points. 442.46 ft between SW and SE boundary.

Width of lease: 392.99 ft between NW and SW points. 442.46 ft between SW and SE points.

Gear Spacing:

<u>Floating trays</u> are tied to one another so there's almost no space between them. They are 25 per row and the rows are approximately 8' apart.

<u>ADPI oyster bags</u> are clipped onto a longline so there's no space between them. Each long line is approximately 8' apart and there's approximately 30' between the two groups of rows to allow the boat a path. Long lines are approximately 100' long, with a cinder block anchor, ³/₈" x 30' nylon anchor line and mussel buoy on each end.

Lantern nets are spaced 6-8' apart.

2. <u>Cross-Section View.</u> Please include the following and label as "Cross-Section

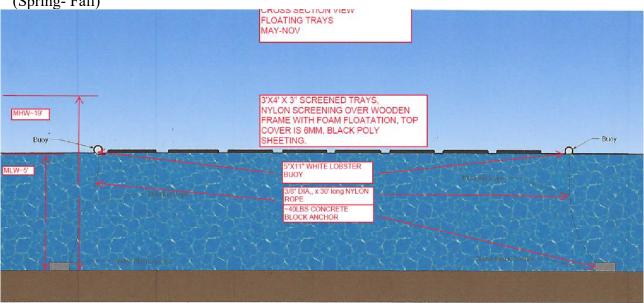
View":

- 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).

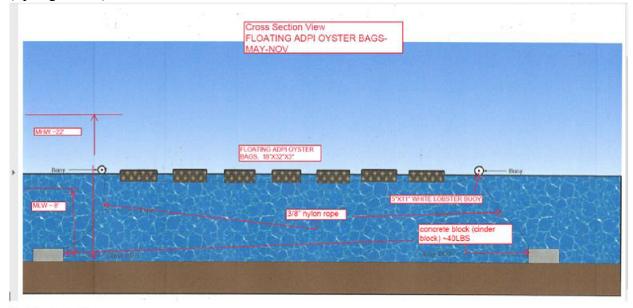
Note: Please include an additional Cross Section View, depicting the elements listed above, if there will be seasonal changes to gear layout (i.e. over wintering).

Cross-Section View(s)

Floating Trays (Spring- Fall)

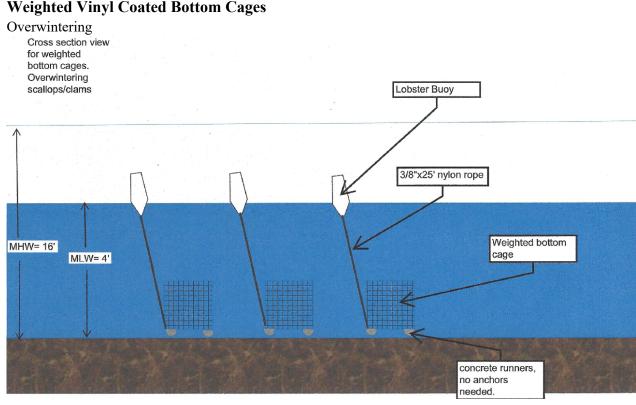


Cross Section View(s) Floating ADPI Oyster Bags (Spring to Fall)



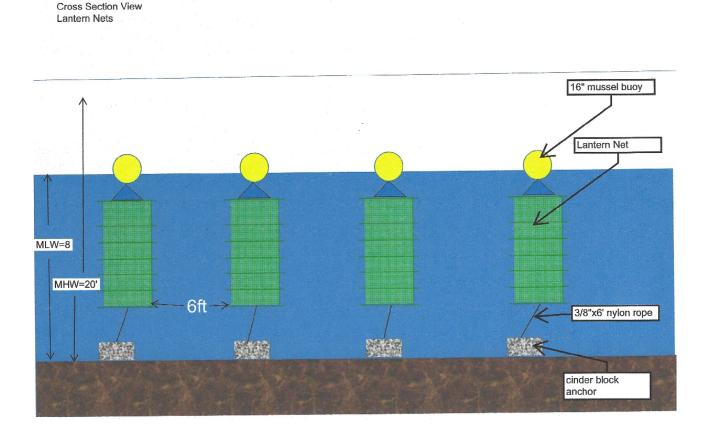
Floating Oyster Bags

Weighted Vinyl Coated Bottom Cages



Lantern Nets

Floated with a mussel buoy, cinder block anchor. Spaced 8'-10' apart. June 1- December 31



C. <u>On-Site Support Structures</u>

 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.

There are no support structures on site.

 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.

There is no gasoline, oil or other hazardous material stored on site.

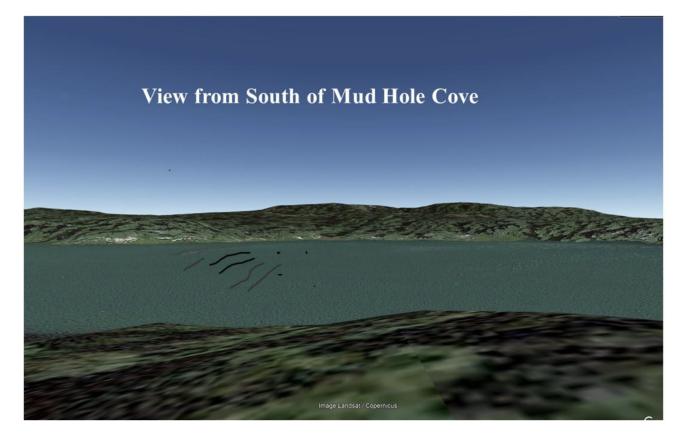
D. <u>Gear Color</u>

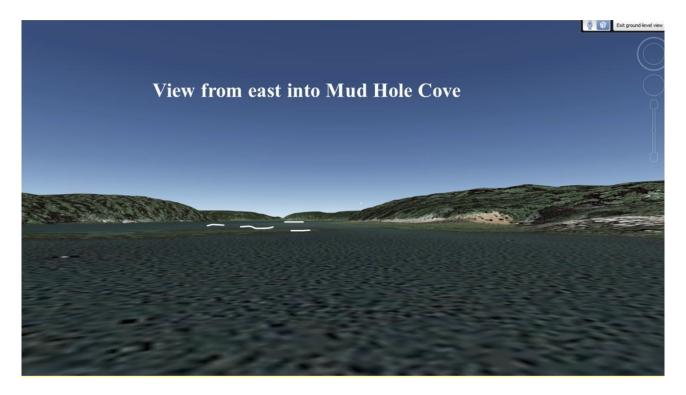
Provide the color of the gear and structures proposed to be used at the lease site.

Floating trays, lantern nets and ADPI bags are black, bottom cages are green, mussel buoys can be yellow or black, lobster buoys are white. There will be yellow corner markers on each corner of the lease.

E. <u>Equipment Layout</u>

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





F. Marking

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



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 <u>each</u> 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.

This lease is used primarily as a nursery site. 2mm or smaller seed is deployed and grown to approximately 8mm. Deployment for all species occurs between May 1 to July 1. Deployment typically takes up to 4 days, taking up to 8 trips per day by boat to the site.

B. Please explain your proposed tending/maintenance activities.

Floating trays (Soft-shell clams, hard clams, Arctic surf clams, Razor clams, American and European oysters) and ADPI bags (European and American oysters) are checked regularly. ADPI bags would be flipped every other week, trays are brushed and sprayed off once a month while deployed.

Bottom cages (scallops, oysters), typically only used for overwintering but could be used during summer months, would be periodically pulled up for inspection/cleaning.

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

At least once a week for all species.

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

No harvesting would occur on this site.

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P / a	пожоцен wн	i vou de al ine	she during	harvesting periods?
			2100 000000	

No harvesting.		

F. Will gear be on the site year-round? \square Yes \square 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.

Floating trays (soft-shell clams, hard clams, Arctic surf clams, Razor clams, American and European oysters), along with their anchors, anchor lines and buoys would be removed each fall. Floating ADPI oyster bags would be emptied and removed, some animals could be overwintered on bottom in bottom cages.

Lantern nets (scallops) could be deployed throughout the year.

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

The black poly sheeting on the floating trays (soft-shell clams, hard clams, Arctic surf clams, Razor clams, American and European oysters) is used to help protect against bird predation.

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)

The site is proposed for the culture of seed and occasionally overwintered seed that would be submerged during winter.

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?

A 22' fiberglass center console outboard propelled boat will be used on the site. The vessel will be on the site frequently from May-Nov./Dec. After December, site visits are when weather permits, but at least every other week.

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?

The outboard is a very quiet 4 stroke, and is either idling or shut down while on site. No power washers are used on site. Gear is sprayed/cleaned using a brush, a 12v electric washdown pump equipped with a garden hose sprayer.

Grading is done before the animals are deployed to the site and again when they return to our land-based facility.

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

The boat engine (outboard) is shut down when not in use. However, when idling the outboard is very quiet.

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 work lights will be used on this site. Daytime work only.

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

We do not anticipate working on this site beyond daylight hours.

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.

JROB520; JROB620; JROB720; JROB820; KPEP120; KPEP220; KPEP320; KPEP420; DTIL621; DTIL721; DTIL821; BSAL121; BELL122; BELL222; BELL322; BELL422; MELBA 0009; EAST MHCx; EAST JPx; EAST Epx

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.

All other LPAs and leases will be retained as they are in different locations.

The future plans for our experimental lease East MHCx is to become a standard lease and to continue to experiment with nursery and grow-out techniques and grow shellfish seed for municipalities and farms.

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?

1 ft - 10 ft.

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

13 ft – 22 ft

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

The flood tide direction is east to west @apprx. 0.5 knots The ebb tide direction is west to east @ apprx. 0.5 knots.

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.)?

Soft mud.

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

Flat over much of the area with a few holes (4') that are dispersed around the northeast corner of the lease.

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?

The area within the lease site has very few organisms on the bottom. There are no lobster traps that are fished in this area, and we have not observed lobsters when we have pulled our anchors in the fall and winter. There are several species of non-commercial polychaete worms (*Amphitrite johnstoni* and *terebellids*). We have observed green crabs (*Carcinus maenas*), wrymouth fish (*Cryptacanthodes maculatus*), northern moon snails (*Euspira heros*) and the nemertean *Cerebratulus lacteus*. However, with the exception of green crabs, the other species would be rare. Green crabs are abundant.

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

There are no shellfish beds or fish migration routes in Mud Hole Cove.

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.

We have not observed eelgrass, *Zostera marina*, in the proposed lease site since 1987. This includes annual observations from June through November for this period (31 years).

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

The shoreline on both the north and south side of the proposed lease site is rocky (covered with knotted wrackweed, *Ascophyllum nodosum*), leading immediately to forest that is dominated by red and white spruce – *Picea rubens* and *P. glauca*, respectively.

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: <u>https://www.maine.gov/ifw/fish-wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html</u>

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

12. EXISTING USES

A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.

1. Commercial Fishing

No commercial fishing exists at this time.

2. Recreational Fishing

No recreational fishing is known to occur at this site.

3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)

Boating activities are limited to occasional small pleasure vessels. The site is approximately 3,000 feet from a navigable channel at low tide.

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.)

N/A

5. Other uses (kayaking, swimming, etc.)

No other uses of this site have been observed or are known to occur.

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.

There is one mooring for a recreational boat in Mud Hole Cove, marked by a 24" white buoy, approximate coordinates are 44.485596N, 67.585416W. The mooring would be in our lease, and we have no problem with it remaining.

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

No

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

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

JROB520; JROB620; JROB720; JROB20 These are LPAs for a research project we are conducting. No conflict exists.

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.

We would like dragging to be prohibited, as well as future moorings. We are not asking for the existing mooring to be moved.

14. RIPARIAN LANDOWNERS AND SITE ACCESS

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

- 1. A <u>labeled</u> 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 <u>Riparian Landowner List</u> (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: <u>https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf</u>

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

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

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

🗌 Yes 🖾 No

Note: If you selected yes, you will need to complete the landowner permission requirements included in "19. Landowner/Municipal Permission Requirements" of this application.

C. How will you access the proposed site?

By boat from municipal landing.

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

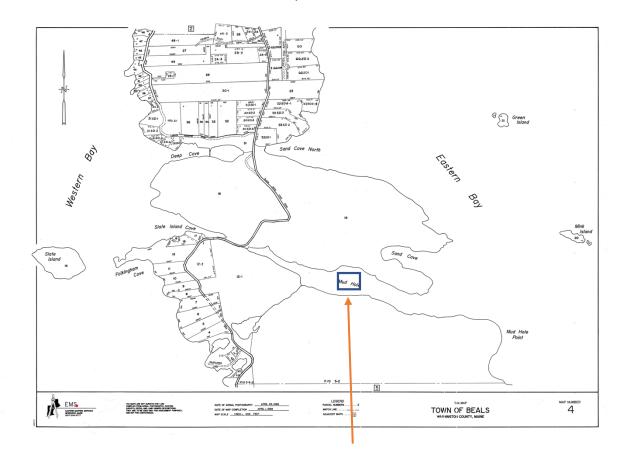
There will be no effect.

14. Riparian Owners and Site Access

14a. Tax Maps

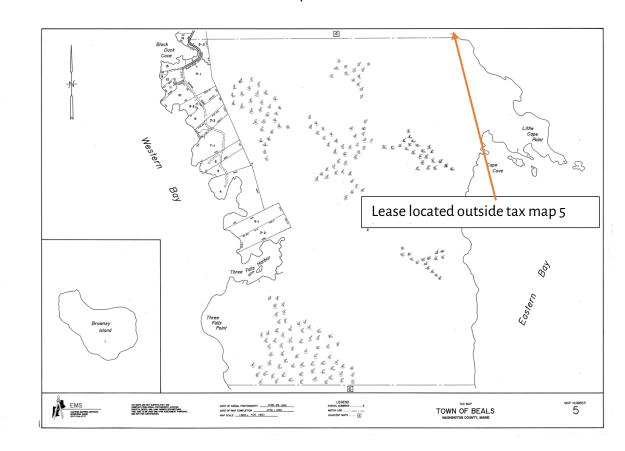
Tax Map: Town of Beals

Map #4



Proposed lease





Tax Map: Town of Beals Map #5

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 <u>only</u> certifies that the information is correct according to the Town's records. Once you have completed the form, <u>ask the Town Clerk to complete the certification section below</u>. If the parcels are within more than one municipality, provide a separate, certified riparian list for each municipality.

Brals **TOWN OF:**

MAP #	LOT #	Landowner name(s) and address(es)
4	12 - 1	Root Estates, Inc. PO Box 456, Oakland ME 04963
4	19	Carver Industries, PO Box 131, Beals, ME 04611
5	2	Nature Conservancy, Fort Andross, 14 Main St., Suite 401, Brunswick, ME 04011
	· · ·	

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, $\underline{\text{Terry L.Beal}}$, Town Clerk for the Town of $\underline{\text{Reals}}$ 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.

Lerry L Beal DATE: 4/25/2023 SIGNED:

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.

Please see attached resumes.

16. FINANCIAL CAPABILITY

A. Financial Capability

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

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

Please see letter below from Machias Savings Bank.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

We estimate these activities cost about \$50,000 per year.



Experienced people. Exceptional service.

April 21st, 2023

Down East Institute for Applied Marine Research and Education, Inc. PO Box 83 Beals, ME 04611-0083

To whom it may concern,

This letter is to inform that Down East Institute for Applied Marine Research and Education, Inc. has an account in good standing with Machias Savings Bank.

If there is any way that I can be of further assistance please do not hesitate to call me directly at 255-9226.

Regards,

Sean R. Daye Vice President Business Banking

SRD/bdd

4 Center Street, PO Box 318 | Machias, ME 04654-0318 {T} 800-339-3347 | {W} machiassavings.com Member FDIC | Equal Housing Lender

17. ESCROW ACCOUNT OR PERFORMANCE BOND

Amount of Required Escrow Lease Category or Performance Bond Here No gear/structure, no discharge \$500.00 No gear/structure, discharge \$500.00 \leq 400 square feet of gear/structure, no \$1,500.00 discharge >400 square feet of gear/structure, no \square \$5,000.00* discharge Gear/Structure, discharge \$25,000.00

Check the category that describes your operation:

Check

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

I, (printed name of applicant) Dianne Tilton for Downeast Institute

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.

1 ibre

April 25, 2023

Date

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

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

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

Applicant Signature *Note: Add title if signing on behalf of a corporate applicant.* Date

18. APPLICANT SIGNATURE PAGE

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

Printed name: Dianne Tilton						
Title (<i>if corporate applicant</i>):Executive Director						
Signature: Dim Zilon	_Date:	April 25, 2023				

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

Note:

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

Additional Applicant:

Printed name:		

Title (*if corporate applicant*):

Signature:	Date:
6	

19. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS (if applicable)

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

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

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

Does the municipal	ity, where the p	roposed site is l	located, have a s	hellfish conservation
program? 🗌 Yes	🗌 No			

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



Aquaculture Division, 21 State House Station, Augusta, ME 04333-0021 (207) 624-6567

CORPORATE APPLICANT FORM For Standard and Experimental Aquaculture Lease Applications

Corporations or partnerships that apply for aquaculture leases in the State of Maine must complete this form. Corporations must submit information as requested under <u>A. Corporate</u> <u>Applicant</u>. Partnerships must submit information as requested under <u>B. Partnership Applicant</u>.

A. Corporate Applicant

Note: You must attach a copy of the Articles of Incorporation (Inc.) or Certificate of Formation (LLC) to your application.

- 1. Name of Corporation: ____Downeast Institute for Applied Marine Research & Education_____
- 2. Date of incorporation: _____Dec 26, 1995______State of incorporation: ______

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

Name	Address	Title
attached		

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

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

Name attached	Address	
attached		

8. Has the corporation or any officer, director, member, or shareholder listed in item 5 above ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal?

Tyes X No

If you selected "yes", please provide details.

B. Partnership Applicant

Note: You must attach a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership to your application.

1. Name of Partnership:

2. Date of formation: _____ State of partnership: _____

3. List the names, addresses, and ownership shares of all partners:

Name	Address	Ownership Shares
		Shares

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

4. Has the partnership, or any partner applied for an aquaculture lease for Maine lands in the 10 M

past? Yes No

If you selected "yes," please indicate who applied for the lease and the status of the application or lease.

5. List the names and addresses of any partner owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person, based on their ownership shares from question 3.

Name	Address	Lease Acronym	Acreage

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

6. Has the partnership or any partner been arrested, indicted or convicted of or adjudicated to be responsible for any violation or marine resources or environmental protection law, whether State or Federal?

Yes No

If you selected "yes", please provide details.

Downeast Institute 2023

BOARD OF DIRECTORS

Board Chair

Lynn Alley* Retired Science Teacher (JBHS) Jonesport

Vice Chair

Dr. Sherrie Sprangers Science Professor at University of Maine at Machias Machias, ME (Finance Committee)

Clerk/Treasurer

Jane Hinson* Retired, Director of Special Programs, UMM Machias, ME (Finance Committee)

Jonathan Alley Machias Savings Bank Addison, ME (Finance Committee)

Dean Girdis Open Energy Advisors Washington, DC

Dr. Brian Beal* Science Professor at University of Maine at Machias Machiasport, ME (Personnel Committee)

Tom Haslett TILT Investments Lincoln, MA

*Founder

Christopher Bartlett Maine Sea Grant/University of Maine Cooperative Extension Eastport, ME (Personnel Committee)

Sam Chapman* Retired Shellfish Specialist Waldoboro, ME

Dr. Gayle Kraus Marine Ecology Professor, UMM Machias, ME

Wendell Bradford AC Inc., Shellfish Dealer Beals, ME

Jason Alley Fisherman Jonesport, ME

Ralph Smith Moosabec Mussels Jonesport, ME

Peter Greene Machias Savings Bank Addison, ME (Personnel Committee)

Filing Fee \$20.00 For Use By The Secretary of State	NONPROFIT CORPORATION	File No. 19960225ND Pages 3 Fee Paid \$ 20.00 DCN 1953601200006 ARTI FILED 12/26/1995
File No.	STATE OF MAINE ARTICLES OF INCORPORATION	Depoir Secretary of State
С. в.	(CHECK ONLY IF APPLICABLE)	A True Copy When Attested By Signature
Date	This is a Domestic Condominium Corpora	ation. <u>Harry Corper</u> Deputy Secretary of State

Pursuant to 13-B MRSA \$403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

The name of the corporation is Beals Island Regional Shullfush Itatchury, Inc. FIRST:

- SECOND: The corporation is organized for all purposes permitted under Title 13-B, MRSA, or, if not for all such purposes, then for the following purpose or purposes:
- THIRD: The name of its Registered Agent and address of registered office (the registered agent must be a Maine resident, whose business office is identical with the registered office; or a corporation, domestic or foreign, profit or nonprofit, having an office identical with such registered office.)

HCR 71, Box 55 Everett Johnson Clirk. Machias, ME 04654 (name) 3.2 (street address (not P.O. Box), city, state and zip code) PO Box 83, Harrington, ME 04643 (mailing address if different from above)

The minimum number of directors (not less than 3) shall be <u>Sixten</u> and the maximum number of directors shall be <u>twinny</u>.

FIFTH: Members: ("X" one box only) There shall be no members.

There shall be one or more classes of members, and the information required by §402 is as follows:

SIXTH: If (Check if this article is to apply)

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

NEW

SEVENTH: D (Check if this article is to apply. Then fill in reference number of Section 500(c) ?) in first paragraph below.)

Upon the dissolution of the Corporation or the termination of its activities, the assets of the Corporation remaining after the payment of all its liabilities shall be distributed exclusively to one or more organizations organized and operated exclusively for such purposes as shall then qualify as an exempt organization or organizations under Section $501(c)(\underline{3})$ of the Internal Revenue Code of 1986, as amended, and as a charitable, religious, eleemosynary, benevolent or educational corporation within the meaning of Title 13B, of the Maine Revised Statutes as amended.

No part of the net earnings of the Corporation shall inure to the benefit of any member, director, or officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation in carrying out one or more of its purposes), and no member, director, or officer of the Corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

EIGHTH: Other provisions of these articles, if any, including provisions for the regulation of the internal affairs of the corporation, and distribution of assets on dissolution or final liquidation:

"This corporation is not organized or operated for the benefit of private interest, such as the creator or his family, shareholders of the organization, other designated individuals, or persons controlled, directly or indirectly, by such private interests.

Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal Income tax under section 501 (c)(3) of the Internal Revenue Code of 1954, (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170 (C) (2) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law."

October 27, 1995

INCORPORATORS	ADDRESSES
O Jane E. Henson (signature)	Street Har To Box 28
JANE E. HTNSON	MACHIAS, ME 04654 (city, state and zip code)
(2) in cent Aleman (signature)	Street HCR 71 Box 55
- Ever TI & Johnson Ir	Machicas, ME 04654 (city, state and zip code)
3 WILL HORLINS Will Hopkins (signature)	Street A FAVOR ST., EASTPORT, ME. 04-631
(4) Brian + Beal Brian Beal (type of print nany)	RR # 1; Box 511 Marsh field Mane 04654
5 SILSON K. White	Street 97 Summer St.
Spean K. White	(city, state and zip code)
(a) (1500 of pring name) are	(city, state and zip code) Street 1026 Move Pt Pl. Pressurely 40-0404
(7) (Dana E. (signature) Walhace	BOX 747 Ellsworth, N/e 04605
(Type of print name) James L. Markos, Jr.	(city, state and zip code)

FORM NO MNPCA-6 Rev 90

SUBMIT COMPLETED FORMS TO: Secretary of State. Station 101 Anone ALE USA

42

(iVenty to Beach WENNYW BEal

9 Lynn M. alley LYNN M. ALISY

D Samuel R. Chapman Semuel. R. Chapman

1) Dianne Tilton Dianne Tilton

(2) Judy Blemp Judy B Kemp Hashing M. Hashinge (3)

HONELOC. WINTERS

PC Box 310 Joneuport, mão 04649

P.U. Box 112 Bears, Me. 04611

50 Bremen Rd. Waldoboro ME 04572

PO BOX 679 Muchias, ME 04654

P.O. BOX 152 MACHINS, ME 04654

Aquaculture Center Suite 203, 141 N. Main St. Buwer, NE 04412

DMR STA &1 AUGUSTA, MR. 04333

- 1 C - - -

Fil	ling Fee \$5.00
NONPROFIT CORPORATION STATE OF MAINE CHANGE OF REGISTERED AGENT ONLY or CHANGE OF REGISTERED AGENT AND REGISTERED OFFICE	File No. 19960225ND Pages 2 Fee Paid \$ 5.00 DCN 1970411600020 AGRO 02~10~1997 Hary Corper Deputy Secretary of State
Beals Island Regional Shellfish Hatchery (Name of Corporation)	A True Copy When Atlested By Signature Hay Cooper Deputy Secretary of State

Pursuant to 13-B MRSA §305.1 or §1212.2, the undersigned corporation executes and delivers for filing the following change(s); authorized by a resolution duly adopted by the board of directors:

FIRST:

The name and registered office of the registered agent appearing on the record in the Secretary of State's office:

	_	Eve	rett	Johnson,	Cle	ck	
					(nam)	
HCR	71,	Box	55,	Machias,	ME	04654	
				(street, cit	y, state	nd zip code)	

SECOND:

The name and registered office of the successor (new) registered agent who must be a Maine resident, whose office is identical with the registered office; or a corporation, domestic or foreign, profit or nonprofit, having an office identical with such registered office:

			ŝ	Jane	E. His	nson	Clerk				
							(name)				
	HCR	70,	Box	28;	Outer	Elm	Street;	Machias,	ME	04654	
-				(phy:	sical location	- street (1	not P.O. Box), ci	ty, state and zip co	de)		

(mailing address if different from above)

THIRD:

(To be completed by a foreign corporation.)

- A. Jurisdiction of incorporation
- B. Date of authorization to carry on activities in this State

BSS

DATED February 7, 1997

*Bu Jane E. Hinson, Clerk

(type or prim name and capacity)

*By

(signature)

(type or print name and capacity)

*This document <u>MUST</u> be signed by (1) the <u>Clerk</u> or <u>Secretary</u> OR (2) the <u>President</u> or a vice-president and the <u>Secretary</u> or an assistant secretary, or such other officer as the bylaws may designate as a 2nd certifying officer OR (3) if there are no such officers, then a majority of the <u>Directors</u> or such directors as may be designated by a majority of directors then in office OR (4) if there are no such directors, then the <u>Members</u> or such of them as may be designated by the members at a lawful meeting.

SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE, 101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101 FORM NO. MNPCA-3 Rev. 96 TEL. (207) 287-4195

Filing Fee \$15.00 for each nonprofit corporation listed
File No. 19960225ND Pages 2 Fee Paid \$ 15
DCN 2090692700020 ADDR FILED
Deputy Secretary of State
A True Copy When Attested By Signature
Deputy Secretary of State

Pursuant to 5 MRSA §§105, 108, & 109 the undersigned corporation executes and delivers the following statement of appointment and/or change of address by a noncommercial registered agent.

("X" all boxes that apply) FIRST:

> X A. change of address

B. change of noncommercial registered agent and address

C. change of noncommercial registered agent

change in name of current noncommercial registered agent

The name and address of the registered agent appearing on the record in the Secretary of State's office: SECOND:

THNE E. HINSEN (name of current registered agent)

HC 70, BCX 25; MACHIAS, ME C465H (physical street address, city, state and zip code)

(mailing address if different from above)

THIRD:

D.

(For foreign nonprofit corporations only)

Jurisdiction of Organization:

Date authorized to transact business in the State of Maine:

CERTIFICATE OF CORRECTION State of Maine 1996 Annual Report Beals Island Regional Shellfish Hatchery DLN #1960168361713 Charter #19960225ND

1. Under "Name of Corporation, Name of Registered Agent, Address on File," please: (a) strike "Harrington", and insert in lieu thereof "Beals"; (b) strike "04643", and insert in lieu thereof "04611".

2. Under "Foreign Corporations Only," please: strike "HCR 71, Box 55, Machias, ME 04654".

Signed:

Jane Hinson, Secretary Beals Island Regional Shellfish Hatchery

1996 rie 4 Date:

AMENDMENTS

STATE OF MAINE Office of the Secretary of State Bureau of Corporations, Elections and Commissions State House Station #101, Augusta, Maine 04333

DIVISION OF CORPORATIONS

02/11/1997

BEALS ISLAND REGIONAL SHELLFISH HATCHERY P.O. BOX 83

BEALS ME 04611

PROOF OF FILING WR DCN: 1970411600019

Enclosed please find copies of documents recently placed on file with our office. Each copy has been attested as a true copy of the original and serves as your evidence of filing. We recommend that you retain these permanently with your records.

Charter #: Legal Name:

19960225ND BEALS ISLAND REGIONAL SHELLFISH HATCHERY, INC.

CHANGE OF AGENT AND REGISTERED OFFICE DCN: 1970411600020

(4) Chang in member of Buchtono

15) again ad dress change

2 Page(s)

CHANGE IN PURPOSE DCN: 1970411600021

(3) Change in Hame

2 Page(s)

Total 4 Page(s)

DOMESTIC	· · · · · · · · · · · · · · · · · · ·
NONPROFIT CORPORATION STATE OF MAINE	File No. 19960225ND Pages 2 Fee Paid \$ 10.00 DCN 1970411600021 PURP
RTELES OF AMENDMENT	
	Hung Corpor
	Deputy Secretary of State
	A True Copy When Attested By Signature
and south it is a straight	san paper

Pursuant to 13-B MRSA §§802 and 803, the undersigned corporation executes and delivers for filing the following Articles of Amendment:

FIRST: Describe <u>NATURE OF CHANGE</u> (i.e. change in name of corporation, purpose, number of directors, adding or deleting section or revision of section, etc.) as well as <u>TEXT</u> of amendment. Attach additional pages as needed.

To Change Section Second To Include:

The purposes of this corporation are exclusively

charitable, educational and scientific purposes

within the meaning of Section 501(c)(3) of the

United States Internal Revenue Code of 1954 as the

same may be amended, and in particular to develop and

enhance Maine's soft-shell clam and other shellfish

resources through applied scientific research, technology

transfer, public education and aquaculture.

tement muladed in ariginal 501(4)/3

applechlan

WIN

SE	CO	N	D:

("X" one box only) The amendment was adopted on (date) January 24, 1997 as follows:

- By the members at a meeting at which a quorum was present and the amendment received at least a majority of the votes which members were entitled to cast.
- (If the Articles require more than a majority vote.) By the members at a meeting at which the amendment received at least the percentage of votes required by the Articles of Incorporation.
- By the written consent of all members entitled to vote with respect thereto.
- M (If no members, or none entitled to vote thereon.) By majority vote of the board of directors.

THIRD:

The address of the registered office of the corporation in the State of Maine is

HCR 70, Box 28, Outer Elm Street, Machias, ME 04654

*By

(street, city, state and zip code)

February 7, 1997 DATED

MUST BE COMPLETED FOR VOTE OF MEMBERS I certify that I have custody of the minutes showing the above action by the members.	
I certify that I have custody of the minutes showing the above action by the members.	
1 //	e above action by the members.
Xau	

*B

Jane E. Hinson, Clerk

(type or print name and capacity)

(signature)

(type or print name and capacity)

*This document MUST be signed by (1) the Clerk or Secretary OR (2) the President or a vice-president and the Secretary or an assistant secretary, or such other officer as the bylaws may designate as a 2nd certifying officer OR (3) if there are no such officers. then a majority of the Directors or such directors as may be designated by a majority of directors then in office OR (4) if there are no such directors, then the Members or such of them as may be designated by the members at a lawful meeting.

SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE, 101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101 TEL. (207) 287-4195

M	Minimum Fee \$5.00 (See §1401)	
DOMESTIC NONPROFIT CORPORATION STATE OF MAINE	File No. 19960225ND Pages 2 Fee Paid \$ 5 DCN 2011801800067 LNME FILED	
ARTICLES OF AMENDMENT	Julie Ligna Deputy Secretary of State	
Beals Island Regional Shellfish Hatchery Inc. (Name of Corporation)	A True Copy When Attested By Signature	

Pursuant to 13-B MRSA §§802 and 803, the undersigned corporation executes and delivers for filing the following Articles of Amendment:

FIRST: Describe <u>NATURE OF CHANGE</u> (i.e. change in name of corporation, purpose, number of directors, adding or deleting section or revision of section, etc.) as well as <u>TEXT</u> of amendment. Attach additional pages as needed.

Change in name of corporation from Beals Island Regional Shellfish Hatchery, Inc.

to Downeast Institute for Applied Marine Research and Education, Inc.

SECOND:

("X" one box only) The amendment was adopted on (date) JULY 21, 2000 as follows:

- By the members at a meeting at which a quorum was present and the amendment received at least a majority of the votes which members were entitled to cast.
- □ (If the Articles require more than a majority vote.) By the members at a meeting at which the amendment received at least the percentage of votes required by the Articles of Incorporation.
- By the written consent of all members entitled to vote with respect thereto.
- II (If no members, or none entitled to vote thereon.) By majority vote of the board of directors.

THIRD: The address of the registered office of the corporation in the State of Maine is Perio Point,

Beals Island, Maine 04611

(street, city, state and zip code)

DATED JUNE 22

MUST BE COMPLETED FOR VOTE OF MEMBERS I certify that I have custody of the minutes showing the above action by the members.

(signature of clerk, secretary or asst. secretary)

signature

BEALS ISLAND REGIONAL SHELLFISH HATCHER, (signature)

(type or print name and capacity)

*This document MUST be signed by

- (1) the Clerk or Secretary OR
- (2) the President or a vice-pres. together with the Secretary or an ass't. sec., or a 2nd certifying officer OR
- (3) if no such officers, then a majority of the Directors OR
- (4) if no such directors, then the Members.

SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE, 101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101

FORM NO, MNPCA-9 Rev. 4/16/2001

TEL. (207) 624-7740

		Minimum Filing Fee \$10 40 An additional \$10 51
м	DOMESTIC IONPROFIT CORPORATION	File No. 19960225ND Pages 2 Fee Paid \$ 10 DCN 2081261400008 CHNG FILED
	STATE OF MAINE	04/22/2008
AR	TICLES OF AMENDMENT	Julie L'Hynn Deputy Secretary of State
DOWN.	EAST INSTITUTE FOR	A True Copy When Attested By Signature
1.1.1.1.1.1.1.1	1ARINE RESEARCH & ED VLATION (Name of Corporation)	Deputy Secretary of State
Pursuant to 13	B MRSA §§802 and 803, the undersigned corporation	on executes and delivers the following Articles of Amendment.
FIRST:	("X" one box only.) D public benefit or	propration in mutual benefit corporation
SECOND:		ge in name of corporation, purpose, number of directors, adding of a TEXT of amendment. Attach additional pages as needed.
8	CHANGE IN NUMBER O	E DIRELTORS
		I SIXTEEN AND NOT MORE THAN
		SILIEEN AND NOT PIDLE THIN
	TWENTY	
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	TO: NOT LESS THAN SIXTEEN	VEIGHT AND NOT MORE THAN
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		JEIGHT AND NOT MORE THAN
		JEIGHT AND NOT MORE THAN

FORM NO. MNPCA-9 (1 of 2)

 THIRD:
 ("X" one box only.) The amendment was adopted on (date) <u>MARCH 6, 2008</u> as follows:

 Image: Description of the members at a meeting at which a quorum was present and the amendment received at least a majority

(If the Articles require more than a majority vote.) By the members at a meeting at which the amendment received at least the percentage of votes required by the Articles of Incorporation.

By the written consent of all members entitled to vote with respect thereto.

of the votes which members were entitled to cast.

. . . .

FOURTH:

The address of the registered office of the corporation in the State of Maine is P.O. BOX 83

(If no members, or none entitled to vote thereon.) By majority vote of the board of directors.

BEALS, MAINE OH611 (street, cuty, state and zup code)

DATED MATZCA 28

MUST BE COMPLETED FOR VOTE OF MEMBERS I certify that I have custody of the minutes showing the above action by the members. (signature of clerk, secretary or asst. secretary)

*Bv

ANEE, HINSON | CLERK (type or print name and capacity)

*By

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15. Technical Capacity

See attached resumes of key Downeast Institute personnel:

- 1) Dr. Brian Beal, Director of Research
- 2) Jeff Robinson, Facilities Manager
- 3) Kyle Pepperman, Associate Director of Technology Transfer
- 4) Breanna Salter, Shellfish Production & Research Hatchery Manager
- 5) Tessa Houston, Research Assistant

Brian Fairfield Beal

University of Maine at Machias 9 O'Brien Avenue Machias, Maine 04654

Tel. 207-255-1314 FAX 207-255-1390 e-mail <u>bbeal@maine.edu</u>

Date and Place of Birth: 19 November 1957; Machias, Maine

Formal Education: 1979: B.S. in Biology; University of Maine at Machias 1983: M.S. in Marine Sciences; University of North Carolina, Chapel Hill 1994: Ph.D. in Marine Bio-Resources; University of Maine, Orono

Pertinent Experience:

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1984-1985:	Marine Project Assistant; Univ. Maine Cooperative Extension Service, Machias, Maine
1985-1986:	Environmental Education Coordinator; University of Maine at Machias
1986-1994:	Environmental Resources Coordinator, University of Maine at Machias
1989-1997:	Assistant Professor of Marine Ecology; University of Maine at Machias
1998-2002:	Associate Professor of Marine Ecology; University of Maine at Machias
1990-present:	
1996-present:	Cooperating Faculty member for the School for Marine Science at the Univ. of Maine
2002-present:	Professor of Marine Ecology; University of Maine at Machias
	Director, Marine Science Field Station, University of Maine at Machias

Fellowships/Scholarships/Other Awards:

Switzer Foundation Environmental Fellow (1992-1993) Teacher of the Year, University of Maine at Machias (2000) Fulbright Scholarship (2000-2001), National University of Ireland, Galway (lecture/research) Distinguished Alumnus, University of Maine at Machias (2001) Trustee Professor, University of Maine at Machias (AY 2004-2005) Bourne-Chew Award, National Shellfisheries Association (2015) Maine Magazine's "50 Mainers to Admire and Inspire" (2019)

Courses taught: Introduction to Environmental Studies; Marine Biology; Marine Ecology; Population and Community Ecology; Algebra I; Algebra II; Pre-Calculus; Applied Statistics; Biostatistics; Introduction to the Marine Environment; Oceanography; Introduction to Mariculture; Introduction to the Local Marine Fauna and Flora of Downeast Maine

Research Interests: Shellfish ecology; population biology; resource management; mariculture

Professional Organizations: National Shellfisheries Association

Local Organizations: Maine Aquaculture Innovation Center (Chairman of Board of Directors); Downeast Institute for Applied Marine Research & Education (Director. of Research); Cobscook Bay Resource Center (Member, Board of Directors)

Member:Maine Department of Environmental Protection, Clean-up and Response Review
Board; Scientific and Technical Subcommittee, Maine Climate Council.

Selected Publications:

- Beal, B.F. 2002. Adding value to live, commercial size soft-shell clams (*Mya arenaria* L.) in Maine, USA: Results from repeated, small-scale, field impoundment trials. Aquaculture 210:119-135.
- Beal, B.F. 2005. Soft-shell clam, *Mya arenaria*, mariculture in Maine, USA: opportunities and challenges. Bulletin of the Aquaculture Association of Canada. Special Publication No. 9:41-44.
- Beal, B.F. 2006. Relative importance of predation and intraspecific competition in regulating growth and survival of juveniles of the soft-shell clam, *Mya arenaria* L., at several spatial scales. J. Exp. Mar. Biol. Ecol. 336:1-17.

- Beal, B.F. 2006. Biotic and abiotic factors influencing growth and survival of wild and cultured indivi-duals of the soft-shell clam (*Mya arenaria* L.) in eastern Maine. J. Shellfish Res. 25:461-474.
- Beal, B.F., Bayer, R.C., Kraus, M.G., Chapman, S.R. 1999. A unique shell marker of juvenile, hatchery-reared individuals of the soft-shell clam, *Mya arenaria* L. Fish. Bull. 97:380-386.
- Beal, B.F., Coffin, C.R., Randall, S.F., Goodenow, C.A., Jr., Pepperman, K.E., Ellis B.W. 2020. Interactive effects of shell hash and predator exclusion of 0-year class recruits of two infaunal intertidal bivalve species in Maine, USA. J. Exp. Mar. Biol. Ecol. 530-53. <u>https://doi.org/10.1016/j.jembe.2020.151441</u>.
- Beal, B.F., Coffin, C.R., Randall, S.F., Goodenow, C.A., Jr., Pepperman, K.E., Ellis, B.W.,
 Jourdet, C.B., Protopopescu, G.C. 2018. Spatial variability in recruitment of an infaunal bivalve: experimental effects of predator exclusion on the softshell clam (*Mya arenaria* L.) along three tidal estuaries in southern Maine, USA. J. Shellfish Res. 37:1-27.
- Beal, B.F., Kraus, M.G. 2002. Interactive effects of initial size, stocking density, and type of predator deterrent netting on survival and growth of cultured juveniles of the soft-shell clam, *Mya arenaria* L. in eastern Maine. Aquaculture 208:81-111.
- Beal, B.F., Lithgow, C., Shaw, D., Renshaw, S., Ouellette, D. 1995. Overwintering hatchery-reared individuals of the soft-shell clam, *Mya arenaria* L.: a field test of site, clam size, and intraspecific density. Aquaculture 130:145-158.
- Beal, B.F., Randall, S.F., Pepperman, K.E. 2020. Comparative field trials to examine the efficacy of a traditional management tool – brushing – to enhance local densities of 0-y class recruits in the soft-shell clam *Mya arenaria* L. fishery in Maine, USA. J. Shellfish Res. 39(3):1-15.
- Beal, B.F., Mercer, J.P., O'Conghaile, A. 2002. Field-based nurseries for hatchery-reared postlarvae of the European lobster, *Homarus gammarus* (L.): results of a 10-month, manipulative field experiment on the Irish west coast and implications for stock enhancement efforts. Aquaculture 210:137-157.
- Beal, B.F., Meredith, S.D., Jourdet, C.B., Pepperman, K.E. 2016. Diet of an underappreciated benthic intertidal fish, *Cryptacanthodes maculatus* (Cryptacanthodidae), in eastern Maine, USA. AIMS Environ. Sci. 3:488-508. doi: 10.3934/environsci.2016.3.488.
- Beal, B.F., Nault, D-M, Annis, H., Thayer, P., Leighton, H., Ellis, B. 2016. Comparative, large-scale field trials along the Maine coast to assess management options to enhance populations of the commercially-important soft-shell clam, *Mya arenaria* L. J. Shellfish Res. 35(4):1-17.
- Beal, B.F., Parker, M.R., Vencile, K.W. 2001. Seasonal effects of intraspecific density and predator exclusion along a shore-level gradient on survival and growth of juveniles of the soft-shell clam, *Mya arenaria* L., in Maine, USA. J. Exp. Mar. Biol. Ecol. 264:133-169.
- Tan, E.B.P., Beal, B.F. 2015. Interactions between invasive European green crab, *Carcinus maenas* (L.), and juveniles of the soft-shell clam, *Mya arenaria* L., in eastern Maine, USA. J. Exp. Mar. Biol. Ecol. 462:62-73.
- Vadas, R.L., Beal, B.F., Dowling, T. & Fegley, J. 1999. Experimental field tests of natural algal diets on gonad index and roe quality in *Strongylocentrotus droebachiensis*: A case for rapid summer production. Aquaculture 182:115-135.
- Vadas, R.L., Beal, B.F., Dudgeon, S.R., Wright, W.A. 2015. Spatial and temporal variability of spawning in the green sea urchin *Strongylocentrotus droebachiensis* along the coast of Maine. J. Shellfish Res. 34:1097-1128.

JEFF ROBINSON

Objective

To obtain a position that will enable me to use my organizational skills, past work and management experience.

Experience

2016-Present Downeast Institute for Applied Marine Science and Education

Facilities Manager

- Integrally involved with the daily operation of a shellfish hatchery, marine science laboratory, public education center, and on-campus housing.
- Responsible for upkeep and maintenance of all systems, facilities and grounds on the Downeast Institute's campus.
- Ensure a safe working environment for staff and visitors.
- Oversee contractors.
- Operate equipment. i.e. boats, small machinery.
- Fabrication of custom materials for marine research projects.
- Fabrication of various systems used in on-shore aquaculture
- 2005-2016 Cooke Aquaculture US Inc. Eastport, ME

IMTA Mussel Project 2011-2016

- Integrate rope grown Blue Mussel cultivation with Atlantic Salmon farms in Maine.
- Work closely with people within the company and within Sea Grant/University of Maine to establish new/different methods that will aide in making mussel cultivation a viable and economic industry.

Marine Site Manager 2005-2011

• Efficiently & economically operate/manage a marine farm for Atlantic Salmon cultivation.

	facilitate daily tasks/projectMaintain integrity of farmsOperate vessels and large ed	containment systems and equipment. quipment. and Excel, Microsoft Word etc.
1993-2005	Heritage Salmon	Eastport, Me
	Marine Site Manager	1999-2005
	Marine Site Assistant Manager	1995-1999
	Marine Technician	1993-1995
1992-1993	Hall Security	Brewer, Me
	Security Guard	
1992- 1993	Mahar Bros Construction	Pembroke, Me
	Equipment Operator/Laborer	
1990-2005	Part Time Carpenter and Carpenter Assistant	
1998-2004	Supervising experience with Balsam Christmas Tree farm work	
	harvesting and retail.	
Education		
1991-1992	University of Maine	Orono, Me
1987-1991	Washington Academy	East Machias, Me
Interests		

Family activities, most outdoor activities. Woodworking, carpentry

Kyle Pepperman 67 Birch Ridge Rd Marshfield, Me 04654 Mobile: (570) 337-8873 Kyle.pepperman@downeastinstitute.org

Education:

University of Maine at Machias

B.S. in Science September 2004-May 2009

Major: Marine Biology; Minor: Chemistry and Biology

Employment History

Downeast Institute for Applied Marine Research and Education, Beals, Maine

Associate Director of Technology Transfer March 2022-present Production and Hatchery Manager December 2020-March 2022 Shellfish Production and Research Assistant October 2010 – December 2020 Research Intern 2006 – 2010 Research duties, hatchery operations management, and educational outreach to grade schools, summer camps, college students and community members

University of Maine at Machias, Machias, Maine

Field assistant September 2008- September 2009

Assisted Dr. Brian Beal by collecting of benthic core samples from soft bottom intertidal sites for Maine Oil Spill Advisory Committee, identified and measured infaunal invertebrates collected from mud samples Laboratory Assistant September 2006-December 2006

Assisted Dr. Ruth Carmichael by preparing samples of hard-shell clam shell for acidification, extracting proteins from clam shell by acidification and filtration, preparing reagents used in acidification process, and preparing materials needed for Oceanography lab taught by Dr. Carmichael

Experience Summary

Fourteen years' experience assisting with and participating is marine research projects, both in the laboratory and in the field, working with Dr. Brian Beal and Dr. Ruth Carmichael.

Research Experience:

- Raising marine species for the purpose of supporting scientific study and applied research: soft-shell

scallops (*Placopecten magellanicus*), red footed arctic surf clams (*Mactromeris polynyma*), European oysters (*Ostrea edulis*) juveniles and larvae, juvenile Atlantic lobsters (*Homarus americanus*), Atlantic razor clam (*Ensis leei*) and phytoplankton, used as forage for the shellfish,

- Participated in multiple scientific studies
 - 2017 NOAA Sea Grant funded research on commercialization of hatchery-reared blue mussel (*Mytilus edulis*) seed for use by mussel farmers in Maine
 - 2015 NOAA Saltonstall Kennedy funded research expanding opportunities for blue and "gold" mussel (*Mytilus edulis*) farming in New England from hatchery to grow-out
 - 2013 NSF funded applied research on the culture of arctic surf clams (*Mactromeris polynyma*) and blue mussels (*Mytilus edulis*) in eastern Maine
 - 2009/2010 USDA-SBIR funded research evaluating subtidal and intertidal grow-out methods for cultured hard clams (*Mercenaria mercenaria*) in eastern Maine
 - 2009 NOAA-NMFS funded research to examine methods to enhance local (costal) stocks using wild and/or cultured juveniles of deep sea scallops (*Placopecten magellanicus*)
 - 2006 Maine Technology Institute funded research examining the hatchery, nursery and overwintering phases of the hard clam (*Mercenaria mercenaria*)
 - 2006 Maine Department of Marine Resources funded research studying regional variations in the growth of American lobsters (*Homarus americanus*)
- Participated in published research

Brian F. Beal, Chad R. Coffin, Sara F. Randall, Clint A. Goodenow Jr., Kyle E. Pepperman, Bennett W. Ellis, Cody B. Jourdet and George C. Protopopescu

Spatial Variability in Recruitment of an Infaunal Bivalve: Experimental Effects of Predator Exclusion on the Softshell Clam (*Mya arenaria* L.) along Three Tidal Estuaries in Southern Maine, USA. Journal of Shellfish Research, 37, 1-27.

Protopopescu, G.C and Beal, B.F

2015. Settlement response to various rope substrates in blue mussels (*Mytilus edulis* Linnaeus) in a hatchery setting. Journal of Shellfish Research 34, 383-391

Beal, B.F. and G.C. Protopopescu

2012. Ocean-based nurseries for cultured lobster (*Homarus americanus* Milne Edwards) postlarvae: field experiments off the coast of eastern Maine to examine effects of flow and container size on growth and survival. Journal of Shellfish Research 31, 177-193.

Breanna Salter

Machias, ME 04654

bsalter@downeastinstitute.org / (860) 861-3012

EDUCATION

University of Maine

University of Maine	Orono, ME
Bachelor of Science	Sept 2015-May 2019
Ecology and Environmental Sciences	
Concentration: Marine Ecosystems Ecology	
EXPERIENCE	Beals, ME
Downeast Institute	
Production and Research Hatchery Manager	Jan 2023-Present
 Managing microalgae stock and mass cultures 	
• Participating in project planning and following research work	r plans
• Developing and implementing plans to rear larval and juveni invertebrates	le bivalves and other marine
• Supervising research hatchery assistants	
Production Assistant	Oct 2019-Jan 2023
 Performing sanitation and preparation of shellfish production Training new employees and interns 	equipment and systems
 Spawning and rearing shellfish and assisting with field-based Maintaining microalgae stock and mass cultures 	experiments
University of Maine	Orono, ME
Student Researcher	Oct 2018-Sept 2019
Tracked mussel heart rate in response to temperature changeCollected, organized, and analyzed data	
 Maine Learning Assistant-Biology of Marine Organisms Facilitated in-class discussions 	Jan 2019-May 2019
Co-lead review sessions	
• Assisted professor and TAs in preparation of lectures	
Dodson Boatyard	Stonington, CT
Launch Operator	May 2017-Oct 2019
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- Operated launch boat to transport customers from their moored boats
- Managed and organized mooring field

Dock Hand

- Directed and secured vessels to dock
- Operated fuel pumps
- Performed general maintenance of facility (cleaning and organizing)

May 2016-Aug 2016

Mystic Aquarium

Volunteer Exhibit Host

- Provided guests with information about exhibits
- Enforced exhibit rules to ensure guest and animal safety

<u>SKILLS</u>

- Proficient in Microsoft Word, Excel, Chart5, and ArcGIS
- Microscopy

Tessa G. Houston

Jonesport, ME • (207) 939-3064 • thouston2017@gmail.com

Education

COLBY COLLEGE, Waterville, MEGPA 3.69Bachelor of Arts in Environmental Science, 2021Bachelor of Arts in History, 2021Applicable Courses: Aquatic Ecology, Marine Conservation & Policy, Earth Systems ChemistryDIS COPENHAGEN, Copenhagen, DenmarkStudied Polar Biology and Biology of Marine Mammals, 2019Studied Polar

Research Experience

Research Assistant, Downeast Institute, Beals, ME

Coordinate data collection for research projects in the hatchery and field
Communicate with the Director of Research and hatchery staff to conduct research
Research projects include developing best practices for spawning Atlantic scallops, producing a population of Eastern oysters that thrive in colder temperatures, and exploring the reproductive cycle of soft-shell clams

AmeriCorps Environmental Steward, Maine Conservation Corps January-November 2022 Rachel Carson National Wildlife Refuge, Wells, ME

•Performed surveys for evidence of New England cottontails across Southern Maine using ArcGIS Field Maps

•Trained interns to survey and manage piping plover and least tern habitat

•Coordinated aquaculture surveys both independently and in a leadership role

•Supervised coworkers and volunteers in invasive plant management

•Developed a trail guide and activity book for visiting fourth and fifth graders

•Directed a Boy Scout in her project surveying macroinvertebrates in streams within

Rachel Carson NWR in collaboration with Maine Audubon's Stream Explorers project •Organized National Public Lands Day volunteer planting events

*Interned for Rachel Carson National Wildlife Refuge Summer 2020 and assisted in invasive plant management and piping plover, least tern, and saltmarsh sparrow management

Intertidal Ecology Technician, Schoodic Institute, Winter Harbor, ME June-November 2021

•Conducted research on soft-sediment biodiversity and the relationship between marine worms and clam abundance and presented research findings in a poster presentation (link) and blog post (link)

•Assisted in research on seaweed biomass mapping

•Co-led volunteer groups in field and labwork

Collaborated on a mark and recapture project to track the movement of jonah crabs
Supervised University of Maine students in multi-day soft-sediment research projects
Conducted water sampling projects including SPATT and ocean acidification sampling

Research Intern, Schoodic Institute, Remote

January 2021

•Conducted research with the guidance of Hannah Webber on how the frequency of foggy days has changed through time in the Acadia Region

November 2022-Present

65

•Authored a blog post of research results for Schoodic Institute titled "A brief investigation into Acadia's foggy history" (<u>link</u>)

Researcher, Environmental Science Capstone, Waterville, ME

•Conducted a research project in collaboration with classmates on the distribution of Atlantic sturgeon in the Kennebec River, Maine and compiled research into a full scientific paper

•Collaborated with Dr. Peter Countway of Bigelow Laboratory to confirm, using environmental DNA techniques, the effectiveness of a newly developed Atlantic sturgeon primer in detecting this species in both laboratory and environmental samples

Research Intern, Mook Sea Farm, Walpole, ME

•Conducted research with Dr. Meredith White on the effect of coastal acidification on calcification rates and gene expression of juvenile eastern oysters

•Maintained Mook Sea Farm's seawater monitoring system

•Assisted in building an experimental upwelling system

•Monitored oyster health and survival rate throughout the experiment

•Presented findings at the SEA Fellows Symposium

Research Assistant, *Assistant Professor Loren McClenachan*, Waterville, ME **2018 - 2021** Conducted research on a variety of projects integrating marine science and history, including:

•Assisted in research for scientific papers on the views of Maine lobster industry members vs members of the local scientific community on lobster population trends •Researched the population trends and methods for determining these trends of Pacific and Atlantic gray whales

•Collaborated with LookBermuda in the creation of an online database consisting of deepsea fish data from the 1920s and 1930s

•Discovered references to the pre-1769 landscape and ecology of San Francisco using online newspaper and photo databases to assist The San Francisco Estuary Institute •Compared historical photos, from historical society archives, of locations on the Maine Coast to current photographs and analyzed the change in rockweed abundance

Technical Skills

•Proficient experience with Excel

•Proficient experience with R and PAST

•Experienced with ArcMap, ArcPro, ArcGIS Online, and Survey123 Connect

•Wilderness First Aid (DOE: April 2024), CPR and AED (DOE: April 2024) certified

Work & Volunteer Experience

Mentor, Colby Cares about Kids, Waterville, ME

Mentored a local elementary school studentCommitted to weekly interactions and special events with mentee

Sailing Instructor and Volunteer, Southport Yacht Club, Southport, ME2010-2018

•Taught sailing, navigation, seamanship, and racing skills to children ages 7 to 13

•Received the Summer 2018 Instructor of the Year award

Summer 2019

Fall 2020

Fall 2017-Spring 2021