

## STANDARD LEASE APPLICATION: NON-DISCHARGE

### 1. APPLICANT CONTACT INFORMATION

Applicant	Ferda Farms LLC		
Contact Person	Maxwell Burtis		
Address	9 Pinefields Ln		
City	Brunswick		
State, Zip	Maine, 04011		
County	Cumberland		
Telephone	(207)751-3687		
Email	max@ferdafarms.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: 07/17/23	Draft Application Submitted: 11/14/23	Scoping Session: 2/23/24
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card		Final Application: <input type="checkbox"/> Check (included) <input checked="" 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	Harpswell
Waterbody	New Meadows River
General Description (e.g. south of B Island)	East of Bombazine Island
Lease Information	
Total acreage requested (100-acre maximum)	5 acres
Lease term requested (20-year maximum)	10 years
Type of culture (check all that apply)	<input checked="" type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Note:** If you selected yes, you need to complete the steps outlined in the section titled: "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):	WL
Growing Area Section (e.g. "A1"):	A1

**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](mailto: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. American Oyster, <i>Crassostrea virginica</i>	Mook Sea Farms Inc., 321 State rt. 129 Walpole, ME  Muscongus Bay Aquaculture Inc., PO Box 204, Bremen, ME  Downeast Institute 39 Wildflower Lane, P.O. Box 83, Beals, Maine 04611  Merrymeeting Shellfish Co., 1410 Harpswell Neck Rd, Harpswell, ME 04079	500,000
2. Hard Shell Clam/ Quahog, <i>Mercenaria mercenaria</i>	Muscongus Bay Aquaculture Inc., PO Box 204, Bremen, ME  Merrymeeting Shellfish Co., 1410 Harpswell Neck Rd, Harpswell, ME 04079	500,000

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

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

## 5. VICINITY MAP

**Note:** Please label as: 'Vicinity Map'.

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

The map needs to display the following:

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

## 6. BOUNDARY DRAWING

**Note:** Please label as: 'Boundary Drawing'.

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

- Coordinate Description  
Provide geographic coordinates for each corner of the lease site in latitude and longitude 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.

## 7. SITE DEVELOPMENT

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

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

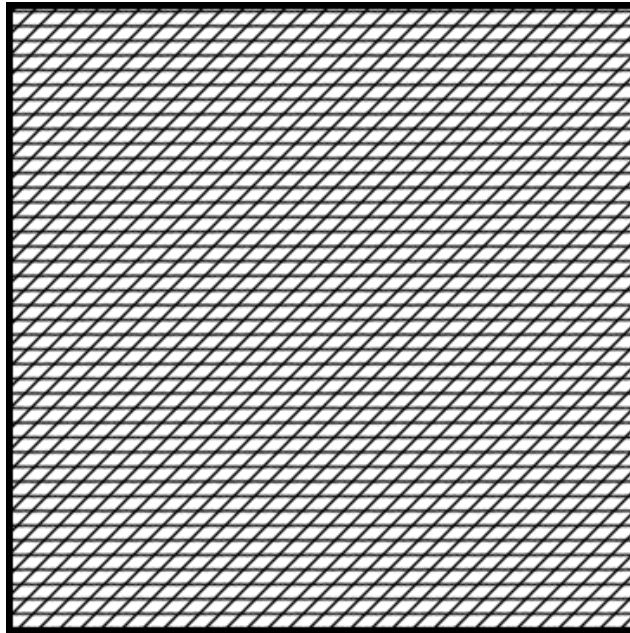
### A. Gear Information

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

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



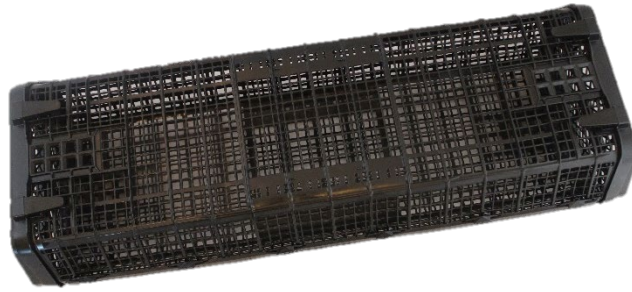
Gear Drawing: Rigid Mesh Bag (18.5”x35”x3”)



Gear Drawing: Soft Mesh Bag (4'x4'x0')



Gear Drawing: OysterGro Cage (36"x60"x20")



Gear Drawing: Hexcyl Pro Basket (29"x10-5/8"x5-7/16")

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.).

<b>Specific Gear Type</b> <i>(e.g. soft mesh bag)</i>	<b>Dimensions</b> <i>(e.g. 16"x20"x2")</i>	<b>Time of year gear will be deployed</b> <i>(e.g. Spring, Winter, etc.)</i>	<b>Maximum amount of this gear type that will be deployed on the site</b> <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	<b>Species that will be grown using this gear type</b>
Rigid Mesh Bag	18.5"x35"x3"	All year	3000	Oysters, quahogs
Soft Mesh Bag	4'x4'	All year	500	quahogs
OysterGro Cage	36"x60"x20"	All year	500	Oysters, quahogs
Hexcyl Pro Basket	29"x10-5/8"x5-7/16"	All year	5280	Oysters, quahogs
Foam Bag Floats	2"x4"x32"	Spring, Summer, Fall	6000	N/A
Plastic Bag Floats	3.5"x3"x32"	Spring, Summer, Fall	6000	N/A
Lateral Line	1/2"x6'6"	All year	1000	N/A
Longline	1/2"x300'	All year	40	N/A
Helix Anchor	10"x66"	All year	40	N/A
3/4" Thimble	3/4"	All year	4	N/A

3/4" Shackle	3/4"	All year	4	N/A
Marker buoy	7 1/4"x22"	All year	40	N/A
BirdAway	10'x1'	Spring, Summer, Fall	40	N/A
End Line	1/2"x20'	All year	80	N/A
1/2" Thimble	1/2"	All year	40	N/A
1/2" Shackle	1/2"	All year	40	N/A
1/2" Anchor Line	1/2"x44'	All year	40	N/A
3/4" Anchor Line	3/4"x30'	All year	4	N/A
A5 Buoy	27"x36"	Spring, Summer, Fall	40	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.).

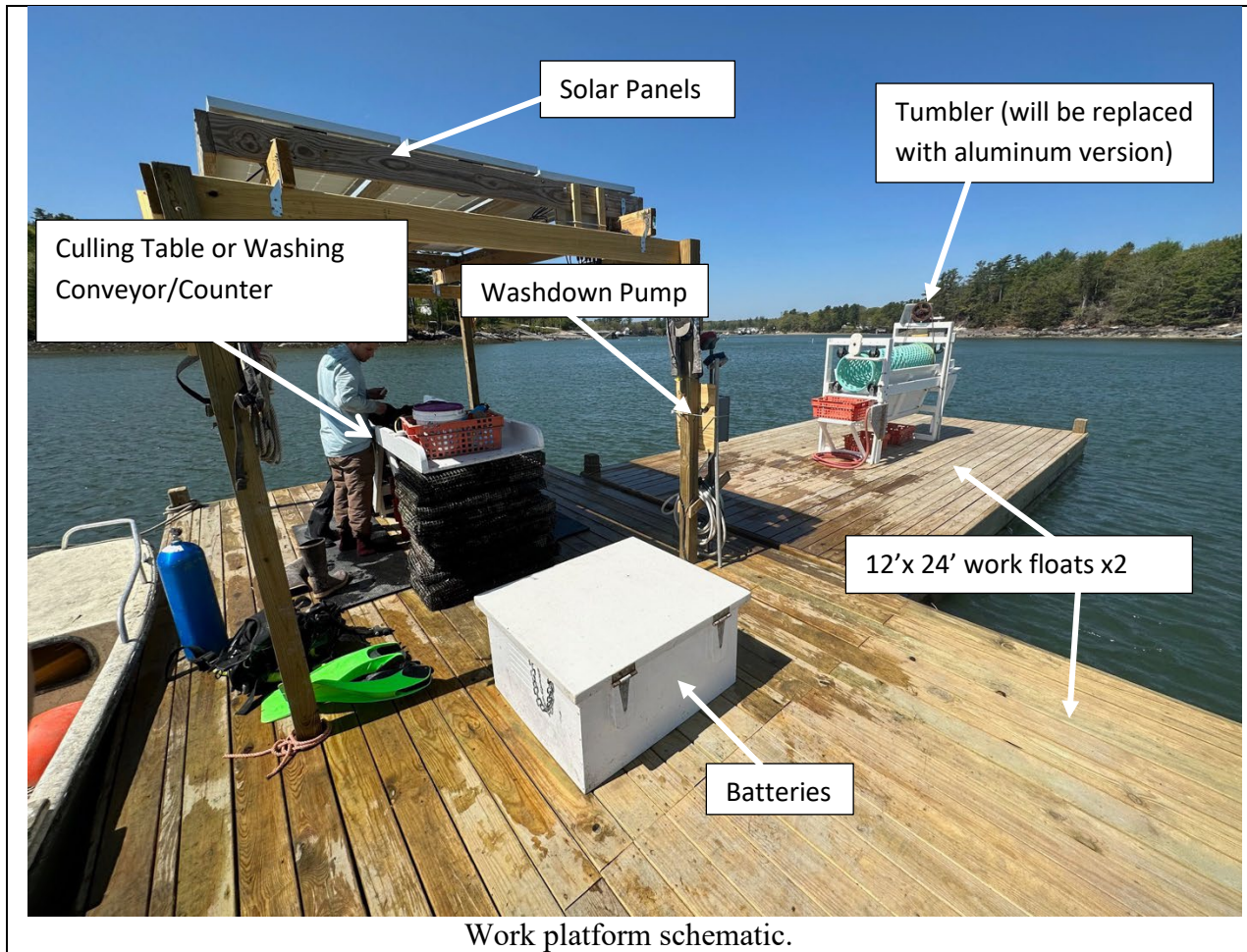
1. Overhead View. Please include the following and label as “Overhead View”:
  - Maximum layout of gear, including moorings.
  - Length and width of project.
  - Approximate spacing between gear.
  - Lease boundaries and the location of proposed corner markers and any additional gear markers that would be present.
  
2. Cross-Section View. Please include the following and label as “Cross-Section View”:
  - The sea bottom.
  - Profile of gear in cross-section as it will be deployed.
  - Label gear with dimensions and materials.
  - Show mooring gear with mooring type, scope, hardware, and line type and size.
  - Depth of gear in relation to the water’s surface at mean low water and mean high water (if applicable).

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

**C. On-Site Support Structures**

- |   |
|---|
| 1. Describe structures such as barges, sheds, etc., to be located on-site. Provide a schematic and indicate the dimensions, including height above sea level, materials, etc. |
|---|

There will be a work platform in the center of the lease. This work platform will include an aluminum oyster tumbler, solar panels, culling table, and washdown pump, washing conveyor and oyster counter. All motors will be solar powered. The top of the solar panels will be 12ft above sea level. The platform will be constructed from two 12’x 24’ wood floats that are fastened together with metal dock connectors. See the associated cross-section view for details on the mooring setup.



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.

Eight Trojan T105 lead acid batteries will be used in conjunction with the solar panels to power the electric motors. The battery acid in these batteries is considered a hazardous material. These batteries will be secured in a battery box that is bolted to the work platform.

#### **D. Gear Color**

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

The oyster bags, baskets, A5 buoys, and cages are black, the marker buoys are yellow, the work floats are wood (tan), and the aluminum tumbler is grey.

#### **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.



Vantage Point 1. Taken from the north end of Bombazine Island (43.863911, -69.896631).  
OysterGro cage setup depicted.



Vantage Point 2. Taken facing the east side of Bombazine Island (43.862892, -69.891425).  
OysterGro cage setup depicted.

**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.

N/A

**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: 1<sup>st</sup> 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.

Oysters and quahogs will be seeded between the months of May and July. After receiving the seed from the hatchery, the seed will be placed into mesh bags or baskets. As the seed grows, the density in each bag will be split and the bags will be scrubbed. We will be onsite Monday through Friday from 7:00 am to 3:00 pm during this time.

**B.** Please explain your proposed tending/maintenance activities.

As the oysters and quahog seed grows their densities will be thinned. They will be moved from fine mesh bags and to larger mesh bags. To combat biofouling, the cages or baskets will be flipped out of the water to air dry for 4-48 hours. If needed, bags will be washed using our washdown hose and replaced. Each oyster will be tumbled monthly during between the months of May and November. After the first growing season, quahogs will be moved from surface gear to the bottom. They will either be spread on bottom or will be stored in soft mesh bags. After the first growing season oysters will either be spread on bottom where they will stay until harvest or will remain in surface gear where they will be tumbled regularly until harvest. Tumbling mechanically sorts the oysters by size. Quahogs will be sorted by size manually. Any damaged gear or lines will be repaired promptly.

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

On average, we will handle seed .5 days a week, flip cages .5 days per week, harvest for 1.5 days a week, tumble/sort for 2.5 days per week. These activities will likely occur at this frequency between the months of April and December. Usually from January to March harvesting occurs for 1-2 days per week and other activities do not occur.

We received consultation regarding a nearby eagle's nest from Thomas Wittig, the Northeast Region Eagle Coordinator for the Division of Migratory Birds of the U.S. Fish and Wildlife Service. Per his recommendation, we will limit boat traffic to one to two thirty minute or less stops per week within the 330' buffer around the eagle nest on Bombazine Island During the bald eagle breeding season (Feb 1-Aug 15). This buffer includes the most westerly longline on the north side of the lease.

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

To harvest oysters from cages, we will bring a boat alongside the longline and pull the mesh bags into the boat. To harvest oysters from floating bags, we will bring a boat alongside the longline and pull the mesh bags into the boat. To harvest oysters from baskets, we will bring a boat alongside the longline and dump the oysters from the mesh baskets into crates in the boat. Quahogs of market size in bags will be harvested by retrieving the mesh bags from the ocean floor with a davit and winch. Quahogs or oysters that are bottom planted will be harvested by drag, bull rake, or diver. The drag will be less than or equal to 4' across and will have teeth that are less than or equal to 3". All of the product will then be culled and washed off on the work platform. Product that is too small to harvest will be returned to growout.

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

We will be at the site daily during harvest periods from 7:00 am to 3:00 pm.

**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.

All surface cages will be sunk for winter. The approximate date for sinking is January 1<sup>st</sup> and the Approximate date for raising the farm in the spring is April 1<sup>st</sup>. The only gear that will remain on surface will be marker buoys at each end of each longline. Floating bags and hexcyl pro baskets will be stacked on the work platform or stored at the applicant's personal residence. The work platform will be stored on the shore along the south side of Upper Coombs Island, and BirdAways and other gear from the growing season will also be stored on this float for the winter. On December 7<sup>th</sup>, 2023, we obtained verbal permission to store our work platform from the owners of Upper Coombs Island, from Pat and Bruce Myer.

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

We aim to control predators by keeping the oysters and quahogs in mesh bags if needed.

- 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)

To minimize the potential pollution impacts that roosting birds may have, we may use the following techniques as necessary:

1. Attach zip ties to floating oyster gear in a sufficient amount to deter roosting.
2. Use the OysterGro BirdAway hawk on a stick system as necessary to deter roosting (pictured below).
3. Wet store product for two weeks prior to harvest at WS-28194



BirdAway system.

## 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?

We will use a 19' Carolina Skiff with a 2018 Yamaha 70hp 4-stroke outboard engine and a 23' homebuilt fiberglass skiff with a 2020 Yamaha 60hp 4-stroke outboard engine. These vessels will be on the site when we are working Monday through Friday during daylight hours throughout the year.

**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?

Our oyster tumbler will be used when we are tumbling and sorting oysters for 7 hours per day for an average of 2.5 days per week during the growing season from April until December. The washdown pump will be used during harvest for 3 hours per day for an average of 1.5 days per week and for about 15 minutes at the end of every workday to clean up the work platform.

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

To reduce the noise from our outboard engines we will not leave them idling and we will run them with proper tilt and trim and at the minimum RPM to work efficiently. All powered equipment will use electric motors and solar panels rather than noisy generators or other machinery with internal combustion 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.

In emergency circumstances described in section E below, we may work onsite before or beyond daylight hours, using no more than four headlamps as a source of light. The headlamps (shielded) will have a four-watt LED bulb.

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

We do not plan to work beyond daylight hours. In the case of an emergency, i.e., to fix damaged gear after a storm, we may work 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.**

Persons associated with Ferda Farms currently operate on the following LPAs: CBUR219, CBUR319, MBUR520, MBUR620, MBUR720, MBUR820, SSHA218, SSHA319, SSHA419, CBUR119, CBUR420, SDOR220, SDOR120. We currently produce about 200,000 oysters per year on these LPAs. We also have the following lease application under review, DMR APPLICATION ID: 2022.02.09 S.

**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.**

If this lease is granted Shawn Shannon’s LPAs SSHA218, SSHA319, SSHA419, and SSHA118 and LPAs belonging to Chris Burtis (applicant), CBUR219 will be relinquished.

Shawn Shannon  
5 Barrows St Brunswick Maine  
(207) 272-8829  
Shawnshannon8@gmail.com

Oct 20, 2023

DEPARTMENT OF MARINE RESOURCES  
ATTN: Aquaculture Division  
21 State House Station  
Augusta, Maine 04333-0021

Dear the Maine Department of Marine Resources Aquaculture Division,

I am writing to let you know that I plan to relinquish my four LPA's SSHA118, SSHA218, SSHA318, and SSHA418 if Ferda Farms LLC's lease located east of Bombazine Island is approved.

Sincerely,



Shawn Shannon

Letter from Shawn Shannon.

## 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?

Northwest corner: 4'  
Northeast corner: 10'  
Southwest corner: 4'  
Southeast corner: 6'

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

Northwest corner: 13'  
Northeast corner: 19'  
Southwest corner: 13'  
Southeast corner: 15'

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

The approximate ebb is 1 knot to the southeast and the flow is 1 knot to the northwest.

**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.)?**

The bottom characteristics range from 2” to 24” of soft sediment with occasional shell rubble. The occasional lobster burrow has also been observed along the bottom of the site.

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

The bottom topography of the lease area is a gradual downward slope towards the channel to the east.

**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?**

Based on test dives conducted in November 2021 and in January 2023, we have found no significant abundance of marine species. Snails, and green crabs have been observed and are common around the site. Horseshoe crabs are common in the intertidal and shallow subtidal near the site in the summer. Moon jellyfish are abundant in the late spring and early summer. There are American oysters beneath SSHA218, SSHA319, SSHA419 that were discarded from the LPAs. These oysters are abundant beneath the LPA’s and are rare elsewhere.

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

There are shellfish beds along the north Shore of Sebascodegan Island. These beds are ~500’ to the South of the proposed lease. According to the Harpswell Marine Resource Committee, these beds contain a valuable quahog population.

Striped bass and menhaden migrate into the New Meadows in the spring and leave in the fall.

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.

There was no submerged aquatic vegetation observed during two dive transects conducted in January 2023 and in November of 2021.

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

The general shoreline is rocky and forested. There are two summer cottages on the north side of Bombazine Island.

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

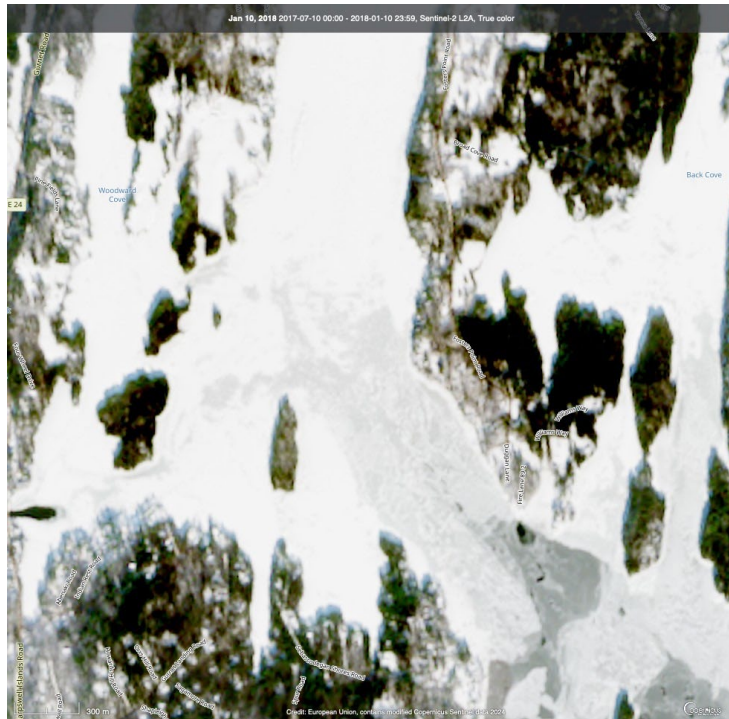
Yes  No

**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>

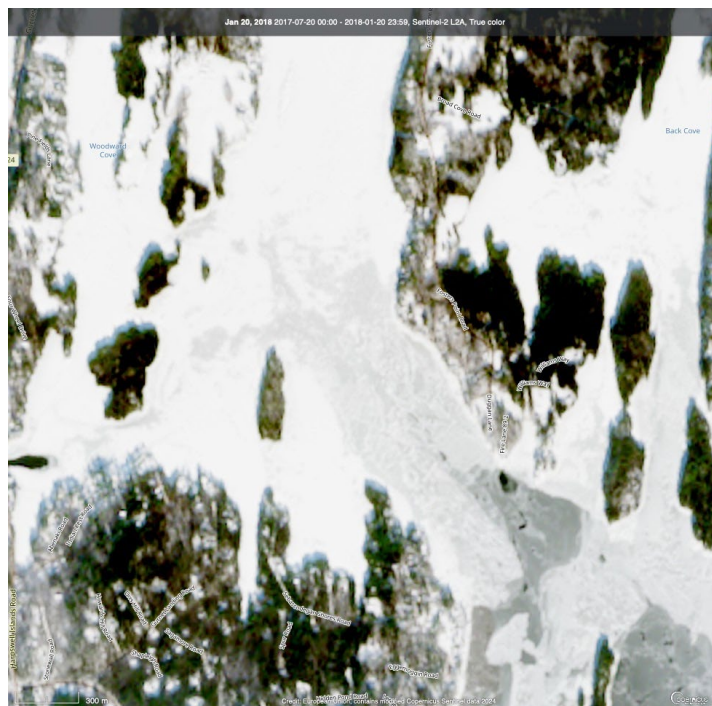
**If a project is located within an Essential Habitat,** applicants are strongly encouraged to contact the MDIFW Environmental Review Coordinator ([John.Perry@maine.gov](mailto:John.Perry@maine.gov), phone: 207-287-5254) prior to application submission.

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

The Sentinel-2 Satellite has been flying over the proposed lease at least weekly since 2015. Images from the months of December to March in the years from 2018 to 2024 were analyzed for presence of ice in the proposed lease. Sea ice formed over the proposed lease area and remained for about two weeks in January of 2018, but no sea ice was observed over the proposed lease in the following winters. On occasion, ice that forms in the nearby coves will break up and flows will drift through the lease site. These images can be retrieved from <https://browser.dataspace.copernicus.eu>.



Sea Ice on January 10, 2018.



Sea Ice on January 20, 2018.

**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><b>A.</b> 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><b>1. Commercial Fishing</b></p> <p>Lobstering occurs in the spring, summer, and fall every day on the New Meadows River. During this time, several traps are fished near the north end of Bombazine Island, 500' to the north of the proposed site. Also, fishing lobstering frequently occurs towards the center of the channel 400' east of the proposed site, but the traps are not as dense as they are to the north of Bombazine Island. Occasionally, and no more than once a month on average, a lobsterman may haul a trap within the lease boundary. No more than two traps have ever been observed within the lease boundary. In the past year, less fishing occurred in the spring and summer in the area, while more fishing occurred in the fall.</p> <p>Clammers harvest quahogs on the mudflat and sandbars 500' to the south of the proposed lease. They harvest on average one tide per month year-round.</p> <p>Pogie fishing occurs between the months of June and November throughout the New Meadows River, but it is most frequent in the months of June, July, and August and usually occurs no more than three days per week. We have observed boats setting purse seines 400' from the lease site.</p>
<p><b>2. Recreational Fishing</b></p> <p>Recreational fishing for striped bass is seen all around the New Meadows and not in one defined location. Recreational fishing takes place in early spring to late fall every day. Recreational fishing has not been observed within the lease boundary. An average of one boat per week through the summer has been observed fishing the north end of Bombazine Island between the shore and the green navigation can, 590' from the proposed lease site. Additionally, an average of one boat per week fishes along the south end of Bombazine Island around the ledges during peak ebb/flood in the summer months, 770' from the proposed lease site.</p>
<p><b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</b></p> <p>Boaters frequent the main channel to the East of the proposed lease area daily from early spring to late fall. The distance from the east side of the proposed lease to the center of the main channel is 630'.</p>
<p><b>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.)</b></p>

There is a dock located on northwest end of Bombazine Island which is used by visitors of the island in the summer months. The dock is 555' from the proposed lease site. People have been observed making day trips to the island less than 5 times in the last three years.

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

Kayakers have been observed on the New Meadows River from early spring to late fall. They can be seen daily in the summer months and weekly in the shoulder seasons. Kayakers check out the current LPAs within the lease 1-4 times per month in the summer and do not come near the proposed lease in the other seasons. Kayakers frequent the Gurnet Straight mooring field 1500' to the west of the proposed site, 3-7 days per week in the summer months.

One local lobster fisherman holds a noncommercial menhaden license and sets a gill net more than 2,000' from the proposed lease 1-5 times a week in the months of June, July, and August.

**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 dock on the northwest side of Bombazine Island, 555' from the proposed lease. There are four moorings: Harpswell #1862 (764' away), Harpswell #1856 (118' away), Harpswell #0730 (408' away), and Harpswell #1076 (905' away).

Per recommendation of the Harpswell Harbor Master, Paul Plummer, the owners of the nearest two moorings were contacted on 3/1/23 by email and phone but no response was received.

Shellfish harvesters access the shellfish bed to the south of Bombazine Island by driving their skiffs along the east shore of the island, 150' from the proposed lease 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.**

No.

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

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

Yes. SSHA218, SSHA319, SSHA419, SSHA118.

**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”.

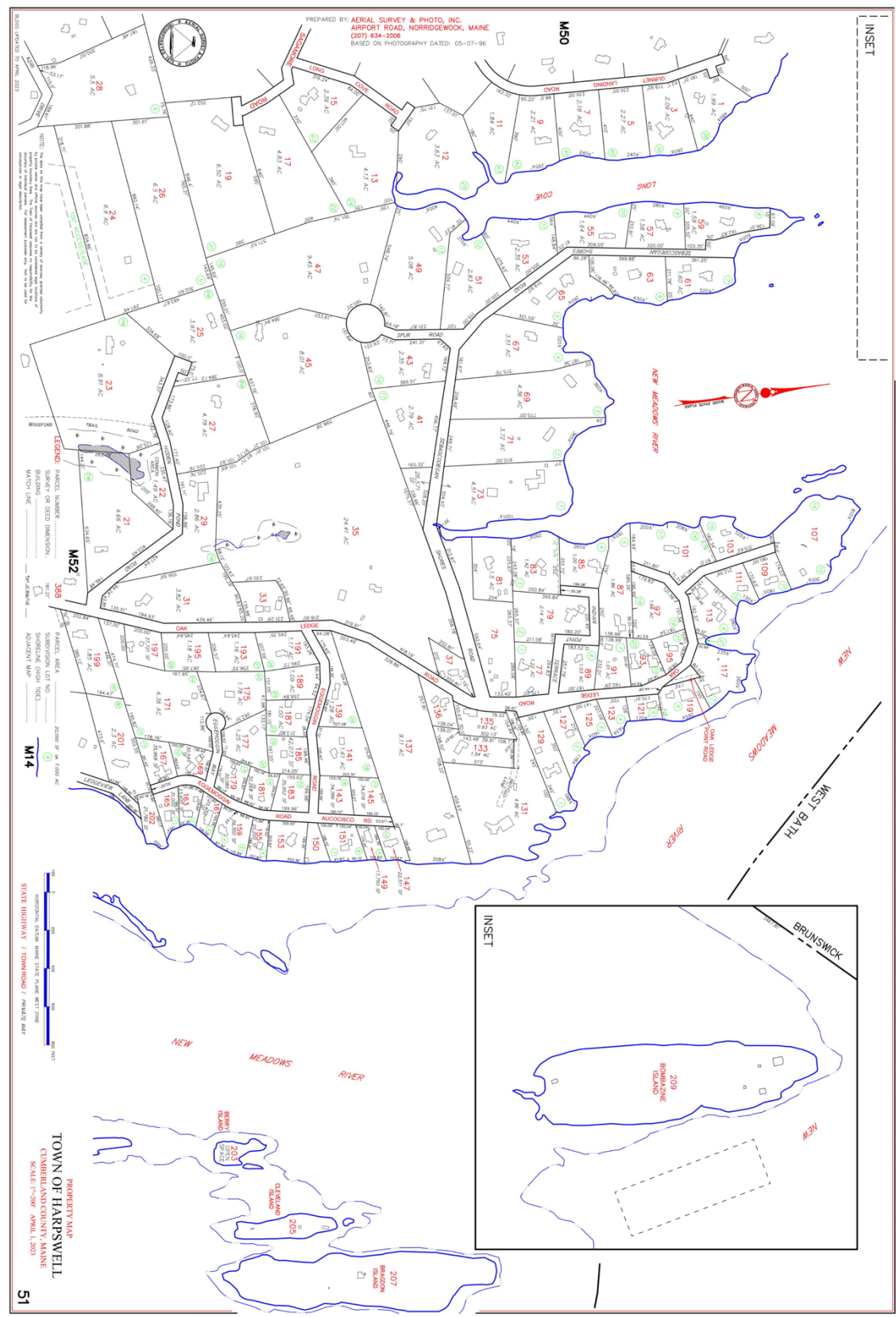
<p><b>B.</b> Will your access to the lease area be across riparian land?</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>
--

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

<p><b>C.</b> How will you access the proposed site?</p>
<p>We will access the proposed site by boat in either our 19’ Carolina Skiff or our 23’ homebuilt fiberglass skiff.</p>

<p><b>D.</b> How will your proposed activities affect riparian ingress and egress?</p>
<p>The proposed site will not impact riparian ingress or egress. Riparians on Bombazine Island access their cottage via a dock on the northwest side of the Island. The proposed lease is on the east side of the island and will not interfere with ingress or egress.</p>

# Tax Map: Town of Harpswell



**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:**

MAP #	LOT #	Landowner name(s) and address(es)
51	209	MALLOY PATRICK E III & CANDACE LIVING TR PO BOX 1979, SAG HARBOR, NY 11963
51	107	JAMISON BENTON N & PHYLLIS R 328 OAK LEDGE RD, HARPSWELL, ME 04079
51	073	MARSTERS MARK P & LAURIE* 50 SEBASCODEGAN SHORE, HARPSWELL, ME 04079
51	071	DAVIDSON MARC L & KATHLEEN M* 20 LONGBROOK RD, BYFIELD, MA 01922
51	069	COOPER JOHN M JR & JUDITH W TRUSTEES* 68 SEBASCODEGAN SHORE ROAD, HARPSWELL, ME 04079
51	061	MATTISON ROGER H & KARLEEN L* 146 MOORINGS PARK DRIVE, APT N101, NAPLES, FL 34105
51	COMMON	GILLEY DAVID J & MARY K 67 SEBASCODEGAN SHORES RD HARPSWELL, ME 04079  REINER DOUGLAS & CHRISTINE E BARNES LIVING TR 306 DEVLIN COURT NAPERVILLE, IL 60565  LEVY ADAM B & SARAH P 19 SPUR ROAD HARPSWELL, ME 04079  ZACKIN MARTHA J 95 BALDWIN STREET CHARLESTOWN, MA 02129

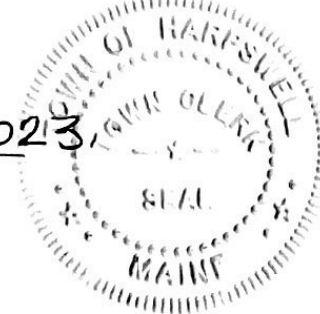
	<p>ROMAN CHARLES T &amp; NANCY G 8 SPUR RD HARPSWELL, ME 04079</p> <p>TREWORGY DAVID 37 SPARWELL LANE BRUNSWICK, ME 04011</p> <p>SCHAAF PHILIP J &amp; CAROLYN COFFIN 103 SEBASCODEGAN SHORES RD HARPSWELL, ME 04079</p> <p>LAVIGNE RONALD SR &amp; EILEEN L FLUG 117 SEBASCODEGAN SHORES RD CHESTERFIELD, MA 01012</p> <p>JOHNSON BRIAN &amp; LAURA TRUSTEES 123 SEBASCODEGAN SHORES RD HARPSWELL, ME 04079</p> <p>CURTS-YUHAS HOLLIE N 137 SEBASCODEGAN SHORES RD HARPSWELL, ME 04079</p> <p>LOUNDER CHARLES E &amp; RACHEL A 11 STARLIGHT WAY BRUNSWICK, ME 04011</p> <p>DICK DAVID H 98 SEBASCODEGAN SHORES HARPSWELL, ME 04079</p> <p>PATTISON SAMUEL E &amp; BRENDA M 78 SEBASCODEGAN SHORES RD HARPSWELL, ME 04079</p> <p>*other owners of common lot listed above</p>
--	---

**Please use additional sheets if necessary and attach hereto.**

**CERTIFICATION**

I, Tracy H Gaudet, Town Clerk for the Town of Harpwell 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: Tracy H Gaudet DATE: 11/09/2023



## 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.

Max Burtis and Chris Burtis will oversee operations of this lease. Max has been digging clams and harvesting wild oysters on the New Meadows River for the past ten years and both Chris and Max have been farming oysters on the New Meadows River for the past six years. Max has additional experience sterning on a lobster boat and commercial scallop diving. Chris has experience fishing commercially for oysters on the Chesapeake Bay and holds a 100-ton USCG auxiliary-sail captains license.

## 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.



## Letter of Good Standing

Attention Department Of Marine Resources:

This letter is to confirm that Ferda Farms LLC presently holds an account in good standing with Midcoast Federal Credit Union. Presently there are no stop payments, holds, or any other account restrictions in place. The account is eligible to receive deposits, as well as make transfers and payments.

If there are any additional questions, please feel free to contact us at 877.964.3262 with the owner of the account.

DocuSigned by:  
*Alan McDonald* 11/6/2023  
BY AUTHORITY OF  
Alan McDonald, eServices Manager



Midcoast Federal Credit Union  
186 Lower Main Street, Freeport ME 04032  
Midcoastfcu.me | Letter of Good Standing, Rev. 11/2023

### B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Leasing: \$500/yr  
Labor: \$120,000/yr  
Fuel: \$5,000/yr  
Gear/Equipment: \$57,000/yr  
Seed: \$15,000/yr  
**Total: \$197,000/yr**

**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 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) Maxwell Burtis 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.

Maxwell Burtis \_\_\_\_\_ 11/10/23 \_\_\_\_\_  
**Applicant Signature** **Date**

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

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

I, (printed name of applicant) CHARLES BURTIS 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.

Charles Burtis \_\_\_\_\_ 11/10/23 \_\_\_\_\_  
**Applicant Signature** **Date**

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

**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: Maxwell Bertis

Title (if corporate applicant): CO-OWNER

Signature:  Date: 8/29/24

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: CHRIS BURTIS

Title (if corporate applicant): CO-OWNER

Signature:  Date: 8/30/24



## MAINE DEPARTMENT OF MARINE RESOURCES

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 A. Corporate Applicant. Partnerships must submit information as requested under B. Partnership Applicant.

#### 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: Ferda Farms LLC
2. Date of incorporation: 7/3/2018                      State of incorporation: Maine
3. List the names, addresses, and titles of all officers:

Name	Address	Title
Maxwell Burtis	13 Noble St, Brunswick, ME 04011	Owner
Christopher Burtis	9 Pinefields Ln, Brunswick, ME 04011	Owner

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

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

Name	Address
Maxwell Burtis	13 Noble St, Brunswick, ME 04011
Christopher Burtis	9 Pinefields Ln, Brunswick, ME 04011

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

5. Has the corporation, or any stockholder, director, or officer applied for an aquaculture lease for Maine lands in the past?  Yes  No

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

Ferda Farms LLC, under review. Location: East of Lower Coombs Island.

6. List the names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each stockholder.

Name	Address	Percentage of Owned Stock
Maxwell Burtis	13 Noble St, Brunswick, ME 04011	49
Christopher Burtis	9 Pinefields Ln, Brunswick, ME 04011	51

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

7. List the names and addresses of stockholders, directors, or officers 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 the percentage of owned stock listed in question 6. If none, write, “None.”

Name	Address	Lease Acronym	Acreage
<b>None</b>			

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

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?



MAINE  
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20190124DC Pages 2  
Fee Paid \$ 175  
DCN 2181922260012 DLLC  
FILED  
07/03/2018

*Julie L Flynn*  
Deputy Secretary of State

A True Copy When Attested By Signature

*Julie L Flynn*  
Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

**Ferda Farms LLC**

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "Bo" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

- Date of this filing; or
- Later effective date (specified here): \_\_\_\_\_

THIRD: Designation as a low profit LLC (Check only if applicable):

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
  - A. The company intends to qualify as a low-profit limited liability company;
  - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
  - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
  - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional LLC (Check only if applicable):

- This is a professional limited liability company\* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

\_\_\_\_\_  
(Type of professional services)

Form No. MLLC-6 (1 of 2)

(47)

FIFTH: The Registered Agent is as (select whether a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: \_\_\_\_\_

\_\_\_\_\_  
(Name of commercial registered agent)

Noncommercial Registered Agent

Christopher Burtis

\_\_\_\_\_  
(Name of noncommercial registered agent)

9 Pinefields Ln

\_\_\_\_\_  
(physical location, not P.O. Box -- street, city, state and zip code)

Brunswick, ME 04011

\_\_\_\_\_  
(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH: Other matters the members determine to include are set forth in the attached Exhibit \_\_\_\_\_, and made a part hereof.

\*\* Authorized person(s)

Dated June 28, 2018



\_\_\_\_\_  
(Signature of authorized person)

Christopher Burtis

\_\_\_\_\_  
(Type or print name of authorized person)

Max Friedman

\_\_\_\_\_  
(Signature of authorized person)

Maxfield Friedman

\_\_\_\_\_  
(Type or print name of authorized person)

\*Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list -- see 13 MRSA §723.7)

\*\*Pursuant to 31 MRSA §1676.1-A, Certificate of Formation MUST be signed by at least one authorized person.

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

Secretary of State

Division of Corporations, UCC and Commissions

101 State House Station

Augusta, ME 04333-0101

Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC.Corporations@Maine.gov

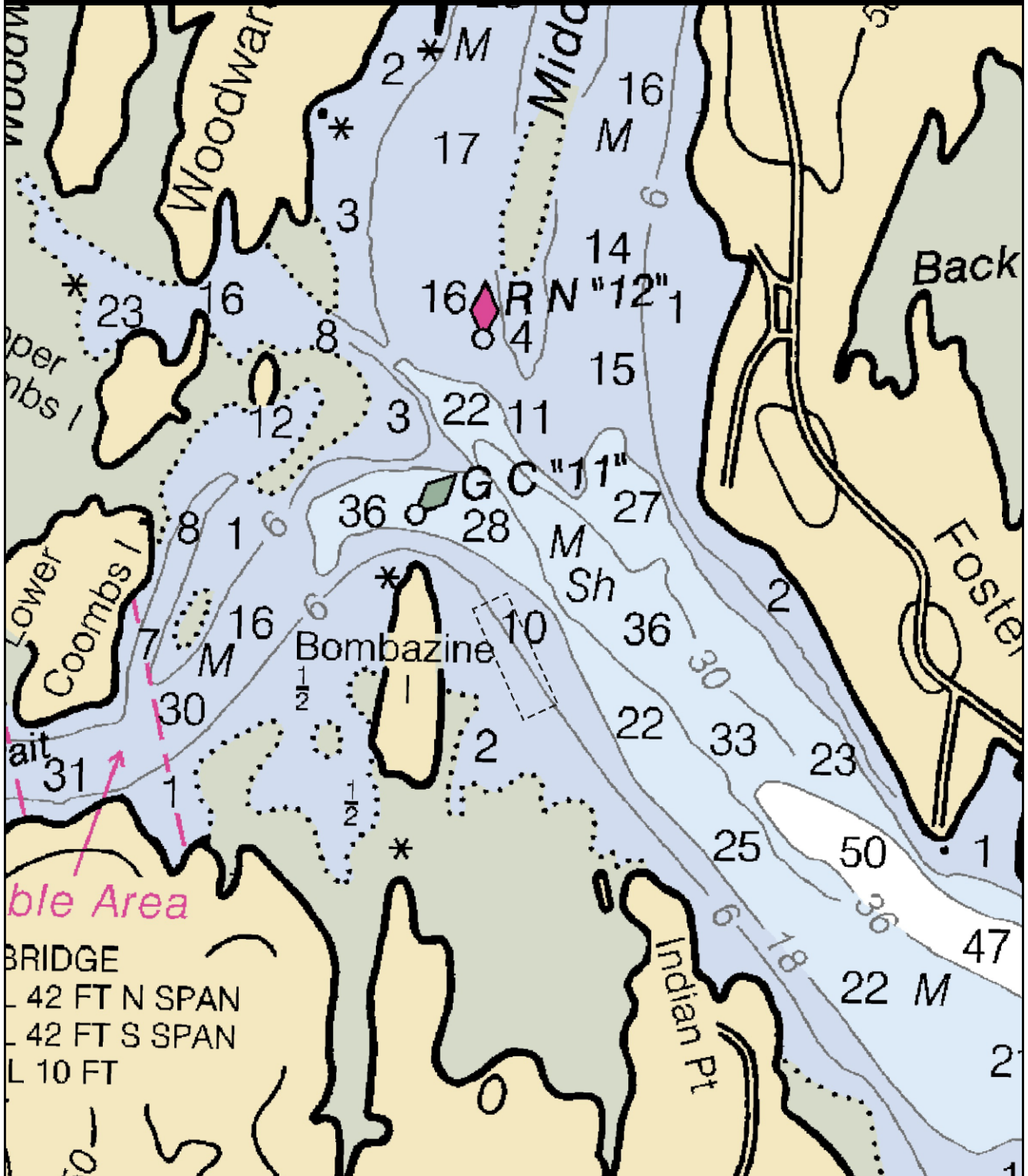
Form No. MLLC-6 (2 of 2) Rev. 10/31/2012


48

# Vicinity Map

NOAA Chart 13290: Casco Bay

Standard Lease Application  
New Meadows River, Maine  
Ferda Farms LLC



 Lease Boundary

0 500 1,000 ft

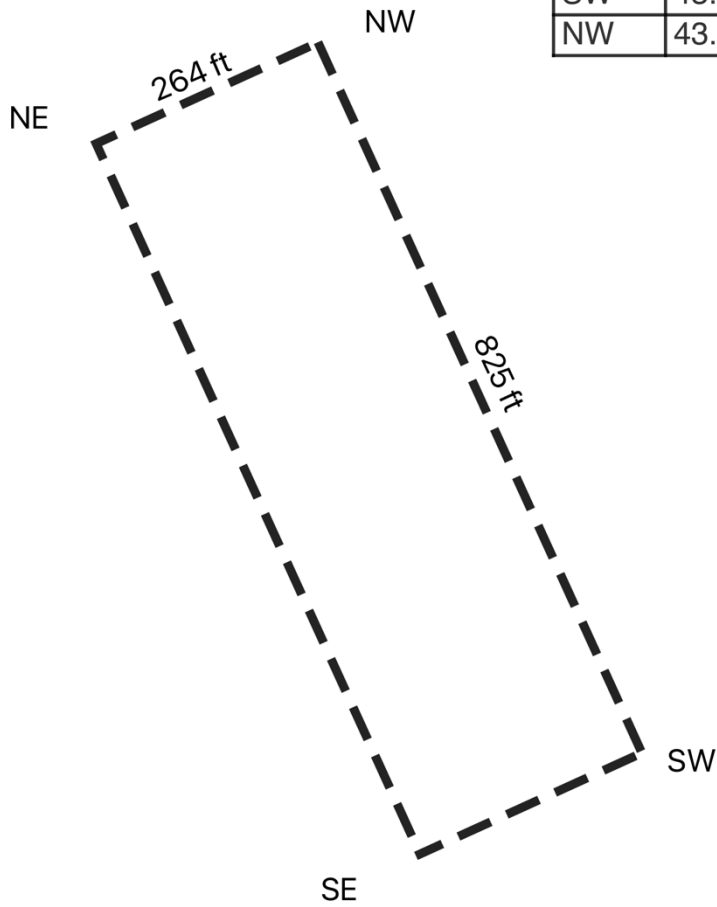


Revision: 10/29/2023  
Author: Max Burtis  
Datum: EPSG:4326 - WGS 84

**Boundary Drawing**  
and Coordinate Description

Standard Lease Application  
New Meadows River, Maine  
Ferda Farms LLC

Vertex	Lat	Lon
NE	43.86248128	-69.8952015
SE	43.86043809	-69.8938567
SW	43.86012672	-69.8947603
NW	43.86216991	-69.8961051



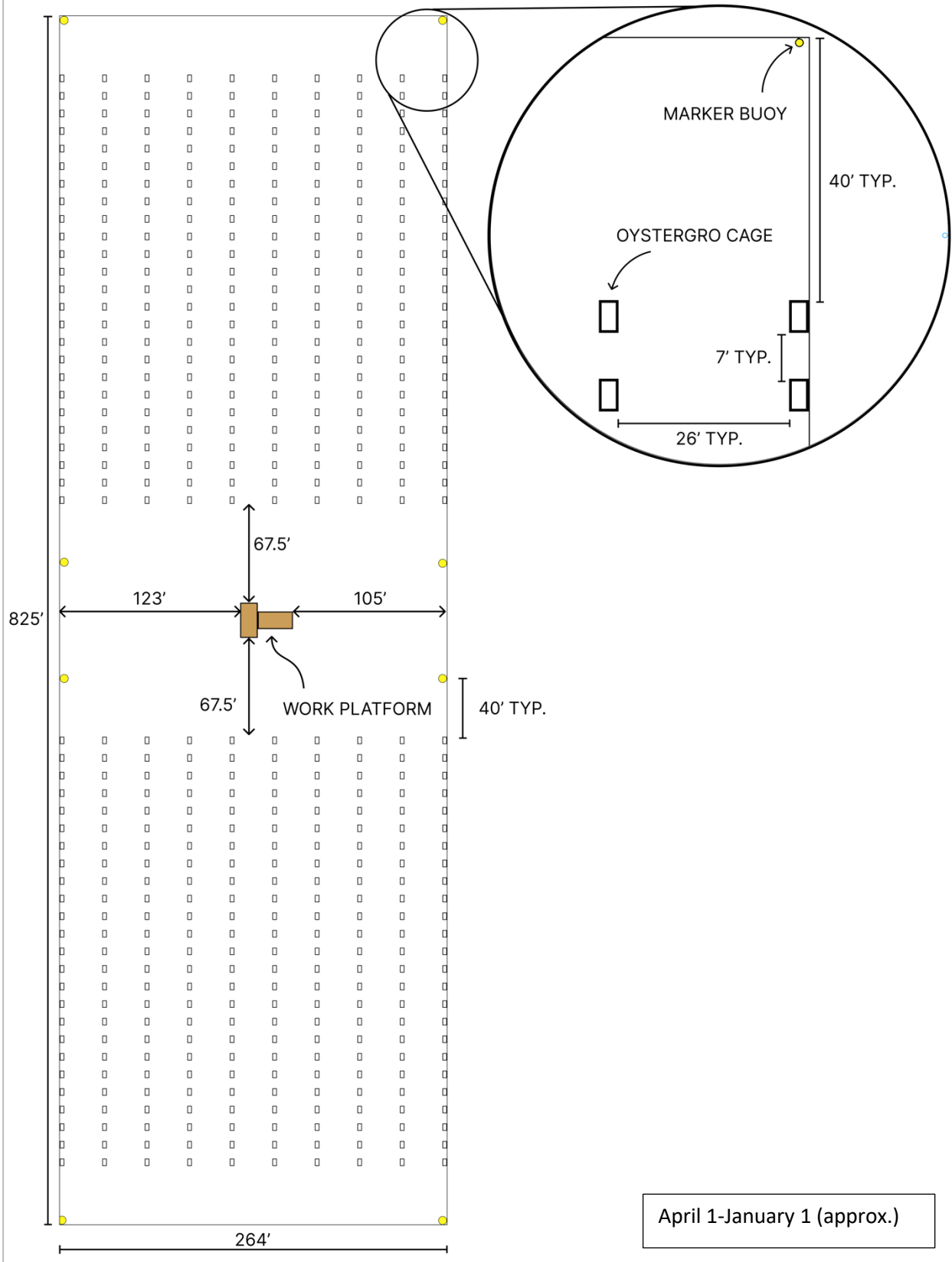
0 100 200 ft



Revision: 12/21/2023  
Author: Max Burtis  
Datum: EPSG:4326 - WGS 84

**Overhead View: OysterGro Cages**

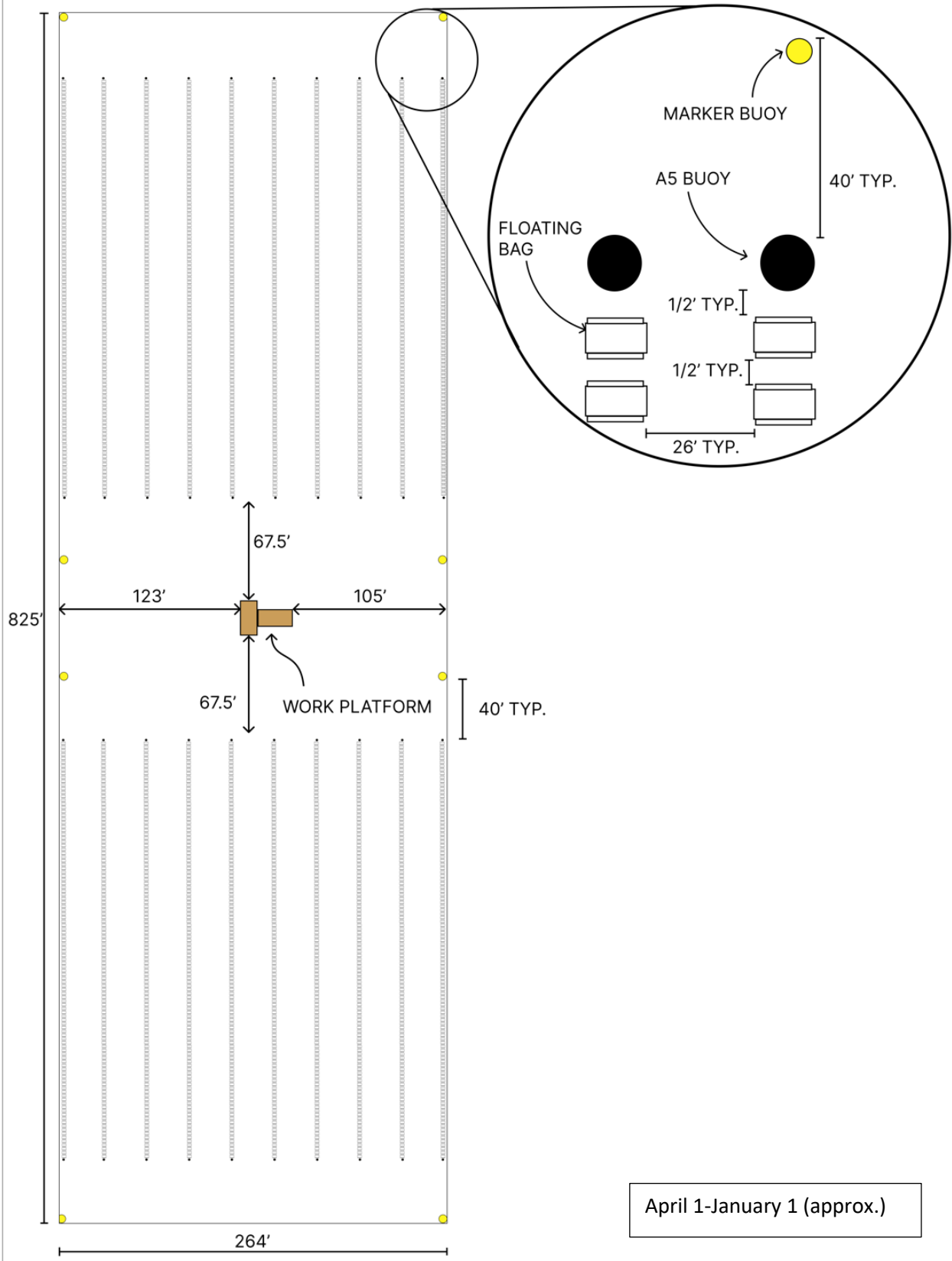
**NOT TO SCALE**



April 1-January 1 (approx.)

**Overhead View: Floating Bags**

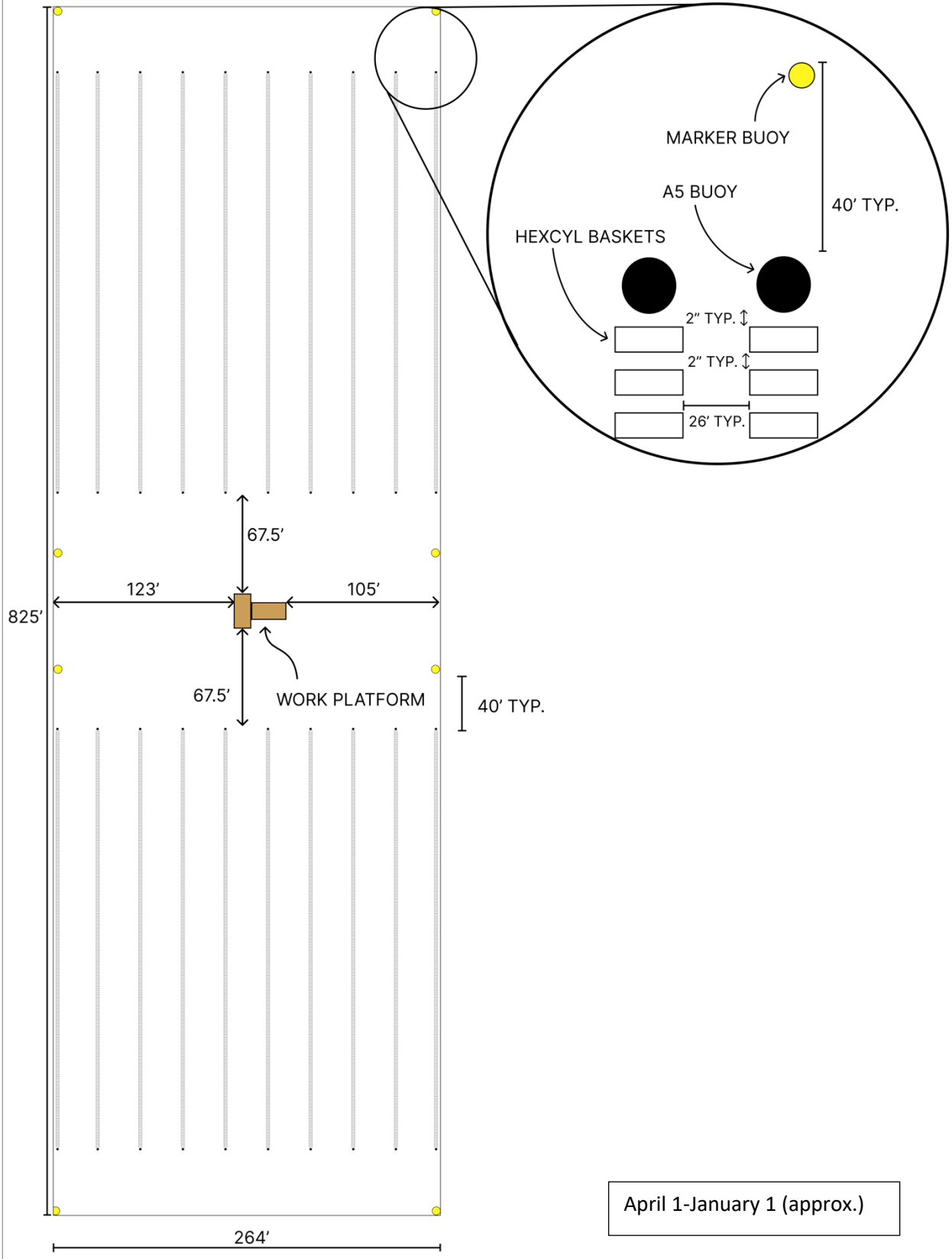
**NOT TO SCALE**



April 1-January 1 (approx.)

**Overhead View: Hexcyl Baskets**

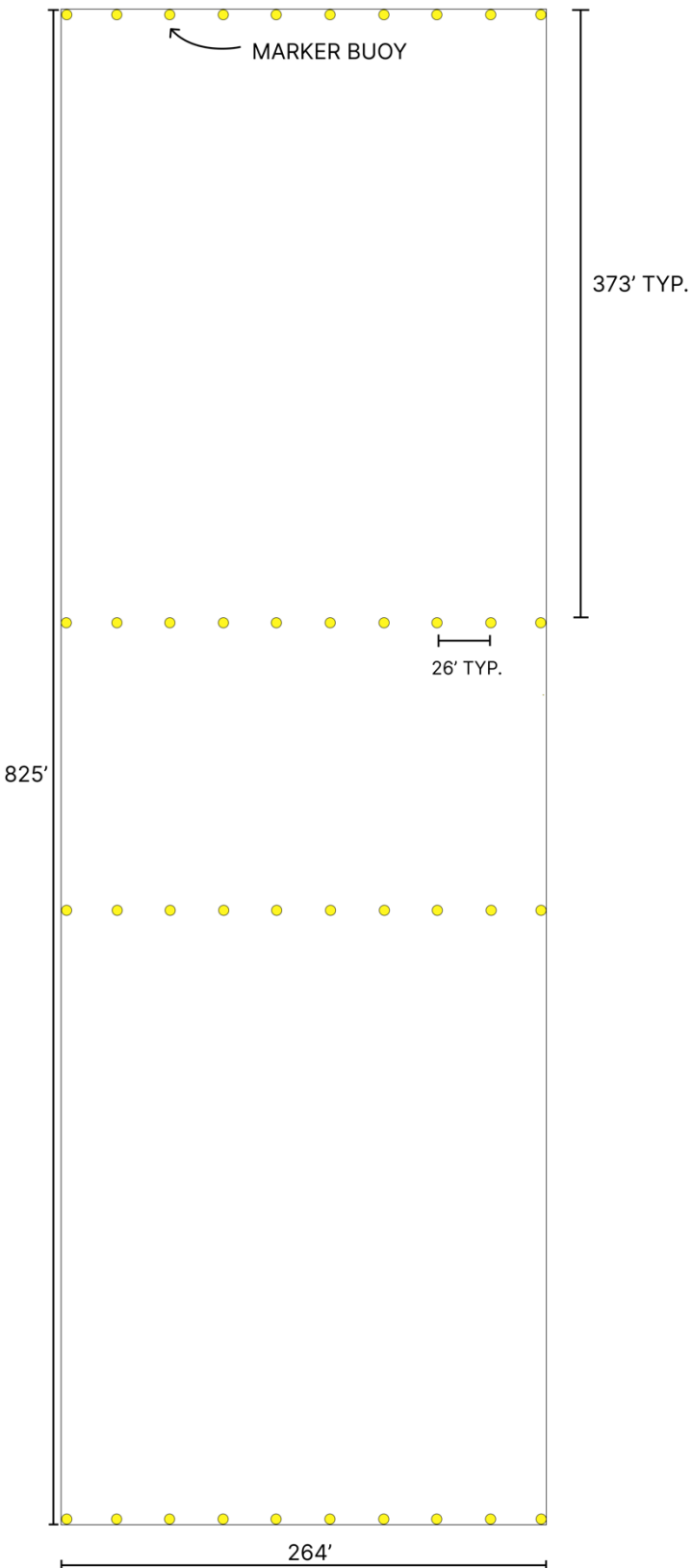
**NOT TO SCALE**



April 1-January 1 (approx.)

**Overhead View: Overwintering (All Gear Types)**

**NOT TO SCALE**



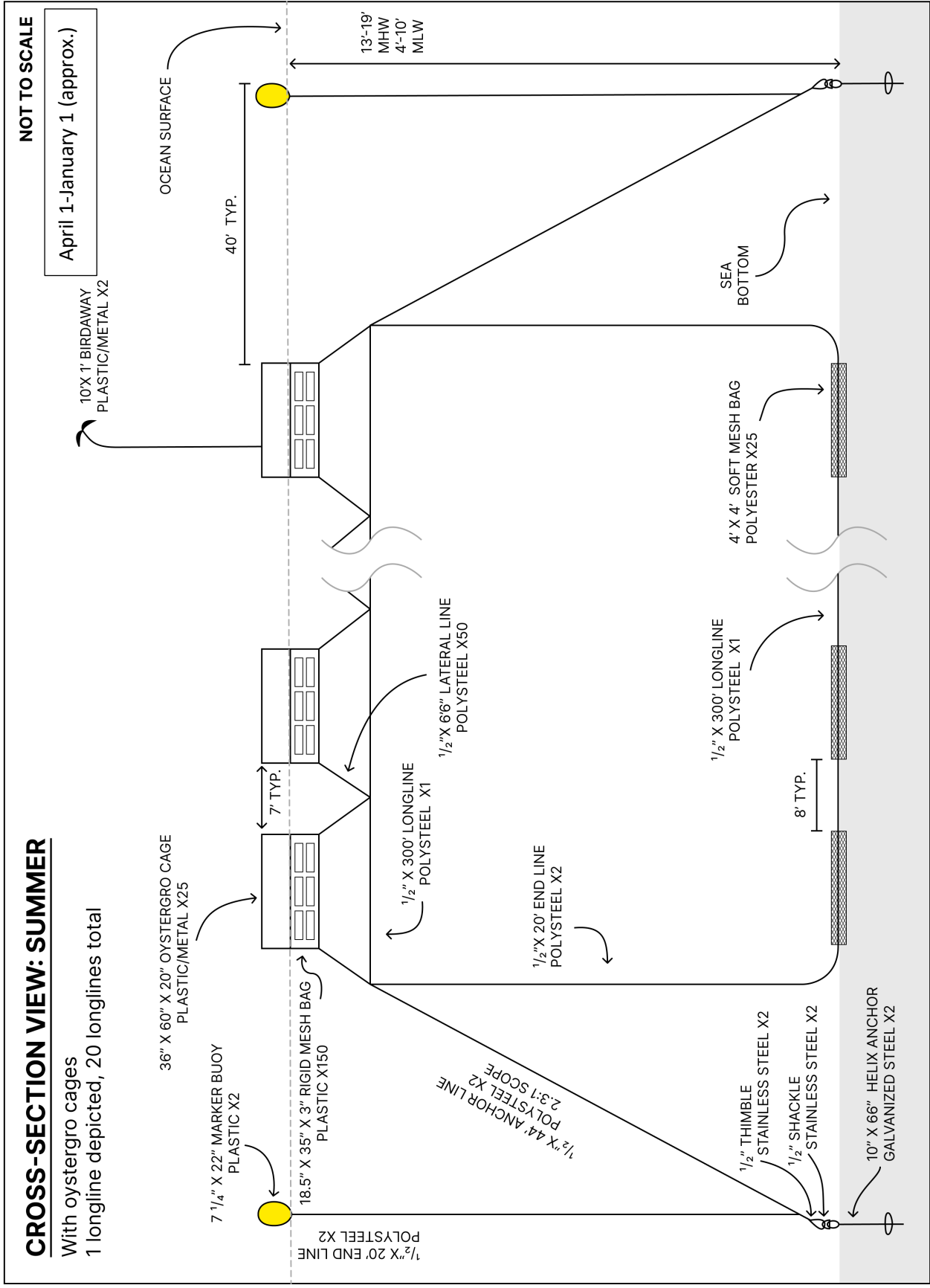
January 1-April 1 (approx.)

NOT TO SCALE

April 1-January 1 (approx.)

### CROSS-SECTION VIEW: SUMMER

With oystergro cages  
1 longline depicted, 20 longlines total

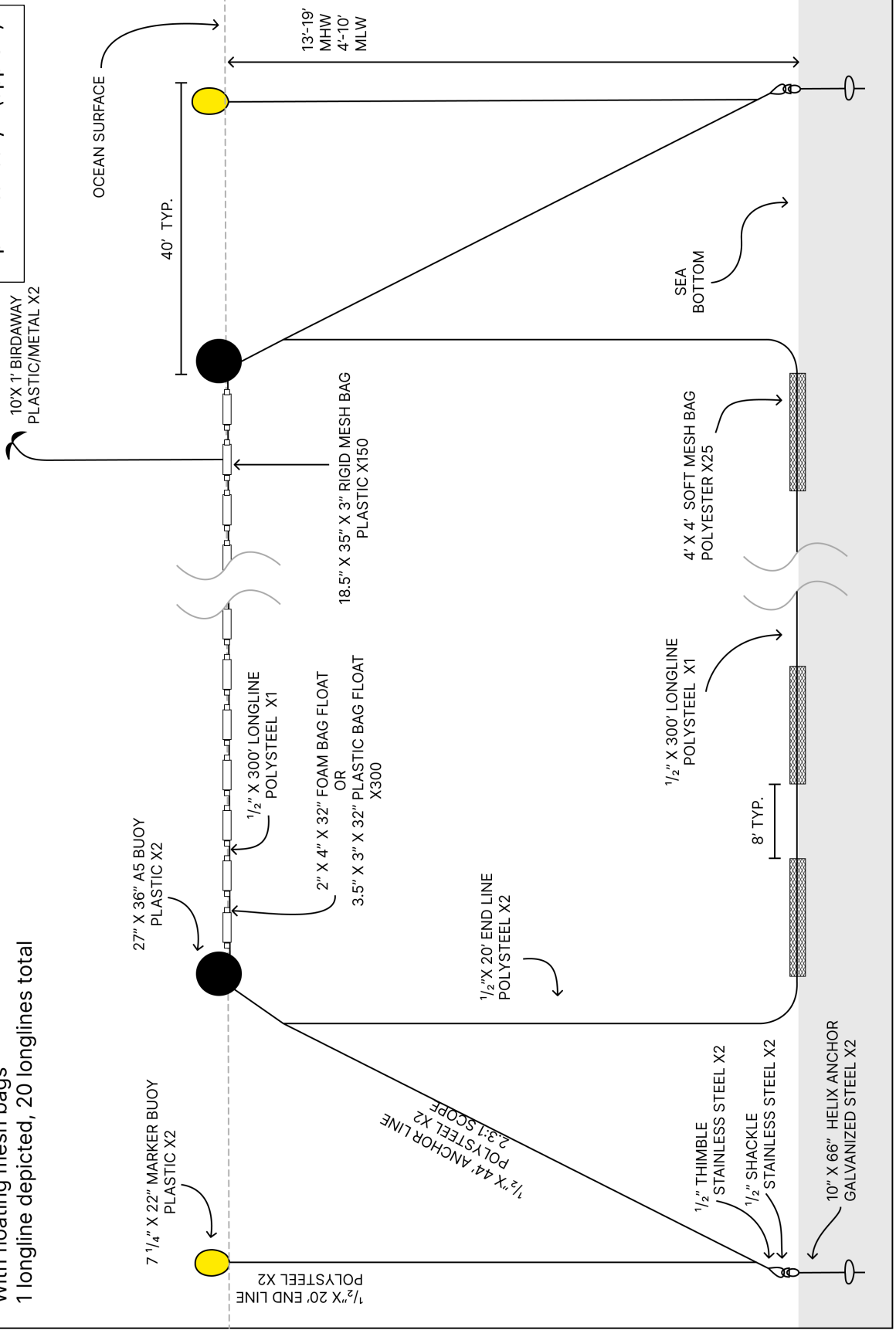


NOT TO SCALE

April 1-January 1 (approx.)

### CROSS-SECTION VIEW: SUMMER

With floating mesh bags  
1 longline depicted, 20 longlines total

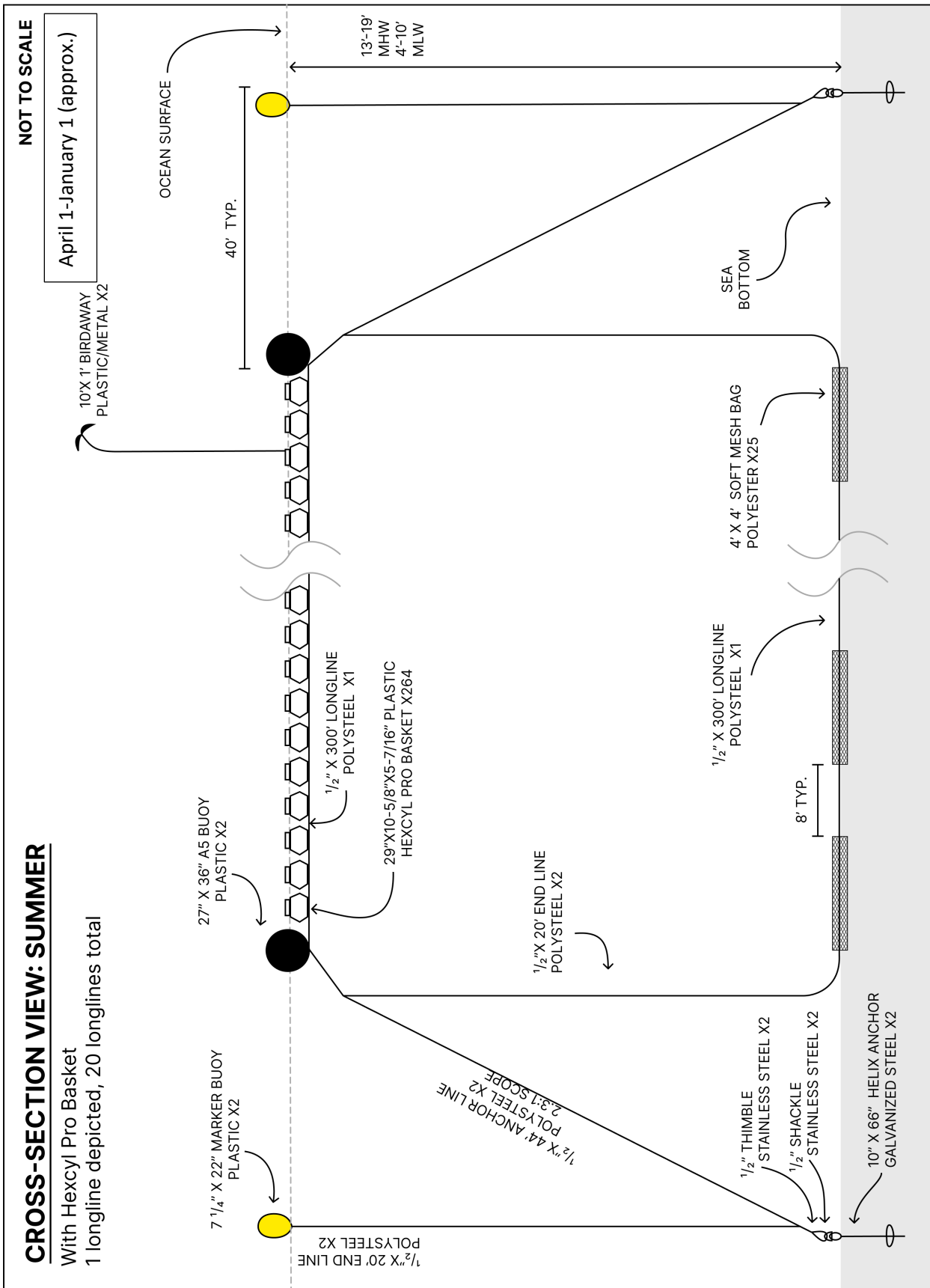


NOT TO SCALE

April 1-January 1 (approx.)

### CROSS-SECTION VIEW: SUMMER

With Hexcyl Pro Basket  
1 longline depicted, 20 longlines total

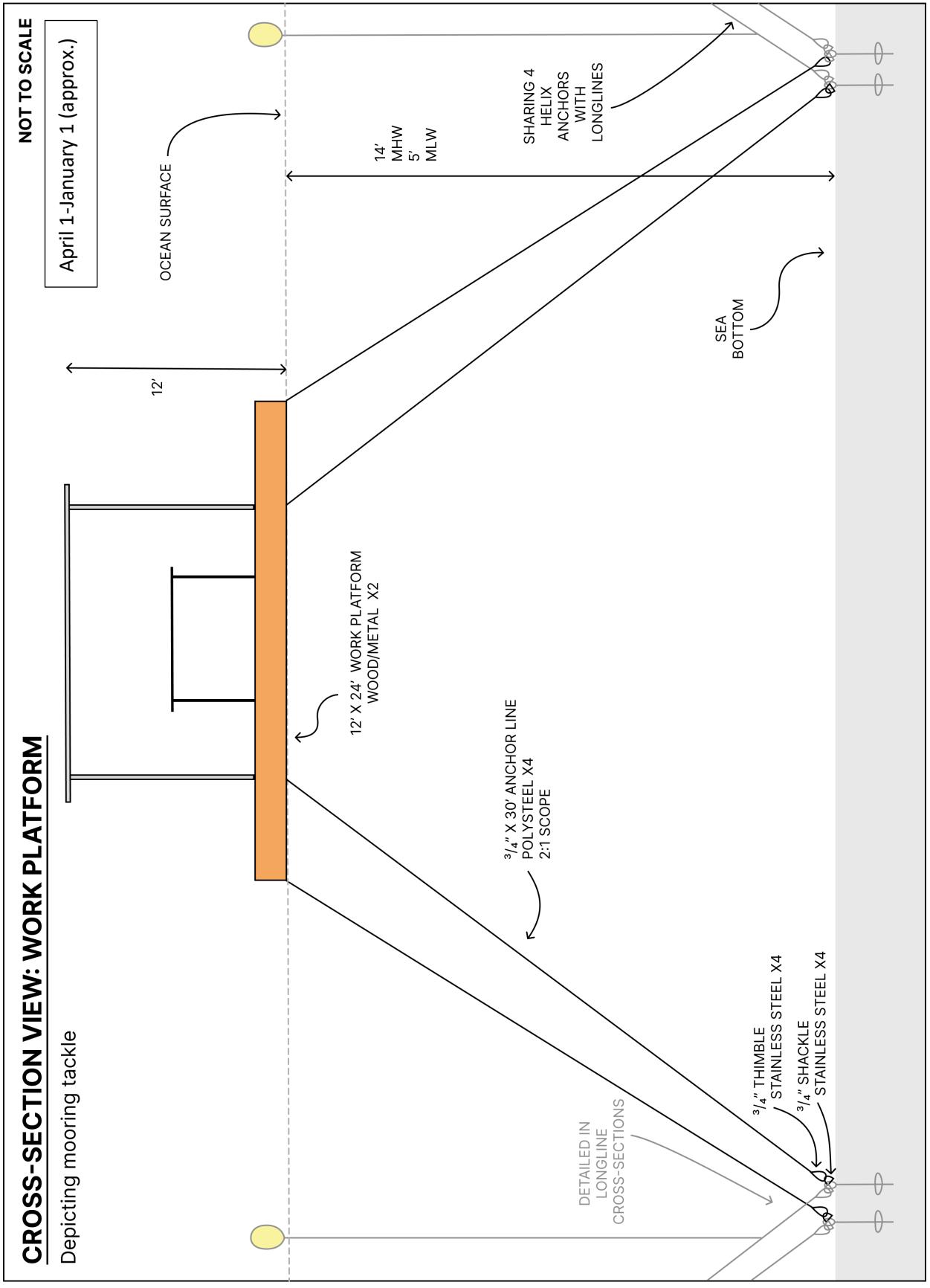


# CROSS-SECTION VIEW: WORK PLATFORM

Depicting mooring tackle

NOT TO SCALE

April 1-January 1 (approx.)

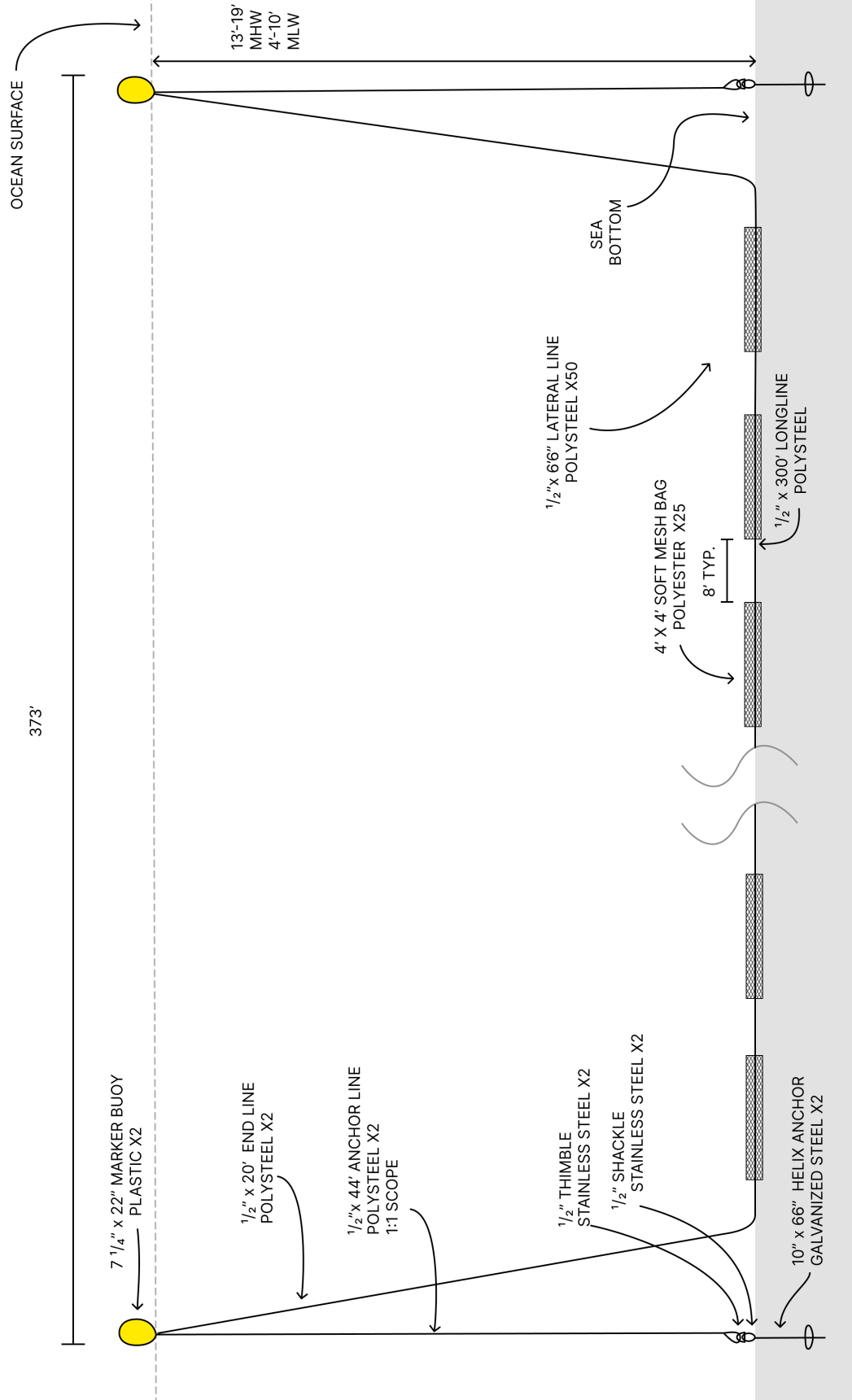


### CROSS-SECTION VIEW: OVERWINTERING

With soft mesh bags  
1 longline depicted, 20 longlines total

NOT TO SCALE

January 1-April 1 (approx.)





Friday, February 9, 2024 The Times Record B5

Public Notices are a permanent and independent of government and court action. These include state and local government meetings, rule making, available contracts, zoning changes, and many more, as required by law. In addition, parties to some court proceedings, such as foreclosures, evictions and other actions are required to publish notices in newspapers, as well as to general public. These notices also alert business owners, large and small, to potential government contractual bids, leading to many economic activity across a state during the year. Public Notices have evolved to ensure transparency in all levels of government and the sharing of critical public information. State and local notices are published in Maine newspapers and are also reported at [mainetimes.com](http://mainetimes.com), where anyone can browse or search notices, and sign up to receive email alerts when relevant notices appear.

**Articles For Sale**

**1940 Zenith console radio**, still works, \$85. Priced at \$28-9214.  
**MAKIYA POWER TOOLS** & equip., all for \$475. 207-844-1642  
**MECHANICAL TOYS** wind-ups, fiction, etc. \$95 ea. 561-323-3621.

**Garage Sales**

**BATH** Estate Sale, 103 South St. near of building off of High St. Fri & Sat. inside, 9am to 4pm. Antiques, collectibles, kitchen accessories, etc.

**Apartments**

**AVAILABLE NOW!!** 11 **Oakwood Terrace Brunswick, Maine** 2 Bedroom, 1 Bathroom Townhouse Style \$1450 / month plus utilities. Close to Downtown Brunswick. Washer/Dryer Hookups. Off-Street Parking. Pets Allowed with Deposit. Contact Lynn for Information About Move In Special! **207-621-7700 ext 1301** [icecream4creativitymanagement.com](http://icecream4creativitymanagement.com)

**TOPSHAM** 1 bedroom, fully furnished, utilities included, \$1550 per month. Call 207-725-7215 or 207-208-6728.

**Public Notices**

**Public Notice**  
**West Bath Planning Board**  
 Tuesday, February 13 at 6 pm  
 Town Hall, 219 Posters Point Rd  
 • Solar Farm  
 • Stampac, applicant  
 • Tonsil Lane  
 • Map R01 Lot 13  
 • Site Development  
 Sagadahoc County  
 22 Arthur J Reno Sr Road  
 Map R01 Lot 09

The application is available for review at Town Hall during regular office hours. Contact the Town Clerk at 443-6342 or email [townclerk@westbathmaine.gov](mailto:townclerk@westbathmaine.gov)

**Public Notice**

**NOTICE**

The Brunswick and Topsham Water District Board of Trustees will hold its regular monthly meeting at their Offices located at 210, Rust Road, Topsham, Maine on Monday, February 12, at 5:30 p.m. The meeting is open to the public.

**Public Notice**

**PUBLIC HEARING**

The Municipal Officers of the Town of Brunswick will hold a Public Hearing at the Council Chamber, Municipal Office Building, 85 Union Street, Brunswick, at 6:30 P.M. on Tuesday, February 20, 2024 on the following license applications:

**Special Amusement**  
 Festa Bowl, LLC  
 DBA: Bolos  
 7 Dunlap St.  
 Samantha Moore

All persons may appear to show cause, if any they may have, why such applications should or should not be approved.

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION PLEASE CONTACT THE TOWN MANAGER'S OFFICE** AT 726-6609 (TDD 725-5521).

Frans Smith  
 Town Clerk

**Public Notice**

**AQUACULTURE PUBLIC SCOPING SESSION**

**February 23, 2024**  
 3:30 p.m.  
 Cundy's Harbor Community Hall  
 837 Cundy's Harbor Road  
 Harpswell, Maine 04079

The applicant listed below has submitted a complete draft standard lease application to the Maine Department of Marine Resources (DMR) and scheduled a scoping session accordingly.

**Applicant:** Ferda Farms, LLC  
**Culture Type:** Suspended (gear on bottom and/or suspended)  
**Species:** Shellfish  
**Town:** Harpswell  
**Waterbody:** New Meadows River  
**Term and Acreage:** 10 years, 5 acres

If the scoping session listed above is cancelled, an alternate scoping session will be held on February 24, 2024, at the same location and time. Notice of a cancellation will be posted on DMR's website under Meetings and Events.

**What is a scoping session?**

At the scoping session, the applicant will explain their tentative proposal to members of the public. It's an opportunity for members of the public to provide feedback on the proposal, prior to the applicant submitting a final application and an eventual public hearing. This meeting does not determine whether the proposal will be granted.

**How to participate:**

You can attend the session or contact the applicant. A copy of the draft lease application, which includes the location of the proposed site and operational plans is available on DMR's website under Maine Aquaculture Leases and LPAs. Questions about the leasing process may be sent to [DMRaquaculture@maine.gov](mailto:DMRaquaculture@maine.gov)

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February 20, 2024

To Whom It May Concern:

Please consider the comments below regarding the Standard Lease Application of Ferda Farms LLC for a 10 year, 5 acre lease for the cultivation of shellfish along the east side of Bombazine Island, New Meadows River, Harpswell.

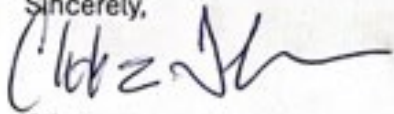
For approximately 25 years I was employed as a Marine Patrol Officer for the Maine Department of Marine Resources. I retired in August of 2023. For much of that time the New Meadows River was within my area of responsibility. I have spent hundreds of hours on patrol in the New Meadows area by vehicle and watercraft. I hold a 50 ton master near coastal Merchant Mariner Credential. Additionally, I am not affiliated with Ferda Farms LLC nor do I own any property in Harpswell.

Regarding fishing around the proposed lease, during my years with the DMR I observed light lobster fishing activity in deeper water areas east of the proposed lease site. This lobster fishing activity has been confined to the warmer months and I have observed virtually no lobster fishing activity in the area during the cold weather months. During the warm weather months Menhaden (pogy) fishing does occur in the New Meadows but like lobster fishing it generally happens in the deeper water to the east and to a much greater extent to the south of the proposed lease site. Light to moderate recreational fishing for striped bass occur in the general area, including guided fishing trips but only during the warm weather months. I have never observed aquaculture gear disturbing recreational fishing activity. Sub tidal quahog dragging is prohibited in the area (DMR ch.10.01-C). Scallop harvesting is also prohibited in the area (DMR ch. 11.08-4). Based on these observations, in my opinion, this lease if granted would not unreasonably interfere with commercial or recreational fishing.

Regarding navigation the New Meadows River does support a moderate level of recreational boating during the summer season. North of the proposed site there is a private marina, a public boat launch and numerous private residences that have boats. Boating traffic around the proposed lease site is generally confined to the deep-water sections of the river east of the of the proposal. Typically boat traffic when traveling south make a slight course change to the southeast after passing RN "12" continuing toward Bragdon Island. The opposite when traveling north. The proposed lease site is well outside of the area transited by boats. Kayaking does take place in the area and this proposal

would not interfere with kayaking. In my opinion based on my previous observations I believe that this site if approved would not unreasonably interfere with navigation.

Sincerely,

A handwritten signature in black ink, appearing to read "Clinton Thompson", with a stylized flourish at the end.

Clinton Thompson

Brunswick, ME



Ferda Farms &lt;ferdafarms@gmail.com&gt;

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**Re: Consultation around oyster aquaculture near bald eagle nest**

6 messages

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**Ladin, Zachary S** <zachary\_ladin@fws.gov>

Wed, Apr 26, 2023 at 3:03 PM

To: "ferdafarms@gmail.com" &lt;ferdafarms@gmail.com&gt;

Cc: "Wittig, Thomas W" &lt;thomas\_wittig@fws.gov&gt;, "Furtak, Sarah A" &lt;sarah\_furtak@fws.gov&gt;

Hi Max,

It was good to connect with you today, and hear more details about your oyster open-water aquaculture facilities in Brunswick, ME. I'm cc'ing Sarah to let her know we connected, as well as our Regional Eagle Coordinator, Tom Wittig to keep him in the loop.

From the info I gathered on the call, you're proposing use of a 5- to 8-acre lease to grow oysters which would be in relatively close proximity to an active eagle nest 316C. As I mentioned, it will be helpful for us to see a map of the area and the location of the nest. In the next several weeks, Tom will reach out to connect and get some additional info to help us determine the best path forward in how we can support you.

We appreciate you reaching out to our office, and look forward to working with you.

Best wishes,  
Zach

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**Zachary Ladin**

Supervisory Wildlife Biologist

Migratory Bird Program

Northeast Region

US Fish &amp; Wildlife Service

[300 Westgate Center Drive](#)[Hadley, MA 01035](#)Email: [zachary\\_ladin@fws.gov](mailto:zachary_ladin@fws.gov)Web: <https://fws.gov/ePermits>

Office Phone: (413) 253-8541

Mobile Phone: (413) 244-2307

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**Ferda Farms** <ferdafarms@gmail.com>

Sun, Apr 30, 2023 at 12:35 PM

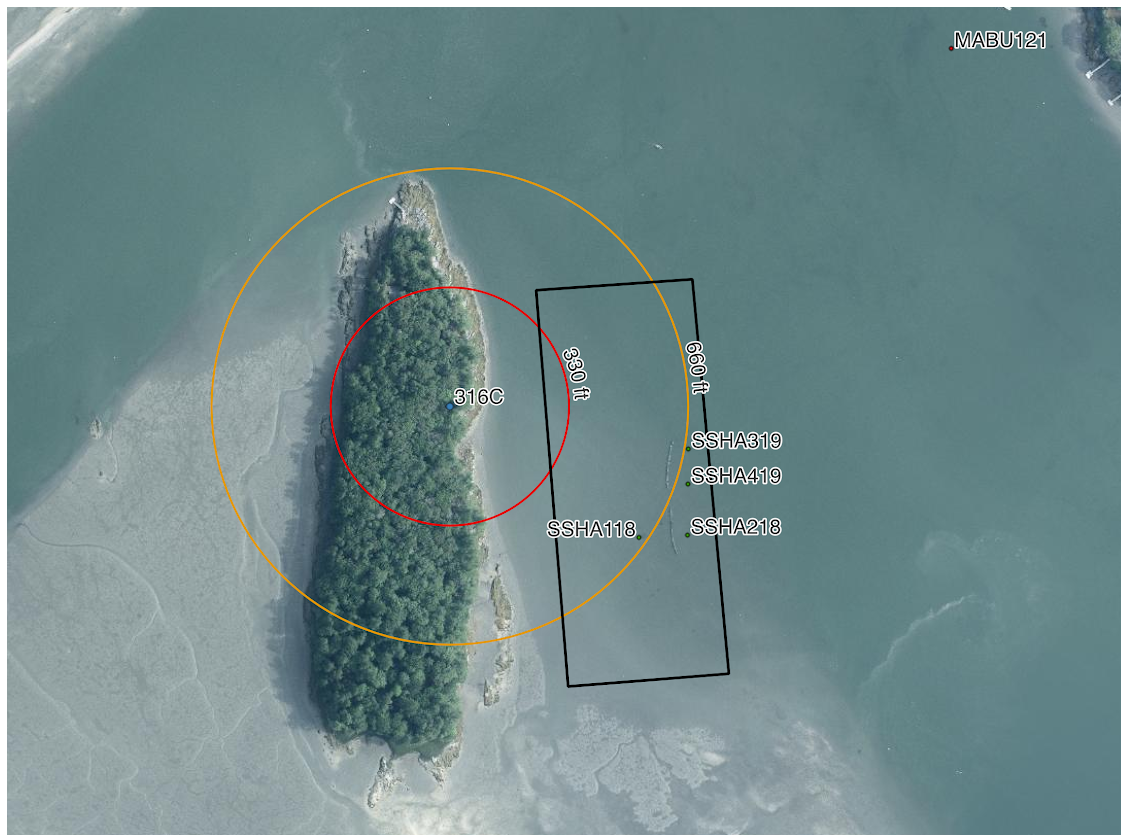
To: "Ladin, Zachary S" &lt;zachary\_ladin@fws.gov&gt;

Cc: "Wittig, Thomas W" &lt;thomas\_wittig@fws.gov&gt;, "Furtak, Sarah A" &lt;sarah\_furtak@fws.gov&gt;

Hi Zach and Tom,

Here is a map. Happy to send over the GIS files if this would make it easier. The black line shows the proposed lease and the green dots are our current lines of oyster cages which we have been operating since 2019.

Best,  
Max



[Quoted text hidden]

**Wittig, Thomas W** <thomas\_wittig@fws.gov>  
 To: Ferda Farms <ferdafarms@gmail.com>, "Ladin, Zachary S" <zachary\_ladin@fws.gov>  
 Cc: "Furtak, Sarah A" <sarah\_furtak@fws.gov>

Thu, May 4, 2023 at 7:36 AM

Hello Max,

Thank you for sharing the map. I don't think we'll need GIS shapefiles, though I appreciate the offer.

I have limited knowledge of what an oyster aquaculture facility looks like and entails, having only reviewed one or two projects before. Could you please give me a rough sense for what construction of this operation would look like, as well as day-to-day operations? What are your general timelines for the lease? When would you like to set up the operation and what seasons would it operate each year?

My initial guess is that your operations would mainly consist of occasional boat traffic. Our standard recommendations for motorized boat operation near bald eagle nests are:

no buffer is necessary around nest sites outside the breeding season. During the breeding season, within 330 feet of the nest, (1) do not operate jet skis (personal watercraft), and (2) avoid concentrations of noisy vessels (e.g., commercial fishing boats and tour boats), except where eagles have demonstrated tolerance for such activity. Other motorized boat traffic passing within 330 feet of the nest should attempt to minimize trips and avoid stopping in the area where feasible, particularly where eagles are unaccustomed to boat traffic. Buffers for airboats should be larger than 330 feet due to the increased noise they generate, combined with their speed, maneuverability, and visibility.

From your map, it looks like there is only a little overlap with the inner 330-foot buffer. Restrictions might still be necessary for other activities within the 660-foot buffer, like construction. Once I have

a better sense for what your lease may involve, and what is already occurring on site, I can give you specific guidance on what you may need to do to ensure the eagles are not bothered by your activities.

Best,  
Tom

- - -

Tom Wittig (he/him)  
Eagle Coordinator, Division of Migratory Birds  
Northeast Region  
U.S. Fish and Wildlife Service  
[300 Westgate Center Drive](#)  
Hadley, MA 01035  
413-253-8577

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**From:** Ferda Farms <[ferdafarms@gmail.com](mailto:ferdafarms@gmail.com)>  
**Sent:** Sunday, April 30, 2023 12:35 PM  
**To:** Ladin, Zachary S <[zachary\\_ladin@fws.gov](mailto:zachary_ladin@fws.gov)>  
**Cc:** Wittig, Thomas W <[thomas\\_wittig@fws.gov](mailto:thomas_wittig@fws.gov)>; Furtak, Sarah A <[sarah\\_furtak@fws.gov](mailto:sarah_furtak@fws.gov)>  
**Subject:** [EXTERNAL] Re: Consultation around oyster aquaculture near bald eagle nest

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

[Quoted text hidden]

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**Ferda Farms** <[ferdafarms@gmail.com](mailto:ferdafarms@gmail.com)>  
To: "Wittig, Thomas W" <[thomas\\_wittig@fws.gov](mailto:thomas_wittig@fws.gov)>

Mon, May 15, 2023 at 8:40 PM

Hi Tom,

My apologies for the late reply on this. Here are the answers to your questions:

The oyster lease will consist of longlines of oyster cages. I have attached a PowerPoint that shows the proposed lease area, sample gear layout, and gear detail. The longlines will be anchored with helix anchors which will be screwed in by hand by a diver. The cages will then be transported by the boatload (10 cages) and tied onto the longlines. A workfloat will also be towed out and anchored on the lease (photo attached). We do all of our processing on this float using solar-powered electric pumps and motors. Our instagram has plenty of [videos](#) of this equipment running. I'm happy to locate this float as far away as possible from the nest. We use two boats to retrieve bags of oysters from our lines of cages. These boats are equipped with 60 and 70-hp 4-stroke outboards. These outboards will be the only noise associated with the construction. The only noise in our day-to-day operations is the electric pumps and motors on our workfloat and our outboards.

Also, [here](#) is a summary of our operations. The seasonal timelines are included in the operations summary. I need to have a lease application into the DMR by June 29th and I expect to have a decision on the lease 3-4 years after that. If approved, the lease would need to be renewed in 10 years. I would like to begin setting up this operation as soon as the lease is approved

Occasional boat traffic describes our operation well. Each line of cages will be visited roughly once per week during the growing season and the workfloat will be used daily. When is the breeding season? We are happy to consider restricting our activities to outside the 330 ft buffer during the breeding season.

We have visited our current lines of cages weekly in the growing season since 2019. These cages are shown [here](#). We have observed this eagle over the years and the eagle doesn't seem bothered by our activity or the activity of other

commercial fishing in the area. The eagle remains in its roost even when we pass by in a boat <100 ft away.

Let me know about any other questions you may have, and feel free to call me at 2077513687

Best,  
Max

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## 2 attachments



**IMG\_2214 (1).jpg**  
3491K



**FerdaFarmsBombazine.pptx**  
14370K

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**Wittig, Thomas W** <thomas\_wittig@fws.gov>  
To: Ferda Farms <ferdafarms@gmail.com>

Fri, May 26, 2023 at 9:23 AM

Hello Max,

Thank you very much for providing such a thorough explanation of our operations. I also appreciate your willingness to plan and work around the eagles.

From everything you've shared and described, both the construction and operation portions of the aquaculture facility appear to fall into our Guidelines Motorized Watercraft Use category. If you're able to maintain the 330-foot buffer around the nest during the breeding season (Feb 1 - Aug 15) for set up and operations, I think you're unlikely to disturb the eagles' nesting activity on Bombazine Island.

Limited motorized boat traffic through the 330-foot buffer during the breeding season is also unlikely to disturb the eagles as long as it's a limited number of trips, doesn't involve prolonged stops inside the buffer, and is generally consistent with what the eagles have previously tolerated.

If you follow our guidance regarding the 330-foot buffer and timing restriction, I *would not* recommend that you apply for an eagle incidental take permit with our agency. If your activities or the eagles' behavior change in any manner that raises new potential concerns of disturbance, please contact me for further consultation.

Thank you again for coordinating with our agency. Please let me know if you have any other questions or if I can offer further assistance.

Best,  
Tom

- - -

Tom Wittig (he/him)  
Eagle Coordinator, Division of Migratory Birds  
Northeast Region  
U.S. Fish and Wildlife Service  
[300 Westgate Center Drive](#)  
Hadley, MA 01035  
413-253-8577

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**From:** Ferda Farms <[ferdafarms@gmail.com](mailto:ferdafarms@gmail.com)>  
**Sent:** Monday, May 15, 2023 8:40 PM  
**To:** Wittig, Thomas W <[thomas\\_wittig@fws.gov](mailto:thomas_wittig@fws.gov)>  
**Subject:** Re: [EXTERNAL] Re: Consultation around oyster aquaculture near bald eagle nest

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**Ferda Farms** <[ferdafarms@gmail.com](mailto:ferdafarms@gmail.com)>  
To: John.Perry@maine.gov

Sun, Jul 2, 2023 at 1:28 PM

Hi John,

Happy 4th of July! I left you a voicemail message a week or two ago, but I haven't heard back yet so I figured I would reach out via email.

I am forwarding the consultation that I received regarding siting an oyster lease near an eagle nest. Do you concur with this recommendation?

I am happy to answer additional questions on the phone or via email. My number is 2077513687.

Best,  
Max

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