

EXPERIMENTAL LEASE APPLICATION

1. APPLICANT CONTACT INFORMATION (KELP/OYSTERS STURD LEDGE)

Applicant	Summit Point LLC	
Contact Person	John Clapp	
Address	276 Shore Rd	
City	Bremen	
State, Zip	Maine, 04551	
County	Lincoln	
Telephone	207-352-1820	
Email	john@mimisoysters.com	
Payment Type	<input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card	

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Cumberland
Waterbody	Casco Bay
General Description (e.g. south of B Island)	Northeast of Sturdivant Island Ledge
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	4-acres 3-years
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom) <input type="checkbox"/> Net Pen (finfish)
How many pending experimental lease applications (including this one) do you have pending?	<input type="checkbox"/> One (1) <input checked="" type="checkbox"/> Two (2)
Do you have a legal interest in any entity that has a pending experimental application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" provide the name of the applicant(s): NA _____

Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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3. GROWING AREA DESIGNATION

Growing Area Designation (e.g. "WL"):	WI
Growing Area Section (e.g. "A1"):	Approved waters (A)

4. GENERAL LEASE 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. Sugar kelp (<i>Saccharina latissima</i>)	Summit Point LLC 116 Dartmouth Street Portland, ME. 04106	6,900 linear feet Up to 34,500 lbs.
2. Skinny kelp (<i>Saccharina angustissima</i>)	Summit Point LLC 116 Dartmouth Street Portland, ME. 04106	6,900 linear feet Up to 34,500 lbs.
3. American/Eastern oyster <i>Crassostrea virginica</i>	Muscongus Bay Aquaculture 24 Seal Ledge Rd Bremen, Maine 04551 Or Mook Sea Farm 321 ME-129 Walpole, ME. 04573	1,000,000 individuals

B. Do you intend to possess, transport, or sell whole or roe-on scallops? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

VICINITY MAP

5 1,000' FROM NORTH CORNER

1,000' FROM WEST CORNER

Sturdivant Island Ledge

1,000' FROM EAST CORNER

Nr Naval Anchorage Berth 34

Upper Clapboard Island Ledge

Nr Naval Anchorage Berth 31

Scale: 1/2 MILE

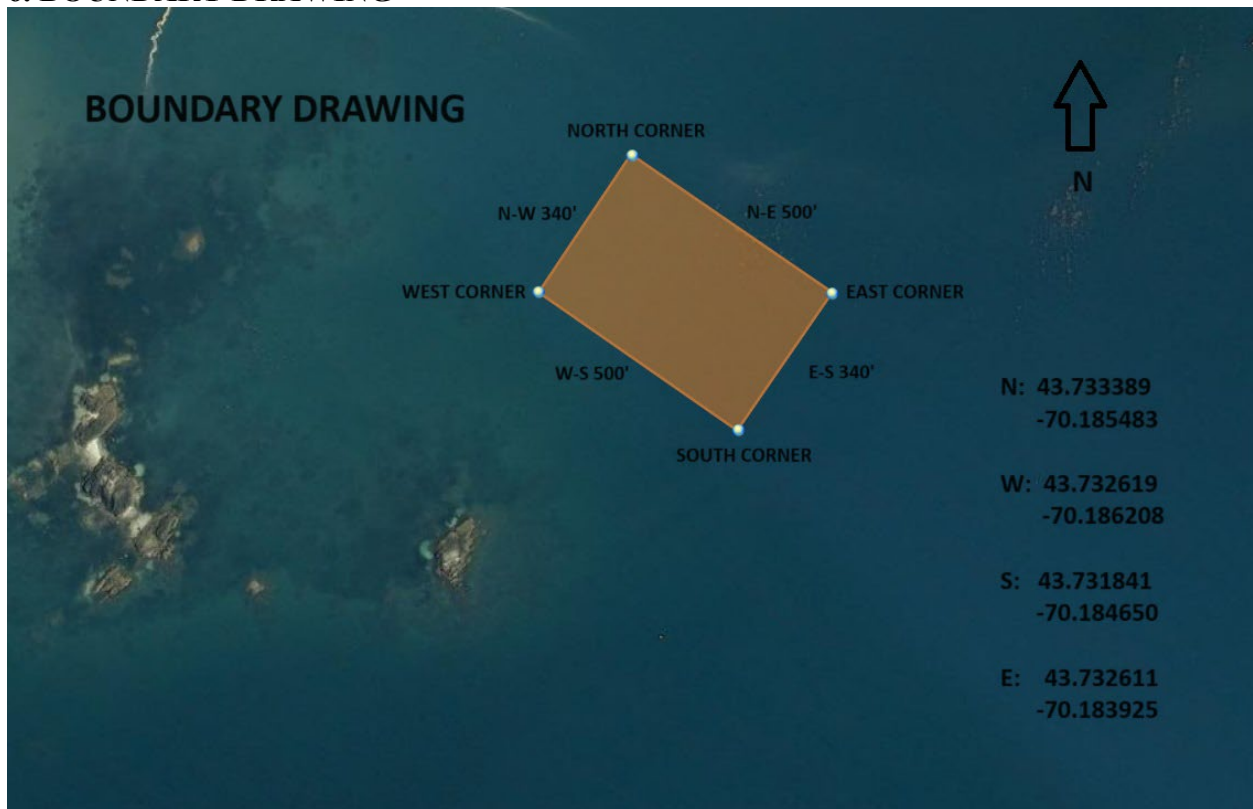
North arrow pointing up.

Depth contours are shown in fathoms (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 19, 21, 26, 28, 32, 33, 34, 36, 37, 38, 39, 42, 45, 46, 48, 55, 57).

Navigation aids include a red buoy (10), a green buoy (11), and a red buoy (12).

Other features include "S" and "N" markers, and a "DW" (Double Yellow) line.

6. BOUNDARY DRAWING



- Coordinate Description
(Datum used: Maine Department of Marine Resources Aquaculture Web Map)

N: 43.733389
-70.185483

W: 43.732619
-70.186208

S: 43.731841
-70.184650

E: 43.732611
-70.183925

7. RESEARCH PROGRAM AND OPERATIONS

KELP

A. Type of study (check one): ☐ Scientific Research ☒ Commercial Research

B. What is the purpose of the study? If scientific, please include a detailed study design.

To determine the viability of growing kelp and oysters together, in this area, with this specific gear design.

C. Describe the general culture process for each species proposed.

Seed will be obtained from Summit Point LLC hatchery and planted on long lines in the fall (No sooner than Nov 1st). Throughout the fall, winter, and spring the kelp's growth will be monitored. The kelp will be harvest in the spring (No later than May 31st).

D. What months will the proposed activities (i.e. seeding, tending, and harvesting) occur?

Seeding will take place in the fall, no earlier than Nov 1st.

Tending or monitoring will occur in the fall, winter, and spring.

Harvest will occur in the spring, no later than May 31st.

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

Seeding will begin no sooner than Nov 1st and could run through January 1st depending on availability of seed from the hatchery. Seeding typically takes no more than a week total for a site of this size. During the seeding it is expected that, depending on weather, the process could take up to seven days per week. Seeding will only be performed during daylight hours and could take approximately eight hours a day.

Harvest will occur during the spring months, and will be completed no later than May 31st.

Depending on weather, harvest will occur for up to seven days a week until completed.

Harvest will only occur during daylight hours and could take approximately 12 hours per day.

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

The site will be visited on a weekly basis throughout the fall, winter, and spring depending on weather conditions. It will be visited during daylight hours only and could be visited for approximately up to eight hours per day.

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

The kelp long lines will be hauled out of the water using a lobster boat hauler. The kelp will be cut from the long lines by hand and transported to shore, by boat, in bags or bins.

H. 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 moved from the site.

All kelp gear (excluding moorings, mooring lines, and mooring balls) will be removed from the site from June 1st- Oct 31st.

All gear removed from the site during the summer months will be stored on land at Summit Point LLC’s gear storage area or their commercial float off of Clapboard Island.

I. What type of machinery (e.g. generator, drag, grading equipment, etc.) will you be using on the site? When and how often will the machinery be used?

-During seeding: A lobster boat and skiff may be used up to seven days a week, during daylight hours only, until seeding is completed.

-During tending: A lobster boat and skiff may be used up to seven days a week, during daylight hours only, to maintain and tend the site.

-During harvest: A lobster boat and skiff may be used up to seven days a week, during daylight hours only, until the harvest is completed.

The lobster boat will utilize a hydraulic pot hauler to haul in the kelp lines during harvest, and occasionally during maintenance and tending.

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

No predator control is necessary at this site.

K. 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)

We intend to monitor the site for predator activity. If needed, we would implement the suggested deterrents such as zip ties. If these suggested techniques did not work, we could also use decoys or green light.

OYSTERS

J. Type of study (check one): ☐ Scientific Research ☒ Commercial Research

K. What is the purpose of the study? If scientific, please include a detailed study design.

To determine the viability of growing oysters and kelp together, in this area, with this specific gear design.

L. Describe the general culture process for each species proposed.

Oyster seed will be obtained from Muscongus Bay Aquaculture or Mook Sea Farm. Seeding for oysters will occur in spring or early summer between (April and mid-June). This will depend on the oyster seed size and when the kelp and kelp gear is harvested and removed from the water. Oyster seed will be tended at a minimum of once a week through the summer and early fall. Kelp will be seeded after oysters are winterized (November through January), depending on kelp seed availability, and checked on once a week until it is harvested in the spring.

M. What months will the proposed activities (i.e. seeding, tending, and harvesting) occur?

Oyster seeding will take place in the spring, no earlier than April 1st and no later than mid-June.

Tending or monitoring will occur in the spring, summer, and fall until the oysters are winterized and the kelp seed is planted.

Harvest will occur in the spring, summer, and fall as the oysters become market ready (barring any water contamination issues) no earlier than April 1st and no later than January 1st.

N. How often will you be at the site during seeding and harvesting periods?

Oyster seeding will begin no sooner than April 1st and could run through mid-June depending on availability of seed from the hatchery. During seeding it is expected that, depending on weather, the process could take up to seven days per week. Seeding will only be performed during daylight hours and could take approximately eight hours a day.

Oyster harvest and tending will occur during the spring, summer, and fall months. Depending on weather, harvest and tending will occur for up to seven days a week. Harvest will only occur during daylight hours and could take approximately 8 hours per day.

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

The site will be visited for tending on a weekly basis throughout the spring, summer, and fall depending on weather conditions. It will be visited during daylight hours only and could be visited for approximately up to eight hours per day and seven days a week.

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

The oysters will be hauled out of the water by hand, or using a small lobster boat hauler. Once on board the boat the oysters will be sorted by size. Market ready oysters will be harvested and non-market ready oysters will be graded and returned to the water.

Q. 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 moved from the site.

All oyster gear (excluding moorings, mooring lines, and mooring balls) will be overwintered. Overwintering the oysters will involve sinking the oyster bags and primary oyster grow line to the ocean floor using weights.

R. What type of machinery (e.g. generator, drag, grading equipment, etc.) will you be using on the site? When and how often will the machinery be used?

-During oyster seeding: A lobster boat and or skiff may be used up to seven days a week, during daylight hours only, until seeding is completed.

-During tending: A lobster boat and or skiff may be used up to seven days a week, during daylight hours only, to maintain and tend the site.

-During harvest: A lobster boat and or skiff may be used up to seven days a week, during daylight hours only, until the harvest is completed.

The lobster boat will utilize a hydraulic pot hauler to haul in the oyster bags during harvest, maintenance, and tending.

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

We do not plan on using any predator controls techniques, but do intend to monitor the site for predator activity. If needed, we would implement the suggested deterrents such as zip ties. If these suggested techniques did not work, we could also use decoys or green light.

K. 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)

We intend to monitor the site for predator activity. If needed, we would implement the suggested deterrents such as zip ties. If these suggested techniques did not work, we could also use decoys or green light.

8. 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
a. Lobstering b. June-October c. Rare d. Within
2. Recreational Fishing
a. Hook and line b. June-August c. Rare d. Within
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)
a. Recreational boating b. June-October c. Minimal d. Within The nearest channel marker (red marker “20”) is approximately 1,725’ West of the West corner of the proposed site across the Northern most point of Sturdivant Island Ledge. The nearest general marker is the white caution can which marks the Eastern edge of Sturdivant Island Ledge. This white caution can is approximately 425’ South of the South corner of the proposed site.
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.)
a. NA b. NA c. NA d. NA There are no shorefront property owners within 1,000’ of the proposal.
5. Other uses (kayaking, swimming, etc.)
a. Kayaking or paddleboarding b. June-October c. Minimal d. Within

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 proposed lease.

NA

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

NA

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>

SMOL121 is located approximately 790' North of the North corner of the proposed site.

SMOL121 is currently located 650' West of the South West corner of my current standard lease CASSI2. There has been no issue with gear or density between the sites.

9. CURRENT OPERATIONS

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

CASSI2
CASLBx
CASLB2x

B. What are your plans for any existing leases and/or Limited Purposed Aquaculture (LPA) licenses if the lease is granted? Will any existing leases and/or Limited Purpose Aquaculture (LPA) licenses be relinquished if the lease is granted? If so, please indicate which ones.

I intend to continue operating and maintaining all active leases.

10. ENVIRONMENTAL CHARACTERIZATION

A. What are the approximate depths at mean low water?

The approximate depths at MLW are 12' at the West corner to 28' at the East corner.

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

The approximate depths at MHW are 22' at the West corner to 38" at the East corner.

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

The current speed is approximately 1.5 knots and runs in a roughly NW to SE direction.

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 is soft mud.

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

The bottom is flat with a slight decline from West to 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?

Lobsters are rare and crab are common at this location.

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

To my knowledge there are no shellfish beds or fish migration routes in the surrounding area.

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 is no submerged aquatic vegetation or eelgrass within the proposed lease area. This information is based on data from the Department of Marine Resources Aquaculture Web Map. It included layers titled "Seagrass 2022 (Cape Elizabeth to Phippsburg), Eelgrass 2010, and Eelgrass 1997."

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

The upland shoreline is rocky, lightly forested, with a handful of seasonal cottages.

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

☐ Yes ☒ No

F. Will your operations discharge anything into the water such as feed (pellets, kelp, etc.) or chemical additives (therapeutants, chemical treatments, etc.)?

☐ Yes ☒ No

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

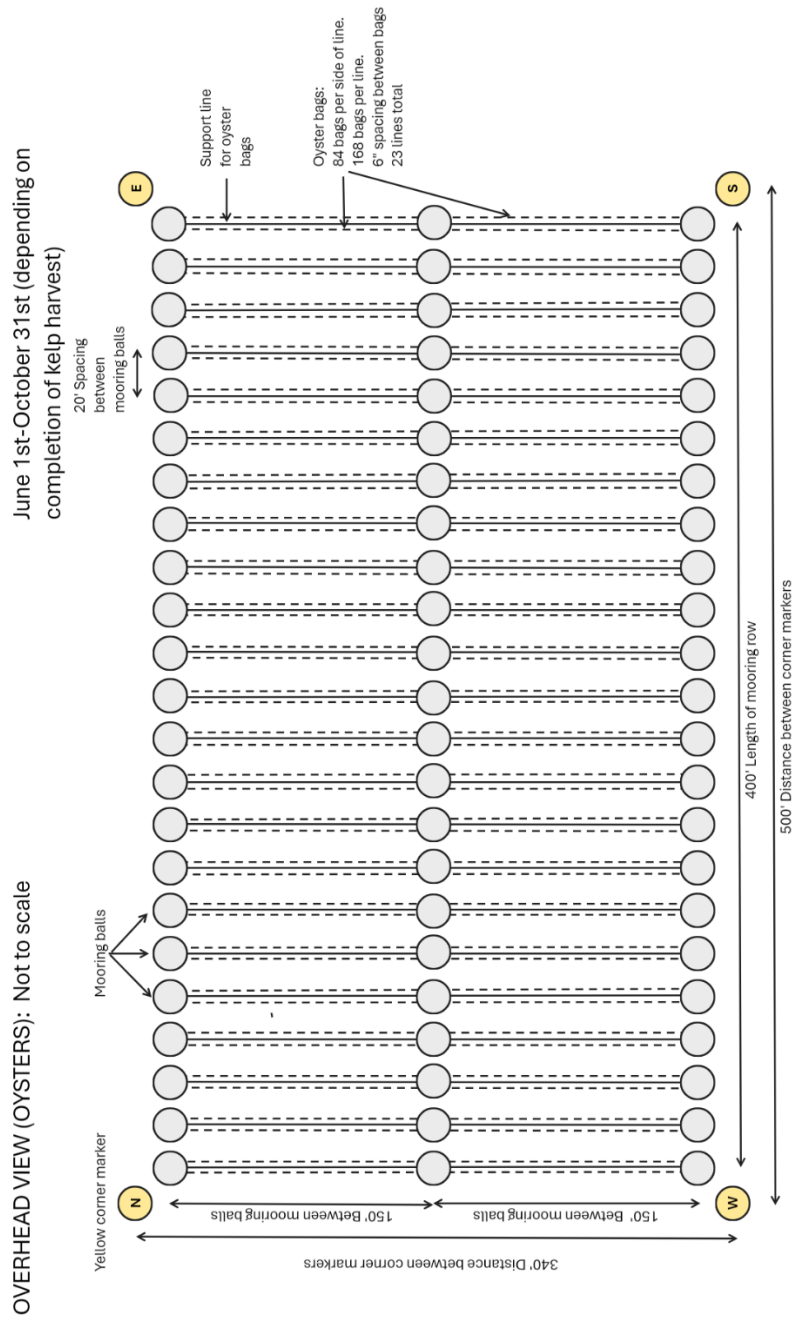
NA. This location does not form ice.

11. STRUCTURES

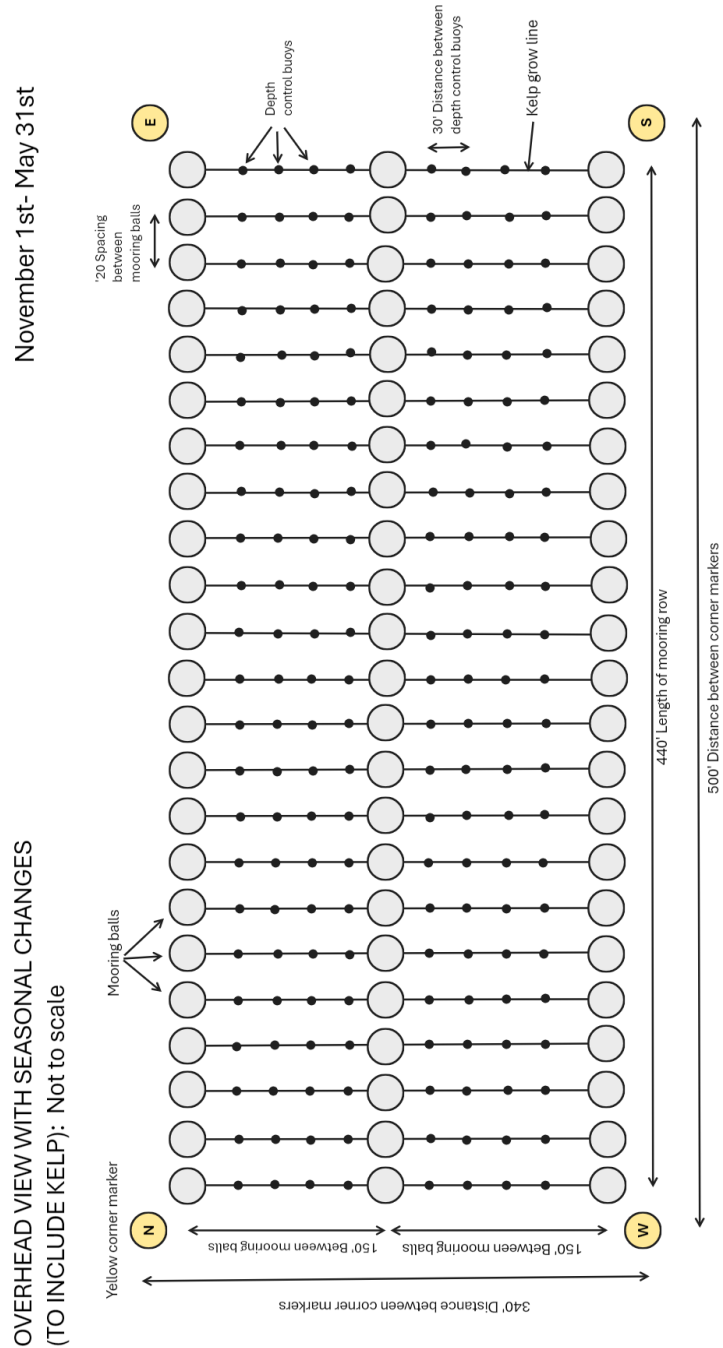
A) Overhead View (Oysters)

June 1st-Oct 31st

When kelp lines are not in the water

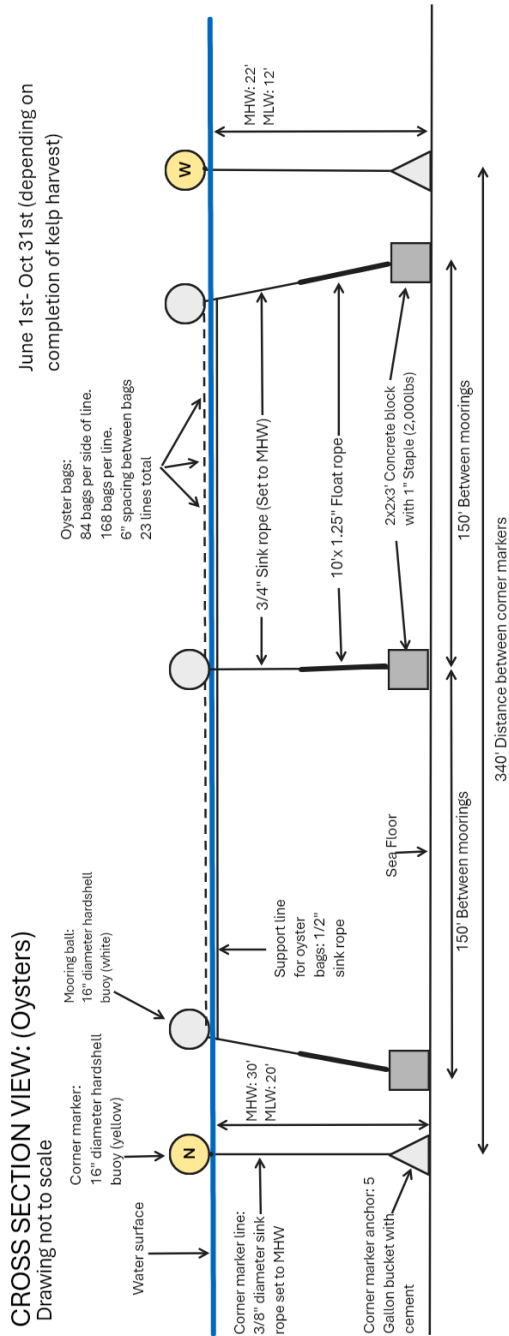


B) Overhead View with Seasonal Changes (To include kelp)
November 1st- May 31st
In this image the oyster bags are sunk to the ocean floor

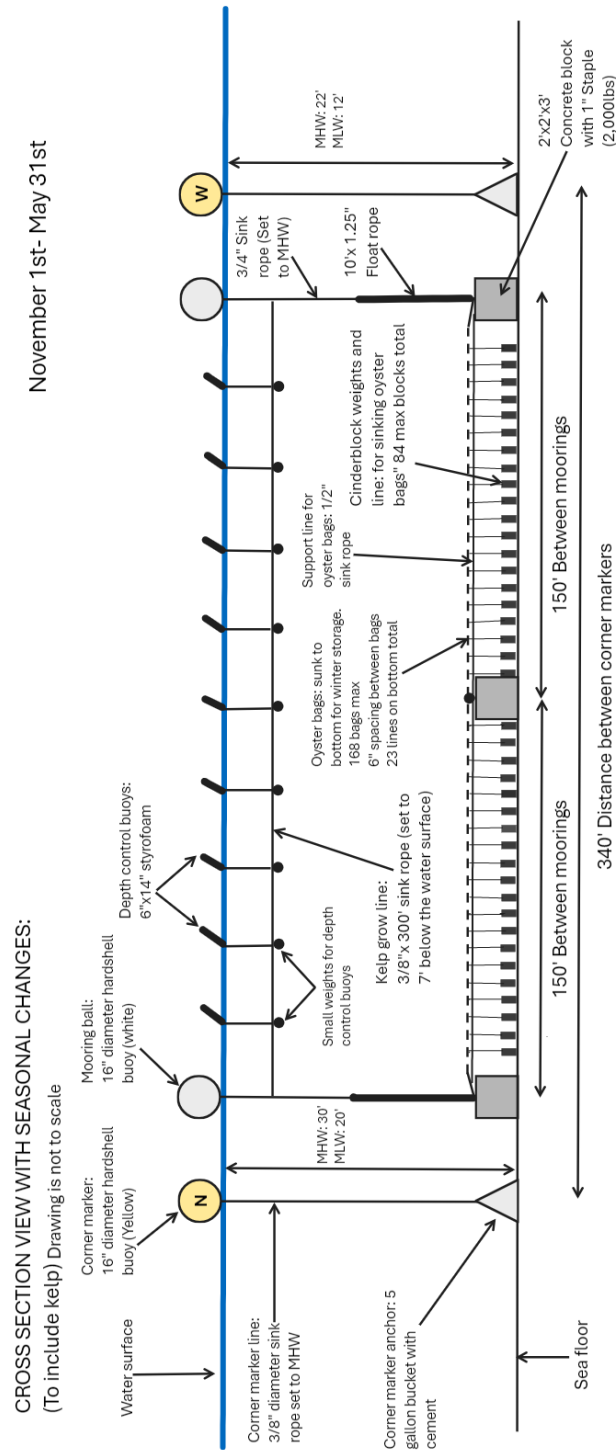


C) Cross-Section View (Oysters)

June 1st-October 31st



C) Cross-Section View with Seasonal Changes (To include kelp)
November 1st-May 31st



C) Gear Description

Specific Gear Type	Dimensions	Time of year gear will be deployed	Maximum amount of this gear type that will be deployed on the site	Species that will be grown using this gear type
Styrofoam buoys (depth control buoys)	6"x 14"	Nov 1 st - May 31 st	184 buoys	Sugar kelp/Skinny kelp
Sink rope for depth control buoys	3/8" diameter 7' long	Nov 1 st - May 31 st	184 lengths	Sugar kelp/Skinny kelp
Small weight for depth control buoy	2"x 2" x 6"	Nov 1 st - May 31 st	184 weights	Sugar kelp/Skinny kelp
Long line (For kelp propagation)	7/16" diameter by 300' length	Nov 1 st - May 31 st	23 lines totaling 6,900 linear feet	Sugar kelp/Skinny kelp
Mooring markers: White (hard-shell variety)	16" diameter	Year-round	69 buoys	Sugar kelp/Skinny kelp/Oysters
Mooring line	10' x 1.25" float from the block...then 3/4" sink to the mooring marker. (set to MHW)	Year-round	69 mooring lines	Sugar kelp/Skinny kelp/Oysters
Mooring (cement block)	2' x 2' x 3' 2,000 lbs.	Year-round	69 moorings	Sugar kelp/Skinny kelp/Oysters
Mooring staple	3 links of 1" diameter chain	Year-round	69 staples	Sugar kelp/Skinny kelp/Oysters
Corner markers: Yellow (hard-shell variety)	16" diameter	Year-round	4	Sugar kelp/Skinny kelp/Oysters
Line for corner markers	3/8" sink rope (set to MHW)	Year-round	4	Sugar kelp/Skinny kelp/Oysters
Corner marker anchor	5-gallon bucket filled with cement	Year-round	4	Sugar kelp/Skinny kelp/Oysters
Floating oyster bags	36"x20"x4"	June 1 st -Oct 31 st	3,864 bags (168 bags per line)	Oysters
Support line for oyster bags	1/2" x 300'	June 1 st - Oct 31 st	23 lines	Oysters

Cinderblocks	8"x8"x16"	Nov 1 st - May 31 st	1,932 cinderblocks (84 per line)	Overwintering Oysters
Line for cinder block attachment to "Support line for oyster bags"	3/8"x 5'	Nov 1 st - May 31 st	1,932 pieces (84 pieces per line)	Overwintering Oysters

D) Gear Drawing

-GEAR DRAWING: DEPTH CONTROL BUOY (6"x 14" Styrofoam)



-GEAR DRAWING: SINK ROPE FOR DEPTH CONTROL BUOY (Cut to 7' lengths)



-GEAR DRAWING: SMALL WEIGHT



Ergo brick lobster trap weight. 4 lbs. Coated green.

-GEAR DRAWING: LONG LINE (7/16" Cut to 300' lengths)



Hyliner super sink pot warp. 12 thread, XXXX. Sold by the pound in full coils only. Coil is approximately 65lbs. and 1200-

-GEAR DRAWING: MOORING MARKER (WHITE 16" diameter)



-GEAR DRAWING: MOORING LINE (3/4" Sink... cut to lengths appropriate for MWH)



-GEAR DRAWING: MOORING LINE 1.25" FLOAT



-GEAR DRAWING: MOORING BLOCK (2'x 2'x 3')



-GEAR DRAWING: MOORING STAPLE (3 lengths of 1” mooring chain)



-GEAR DRAWING: CORNER MARKER (16” diameter hardshell buoy) yellow with lease acronym and “Sea Farm” lettering



-GEAR DRAWING: LINE FOR CORNER MARKERS (3/8" Set to MHW)



-GEAR DRAWING: CORNER MARKER ANCHOR (5-gallon bucket filled with cement)




-GEAR DRAWING: OYSTER BAGS (36"x20"x4")



-GEAR DRAWING: SUPPORT LINE FOR OYSTER BAGS (1/2"x 300')



Hyliner super sink pot warp. 12 thread,  Sold by the pound in full coils only. Coil is approximately 65lbs. and 1200-

-GEAR DRAWING: CINDERBLOCK (8"x 8"x 16")



-GEAR DRAWING: LINE FOR CINDER BLOCK ATTACHMENT TO SUPPORT LINE FOR OYSTERS (For overwintering) cut to 5' lengths



Hyliner super sink pot warp. 12 thread, 3/8". Sold by the pound in full coils only. Coil is approximately 65lbs. and 1200-

12. 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. Marker buoys must be yellow and host reflective material.

☒ Yes ☐ No

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

NA

13. RIPARIAN LANDOWNERS AND SITE ACCESS

A. NA. Lease is not within 1,000' of shorefront land.

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

☐ Yes ☒ No

C. How (i.e. where on shore) will you access the proposed site?

From the Falmouth Town Landing or public boat ramps in the Portland area.

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE **CERTIFIED** BY THE TOWN CLERK

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. 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 riparian parcels are located within more than one municipality, provide a separate, tax map and certified riparian list for each municipality.

TOWN OF: NA

MAP #	LOT #	Landowner name(s) and address(es)
<u>NA</u>	<u>NA</u>	<u>NA</u>

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, NA, Town Clerk for the Town of NA 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: NA DATE: NA


14. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input type="checkbox"/>	No gear/structure, no discharge	None
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input checked="" type="checkbox"/>	>400 square feet of gear/structure, no discharge	\$5,000.00*
<input type="checkbox"/>	Gear/Structure, discharge	\$25,000.00

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

I, (*printed name of applicant*) Colleen Francke, Owner Summit Point LLC have read DMR Aquaculture Regulations 2.64(12)(B)) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.

 4/22/24
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*) NA have read DMR Aquaculture Regulations 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, depending on the category of lease.

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

15. 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 experimental lease process.

Printed name: _____ Colleen Francke _____

Title (*if corporate applicant*): _____ Owner: Summit Point LLC _____

Signature: _____  _____ Date: _____ 4/22/24 _____

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.

16. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS

PART I: The use of private property to access your site. NA

PART II: If any portion of the site is intertidal you need to complete the following steps:
NA

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20173201DC Pages 2
Fee Paid \$ 175
DCN 2170172270069 DLLC
FILED
01/06/2017


Deputy Secretary of State

A True Copy When Attested By Signature

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:
Summit Point LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c" – 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)

FIFTH:

The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)



Commercial Registered Agent

CRA Public Number: P10059

Nicholas H. Walsh

(Name of commercial registered agent)



Noncommercial Registered Agent

(Name of noncommercial registered agent)

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

(mailing address if different from above)

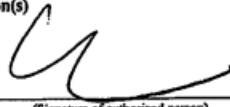
SIXTH:

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 N/A, and made a part hereof.

**Authorized person(s)



(Signature of authorized person)

Dated 1/4/2017

Nicholas H. Walsh

(Type or print name of authorized person)

(Signature of authorized person)

(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



MAINE DEPARTMENT OF MARINE RESOURCES

Aquaculture Division, 21 State House Station, Augusta, ME 04333-0021 (207) 350-7815

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: Summit Point LLC

2. Date of incorporation: 1/6/2017 State of incorporation: Maine

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

Name	Address	Title

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

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

Name	Address
Mimi's Oysters LLC	276 Shore Rd, Bremen, ME, 04551
Terminus Ventures LLC	2247 Glencoe Avenue, Los Angeles, CA 90291

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:

Summit Point has applied for the following leases: CAS-SI2 & CAS-LBx & CAS-LB2x (active), Long Island Standard App1 (pending), Yarmouth Standard App 2 (pending), Cumberland Experimental App 1 (pending), Cumberland Experimental App 2 (pending).
Mimi's Oysters has applied for a transfer of lease CAS-BC2 from Knudsen Holdings.

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
Mimi's Oysters	276 Shore Rd, Bremen, ME 04551	50%
Terminus Ventures LLC	2247 Glencoe Ave, Los Angeles, CA 90291	50%

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
John Clapp	276 Shore Rd, Bremen, ME 04551	CAS SI2, CAS LBx, CAS LB2x	4.53
Beatrice Helman	276 Shore Rd, Bremen, ME 04551	CAS SI2, CAS LBx, CAS LB2x	4.53
Wilson Helman	2247 Glencoe Ave, Los Angeles, CA 90291	CAS SI2, CAS LBx, CAS LB2x	9.06

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?

☐ Yes ☒ No

If you selected “yes”, please provide details: