

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Hermit Island Oyster Company, LLC		
Contact Person	Christopher Sewall		
Address	PO Box 29		
City	Phippsburg		
State, Zip	Maine, 04562		
County	Sagadahoc		
Telephone	(207) 389-9009		
Email	sewallcs@earthlink.net		
Type of Application	Draft Standard Lease Application		
Dates	Pre-Application Meeting: 1/15/20	Draft Application Submitted: 5/15/20 Revised draft submitted: 10/20/20 11/5/20	Scoping Session:

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

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Phippsburg
Waterbody	New Meadows River
General Description (e.g. south of B Island)	Hermit Island, Small Point Harbor Standard Lease Application #1
Lease Information	
Total acreage requested (100-acre maximum)	2.56 acres
Lease term requested (20-year maximum)	20 years
Type of culture (check all that apply)	<input checked="" type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low water?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Portion of proposed lease site above mean low water is located exclusively inside former lobster pound)

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

3. WATER QUALITY

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

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

Note: If you are proposing to grow molluscan shellfish in waters classified as anything other than open/approved, you will need to contact the Bureau of Public Health to discuss your plans at the following email: DMRPublicHealthDiv@maine.gov

4. SPECIES INFORMATION

A. Please complete the table below and add additional rows as needed.

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock, juveniles, and/or smolts	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern oyster, <i>Crassostrea virginica</i>	Muscongus Bay Aquaculture 24 Seal Ledge Lane Bremen, ME 04551 Mook Sea Farm 321 State Rte. 129 Walpole, ME 04573	400,000
2. European oyster, <i>Ostrea edulis</i>	Wild	5,000

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 you plans at the following email: DMRPublicHealthDiv@maine.gov

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

5. VICINITY MAP

Note: Please label as: 'Vicinity Map'.

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

The map needs to display the following:

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

- See page 4

6. BOUNDARY DRAWING

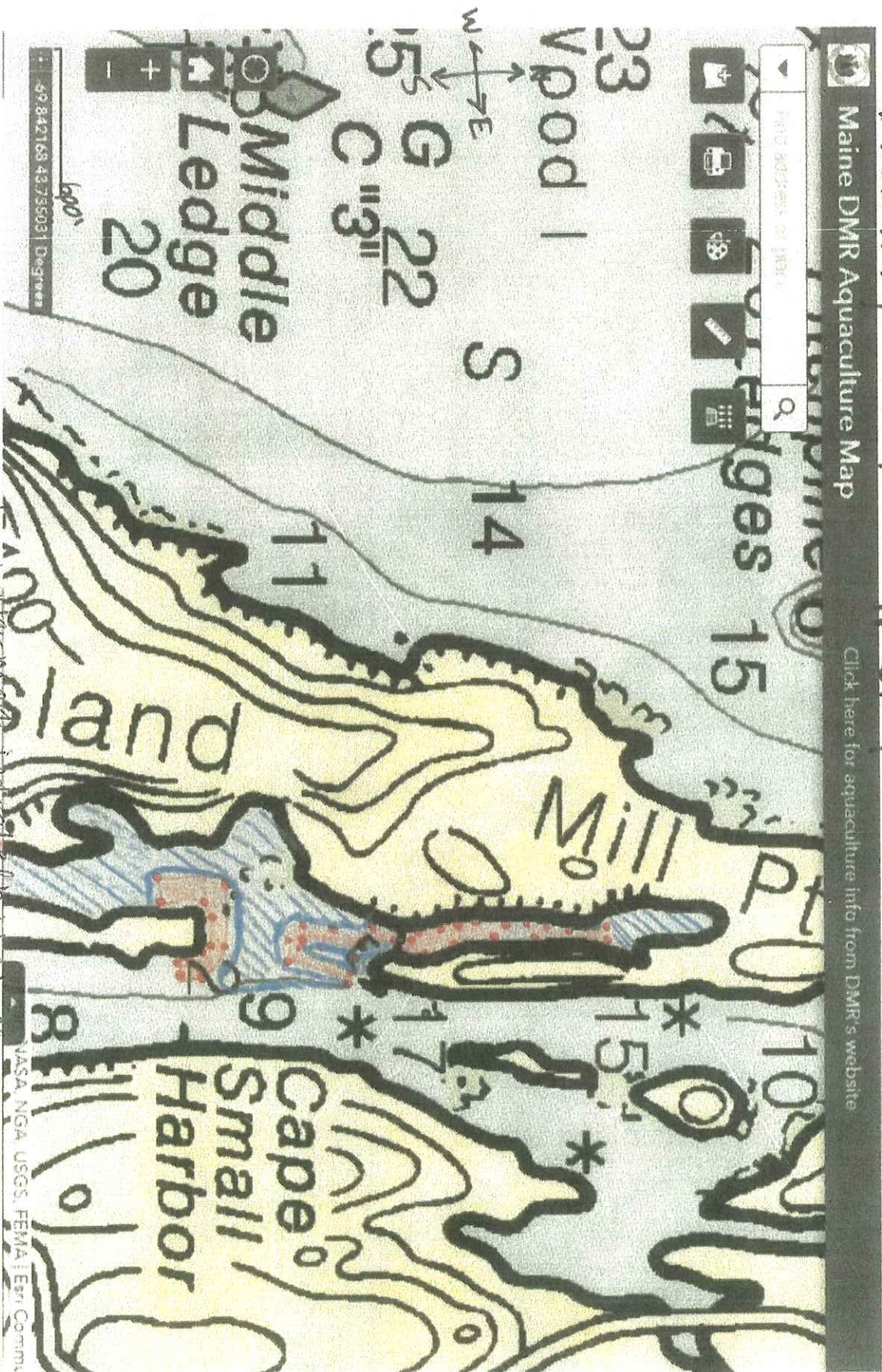
Note: Please label as: 'Boundary Drawing'.

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

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

- See pages 5-8

5. Vicinity Map - Standard Lease #1



low water mean indicated by blue lines
 high water indicated by thick black contour lines
 dots represent boundary points
 shaded red represents lease area

lease area inside lobster pound is intertidal

Zoomed Out Boundary Map : Tract #1 & Tract #2

Boundary Map

Hermit Island Oyster Company, LLC
Standard Lease Application #2
(The Branch, Small Point Harbor)
Approximately 4 x 1200' = .11 acres

Coordinates: Tract 2

- 43.729630° -69.848514°
- 43.729612° -69.848497°
- 43.729356° -69.848815°
- 43.729026° -69.849052°
- 43.728592° -69.849164°
- 43.727929° -69.849408°
- 43.727184° -69.849341°
- 43.726489° -69.849671°
- 43.726493° -69.849683°
- 43.727186° -69.849367°
- 43.727927° -69.849433°
- 43.728590° -69.849185°
- 43.729032° -69.849078°
- 43.729367° -69.848830°

WG584



Google Earth

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Boundary Map: Standard Lease #1, Tract #1

Standard Lease #1

Tract #1
Hemlock Island Oyster Co., LLC
Lobster Pound, Small Pt Harbor
Phippsburg, Maine

1. 43.739113° -69.847225°
2. 43.739089° -69.846931°
3. 43.738234° -69.846986°
4. 43.737807° -69.847022°
5. 43.737393° -69.846924°
6. 43.737070° -69.846969°
7. 43.736901° -69.847172°
8. 43.736421° -69.846948°
9. 43.736201° -69.847175°
10. 43.736125° -69.847090°
11. 43.736482° -69.846412°
12. 43.736480° -69.846317°
13. 43.735970° -69.846822°
14. 43.736030° -69.847197°
15. 43.736226° -69.847253°
16. 43.736560° -69.847120°
17. 43.736722° -69.847319°
18. 43.736968° -69.847205°
19. 43.736975° -69.847348°
20. 43.737171° -69.847194°
21. 43.737321° -69.847185°
22. 43.737517° -69.847254°
23. 43.737891° -69.847220°
24. 43.739179° -69.847316°
25. 43.738438° -69.847289°
26. 43.738782° -69.847167°



6. Coordinate Description

Hermit Island Oyster Co., LLC

Standard Lease Application #1 (Lobster Pound, Small Point Harbor)

Tract #1

Coordinates (clockwise, see attached map) *W/directions & distances between coordinates*

1. 43.739113° -69.847225°
78' E
2. 43.739089° -69.846931°
312' S
3. 43.738234° -69.846986°
155' SSW
4. 43.737807° -69.847022°
155' SSW
5. 43.737393° -69.846924°
118' S
6. 43.737070° -69.846959°
83' SW
7. 43.736901° -69.847172°
183' SE
8. 43.736421° -69.846948°
101' SW
9. 43.736201° -69.847175°
37' SE
10. 43.736125° -69.847090°
221' NE
11. 43.736482° -69.846412°
27' E
12. 43.736460° -69.846317°
226' SW
13. 43.735970° -69.846822°
104' W
14. 43.736030° -69.847197°
72' N
15. 43.736225° -69.847253°
126' NNE
16. 43.736560° -69.847120°
79' NW
17. 43.736722° -69.847319°
92' NE
18. 43.736959° -69.847205°
40' W
19. 43.736975° -69.847348°
82' NE

6. Coordinate Description, cont'd

20. 43.737171° -69.847194°
55' N
21. 43.737321° -69.847185°
73' NNW
22. 43.737517° -69.847254°
137' NNE
23. 43.737891° -69.847220°
108' NNW
24. 43.738179° -69.847316°
95' NNE
25. 43.738438° -69.847289°
130' NE
26. 43.738782° -69.847167°
117' N

Tract #2

Coordinates (clockwise, see attached map):

1. 43.735385° -69.847893°
155' SSE
2. 43.735284° -69.847323°
180' SE
3. 43.734965° -69.846795°
65' S
4. 43.734797° -69.846766°
38' W
5. 43.734785° -69.846904°
57' NNW
6. 43.734911° -69.847023°
82' NW
7. 43.735073° -69.847222°
53' NNW
8. 43.735197° -69.847311°
72' NW
9. 43.735266° -69.847562°
37' SW
10. 43.735211° -69.847684°
205' S
11. 43.734636° -69.847810°
51' W
12. 43.734630° -69.847998°
275' N

8

7. SITE DEVELOPMENT

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

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

A. Gear Information

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

1. Gear Drawing: Please include the following for each gear type that will hold organisms to be cultured (e.g. Polar circles, marine algae longlines, oyster cages) and label as "Gear Drawing". This view must show the following:
 - Length, width, and height of each gear type.
2. Gear Table: List and describe each individual gear type that you will use in the table below. (e.g. Polar circles, marine algae longline, oyster cages, moorings, mooring lines, buoys, etc.).

Specific Gear Type (e.g. <i>soft mesh bag</i>)	Dimensions (e.g. <i>16"x20"x2"</i>)	Time of year gear will be deployed (e.g. <i>Spring, Winter, etc.</i>)	Maximum amount of this gear type that will be deployed on the site (i.e. <i>200 cages, 100 lantern nets, etc.</i>)	Species that will be grown using this gear type
Floating Oyster Cages (2-bag)	36" x 36" x 8.5"	Year-round	25	Eastern oyster
Floating Oyster Cages (4-bag)	41" x 37" x 23"	Year-round	70	Eastern oyster
Floating Oyster Cages (6-bag)	68" x 40" x 22"	Year-round	70	Eastern oyster
Bottom Cages	47" x 36" x 12"	Year-round	12	Eastern oyster
Bottom Bags	34.5" x 18" x 3"	Year-round	40	Eastern oyster
White Corner/Markers	5" x 11"	Year-round	14	Eastern oyster
Sm. Helix Anchors	¾" x 4' x 6"	Year-round	16	
Lg. Helix Anchors	1" x 5.5' x 8"	Year-round	4	
Small Mushroom Anchor	25 lb.	Year-round	2	

Nylon rope	3/8"	Year-round	1150'	Eastern oyster
Nylon long line	5/8"	Year-round	1699'	Eastern oyster

7.A.1. Gear Diagram/Drawing

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6 Bag Floating Cage

68" x 40" x 22"

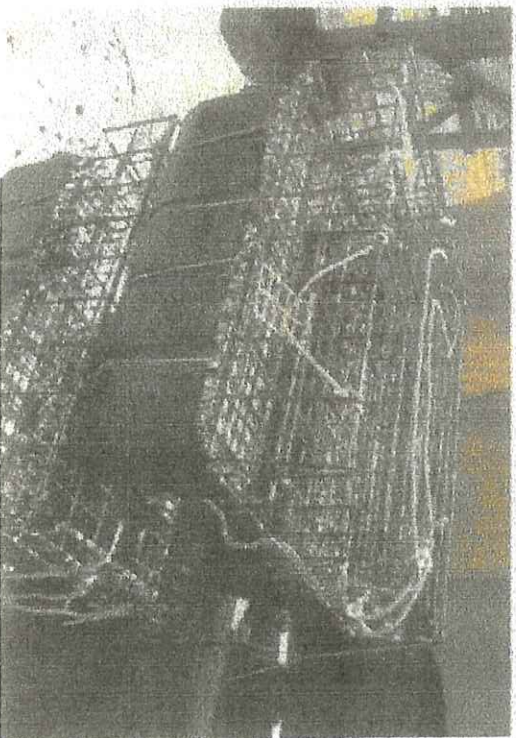
height



4 Bag Floating Cage

41" x 37" x 23"

length width height



B. Maximum Structure and Mooring System Schematic

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

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

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

C. On-Site Support Structures

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

The proposed standard lease (#1) contains 2 structures to be located on-site— (1) upweller and (1) work float with covered yurt. See attached schematic drawings and map for on-site support structures work float with covered yurt and upweller. Dimensions, height above sea level, and materials are included in the on-site support structure schematic.

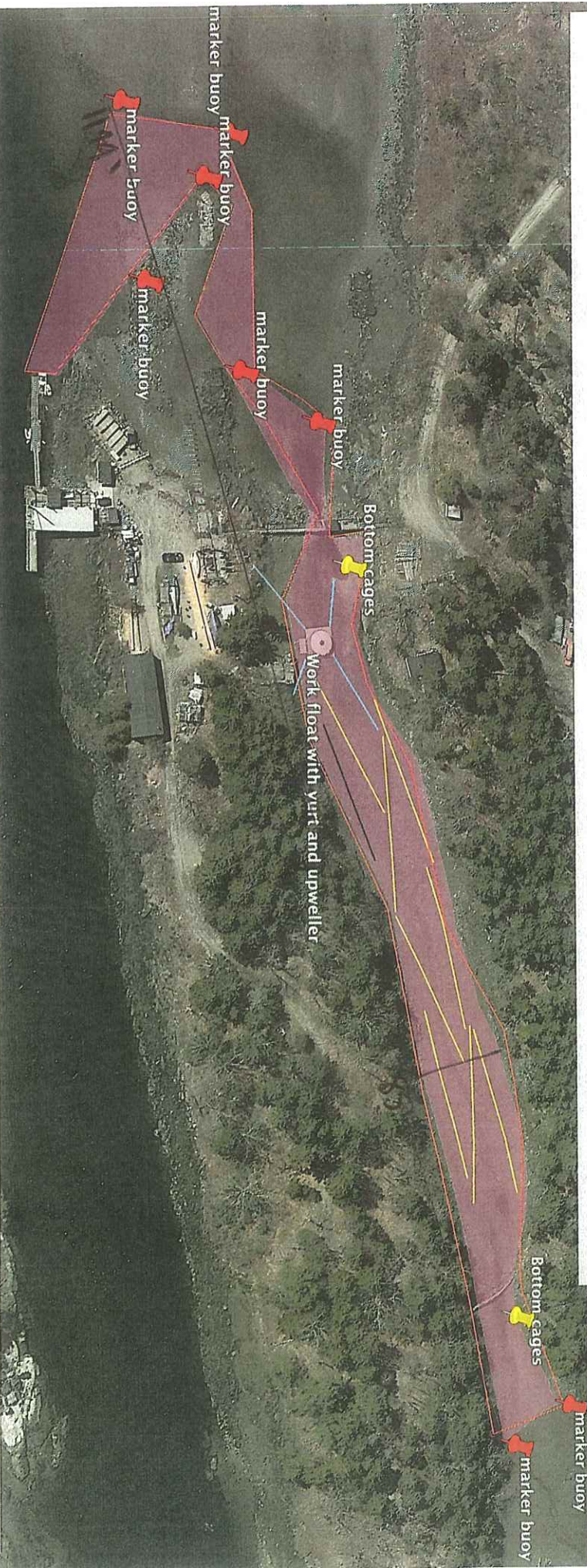
- | |
|--|
| 2. Describe the storage and use of oil, gasoline or other hazardous materials on this facility. If petroleum products are to be stored on site, provide a spill prevention plan. |
|--|

No oil, gasoline, or other hazardous materials will be stored on site at any time.
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7.B.1.

Overhead View Hermit Island Lobster Pound Lease Site: Tract 1

Tract 1 includes the bottom of the former lobster pound and the adjoining salt creek draining to the main harbor channel. Measured from the northwest corner to southeast corner it is approximately 1149 feet long and 85 feet wide on average. The surface area of tract one is 1.95 acres.



Legend

-  1" white boundary/corner marker buoy
-  6 overwintering bottom cages at 2 locations (total 12 bottom cages) Cages set in a 2x3 grid with 4" between cages.
-  Black line represents single file of 40 oyster bags on bottom 138' from end bag to end bag
-  Blue lines represent 1" nylon mooring lines running to 1" iron eyebolts in ledge on the eastern lines and to 6" helix anchors on the western lines
-  Magenta shading indicates bottom planting area
-  Red line represents exterior boundary of tract
-  Yellow lines represent 146ft lines holding 10 4/6 bag oyster cages; 8 lines in tract holding a total of 80 4/6 bag oyster cages

Google Earth

→
map scale

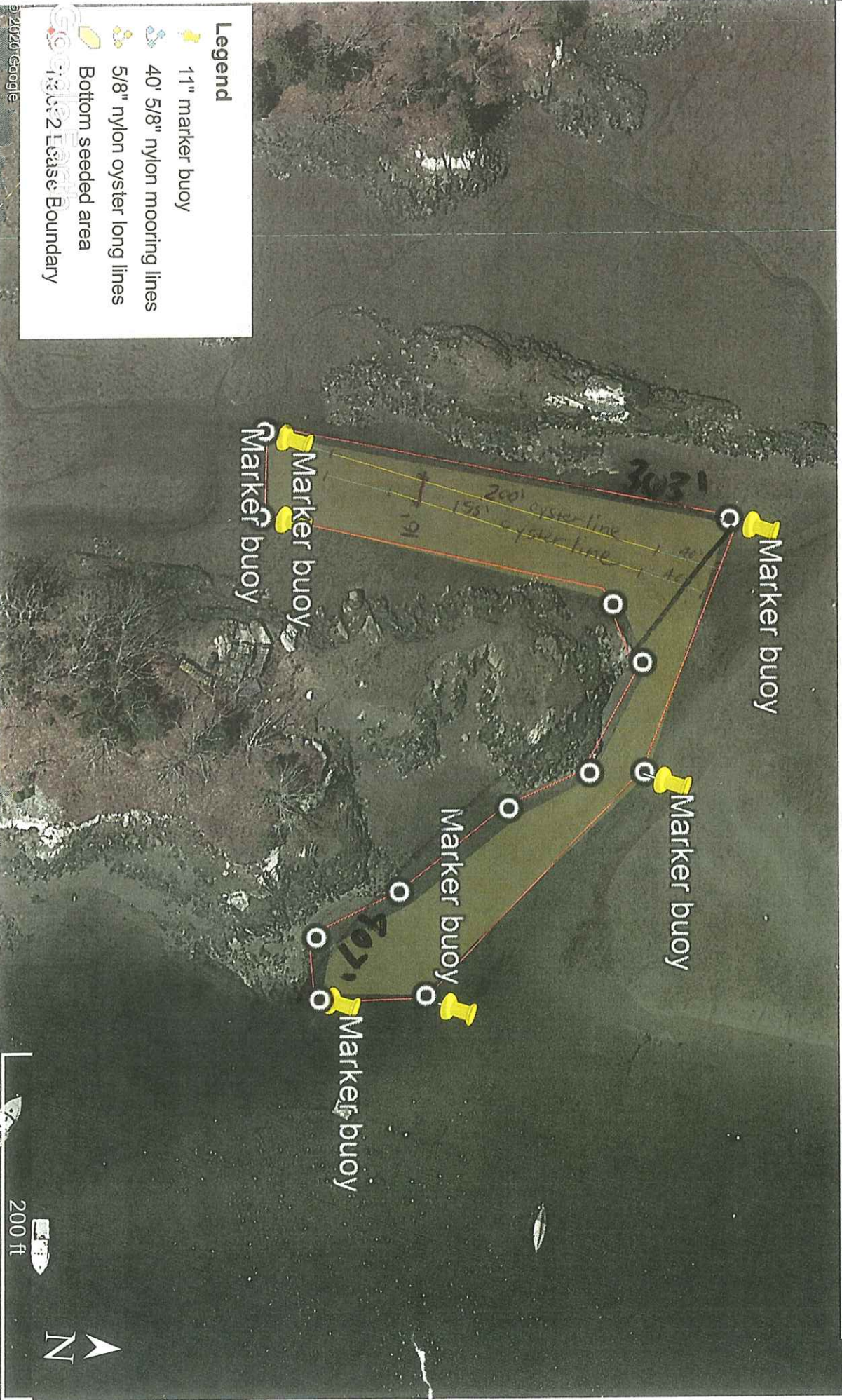
300 ft



Overhead View Standard Lease #1 Tract 2

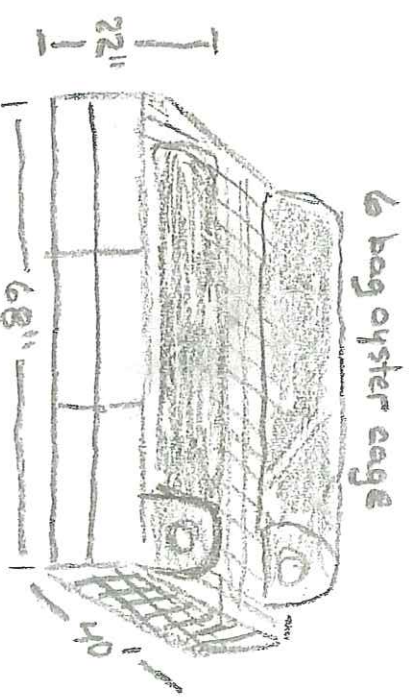
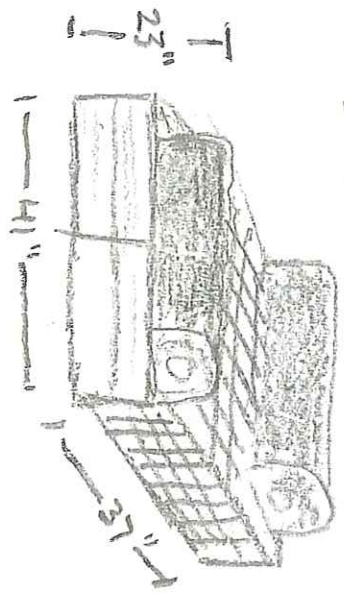
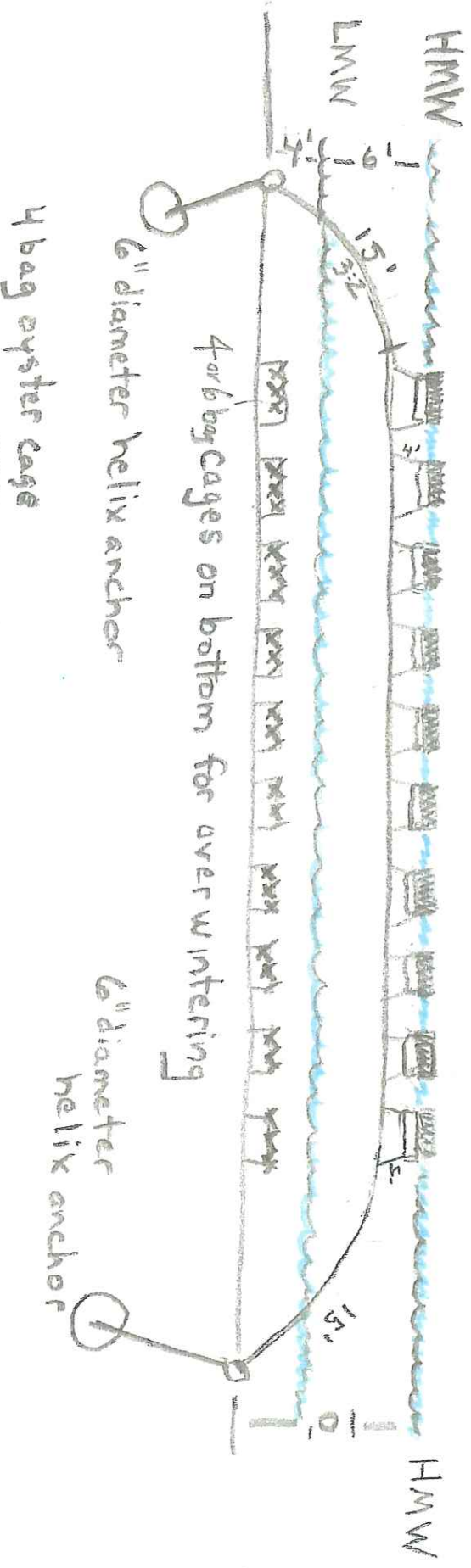
7.B.2

Tract 2 includes a shallow salt pond and adjoining drainage wrapping around the northern end of Tenants Island. It is due south of Tract 1 and separated by a large sand/mud bar exposed at low water. The lease is approximately 407' wide from the NW corner to SE corner and 303' from the NW to SW corners. Oyster long lines are spaced approximately 16' apart. Western line is 200' long w/ (25) 2-bag cages. Eastern long line is 155' long w/ (10) 4 or 6-bag cages. Yellow area will be bottom seeded. Total acreage= 0.65 acres



8 1 1/2" 5/8" nylon long lines with 10 4/6 bag cages each moored at the ends to 6" diameter helix anchors. Cages are spaced every 12' and attached to long line with 3/8" nylon ropes 4' long each

116'

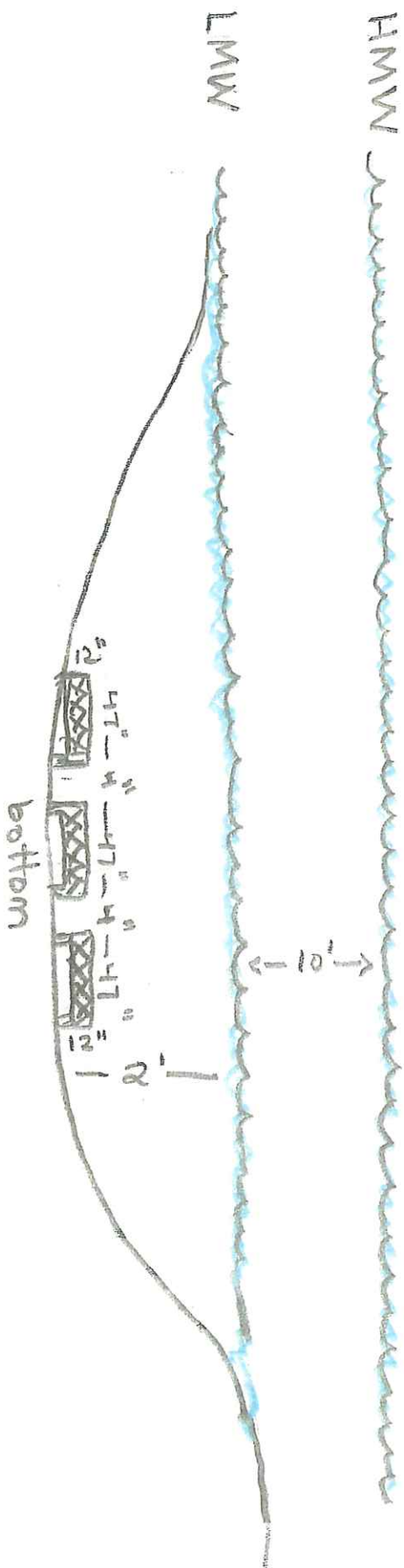


Oyster cage made from trap wire mesh with a plastic pontoon each

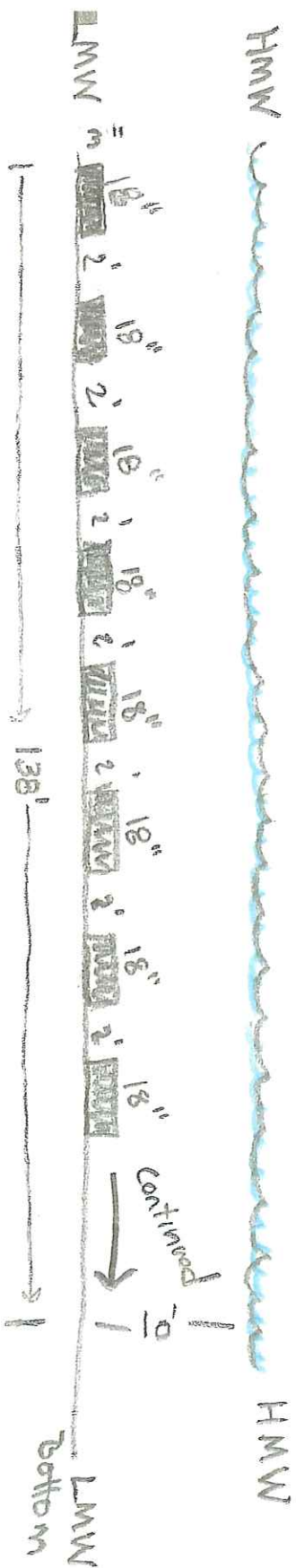
B.2 Cross Section View Hermit Island Lobster Pound Lease Site Tract 1 b.

2

- Bottom cages will be located in pools adjacent to northern and southern lobster pound dams. 1 block of 6 cages in each pool, arranged 2x3. Each cage is 12" deep and 47" square and will be spaced 4" from other cages



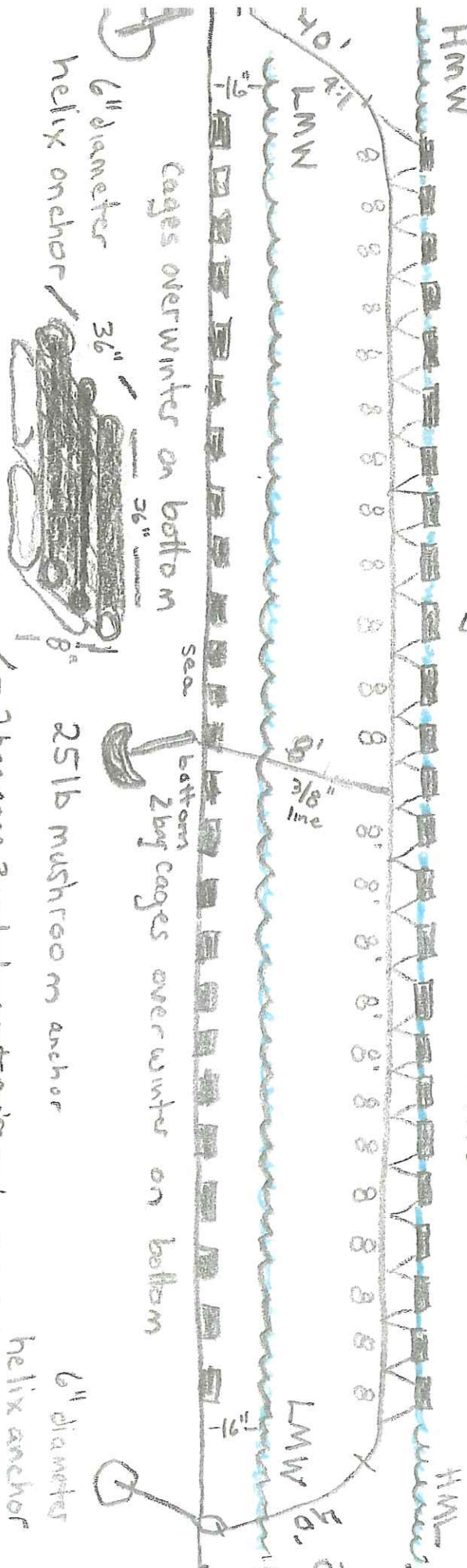
2. Single file of oyster bags on bottom, spaced 2' apart, 40 bags total



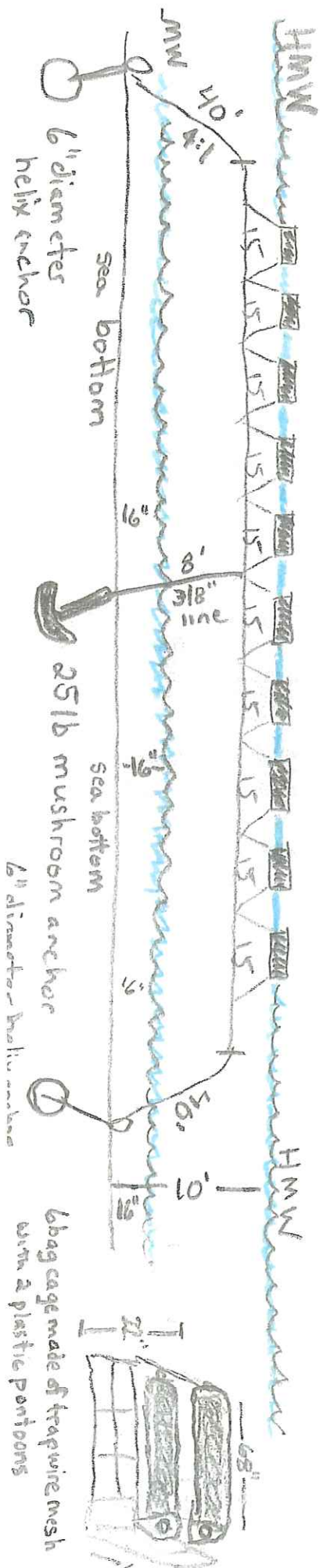
1. B. C. Cross Section View Hermit Island Lobster Pound Lease Tract 2 Tenants Island

2 long lines of oyster cages running north to south,

1. 216' $\frac{5}{8}$ " nylon long line with 25 2 bag oyster cages (36" square each) cages are spaced every 8' along line and attached with $\frac{3}{8}$ " nylon rope, 4' long each 40' 1" nylon lines anchor ends of long line to 6" diameter helix anchors



2. 155' $\frac{3}{8}$ " nylon long line with 10 $\frac{4}{6}$ bag oyster cages cages are spaced every 15' along line and attached with $\frac{3}{8}$ " nylon rope, 4' long each 40' 1" nylon lines secure longline to 6" diameter helix anchors



On Site Support Structure (7.C.1)
Float w/covered yurt

33 ft
aluminum gangway

float is square

24 ft

24 ft float constructed from 4 8 ft by 16 ft floats
constructed with galvanized hardware

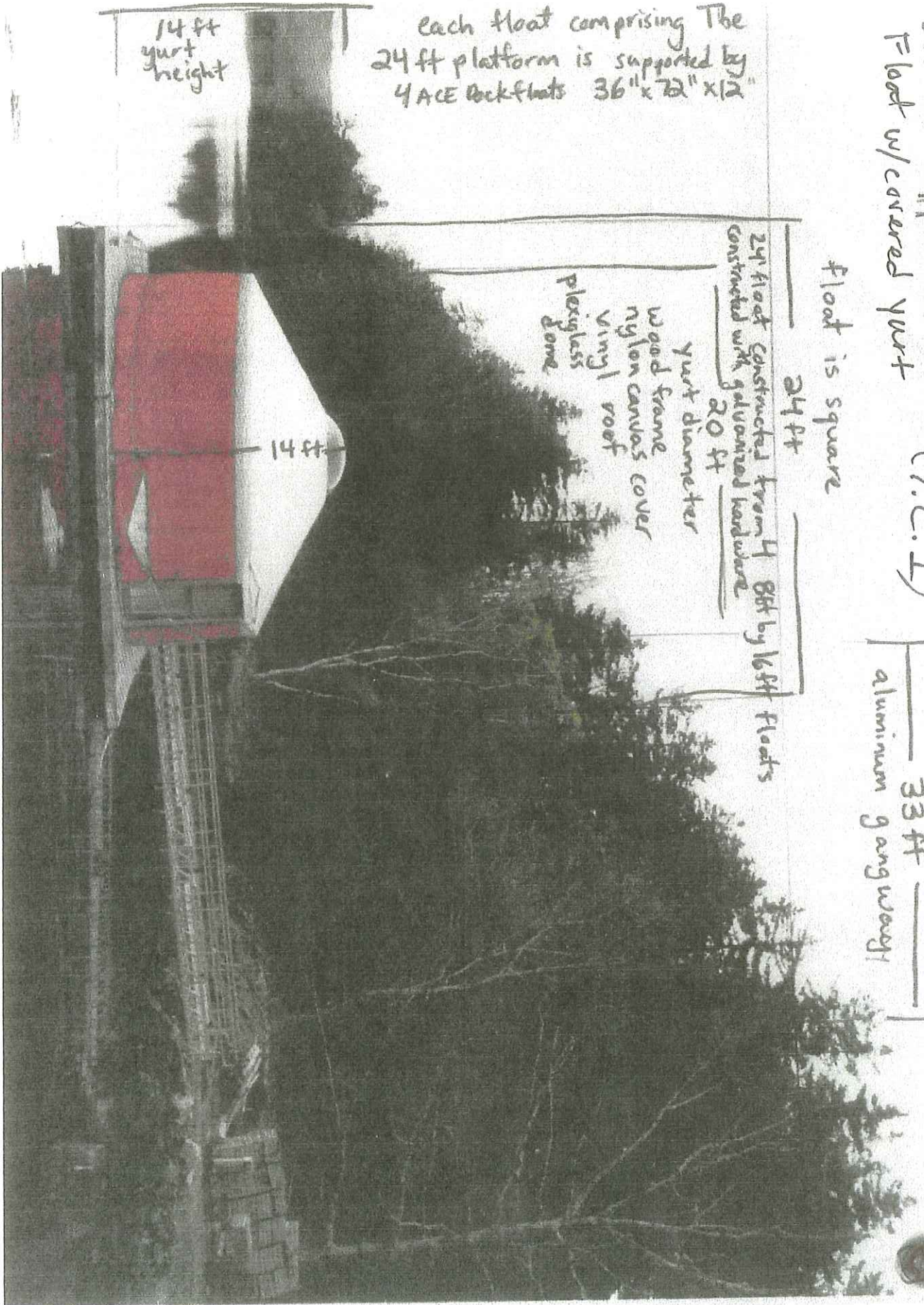
20 ft

yurt diameter
wood frame
nylon canvas cover
vinyl roof
plexiglass
done

each float comprising The
24 ft platform is supported by
4 ACE Deck floats 36" x 72" x 12"

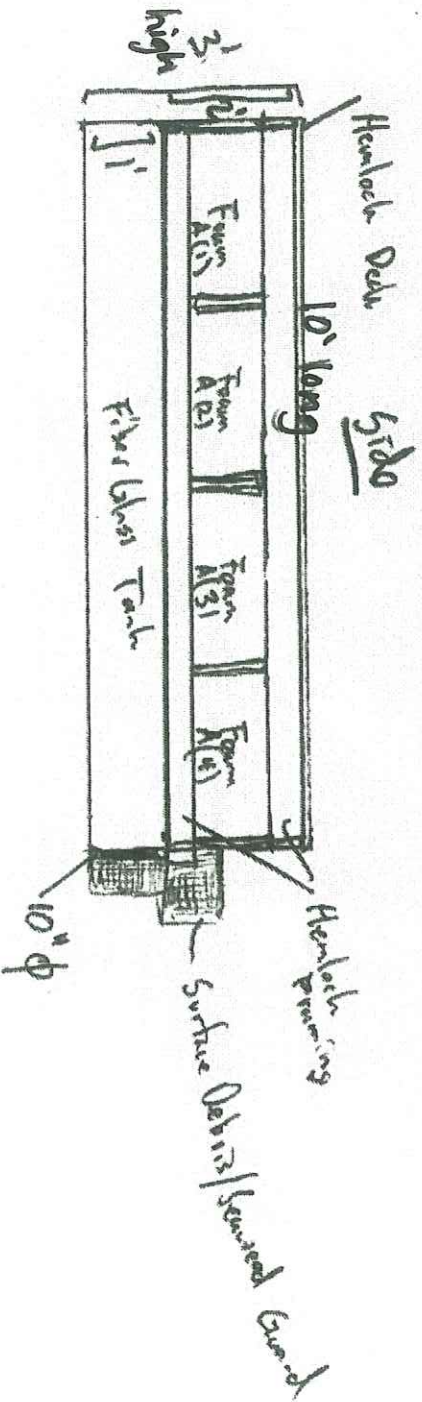
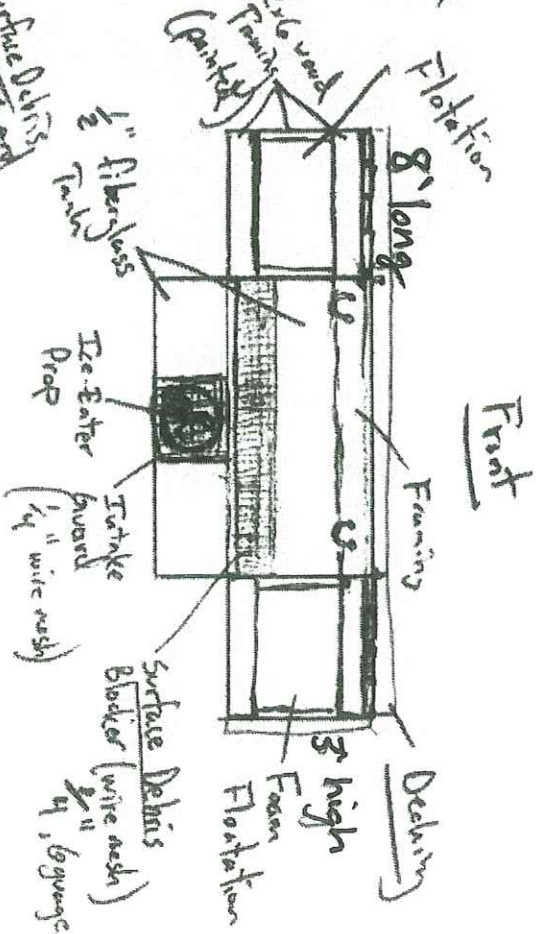
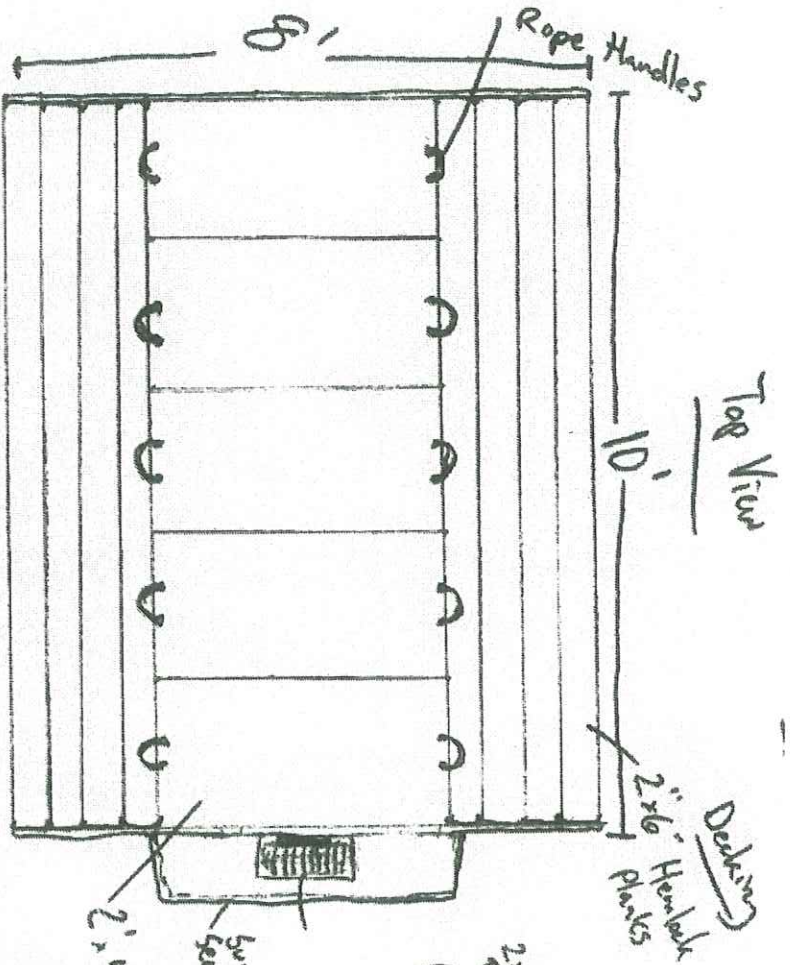
14 ft
yurt
height

14 ft



Upweller Drawing Overhead and Cross Section (7.C.1)

6-23



Motor / Pump
Ice-Eater 3/4 HP
220 VAC 2.5 amp
pumps ≈ 400 GPM

D. Gear Color

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

The floating cages have black floats and forest green vinyl coating. The bottom cages have a black vinyl coating and the Vexar oyster bags are also black. The on-site support structure (floating, covered yurt) is red and white and the upweller is wood colored.

E. Equipment Layout

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

*See attached photo renderings of layout

F. Marking

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80?

☒ 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: 1st Coast Guard District, Aids to Navigation Office ((617)-223-3293).

Photo Rendering #1
Standard Lease #1
7.E

Hermit Island Lobster Pound looking S-E
towards Tenants Island (photo taken
from 43.736441 - 69.847196 looking south)



Photo Rendering #2 7E

Standard Lease #1

(photo taken from 43.736941 -69.847196 looking North)

Hermit Island
Lobster Pound

my house



Hermit Island

Hermit Island



Hermit Island Lobster Pound

8. PRODUCTION ACTIVITIES

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

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

Eastern Oysters: Seed will be deployed into bags in June, July, August, September. Bottom seeding would occur in the spring (April/May/June) and fall (September/October). I live adjacent to the lobster pound and intend to be onsite every day.

European Oysters: Wild seed naturally sets in this area and will be moved around in April-May or September through the end of October. I live adjacent to the lobster pound and intend to be onsite every day.

B. Please explain your proposed tending/maintenance activities.

Eastern Oysters: Tending and maintenance activities include: Flipping cages to air dry; Flipping bags to air dry; Tumbling and sorting occurs once or twice a season. I do a quick check of lines and hardware once a week.

European Oysters: European oysters will be bottom seeded.

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

Eastern Oysters: I will be onsite daily and doing routine tending/maintenance (i.e. flipping cages, etc.) on a bi-weekly or monthly basis depending on fouling.

European Oysters: I will be onsite daily, but do not intend to do any routine tending or maintenance for this species.

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

Eastern Oysters: Oysters will be harvested by rake, oyster tongs, and hand picking.

European Oysters: Oysters will be harvested by rake, oyster tongs, and hand picking.

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

Eastern Oysters: I will be onsite every day.
European Oysters: I will be onsite every day.

F. Will gear be on the site year-round? ☒ Yes ☐ No

G. If gear will not be on the site year-round, please 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.

Eastern Oysters: Floating cages will be sunk to the bottom in the winter months (roughly December through March). No gear will be removed from the site, unless it needs repair. Any gear moved off-site and repair to equipment will occur on my property adjacent to the proposed lease site.
European Oysters: No changes between summer and winter months.

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?

I have a 18' wooden skow barge with a 5 hp outboard. The boat is docked at the Hermit Island Marina (on-site every day), located adjacent to the proposed lease site, and this is the boat that would be used to tend to all aquaculture activities within Small Point Harbor.

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?

I use a 12-volt (very quiet) oyster tumbler/grader that fits on the 18' work barge. The tumbler/grader will be used during the months of April- November for up to a total of 14 days/year and up to 8 hours/day. No generator, power washer, or other powered equipment will be used on-site. A ¾ HP electric motor (ice-eater) is used to power the upweller. The ¾ HP electric motor will run up to 24 hours/day during the months of June, July, August, and September. All equipment is substantially below ambient noise levels of the working harbor.

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

Noise levels from the 5 HP boat motor, 12-volt oyster tumbler/grader, and ¾ HP electric motor are already substantially below ambient levels of the working harbor, so I do not intend to do anything to reduce noise levels. This is a family campground and we do our best to keep noise levels reasonable for our summer guests.

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.

If I work on-site beyond daylight hours, I will use up to (2) 12-volt LED headlamps, 350 lumens.

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

I may work on-site beyond daylight hours at low tide during the fall, winter, and spring months, or in case of an emergency.

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.

I have grown oyster on LPAs in Small Point Harbor for 10 years (beginning in 2010). The LPAs referenced are SEW210, SEW313, SEW413, SEW515. I have just received experimental lease CAS CSHx this October

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, I plan to relinquish (2) LPAs SEW210, SEW313, but there will be no changes to my (1) LPA SEW515 and experimental lease CAS CSHx.

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?

The approximate water depth at MLW inside Tract 1 ranges from 0-3 feet. The approximate water depth at MLW inside Tract 2 is 1.5 feet.

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

The approximate water depth at MHW inside Tract 1 ranges from 9-12 feet. The approximate water depth at MHW inside Tract 2 is 12 feet.

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

The approximate current speed and direction inside Tract 1 is 0-2 knots flowing to north and ebbing to the south. The approximate current speed and direction inside Tract 2 is 3 knots flowing to the south and ebbing to the north.

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.)?

Tract 1: Tract 1 is a very soft to hard mud bottom, with portions of bottom that a mix of gravel, sand, and shell mulch.
Tract 2: Tract 2 is mostly a shell mulch and hard mud bottom.

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

Tract 1 and 2 both have flat bottom topographies.

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?

Rockweed—common
 Periwinkles—common
 Quahogs—common
 Razor clams—rare
 European oysters—common
 Green crabs—common
 Hermit crabs—common
 Rock gunnels—common
 Herring gulls—common

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

There are shellfish beds located in the intertidal bar between Tract #1 and Tract #2, serving as a geographic and social barrier. I am unaware of any 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.

No eelgrass has been observed within the proposed lease site. Observations have been made almost daily for decades.

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

The Hermit Island shoreline is rocky ledge covered with rockweed. The adjacent uplands are a mixed hardwood and softwood forest.

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

☐ Yes ☒ No

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

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

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

1. Commercial Fishing

No commercial fishing occurs within the proposed lease boundaries. Shellfish harvest (mostly quahogs) occasionally occurs year-round in the intertidal area between Tract #1 and Tract #2 based on personal observations and pre-application meeting with the Town Shellfish Warden. The State of Maine has prohibited wild shellfish harvest inside the lobster pound since it was built in 1950. The site has not been used as a lobster pound since 2008.

2. Recreational Fishing

Recreational fishing occurs occasionally in the summer months inside and around Tract 2.

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

Boating typically occurs within the deeper water channels within Small Point Harbor. Both of the proposed tracts are located outside of the navigational channel and mooring field. Tract 1 is not accessible to boats due to presence of lobster pound dam. Tract 1 is approximately 150' away from the harbor channel and Tract 2 is 200' from the harbor channel.

4. Riparian Ingress/Egress

The Hermit Island Partnership, Christopher Sewall (60%) and Christina Sewall (40%), are the riparian shoreline owners of Hermit Island and Tenants Island, which includes the campground, boat shop, lobster wharf, and dock and slips associated with Hermit Island Marina. Proposed activities will not impact any of the existing business activities.

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

Kayaking occurring frequently in the summer months on and near (within 500') of Tract 2. No other activities occur inside or near Tract 1.

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.

The proposed lease site encompasses two tracts—one tract is centered in and around the Hermit Island lobster pound and the other site is a small and shallow subtidal area between the lobster and Tenants Island, on the Western shore (Hermit Island) shore of Small Point Harbor. Within Small Point Harbor and within 1,000' feet of the proposed tracts, there are an estimated 35 moorings in the channel and 5 private docks on the eastern shore. The two primary docks on the eastern shore include Small Point Assn. Fishermen's Wharf and Small Point Yacht Club.

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, there are no public beaches, parks, docking facilities or federally, state, or municipally conserved lands within 1,000'.

13. EXCLUSIVE USE

If your lease is granted, what activities would you request be excluded from occurring within the boundaries of the lease site? In your answer please address applicable commercial and recreational fishing, boating activities, and other activities you listed in the 'Existing Uses' section of this application.

If the lease is granted, no dragging will be permitted inside or outside of the pound and no digging permitted inside the lobster pound.

14. RIPARIAN LANDOWNERS AND SITE ACCESS

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

1. A labeled copy of a tax map(s) depicting the location of the proposed lease site and including the following elements:
 - Label the map "Tax Map: Town of (name of town)."
 - Legible scale
 - Tax lot numbers clearly displayed
 - The boundaries of the proposed lease
2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list.
3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: "19. Landowner/Municipal Permission Requirements".

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

☒ Yes ☐ No

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

C. How will you access the proposed site?

I will access the proposed site by foot or boat from Hermit Island. I live on site adjacent to the lobster pound. The property is owned by me and my cousin as the Hermit Island Partnership, Christopher Sewall(60%) and Christina Sewall (40%). The property is managed by the Hermit Island Company Inc of which I am an owner and President.

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

The proposed activities will not affect riparian ingress and egress.

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LEGEND

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Index Map

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RIPARIAN LANDOWNER LIST

14.A.2

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: Phippsburg

MAP #	LOT #	Landowner name(s) and address(es)
24	24	Chandler Dock, LLC c/o Jack Chandler 3 Pineview Road Sterling, MA 01564
24	24-1	Angus and Dana Burton 11818 Mays Chapel Road Lutherville, MD 21093
24	24-2	Marc Pfitzer & Katherine Hinckley 36 Quai de Corsier 1246 Corsier, Switzerland
24	25	Small Point Harbor House, LLC c/o Walter Rothschild 4167 Big Sky Road Santa Fe, NM 87507
24	26	Louise Hoffman 519 Stanwich Road Greenwich, CT 06831
24	28	Christopher and Sarah Pope 220 Stoney Lea Road Dedham, MA 02026

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Amber Jones^{Dep.} Town Clerk for the Town of Phippsburg 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: Amber Jones DATE: October 30, 2020

TOWN OF: Phippsburg

14.A.2

MAP #	LOT #	Landowner name(s) and address(es)
24	29	Small Point Association, Inc. Leslie Belz, SPCC Clerk PO Box 275 Phippsburg, ME 04562
24	30	Hermit Island Company, Inc. 42 Front Street Bath, ME 04530
24	31	Hermit Island Company, Inc. 42 Front Street Bath, ME 04530
25	1	Small Point Development Corp c/o Charles Chandler 11 Western Avenue Topsham, ME 04086
25	3	Stacey Coates 250 Maine Street Apt. 601 Charlottesville, VA 22902
25	4	Gary Foster PO Box 307 Phippsburg, ME 04562
25	5	Small Point Development Corp c/o Charles Chandler 53 Sprague Road Phippsburg, ME 04562
25	6	Emily Fisher, HA Barringer, and AM Yearians c/o Emily Edmundson 37367 Rafferty Road Chilhowie, VA 24319
25	8	Small Point Summer School, Inc. c/o Martie Janeway, Treasurer 173 Park Row Brunswick, ME 04011

15. TECHNICAL CAPABILITY

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

I have been growing oysters for 10 years and participated in some of the training programs offered through Maine Sea Grant, as well as attended professional development conferences and meetings such as the annual R&D summit, Fishermen's Forum, and the NACE conference. In addition, I have 25+ years experience owning and operating boats and working in the maritime environment.

16. FINANCIAL CAPABILITY

A. Financial Capability

Please provide documentation to show you have the financial resources to implement the proposal. For example, you may submit a letter from a financial institution or funding agency indicating that you have an account in good standing, or their willingness to commit funds.

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

Please see attached letter from financial institution.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

The aquaculture activities proposed in this lease application will cost approximately \$15,000. I already own oyster cages and bags, therefore the primary cost for proposed activities in the purchase of seed from a hatchery.



16.A.
Financial
Capability

05/14/2020

To whom it may concern,

This is to confirm that Christopher Sewall has an account good standing at Five County Credit Union. He has been a valued member for 7 years and if I can be of further assistance please let me know.

Thank you in advance,

Respectfully,

Tracy A. Coffin
Financial Service Coordinator
Yarmouth Branch
Five County Credit Union
1-800-750-0959 ext.2306
teoffin@fivecounty.com
Fax - (207) 781-7662

"Credit is a Skill not a Score"



765 Washington Street • PO BOX 598 Bath, Maine 04530
1.800.750.0959 • www.fivecounty.com

Serving the Counties of
Androscoggin, Cumberland, Kennebec, Lincoln, Sagadahoc, Somerset, Waldo & Knox



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17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

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

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

I, (printed name of applicant) Hermit Island Oyster Company, LLC 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.

Christopher L. Dewall
Applicant Signature

November 4 2020
Date

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

Title owner

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

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

N/A

Applicant Signature

Date

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

18. APPLICANT SIGNATURE PAGE

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

Printed name: Christopher Sewall

Title (*if corporate applicant*): Owner, Hermit Island Oyster Company, LLC

Signature: Christopher L Sewall Date: November 4 2020

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

Note:

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

Additional Applicant:

Printed name: _____

Title (*if corporate applicant*): _____

Signature: _____ Date: _____

19. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS (if applicable)

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

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

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

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

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

*Please see attached documentation from Town of Phippsburg shellfish committee and selectmen's meeting.

19.1 Riparian landowner documentation

Filing Fee:
\$85.00

Make check payable to:
Secretary of State

Please file by
APRIL 1, 2020

STATE OF MAINE 2020 ANNUAL REPORT

FOR BUSINESS CORPORATIONS ON FILE AS OF
DECEMBER 31, 2019

Pursuant to 13-C MRSA §1621.2, the information on the
report must be current as of the date signed.

Do not change any preprinted information on this form.

Filing by April 1, 2020 will allow us to
provide better service. The legal filing
deadline is still June 1, 2020.
\$50 late filing fee will be assessed if
the report is late.

DCN Number:

2200019002156

Charter Number:

19600070 D

HERMIT ISLAND COMPANY, INC.
JEANNE E. SEWALL, CLERK
42 FRONT ST.
BATH, ME 04530

If you have any questions regarding the completion of this annual report or if the preprinted information on this report form is incorrect, contact the **Reporting & Information Section** at (207) 624-7752. All corporate forms are available on our website at www.maine.gov/sos/cec/corp. To file your annual report online, go to www.SOSonline.org and click on the Interactive Corporate Services link. **Please see reverse side of this form for additional filing instructions.** → → →

1. A brief statement of the character of the business in which the corporation is actually engaged in the State of Maine; if none, so indicate: (13-C MRSA §1621.1.C)
Summer Recreational/Campground

2. Name of each officer: (13-C MRSA §1621.1.F)

Street address of each officer (not P.O. Box):
(physical location (not P.O. Box) - street, town/city, zip)

Pres: Christopher S. Sewall

42 Front Street, Bath, Maine 04530

Treas: Jeanne E. Sewall

42 Front Street, Bath, Maine 04530

3. Name of 3 Directors:
(13-C MRSA §1621.1.G)

Street address of each (not P.O. Box):
(physical location (not P.O. Box) - street, town/city, zip)

Nicholas S. Sewall

1132 Washington Street, Bath, Maine 0453

Christopher S. Sewall

42 Front Street, Bath, Maine 04530

Christina Sewall

258 Bristol Rd., Damariscotta, Me. 04543

THIS PREPRINTED FORM MUST BE USED. However if more space is needed, please attach additional pages, using one side only. All attachments must contain the name and charter number of the corporation across the top of the page. Each page should be numbered consecutively. List number of pages attached: _____

Dated: February 26, 2020

207=442-7616

info @ hermitisland. com.

Jeanne E. Sewall, Treasurer

(TYPE OR PRINT NAME AND CAPACITY)

(Execution - 13-C MRSA §121. Penalty for untrue or omitted material facts - 13-C MRSA §131)

Schedule B-1
(Form 1065)

August 2019)
Department of the Treasury
Revenue Service

Information on Partners Owning 50% or More of the Partnership

▶ Attach to Form 1065.

OMB No. 1545-0123

▶ Go to www.irs.gov/Form1065 for the latest information.

Employer identification number

HERMIT ISLAND PARTNERSHIP

Part I Entities Owning 50% or More of the Partnership (Form 1065, Schedule B, Question 2a (Question 3a for 2009 through 2017))

Complete columns (i) through (v) below for any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, tax-exempt organization, or any foreign government that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital

Part II Individuals or Estates Owning 50% or More of the Partnership (Form 1065, Schedule B, Question 2b (Question 3b for 2009 through 2017))

Complete columns (i) through (iv) below for any individual or estate that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Individual or Estate	(ii) Identifying Number (if any)	(iii) Country of Citizenship (see instructions)	(iv) Maximum Percentage Owned in Profit, Loss, or Capital
CHRISTOPHER SEWALL		UNITED STATES	60.00

19.1. Riparian Landowner permission

Monday, May 18, 2020 8:13 AM

To Whom It May Concern,

I am the 40% owner of the Hermit Island property in Phippsburg Maine. I support the efforts of my cousin and co-owner of Hermit Island, Christopher Sewall, to obtain standard leases for oyster growing in the waters around Hermit Island.

Sincerely,



Christina Sewall

From <<http://mail.google.com/mail/u/0/inbox/EMfcxwHNvIXbriQxKDprVlrKHLPZTn>>

Submitted by:

Approved by Selectmen:

9/23/20
JMS

ame

Adele M. Suggs
Admin Asst

19. Z. Municipal permission

**TOWN OF PHIPPSBURG
SELECTMEN'S MEETING AGENDA MINUTES
September 16, 2020**

*The Selectmen's Meeting convened at the Town Hall at 5:00 p.m. with
Selectman Young, Selectman House, and Administrator Jones present.*

Reference (1) - Maine Department of Resources Standard Lease Application
Reference (2) - MMA's General Assistance Maximums Summary Sheet

I. Adjustments

Vote: Selectman House motioned to add approval of the New England Tent & Awning and Head Light Audio Visual invoices to be paid out of the Selectmen's Contingency account as Item #3 under New Business which was seconded by Selectman Young and passed by a vote of 2-0.

II. New Business

1. Meet with Christopher Sewall, Hermit Island Oyster, Co., to consider his request for a letter of support.

Mr. Sewall had provided a letter and briefing to the Board and lengthy application (Reference 1). Mr. Sewall stated that he has been growing oysters for 10 years in Small Point and has been operating under a limited purpose aquaculture permit that limits him to 400 square feet of gear per permit; the permits are only good for one year. The empty space between his cages is counted towards that limit. Mr. Sewall started this process in 2017 where he hosted a scoping meeting at Town Hall explaining the plans and has been working on the permits and applications since then. He's now moving forward with the process. In January of this year Mr. Sewall met with the Shellfish Committee and they gave him their vote of approval; the State had requested he do that. The oyster leasing regulations changed a year or two ago so now any lease application for intertidal land require both the vote of the Shellfish Committee and the majority vote of the selectmen to grant Mr. Sewall that lease. Mr. Sewall is applying for a standard aquaculture lease which will be good for ten years. After ten years it's possible to renew it for another ten years. The only portion of the lease request that is within the intertidal zone is within the lobster pound, behind the dam; all the rest of the lease application is below the low tide mark. Mr. Sewall is basically repurposing the lobster pound for oyster growing. Originally in 2017, when Mr. Sewall had the public meeting, this was all one lease application. The rules changed and basically the State broke his one lease application into three lease applications. Two are standard lease applications; the one we are talking about today is two tracks - one track is the lobster pound and the drain out of the lobster pound and the other track is right across the mud bar in front of the pond and the north end of Tenants Island. If Mr. Sewall gets that lease he will be planting the part below the low tide

Submitted by:

aml

Adele M. Suggs
Admin Asst

Approved by Selectmen:

9/23/20
[Signature]

~~19.2. Cont'd~~
19.2. Cont'd

mark on the bottom with no gear. The second lease application is for the oysters he has down by the campground floats. It's one string of oysters; if he gets the lease it will be a single file, six strings - three on either side of the yard arm floats up against the Hermit Island side of the channel. The 3rd application was an experimental lease because it allowed Mr. Sewall to get it quicker with less paperwork. This is a $\frac{3}{4}$ acre portion of the channel going into Lobster House Cove, just outside the mooring field, on the harbor side of the channel. That application has been approved and he hopes to begin planting next week on that location with no gear. He simply marks the boundaries of the lease with some marker buoys and the oysters will go directly on the bottom. This is a three year experimental lease and at the end of three years Mr. Sewall will have to drop that or convert it to a standard lease. Mr. Sewall's intent, assuming the oysters grow well, would become a standard lease in three years. Two of the applications are pending and Mr. Sewall needs the majority of the Selectmen's approval for the pound application. For the standard lease, the State is required to have a legal public hearing to grant that lease; the State hasn't figured out how those hearings are going to take place. All the lease applications are backed up. Mr. Sewall's application and fee has been submitted; the State returned it and explained he needed the Selectmen's approval. Selectman House stated that this same process was done with Terry Watson. These applications will allow Mr. Sewall to grow many more oysters and employ some extra help if these leases go through.

Vote: Selectman House motioned to support the Hermit Island Lobster Pound Standard Lease Application which was seconded by Selectman Young and passed by a vote of 2-0.

2. Public Hearing - Adopt the MMA Model Ordinance for General Assistance Appendices (A-D) for the period of October 1, 2020 - September 30, 2021, in compliance with Title 22 M.R.S.A. 4305 (4).

Selectman Young explained that this is done every year. The State provides their recommendations, the public hearing is held, and gets approved. It appears that for the overall maximums, for persons in the household, it's going up roughly \$20. The food maximums have gone up \$3-\$4 and the housing maximums have gone up \$2-\$3. Selectman Young opened the public hearing at 5:15 pm. There were no public comments.

Vote: Selectman House motioned to close the public hearing at 5:16 p.m. which was seconded by Selectman Young and passed by a vote of 2-0.

Vote: Selectman House motioned to adopt the MMA's General Assistance recommendations which was seconded by Selectman Young and passed by a vote of 2-0.

Selectman Young added his thanks to Ed Skillin's, Inc. for donating the use of the port-a-potties at the ballfield for Town Meeting; it was very generous. There were 69 registered voters who attended Town Meeting and about another 8 who were non-residents.

3. Add approval of the New England Tent & Awning and Head Light Audio Visual invoices from Town Meeting, to be paid out of the Selectmen's Contingency account.

Vote: Selectman House motioned to spend out of the Selectmen's Contingency Account to Head Light Audio Visual for \$1,803.05, New England Tent & Awning \$2,161.50 and to WB Mason \$36.66 which was seconded by Selectman Young and passed by a vote of 2-0.



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: Hermit Island Oyster Company LLC
2. Date of incorporation: 11/03/16 State of incorporation: Maine
3. List the names, addresses, and titles of all officers:

Name	Address	Title
Christopher Sewall	PO Box 29 Phippsburg, ME 04562	owner/operator, president

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

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

Name	Address
Christopher Sewall	PO Box 29 Phippsburg, ME 04562

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.

- Yes, Chris Sewall (Hermit Island Oyster Company, LLC) applied for and received an experimental lease – CAS CSHx. Chris Sewall (Hermit Island Oyster Company, LLC) also submitted an additional standard lease application in addition to this application.

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
Christopher Sewall	P.O. Box 29 Phippsburg, ME 04562	100%

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. If none, write, "None."

Name	Address	Lease Acronym	Acreage
Christopher Sewall NONE	PO Box 29 Phippsburg, ME 04562	CAS CSHx	0.78

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.

B. Partnership Applicant

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

1. Name of Partnership: n/a
2. Date of formation: n/a State of partnership: n/a
3. List the names, addresses, and ownership shares of all partners:

Name	Address	Ownership Shares
N/A		

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

4. Has the partnership, or any partner applied for an aquaculture lease for Maine lands in the past? ☒ Yes ☐ No n/a

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

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

Name	Address	Lease Acronym	Acreage
N/A			

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



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

☐ Yes ☒ No

N/A

If you selected "yes", please provide details.

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

File No. 20172108DC Pages 2
Fee Paid \$ 175
DCN 2163143600023 DLLC
FILED
11/03/2016

Julie R. Hyslop
Deputy Secretary of State

A True Copy When Attested By Signature

Julie R. Hyslop
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:

Hermit Island Oyster Company, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "L3c" -- see 31 MRSA §508.)

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)

A8

FIFTH:

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



Commercial Registered Agent

CRA Public Number

(Name of commercial registered agent)



Noncommercial Registered Agent:

Alan D. MacEwan

(Name of noncommercial registered agent)

84 Marginal Way, Suite 600, Portland ME 04101

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

(mailing address if different from above)

SIXTH:

Pursuant to § 4105-A (105-A), 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 10-31-16



(Signature of authorized person)

Alan D. MacEwan

(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 MRS § 4221.7)

** Pursuant to 31 MRS § 4576.1-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 MRS § 4453.

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) 624-7351

Email inquiries: CEC.Corporations@maine.gov