

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: 2/15/20 | Draft Application Submitted: 5/15/20 Revised Draft Application Submitted: 10/30/20 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 #2 |
| Lease Information | |
| Total acreage requested (100-acre maximum) | 0.11 acres 0.62 acres |
| Lease term requested (20-year maximum) | 20 years |
| Type of culture (check all that apply) | <input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom) |
| Is any portion of the proposed lease site above mean low water? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

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 |

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

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

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

5. VICINITY MAP

Note: Please label as: 'Vicinity Map'.

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

The map needs to display the following:

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

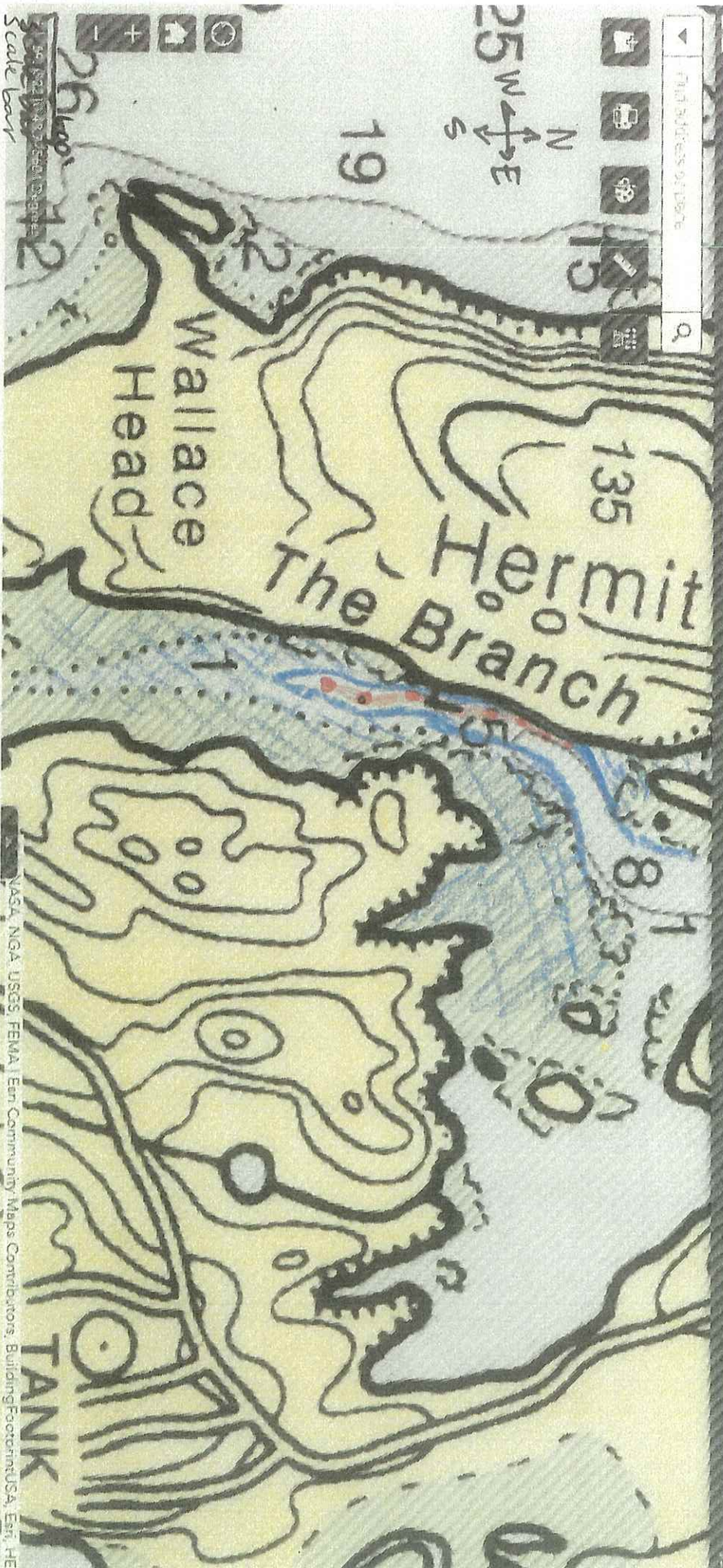
6. BOUNDARY DRAWING

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.

5. VICINITY MAP STANDARD LEASE #2



Small Point Harbor, Phippsburg, Maine

- Boundary points and lease area
- low mean water / intertidal
- high water shoreline

Boundary Drawing Standard Lease 2
"Yardarm Site" Phippsburg, Maine
Hermit Island Oyster Company LLC

Hermit
Island



Legend

-  Red line represents lease area boundary
-  yellow shading identifies area within lease site boundaries. Total area is .62 acres.

Google Earth

© 2020 Google

~~Yardarm Site Boundary Description~~

6. Coordinate Description

Boundary line starting at the north end of the lease area moving counter-clockwise

43.729893°

-69.848246° 253ft southerly to

43.729366°

-69.848864° 135ft southerly to

43.729032°

-69.849078° 160ft southerly to

43.728606°

-69.849222° 255ft southerly to

43.727927°

-69.849456° 277ft southerly to

43.727172°

-69.849489° 256ft southerly to

43.726495°

-69.849732° 16ft easterly to

43.726489°

-69.849671° 270ft northerly to

43.727184°

-69.849341° 275ft northerly to

43.727933°

-69.849345° 246ft northerly to

43.728595°

-69.849179° 157ft northerly to

43.729013°

-69.849032° 133ft northerly to

43.729344°

-69.848814° 252 ft northerly to

43.729893°

-69.848246°

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. soft mesh bag) | Dimensions (e.g. 16"x20"x2") | Time of year gear will be deployed (e.g. Spring, Winter, etc.) | Maximum amount of this gear type that will be deployed on the site (i.e. 200 cages, 100 lantern nets, etc.) | Species that will be grown using this gear type |
|---|--|--|---|--|
| Floating Oyster Cages (4-bag) | 41" x 37" x 23" | Year-round (Floating in summer, on bottom in winter) | 60 | Eastern oyster |
| Floating Oyster Cages (6-bag) | 68" x 40" x 22" | Year-round (Floating in summer, on bottom in winter) | 60 | Eastern oyster |
| Mushroom anchor | 25 lb. | Year-round | 6 | Eastern oyster |
| Mushroom anchor | 100 lb. 150 lb. | Year-round | 12 | Eastern oyster |
| Nylon long line | 5/8" | Year-round | 2,130' | Eastern oyster |
| Nylon long line | 3/8" | Year-round | 600' | Eastern oyster |
| White marker buoys | 11" | Year-round | 12 | Eastern oyster |

7.A.1.

Gear Diagrams/Drawings

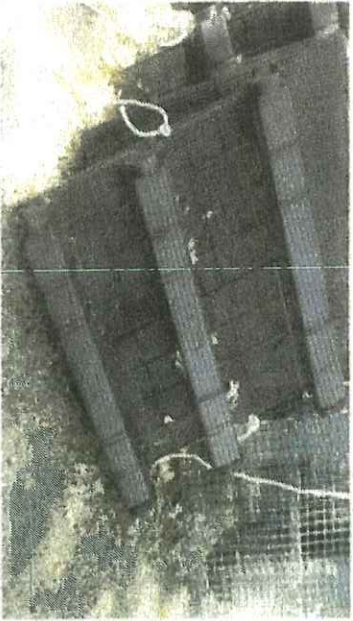
8



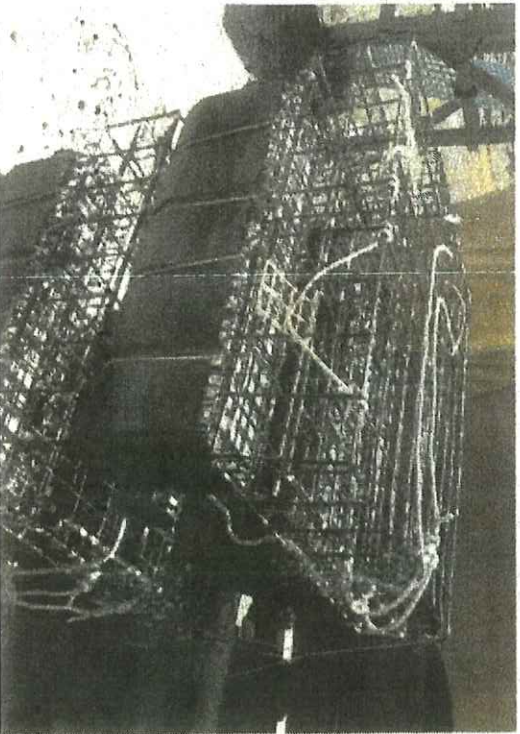
Bottom cage
47" x 36" x 12"
Length Width Height

6 Bag Floating
Cage

68" x 40" x 22"



2 Bag Floating Cage
36" x 36" x 8.5"



4 Bag Floating Cage
41" x 37" x 23"



Oyster Bag
34.5" x 18" x 3"

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. |
| N/A |

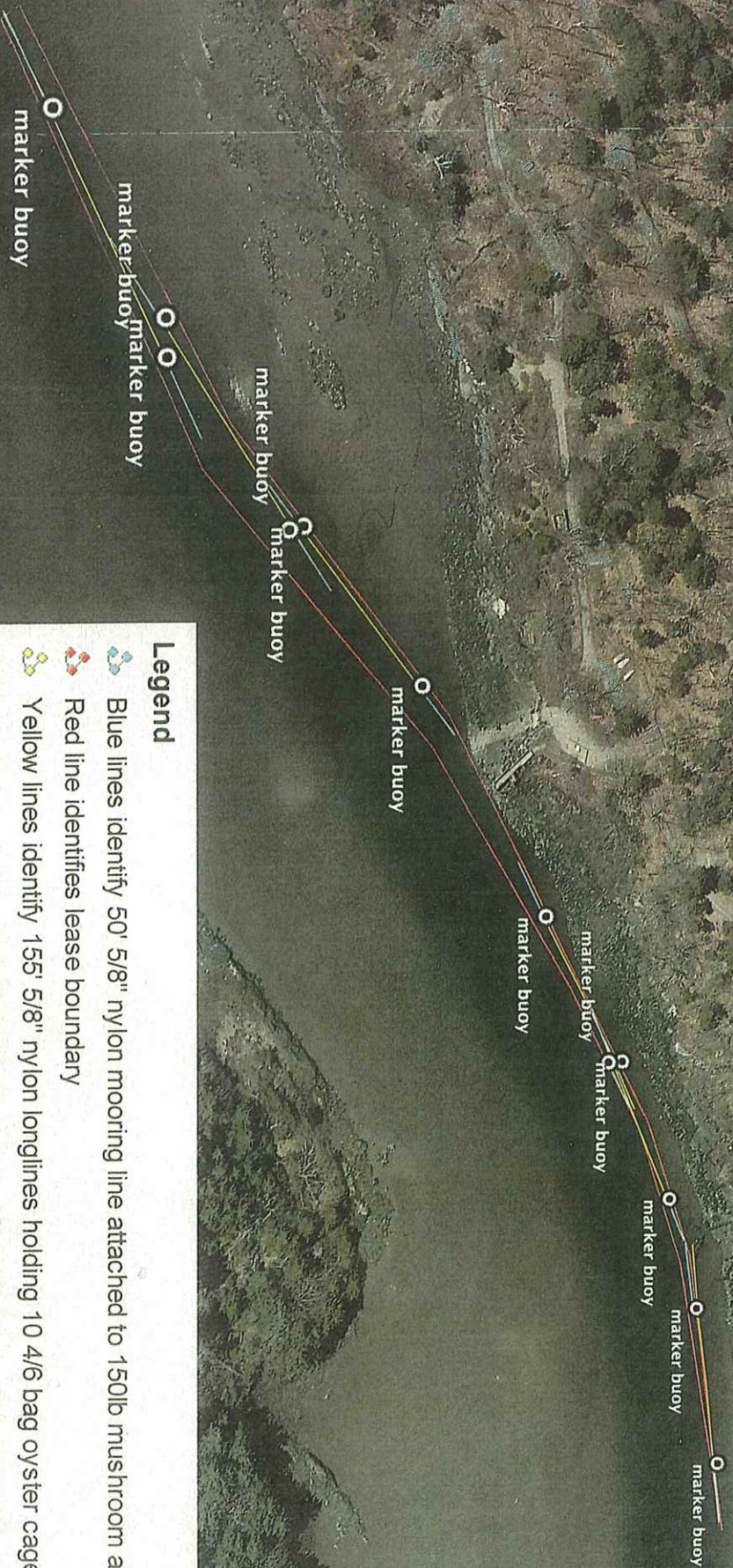
- | |
|--|
| 2. Describe the storage and use of oil, gasoline or other hazardous materials on this facility. If petroleum products are to be stored on site, provide a spill prevention plan. |
| No oil, gasoline, or other hazardous materials will be stored on site at any time. |

7.B.1 Overhead View Standard Lease 2 "Yardarm Site"

Hermit Island Oyster Co. LLC

Lease area follows the western edge of the main channel and is approximately 1302ft from end to end, averaging about 20ft wide. The boundaries encompass .62 acres.

Please note that the colored lines marking the oyster longlines and mooring lines are drawn much wider than scale for legibility purposes. All lines and moorings will be within exterior site boundaries. Each end of the 6 oyster longlines will be marked by an 11" white marker buoy, 12 buoys total



Legend

- Blue lines identify 50' 5/8" nylon mooring line attached to 150lb mushroom anchor
- Red line identifies lease boundary
- Yellow lines identify 155' 5/8" nylon longlines holding 10 4/6 bag oyster cages

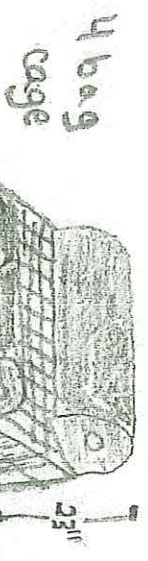
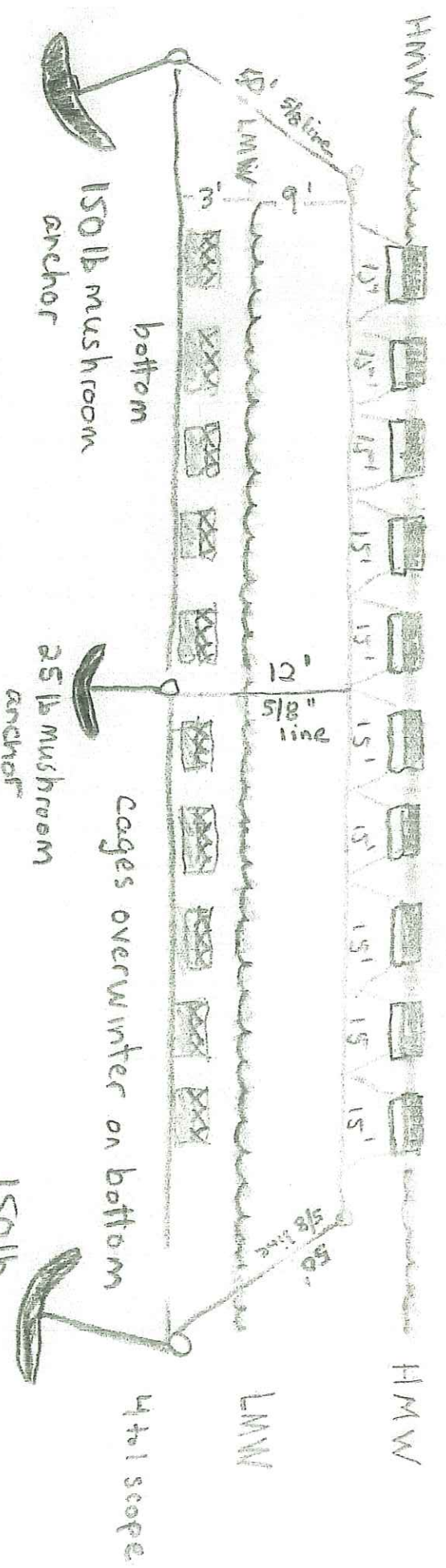
Google Earth

©2020 Google

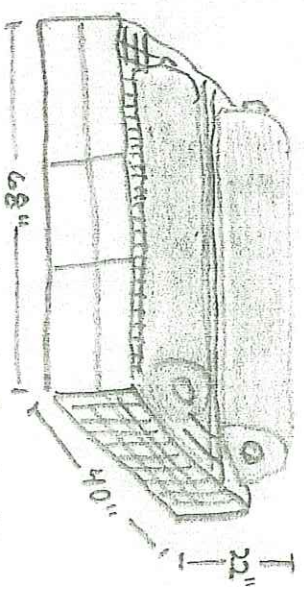
200 ft

Cross Section View Standard Lease #2 Yardarm Lease Site Hermit Island Oyster LLC
7.B.2.

6 155' 5/8" nylon long lines each holding 10 4 1/6 bag oyster cages
 cages secured to long line by 3/8" sinking line, 4 ft long spaced 1 cage to 15' of long line
 long lines secured at each end to 50' 5/8" nylon lines with 150 lb mushroom anchor



cages built with trapwire mesh and 2 plastic pontoons each



150 lb mushroom anchor

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.

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.

F. Marking

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

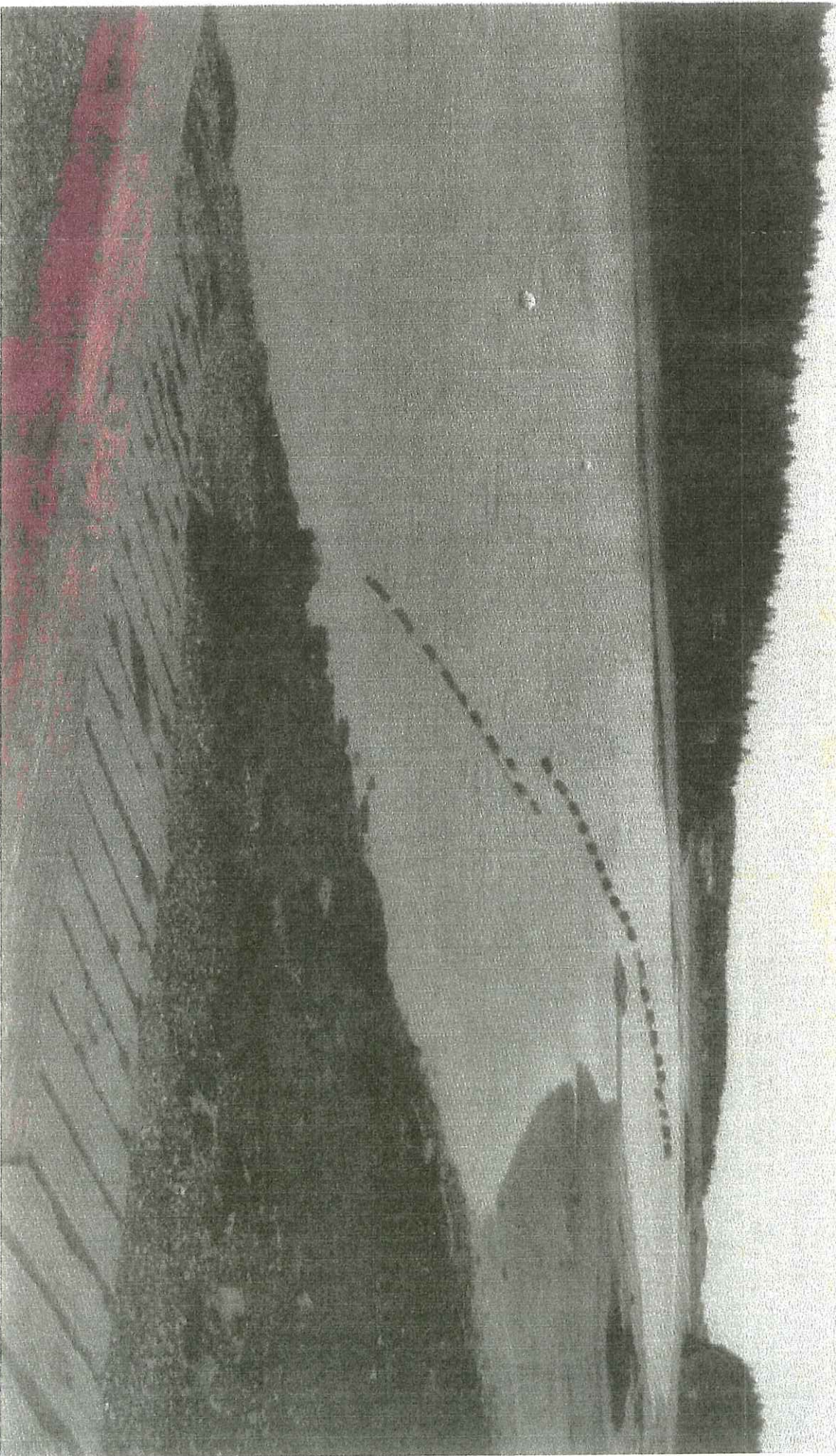
☒ Yes ☐ No

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).

7.e.
Photo Rendering #2 (taken from 43.728129 - 79.849397)
looking south



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: New oysters will be seeded into cages in June, July, August, September, and October. Seeding activities will require me to be on-site for up to 14 days during this period of time for up to 10 hours per 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. The tumbler is placed upon the 18' wooden scow and tumbling/sorting occurs on-site. I do a quick check of lines and hardware once a week.

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.

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 pulling the cages onto the boat and dumping out the bags. Harvest activities will occur in the months of April- November.

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

Eastern Oysters: I will be onsite every day during harvest periods during the months of April- November for up to 10 hours at a time.

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 or deep cleaning onshore. Repair and cleaning will occur on my property adjacent to the proposed lease site.

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' wooden skow barge on-site. The tumbler/grader will be used approximately 42 days per year during the months of April-November for up to 8 hours at a time. No generator, power washer, or other powered equipment will be used on-site.

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

Noise levels from the 5 HP boat motor and 12-volt oyster tumbler/grader are already substantially below ambient levels of the working harbor. This is a family campground and we do our best to keep noise levels reasonable and even quiet 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 headlamp, 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 been permitted for experimental lease CAS CSHx*

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 LPA SEW413. This application does not affect any plans for experimental lease CAS CSHx or SEW210, SEW313, and SEW515.

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 ranges from 2-12'.

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

The approximate water depth at MHW ranges from 10-20'.

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

The approximate current speed is 1 knot. Ebb flows north, Flow flows south.

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.)?

On the southern end of the lease the bottom is soft mud and as you move northward on the lease, it becomes harder mud with some ledge.

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

The bottom topography is flat.

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 on nearby ledges
Periwinkles—common on nearby ledges
Green crabs—common
Hermit crabs—common
Herring gulls—common

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

There are soft shell clam beds half a mile south of the lease site and a half a mile NE from the proposed lease site.

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.

12. Existing Uses

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

1. Commercial Fishing

There is one summer commercial fisherman who fishes in the harbor near the proposed lease site. They might set 1 or 2 traps in the adjacent harbor channel but no fishing gear has ever been observed within the proposed lease boundaries.

2. Recreational Fishing

Recreational sport fishing occurs from June through September daily from the camp floats in the center of the lease site and people also fish recreationally inside the lease boundaries.

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

Recreational boating including kayaking, canoeing, sailing, and small power boats are observed during summer months daily within 100' of the proposed lease site. The lease site is approximately 40' from a navigable channel at low water.

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. Hermit Island Company Inc is the business managing the property. Christopher is the President of the Hermit Island Company. 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') the proposed lease boundaries. We rent kayaks and canoes as part of our campground activities.

- B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.

Yes, our Hermit Island campground boat ramp and floats and 4 rental moorings are within 1,000' of the proposed lease site. They are approximately 0-40' away from the proposed lease. Several private moorings occupy the harbor channel on the north end of the lease site and would be at least 40 ft from the site boundary

- 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 ~~the lease site~~ the lease site. This is not an existing use.

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.

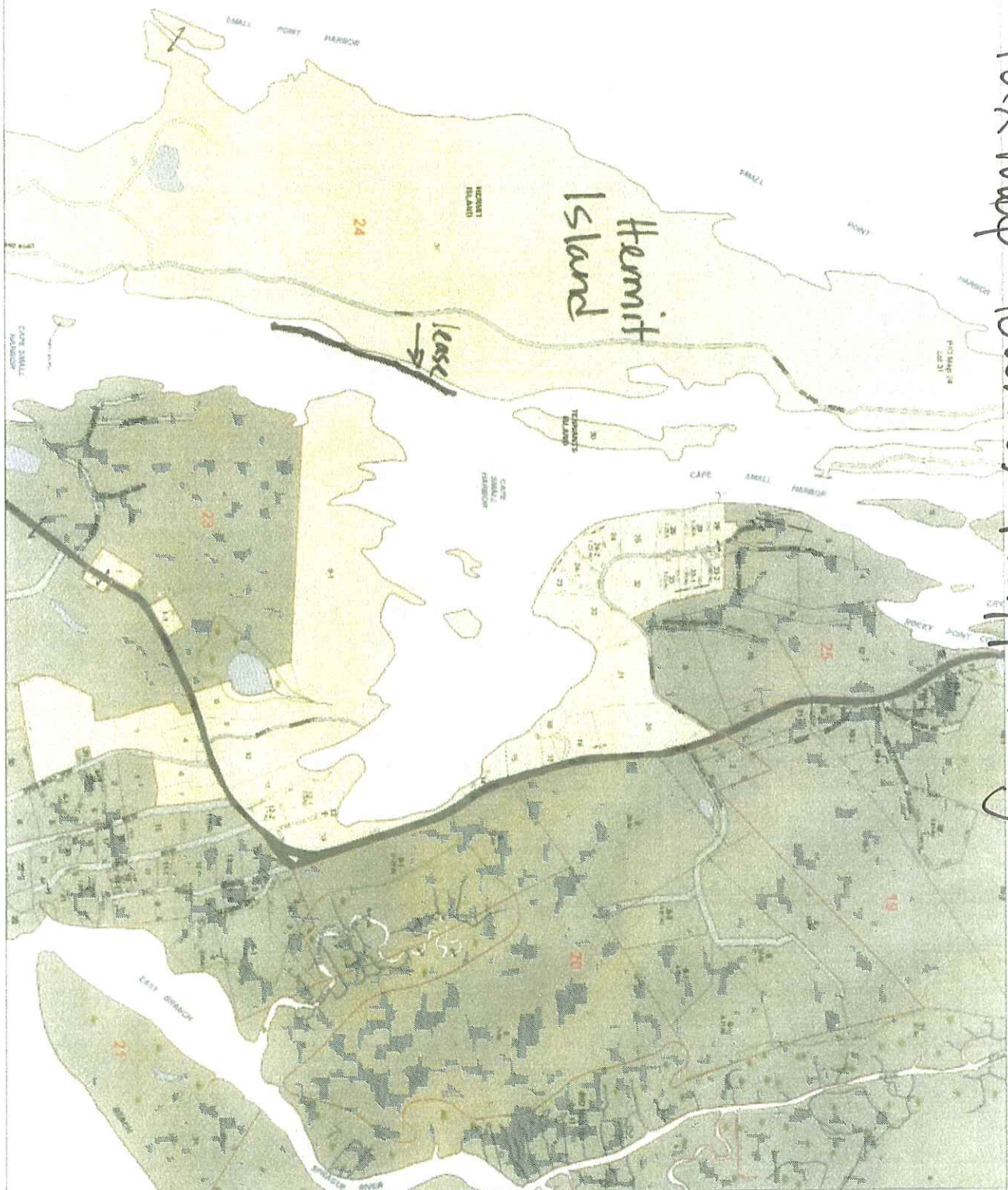
C. How will you access the proposed site?

I will access the proposed site by foot from property managed by Hermit Island Company, Inc., of which I am an owner and President or by boat.

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

The proposed activities will not affect riparian ingress and egress.

14. A. 1. Tax Map: Town of Phippsburg



lease boundaries

Town of
Phippsburg, Maine

LEGEND

☐ January
☐ August 1990
☐ 10 March
☐ 10 April
☐ 10 May
☐ 10 June
☐ 10 July
☐ 10 August
☐ 10 September
☐ 10 October
☐ 10 November
☐ 10 December

Figure 10.20c

Map updated to FY 2018
by
Eastern Mapping Service
Newburgh, Maine
201-254-2111

index Map

Tax Sheet
24

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE **CERTIFIED**

14.A.2.

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) |
|-------|-------|---|
| 23 | 38 | William Wyman 545 Small Point Road Phippsburg, ME 04562 |
| 24 | 9-1 | Harold M Sewall Estate, Inc. c/o Camilla Behn, Treasurer 134 Highland Drive Warren, VT 05674 |
| 24 | 31 | Hermit Island Company, Inc. Christopher & Christina Sewall 42 Front Street Bath, ME 04530 |
| 24 | 30 | Hermit Island Christopher & Christina Sewall 42 Front Street Bath, ME 04530 |
| | | |
| | | |

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

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 is the purchase of seed from a hatchery.



05/14/2020

16.A.
Financial
Capability

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
tc Coffin@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



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 J. Small
Applicant Signature

November 4, 2020
Date

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

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 I 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/MUNICIPAL 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. A
\$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.

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

OMB No. 1545-0123

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 8:33 PM

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: <<https://mail.google.com/mail/u/0/#inbox/FMfcxwHNvIXbrCqKDrVrKRLPZTo>>



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

na

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. Flynn

Deputy Secretary of State

A True Copy When Attested By Signature

Julie R. Flynn
Deputy Secretary of State

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

FIRST: The name of the limited liability company is:

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 "L.C." 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)

FIFTH:

The Registered Agent is a: (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 31 M.R.S.A. §103-2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH:

Other matters the members determine to include are set forth in the attached Exhibit _____ and made a part hereof.

**Authorized person(s)

Dated 10-31-10



(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, architects, dentists, registered nurses and veterinarians. (This is not an inclusive list - see 13 M.R.S.A. §223.7)

**Pursuant to 31 M.R.S.A. §1576.1-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 M.R.S.A. §453

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

Submit completed form to:

Secretary of State
Division of Corporations, LLC and Commissions
101 State House Station
Augusta, ME 04333-0101
Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC.Corporations@Maine.gov