

# STANDARD LEASE APPLICATION: NON-DISCHARGE

## 1. APPLICANT INFORMATION

### A. CONTACT PERSON

Legal Name of Applicant(s):	Keith Butterfield
Contact Person:	Keith Butterfield
Email:	keith@butterfieldshellfish.com
Telephone:	(857) 753-1302

### B. MAILING ADDRESS

Street Address:	17 Haskell Ave
City:	Raymond
State:	ME
Zip Code:	04071

### C. PHYSICAL ADDRESS

X Same as mailing address

Street Address:	
City:	
State:	
Zip Code:	

### D. PAYMENT METHOD

Check  Credit Card

### E. SCOPING SESSION

Date meeting was held:	03/29/2024
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## 2. PROPOSAL INFORMATION

### A. LOCATION OF PROPOSED LEASE SITE

<b>Town:</b>	Yarmouth
<b>County:</b>	Cumberland
<b>Waterbody:</b>	Casco Bay
<b>General Description:</b>	Southeast of Little Moshier Island

### B. PROPOSED LEASE INFORMATION

<b>Total Acreage Requested:</b>	3.1
<b>Lease Term Requested:</b>	20
<b>Type of Culture:</b> (Check all that apply)	<input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom) <input checked="" type="checkbox"/> Bottom (no gear)

### C. INTERTIDAL SITE

<b>Is any portion of the proposed lease site above mean low water?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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If you checked 'yes' you will need to complete section 11(J) of this application.

### 3. INTERAGENCY REVIEW INFORMATION

Lease applications are reviewed by other state and federal agencies. The questions below are intended to assist other agencies with the review of your application.

**A. Is the proposed lease site located within any of the following habitat designations/areas? Check all that apply.**

- Essential Habitat (includes Roseate Tern habitat and Piping Plover/Least Tern habitat)
- Shorebird Area
- Tidal Waterfowl and Wading Bird Habitat

N/A

**B. Provide the water depth at mean high water.**

22'

**C. Provide the water depth at mean low water.**

10'

**D. Are you proposing to use any suspended gear?**

- Yes
- No

If yes, will the gear be submerged (below the surface of the water) at all tidal stages?

- Yes
- No

**E. Are you proposing predator netting?**

- Yes
- No

If yes, what is the mesh size? N/A

If yes, what is the twine size? N/A

**F. Is the proposal within 1,000 feet of any of the following? Check all that apply. If you select one or more boxes you also need to provide the requested information that follows.**

- Conserved lands owned by federal, state, or municipal governments
- Docking facility owned by federal, state, or municipal governments
- Beach owned by federal, state, or municipal governments

N/A
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Provide the name of the docking facility, beach, and/or conserved land: N/A
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Proximity of the respective property to the proposed lease site in feet: N/A
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Select which level of government owns the respective property: <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Municipal N/A	
Provide the name of the government entity that owns the respective property: N/A	N/A

<b>G. Is any portion of the proposal within a marked navigational channel?</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If no, how far (in feet) is the proposal from the nearest marked navigational channel?	3,642 Feet

<b>H. Is the proposed site within 1,000 feet of any federal navigation project or anchorage?</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, identify the project or anchorage: N/A	N/A



## 4. ENVIRONMENTAL CHARACTERIZATION

The observations for all categories except ice formation must be based on an assessment conducted between April 1 and November 15, dates inclusive. Observation dates outside this timeframe will not be accepted.

<b>A. Describe the observed bottom characteristics of the proposed lease site:</b>	Soft mud, scattered shells.
<b>Date of Observation:</b>	7/18/24
<b>B. Provide the speed of current:</b>	0.5 kt
<b>Date of Observation:</b>	7/18/24
<b>C. Provide the direction of current:</b>	NW-SE
<b>Date of Observation:</b>	7/18/24
<b>D. Describe the fauna (animals) you have observed in the area:</b>	<p>-<b>Finfish:</b> Rock gunnel, Atlantic mackerel, Atlantic menhaden, herring, striped bass, sculpin, cunner, lumpfish.</p> <p>- <b>Waterfowl:</b> Common Eider, American Black Duck, Surf Scoter, Long Tailed Duck, Common Loon.</p> <p>-<b>Mammals:</b> Harbor Seal, Harbor Porpoise</p> <p>-<b>Invertebrates:</b> variety of Crustaceans, Cnidarians, Echinoderms, Mollusks, algae</p>
<b>Date of Observation:</b>	Past 10 years (fauna changes seasonally)
<b>E. Describe the flora (plants) you have observed in the area:</b>	No flora observed
<b>Date of Observation:</b>	N/A

<b>F. Have you observed any eelgrass within the boundaries of the proposed site?</b>	Yes No <ul style="list-style-type: none"> <li>- This summer (2025) we participated in an eelgrass transplant with Janelle Goeke of Casco Bay Estuary Partnership. We were informed that this was approved by DMR to participate in. Before the eelgrass transplant, Janelle examined the farm for eelgrass and reported that there was no eelgrass within the boundaries of the site.</li> </ul>
<b>Date of Observation:</b>	6/3/2025
<b>Method of Observation:</b>	Professional diver and scientist
<b>G. Have you observed eelgrass within 1,000 feet of the proposed site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> <li>- Before participating with Casco Bay Estuary Partnership for testing eelgrass transplants there was no eelgrass observed by the scientist within 1,000 feet of the proposed site (June 2025).</li> <li>- However, after a successful small eelgrass transplant right outside the boundaries of the proposed site, there is now a small bed of eelgrass that is growing near the northwest corner buoy closest to Little Moshier.</li> <li>- I checked off both yes and no because if we did not participate in the eelgrass transplant then there would be no eelgrass within 1,000 feet of the site.</li> </ul>
<b>Date of Observation:</b>	7/20/2025
<b>Method of Observation:</b>	Scientist from Casco Bay Estuary Partnership

**H. Describe ice formation during the winter months within the proposed lease boundaries.**

The description needs to include data such as water temperature or ice out date over a 10 ten-year period or at least 5 years of observations from the harbormaster, shellfish warden, harbor committee, Marine Patrol Officer, or fishing community. Stating “no ice observed” will not be accepted as an answer.

Very minimal to no ice formation has been observed within the boundaries of the lease site by our crew, or other aqua culturists/commercial fishermen within the last 10 years. Ice flows formed on the western side of Little Moshier island and in the Cousins, Royal, and Harraseeket rivers have been observed within close proximity to the site.

## 5. SOURCE OF STOCK AND WATER QUALITY

This section asks questions about the species you propose to cultivate and the water quality classification at the proposed site.

### A. SPECIES AND SOURCE OF STOCK

Please use the applicable tables below to list all species you intend to cultivate on the proposed site.

#### 1. Source of Stock: Approved Shellfish Hatchery or Non-Shellfish Stock List

If you are sourcing from an approved hatchery or entity included on the non-shellfish stock list (maintained by DMR), please use the table below.

**Note:** At this time Butterfield shellfish is only commercially harvesting Eastern Oysters. We do not currently have plans to harvest any of the other species listed below. We are including these species in our application in the interest of experimenting with small numbers in future years. We would not consider trying to grow these species commercially unless effectiveness is proven on a small scale.

	Common Name	Latin Name	Name of Source	Stocking Density
1.	Eastern Oyster	Crassostrea virginica	Mook Seafarm, Muscongus Bay Aquaculture, Downeast Institute.	2 million

## 2. Source of Stock: Other Aquaculture Site(s)

If you are sourcing from another aquaculture site in coastal waters please complete the table below.

	Common Name	Latin Name	Aquaculture Site ID	Water Body	Original Point of Origin	Stocking Density
1.	Eastern Oyster	<i>Crassostrea virginica</i>	CASmi	Casco Bay	Mook Seafarm, Muscongus Bay Aquaculture, Downeast Institute.	TBD
2.	Eastern Oyster	<i>Crassostrea virginica</i>	Awaiting approval	Casco bay	Mook Seafarm, Muscongus Bay Aquaculture, Downeast Institute.	TBD
3.						
4.						
5.						
6.						

## 3. Source of Stock: Wild Stock

If you are collecting marine organisms from Maine's coastal waters for deployment on the proposed site complete the table below.

	Common Name	Latin Name	Waterbody Collected From	Name of Licensed Harvester	Stocking Density
1.					
2.					
3.					

4.					
5.					
6.					

#### 4. Scallops

<b>Do you intend to possess whole or roe-on scallops?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If you answered 'yes' please be aware that biotoxin testing will have to be conducted on a regular basis at your expense. Please contact the Bureau of Public Health to discuss your plans at the following email: <a href="mailto:DMRPublicHealthDiv@maine.gov">DMRPublicHealthDiv@maine.gov</a></p>	

#### B. GROWING AREA CLASSIFICATION

<b>Growing Area Designation</b>	WI
<b>Growing Area Classification</b>	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Restricted <input type="checkbox"/> Conditionally Restricted <input type="checkbox"/> Prohibited
<p>If you are proposing to grow molluscan shellfish in waters classified as anything other than open/approved, you must contact: <a href="mailto:DMRPublicHealthDiv@maine.gov">DMRPublicHealthDiv@maine.gov</a></p>	

#### C. BIRD DETERRENTS

**To comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that applications for the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the proposed site. Use the space below to list your mitigation or deterrent measures:**

The site is worked by crew year round (40 hr/week during growing season, part time in winter). This consistent human/vessel activity helps deter birds from roosting on gear during working hours. Oyster cages are also flipped weekly to mitigate biofouling that would be a food source for waterfowl/ shorebirds. High flow rate of water at this site also helps to carry away bird excrement and provides constant supply of fresh clean water.



## 6. PROPOSED OPERATIONS

This section asks questions about the proposed operations, including what gear, powered equipment, floating structures, buildings or vessels will be at the proposed site.

### A. CULTIVATION METHODS AND GEAR

<b>1. How will you culture marine organisms?</b>	<input type="checkbox"/> Gear <input type="checkbox"/> Bottom planting only (no gear proposed) <input type="checkbox"/> Combination: Both gear and bottom planting
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### 2. Gear and Moorings Table

Use the table below to list all gear, longlines, moorings, and buoys that will be deployed within the boundaries of the proposed lease site.

Gear/Mooring Type	Dimensions	Dates of deployment	Maximum number deployed on site	Color	Species that will be grown using this gear type
Flipfarm hexcyl baskets	29X10 5/8X5 7/16"	year round	8500	Black	Eastern Oyster
Yellow corner buoys, black stringline buoys	55 gal yellow, 120L black	year round	4 yellow, 40 black	yellow, black	
FlipFarm empty station, fill station, hellcat flipper, water heater	each approx 4 X 14'	empty station year round. remaining gear april-november	1 of each	silver	Eastern Oysters
15/16" polysteel floating stringline and 7/16" sinking haul line	750 ft	year round	20	green, black	Eastern Oysters
Raft	12' X 16'	april-november	1	brown	Eastern Oysters
Oyster grader/conveyor belt	around 10' X 4'	april-november	1	silver	Eastern Oysters

### 3. If you are also bottom planting, please provide the following:

List all species that will be bottom planted	N/A
Describe the areas of the proposed site where bottom planting would occur. If it is the entire site, specify accordingly.	N/A

#### 4. On Site Activity

<b>At maximum capacity, which days of the week do you anticipate being on the site?</b>	Typically Monday-Friday unless circumstances arise that require attention on the weekend
<b>At maximum capacity, what is the earliest time of day you would start work on the site?</b>	6am
<b>At maximum capacity, what is the latest time you would end work on the site?</b>	8pm
<b>What months will seeding occur?</b>	may-august
<b>What is the maximum number of days it will take to seed the site?</b>	20
<b>Describe tending and maintenance activities:</b>	Flipping cages, grading product, repairing any compromised equipment.
<b>What months will harvesting occur?</b>	year round
<b>How will you harvest each species? If you are using a drag, provide the dimensions.</b>	Oysters will be harvested using the FlipFarm empty station.

#### 5. Seasonality

<b>Are there any seasonal changes to gear deployment?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If yes, please describe:</b>	The fill station, Diesel heater, heli-cat flipper, raft w/ grader will be removed at the end of growing season (November) and returned in April.

## B. MOTORIZED EQUIPMENT AND LIGHTING

<b>1. Are you proposing to use motorized equipment on the proposed lease?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>□ 2. Are any of the noise sources fixed?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. If yes, describe your plan to direct the noise from residences or areas of routine use on adjacent land.</b>	All our equipment that creates noise is powered by a generator (oyster grader and water heater). We only use the generator when our neighbors on Little Moshier are not home. They are typically only there on the weekends in the summer months and we do not work weekends. Also when we are using the generator it is for short periods of time, anywhere from 1-3 hours at a time.
<b>4. Does any of the equipment contain exterior lighting?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. Describe the measures taken to ensure that exterior lighting on the equipment only illuminates the target area and reduces glare:</b>	N/A
<b>6. Describe the measures taken to mitigate light impacts from equipment:</b>	N/A
<b>7. Are you proposing to use a generator?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>8. What is the generator used for?</b>	Primarily to power oyster grader, water heater, and occasionally corded tools.
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<b>9. What type of fuel does the generator take?</b>	<input checked="" type="checkbox"/> Gasoline <input checked="" type="checkbox"/> Diesel <input checked="" type="checkbox"/> Other. Please specify:
<b>10. Which months would you use the generator?</b>	April-November
<b>11. What is the maximum number of days the generator would be used each year?</b>	50
<b>12. Which days of the week would the generator be used?</b>	Mon-Thur
<b>13. What are the maximum hours a day the generator would be used?</b>	6
<b>14. Do you intend to use a generator designed to mitigate noise?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>15. What measures will you take to mitigate noise from the generator?</b>	The generator has a muffler and is no louder than motorized vessels which frequently pass the site. Generators will only be used during working hours on week days (most often mon-thurs).

## 16. Motorized Equipment Table

Use the table below to list each piece of motorized equipment (excluding vessels) that is proposed and answer the associated questions. Attach additional answers as necessary.

<b>1. Equipment Name</b>	Diesel water heater
<b>What is the piece of equipment used for?</b>	Heats up a bath of warm water to submerge gear in to remove fouling organisms
<b>Select the color(s) of this piece of equipment.</b>	<input checked="" type="checkbox"/> Grays <input checked="" type="checkbox"/> Blacks <input checked="" type="checkbox"/> Browns <input checked="" type="checkbox"/> Blues <input checked="" type="checkbox"/> Greens
<b>Does the piece of equipment have any exterior lights?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>How is this piece of equipment powered?</b>	Diesel
<b>Which months would this piece of motorized equipment be used? If year round, specify accordingly.</b>	april-november
<b>What is the maximum number of days that this piece of motorized equipment would be used?</b>	50
<b>Which days of the week would this of motorized equipment be used?</b>	mon-thurs
<b>What are the maximum hours a day that this piece of motorized equipment would be used?</b>	2
<b>What measures would be taken to mitigate noise from this piece of equipment?</b>	This unit is powered by a very quiet burner

<b>2. Equipment Name</b>	Oyster Grader
<b>What is the equipment used for?</b>	Grading oysters by size
<b>Select the color(s) of this piece of equipment.</b>	<input checked="" type="checkbox"/> Grays <input checked="" type="checkbox"/> Blacks <input checked="" type="checkbox"/> Browns <input checked="" type="checkbox"/> Blues <input checked="" type="checkbox"/> Greens
<b>Does the piece of equipment have any exterior lights?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>How is this piece of equipment powered?</b>	Generator
<b>Which months would this piece of motorized equipment be used? If year round, specify accordingly.</b>	April-November
<b>What is the maximum number of days that this piece of motorized equipment would be used?</b>	150
<b>Which days of the week would this of motorized equipment be used?</b>	mon-thurs
<b>What are the maximum hours a day that this piece of motorized equipment would be used?</b>	6
<b>What measures would be taken to mitigate noise from this piece of equipment?</b>	This piece of equipment is only used during the work day typically Mon-Thurs. This equipment will not be used during hours in which may be disruptive.

<b>3. Equipment Name</b>	Pressure washer
<b>What is the equipment used for?</b>	Washing gear
<b>Select the color(s) of this piece of equipment.</b>	<input type="checkbox"/> Grays <input type="checkbox"/> Blacks <input type="checkbox"/> Browns <input type="checkbox"/> Blues <input type="checkbox"/> Greens
<b>Does this piece of equipment have any exterior lights?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>How is this piece of equipment powered?</b>	Gas or electric
<b>Which months would this piece of motorized equipment be used? If year round, specify accordingly.</b>	This equipment would rarely be used
<b>What is the maximum number of days that this piece of motorized equipment would be used?</b>	5
<b>Which days of the week would this of motorized equipment be used?</b>	mon-thurs
<b>What are the maximum hours a day that this piece of motorized equipment would be used?</b>	6
<b>What measures would be taken to mitigate noise from this piece of equipment?</b>	muffler

## C. FLOATING STRUCTURES

<p><b>1. Are you proposing any of the following?</b> Check all that apply.</p>	<input checked="" type="checkbox"/> Work Float <input checked="" type="checkbox"/> Barge <input checked="" type="checkbox"/> Other structure. Please specify: - FlipFarm work stations <input checked="" type="checkbox"/> Not proposing floating structure
<p><b>2. Which months will the structure be within the boundaries of the proposed site?</b></p>	empty station: year round float, flipper, and other stations: april-november
<p><b>3. Describe the purpose of the structure:</b></p>	Work float: House grader helix flipper: flips cages Empty and fill shuttles: fill/empty cages
<p><b>4. Provide the length and width (in feet):</b></p>	work float: 12x16', empty/fill stations: 5x15', helix flipper: 12x5'
<p><b>5. Provide the height (in feet) as measured from the water line:</b></p>	Work float: 7', empty/fill stations: 3', helix flipper:5'
<p><b>6. Provide the construction materials:</b></p>	wood, stainless, aluminum
<p><b>7. Select the color:</b></p>	<input checked="" type="checkbox"/> Grays <input checked="" type="checkbox"/> Blacks <input checked="" type="checkbox"/> Browns <input checked="" type="checkbox"/> Blues <input checked="" type="checkbox"/> Greens
<p><b>8. Does the structure contain exterior lighting?</b></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>9. Describe the measures taken to ensure that exterior lighting on the structure only illuminates the target area and reduces glare:</b></p>	N/A
<p><b>10. What measures would you take to mitigate light impacts from the structure?</b></p>	N/A

## D. BUILDINGS

<b>1. Are you proposing a shed, building or other similar structure?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. What is the building, shed, or similar structure used for?</b>	N/A
<b>3. What are the maximum number of days it would be within the boundaries of the site each year? If year-round specify accordingly.</b>	N/A
<b>4. Provide the length and width (in feet).</b>	N/A
<b>5. What is the height (in feet) as measured from the waterline?</b>	N/A
<b>6. Describe the roofing materials. They cannot be reflective or glossy.</b>	N/A
<b>7. Describe the siding materials. They cannot be reflective or glossy.</b>	N/A
<b>8. Select the color of the building.</b>	<input type="checkbox"/> Grays <input type="checkbox"/> Blacks <input type="checkbox"/> Browns <input type="checkbox"/> Blues <input type="checkbox"/> Greens N/A
<b>9. What measures would you take to minimize visual impacts as viewed from the water?</b>	N/A

## E. VESSELS

### 1. Vessels Table

Use the table below to provide required information about the vessel(s) that may service the proposed site.

	Type of Vessel	Engine type and HP:	Vessel Length in feet:	Height in feet as measured from the waterline:	How many days of the year would the vessel service the site?	How many hours each day would the vessel be on the site?
1.	Oyster boat	150 outboard	26	10' at pilot house	250	8-10
2.	Carolina skiff	115 outboard	24	3'	20	1-10
3.						
4.						

### 2. From where will the service vessels be launched? Check all that apply.

- Public boat launch
- Private property owned by the applicant
- Other. Please specify:
  - Our boat is docked at the Boatyard at 123 Even Keel Road, Yarmouth, ME 04096. Sometimes we trailer our boat and launch at the Yarmouth public boat ramp or Winslow Park.. We have a year around permit for using the launch at Yarmouth boat ramp..

<b>3. Are you storing petroleum products on the proposed site?</b>	<input type="checkbox"/> Yes
	<input type="checkbox"/> No

If yes, you need to attach a spill prevention and control plan to this application.

## 7. EXISTING USES

This section asks questions about the activities you have personally observed in the area.

### A. COMMERCIAL NAVIGATION

<b>1. When did you complete your observations of commercial vessel navigation in the area?</b> Include the month(s) and year(s).	
<b>Month(s):</b> year round	<b>Year(s):</b> previous 10 years
<b>2. What types of commercial vessels did you observe navigating in the area?</b> Lobster skiffs/boats	
<b>3. What was the approximate length of the commercial vessels you observed?</b> Provide your answer in feet. various lengths	
<b>4. How many commercial vessels did you observe navigating in the area?</b> many vessels navigate the area	
<b>5. Did any commercial vessels transit through the boundaries of the proposed site?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, how many commercial vessels transited through the boundaries:	
<b>6. What is the typical direction of commercial vessel traffic?</b> mostly west-east	

### B. RECREATIONAL NAVIGATION

<b>1. When did you complete your observations of recreational vessel navigation in the area?</b> Include the month(s) and year(s).	
<b>Month(s):</b> year round	<b>Year(s):</b> past 10 years
<b>2. What types of recreational vessels did you observe navigating in the area?</b> A fair amount of fishing happens around the proposed lease in relatively small boats. There's also been kayakers and paddle boarders occasionally going between Little Moshier and Moshier Island.	
<b>3. What were the approximate size of the recreational vessels you observed?</b> 10-25 feet	

**4. How many recreational vessels did you observe navigating in the area?**

As previously mentioned there is a fair amount of fishing around the proposed lease. Specifically around the southern point of Little Moshier. We've observed many boats fishing this area. Recreational fishing is welcomed around the farm.

**5. Did any recreational vessels transit through the boundaries of the proposed site?** Yes No

If yes, how many recreational vessels transited through the boundaries:

**6. What is the typical direction of recreational vessel traffic?**

west-east

**C. MOORINGS****1. When did you complete your observations of moorings in the area?**

Include the month(s) and year(s).

Month(s):year round	Year(s):past 10 years
<b>2. Are there any moorings within the vicinity of the proposed lease site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. How many moorings are within 1,000 feet of the proposed site?</b>	0
<b>4. What type of vessels utilize the moorings?</b> Check all that apply.	<input type="checkbox"/> Commercial <input type="checkbox"/> Recreational N/A
<b>5. What is the distance (in feet) from the proposed lease site to the closest observed mooring?</b>	N/A
<b>6. What is the length (in feet) of the vessel that utilizes this mooring?</b>	N/A

**D. COMMERCIAL FISHING****1. When did you complete your observations of commercial fishing in the area?**

Include the month(s) and year(s).

Month(s): year round	Year(s): previous 10 years
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The following questions are specific to commercial fishing that may occur within the boundaries of the proposed site.

<b>2. Does any commercial fishing occur within the boundaries of the proposed site?</b>	<input type="checkbox"/> Yes
	<input type="checkbox"/> No

<b>3. List the type of commercial fishing that occurs within the boundaries of the proposed site.</b>	N/A
<b>4. What months does commercial fishing activity occur within the boundaries of the proposed site?</b>	N/A
<b>5. How many people commercially fish within the boundaries of the proposed lease area?</b>	N/A
The following questions are specific to commercial fishing that may occur within the vicinity of the proposed site.	
<b>6. Does any commercial fishing occur within the vicinity of the proposed site?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>7. List the type of commercial fishing that occurs within the vicinity of the proposed site.</b>	lobstering, dredging wild european oysters, menhaden seining
<b>8. What months does commercial fishing activity occur within the vicinity of the proposed site?</b>	lobstering and seining in summer months, dredging in winter.
<b>9. How many people commercially fish in the vicinity of the proposed site?</b>	5-10

## E. RECREATIONAL FISHING

<b>1. When did you complete your observations of recreational fishing in the area?</b> Include the month(s) and year(s).	
<b>Month(s): year round</b>	<b>Year(s): past 10 years</b>
The following questions are specific to recreational fishing that may occur within the boundaries of the proposed site.	
<b>2. Does any recreational fishing occur within the boundaries of the proposed site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. List the type of recreational fishing that occurs within the boundaries of the proposed site.</b>	N/A
<b>4. What months does recreational fishing activity occur within the boundaries of the proposed site?</b>	N/A
<b>5. How many people recreationally fish within the boundaries of the proposed lease area?</b>	N/A
The following questions are specific to recreational fishing that may occur within the vicinity of the proposed site.	

<b>6. Does any recreational fishing occur within the vicinity of the proposed site?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>7. List the type of recreational fishing that occurs within the vicinity of the proposed site.</b>	rod and reel angling for mackerel and striped bass
<b>8. What months does recreational fishing activity occur within the vicinity of the proposed site?</b>	summer months
<b>9. How many people recreationally fish in the vicinity of the proposed site?</b>	many

## F. RIPARIAN INGRESS AND EGRESS

<b>1. When did you complete your observations of riparian ingress and egress in the area?</b> Include the month(s) and year(s).	
Month(s): year round	Year(s): past 10 years
<b>2. Describe the shoreline in the vicinity of the lease proposal.</b> rocky	
<b>3. Have you observed any riparian owned vessel(s) accessing the shoreline?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4. What type of vessel(s) did you observe?</b>	N/A
<b>5. Describe the length (in feet) of the vessel(s).</b>	N/A
<b>6. Describe the surrounding uplands in the vicinity of the lease proposal.</b> forested islands with several seasonal camps	

## G. DOCKS

<b>1. Are there any docks in the area?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2. If yes, how many are within 1,000 feet of the proposed site?</b>	1
<b>3. Have you observed any vessels accessing or secured to the docks?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>4. If yes, what is the length (in feet) of the vessels observed?</b>	around 25'
<b>5. What is the distance (in feet) from the proposed lease site to the closest observed dock?</b>	approx 800'

## H. OTHER WATER RELATED USES

<b>Do any of the following activities occur within the vicinity of the proposed site?</b> Check all that apply and answer the associated questions.			
<b>Activity</b>	<b>Month(s) of Observation</b>	<b>How many persons or vessels were engaged in the activity?</b>	<b>Location</b>
<input checked="" type="checkbox"/> Kayaking	Summer months	many	Within the proposal boundaries  Within the vicinity of the proposed site.
<input type="checkbox"/> Swimming	N/A	N/A	<input type="checkbox"/> Within the proposal boundaries  <input type="checkbox"/> Within the vicinity of the proposed site
<input checked="" type="checkbox"/> Other. Please specify:  Paddle boarding	Summer months	2	<input checked="" type="checkbox"/> Within the proposal boundaries  <input checked="" type="checkbox"/> Within the vicinity of the proposed site.

## I. OTHER AQUACULTURE SITES

### 1. Limited-Purpose Aquaculture (LPA) License(s)

<b>Are there any LPA licenses within the boundaries of the proposed site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the LPA site ID(s)	N/A
<b>Are there any LPA sites within 1,000 feet of the boundaries of the proposed site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the LPA site ID(s)	N/A

**2. Experimental Aquaculture Lease(s)**

<b>Is any portion of an experimental lease within the boundaries of the proposed site?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide the experimental lease site ID	The lease under review is currently an experimental lease designated CASElmx
<b>Is there an experimental lease within 1,000 feet of the boundaries of the proposed site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the experimental lease site ID	N/A

**3. Standard Aquaculture Lease(s)**

<b>Is any portion of a standard lease within the boundaries of the proposed site?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the standard lease site ID	N/A
<b>Is there a standard lease within 1,000 feet of the boundaries of the proposed site?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide the standard lease site ID	CASmi

## 8. OPERATIONAL CAPABILITY

This section asks questions about technical capability, compliance history, and estimated costs.

### A. TECHNICAL CAPABILITY

<b>Do you or any other applicant hold existing aquaculture sites?</b>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please complete the table below for each aquaculture site held. Please attach additional entries as necessary.			
Name of Holder	Type of Site	Site ID	Acreage (if a lease) Do not provide a size for LPA sites.
Butterfield, Keith	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA	CASmi	2.71
Butterfield, Keith	Experimental Standard LPA	CASElmx (this lease)	3.1
	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA		
	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA		
	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA		
	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA		
	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA		
	<input type="checkbox"/> Experimental <input type="checkbox"/> Standard <input type="checkbox"/> LPA		

<b>List your skills and experiences working on the water:</b>
<p>We have been operating on this site since 2015. Employees are experienced farming with FlipFarm systems and are proficient in operating all vessels and equipment used on the site.</p>

## B. COMPLIANCE HISTORY

<b>Have you been convicted of violating any state or federal marine resource laws?</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Have you been adjudicated to be responsible for violating any state or federal marine resource laws?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No

## C. FINANCIAL ESTIMATES

Use the space below to provide requested cost estimates of the planned aquaculture activities, if approved, as they relate to this proposal.	
<b>Annual Lease Rent</b>	1,500
<b>Annual DMR Licensing Fees</b>	500
<b>Annual cost to maintain the bond or commitment amount for the escrow account</b>	5,000
<b>Annual Equipment Costs</b>	10,000
<b>Annual Maintenance Costs</b>	3,000

## 9. RIPARIAN LANDOWNER NOTIFICATION

<b>Is the proposal within 1,000 feet of shoreline land (which extends to mean low water or 1,650 feet from shore, whichever is less, according to NOAA charts).</b>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**If yes, please submit the following:**

- Include a completed riparian landowner list. If the site is in more than one municipality, you need to submit separate lists for each town/city.
- Make sure the list is certified by the municipality. The person certifying the list on behalf of the municipality should review the tax records and is typically the town clerk, tax assessor, or other individual familiar with these records.
- Include a labeled tax map that displays the: town name, parcels numbered clearly, legible scale, and boundaries of the proposed lease site.

### RIPARIAN LANDOWNER LIST

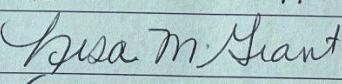
Using municipal tax records, complete the table below for all riparian storefront parcels within 1,000 feet of the proposed lease site. **It is the applicant's responsibility to assemble the information for the municipality to certify.** The municipality only certifies that the information is correct according to the town's tax records. Once you have completed the form, ask the municipality to complete the certification section below. Attach additional pages as necessary.

Name of Municipality:	Yarmouth		
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Tax Map Number	Lot Number	Name of Landowner(s)	Mailing Address (Based on municipal tax records)
64-2		Scott and Clare Labrecque	18 Brookside Drive, Falmouth ME, 04105
64-3		John and Jennifer Nolan	382 Falmouth Road, Falmouth ME, 04105

### Town Certification

By signing below, I am certifying on behalf of the municipality listed above that the names and addresses of the property owners, including the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

Printed Name:	Lisa M. Grant	
Signature:		
Position:	<input checked="" type="checkbox"/> Town Clerk <input type="checkbox"/> Town Assessor <input type="checkbox"/> Other town official. Please specify: _____	
Date:	2/10/2025	

## 10. SITE COORDINATES

This section will ask you to provide your coordinates, starting with the NW corner and proceeding clockwise. WGS-84 is the required datum.

Corner Label	Latitude (N)	Longitude (W)
1 (NW corner)	43.780383	-70.110728
2 (NE corner)	43.779606	-70.108817
3 (SE corner)	43.779147	-70.109756
4 (SW corner)	43.779928	-70.111669
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

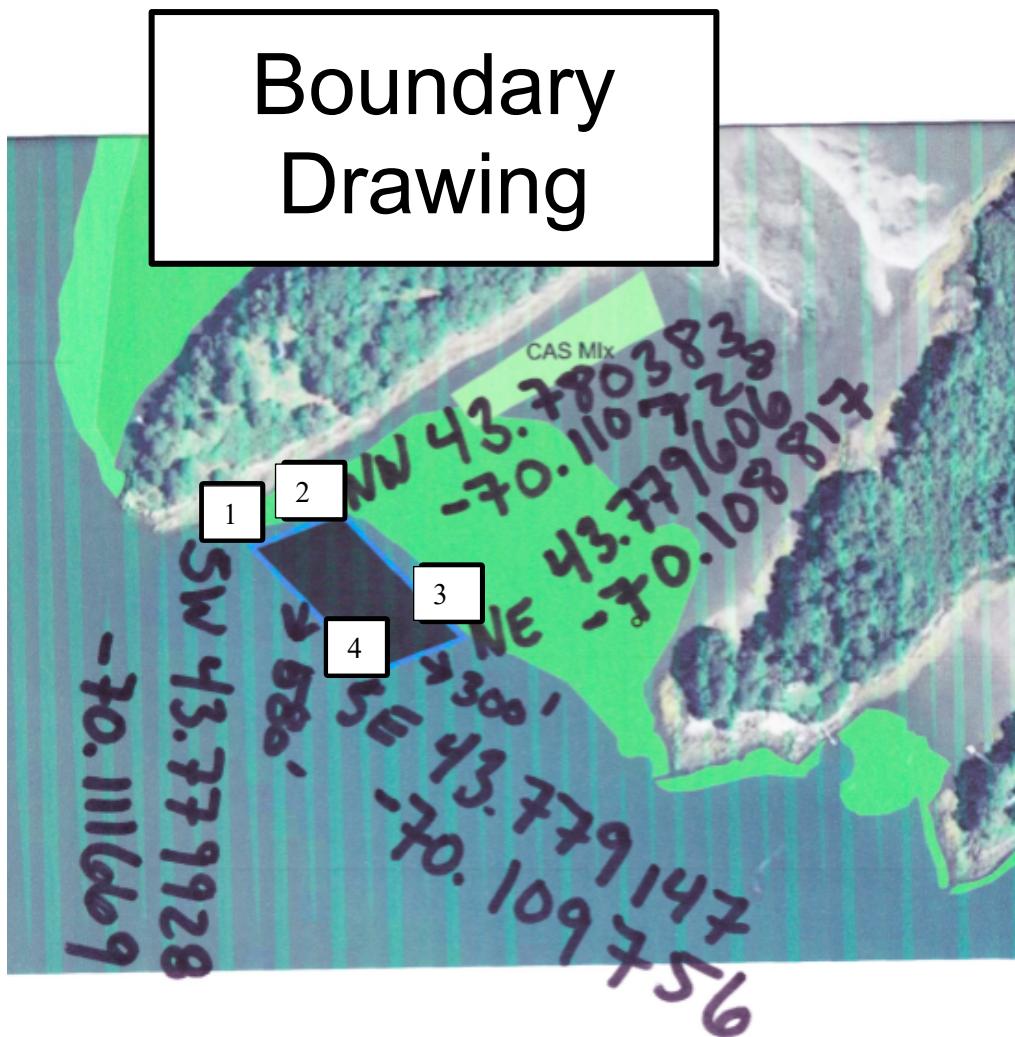
## 11. RENDERINGS & ATTACHMENTS

### SITE LOCATION

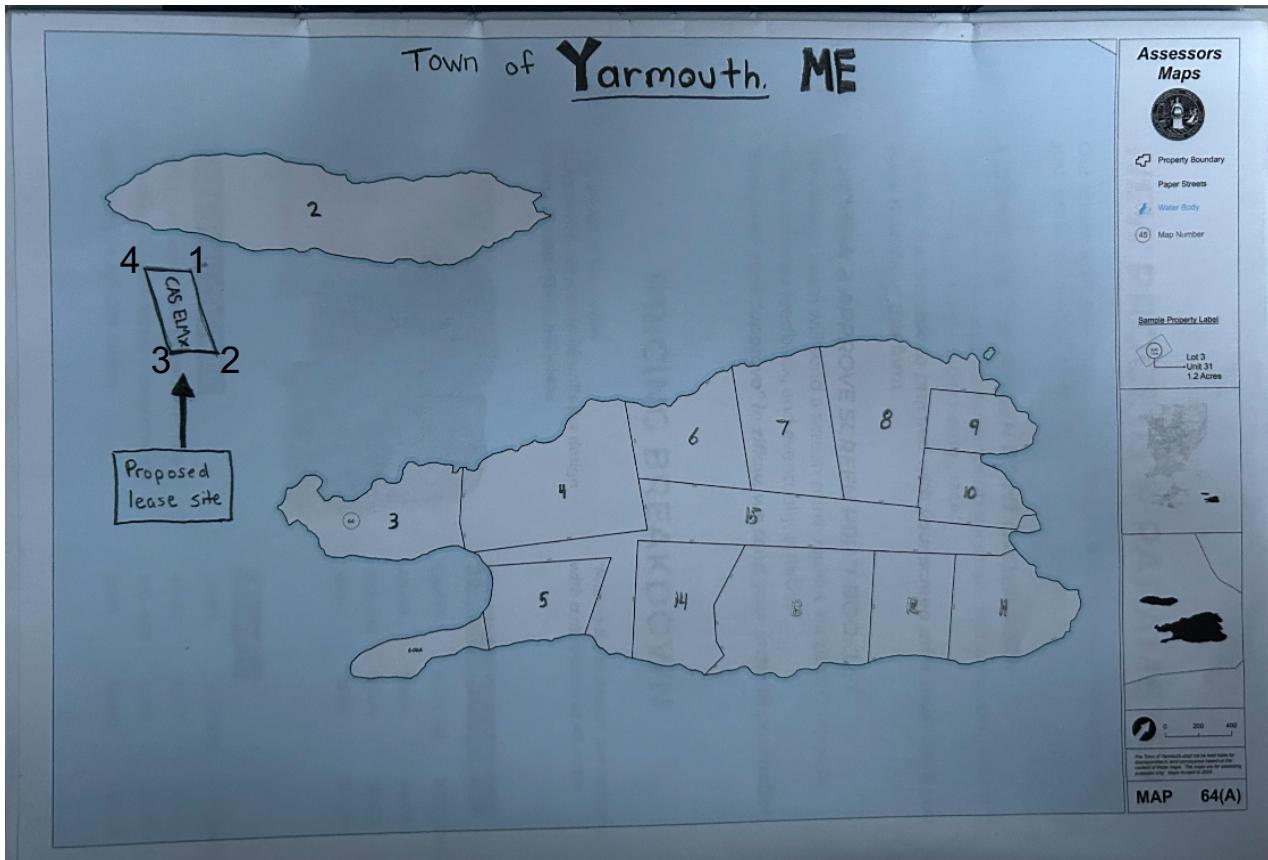
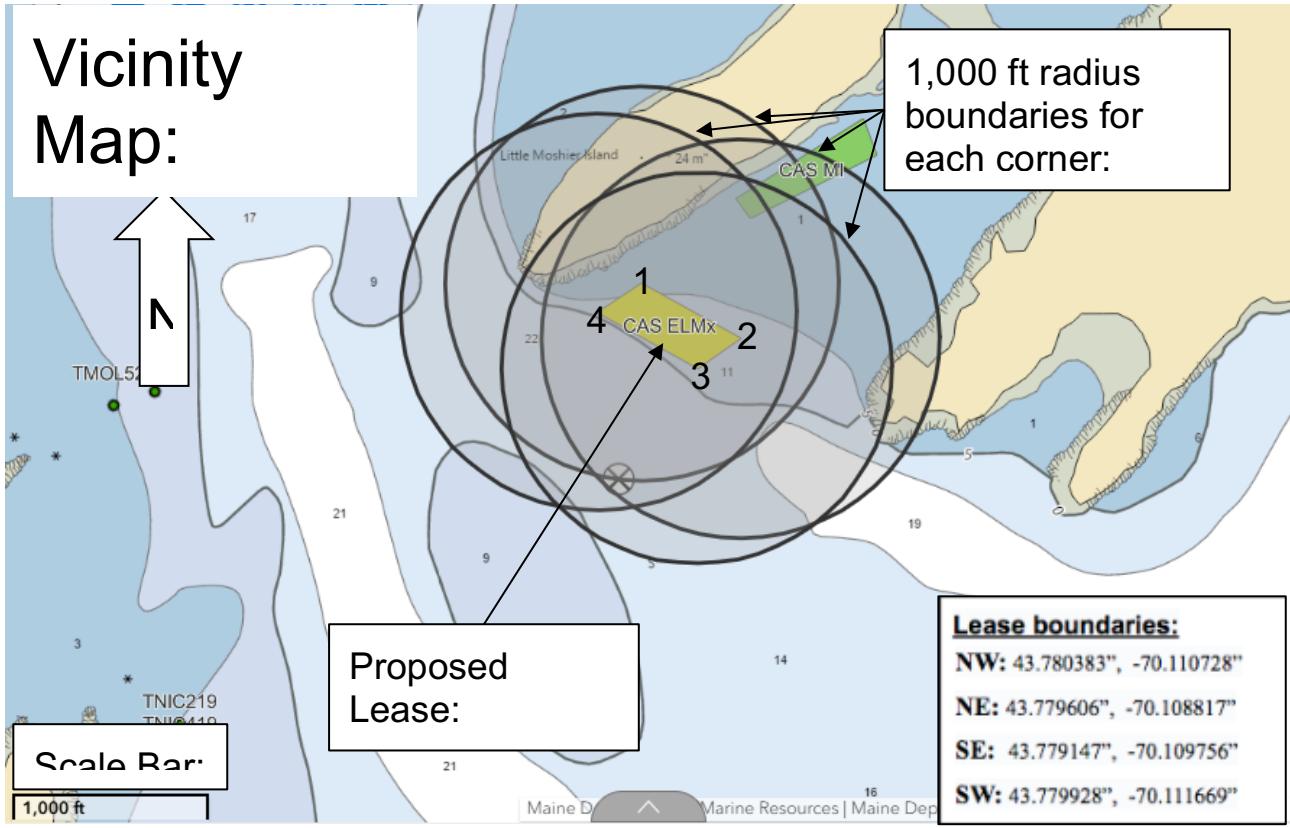
#### A. BOUNDARY DRAWING

Depict the boundaries of the proposed site with corners labeled as referenced in the site coordinate table. Start with corner 1 (NW corner) and proceed clockwise with the labeling.

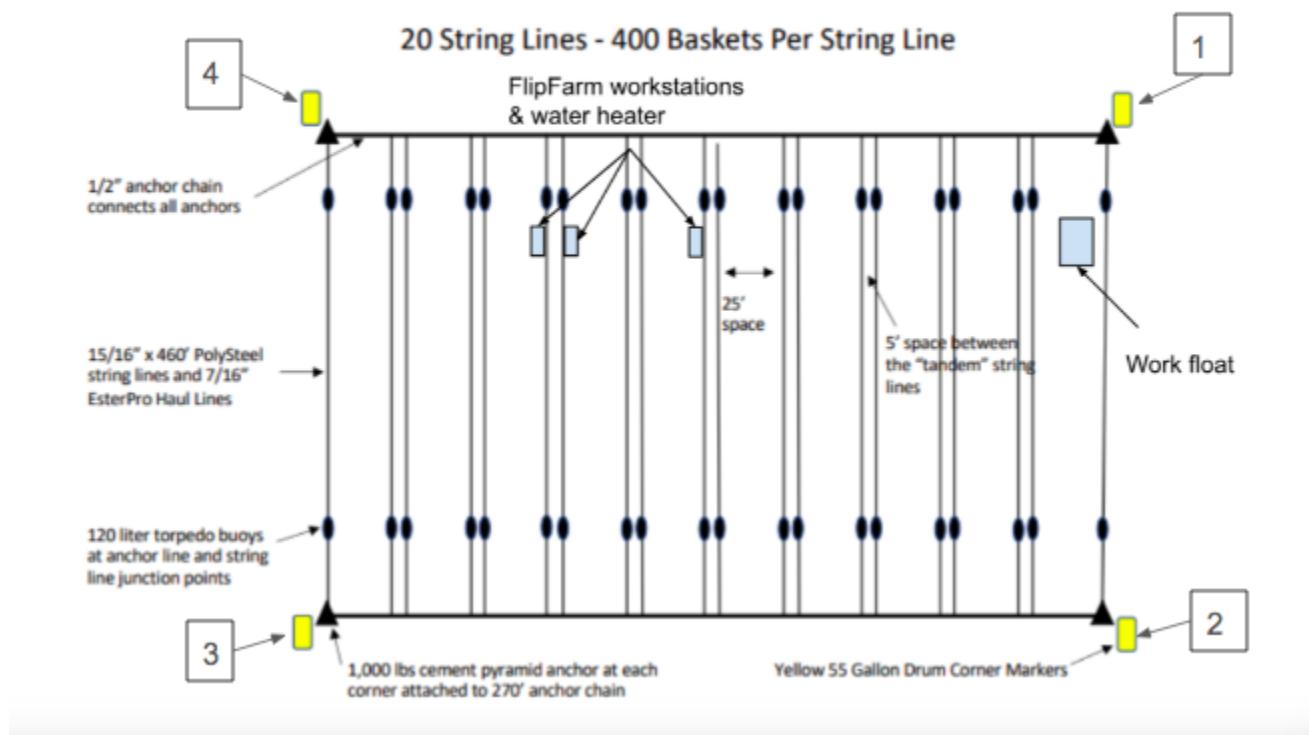
- Label the rendering 'Boundary Drawing'
- All corners are labeled in accordance with the instructions and match the coordinate table.



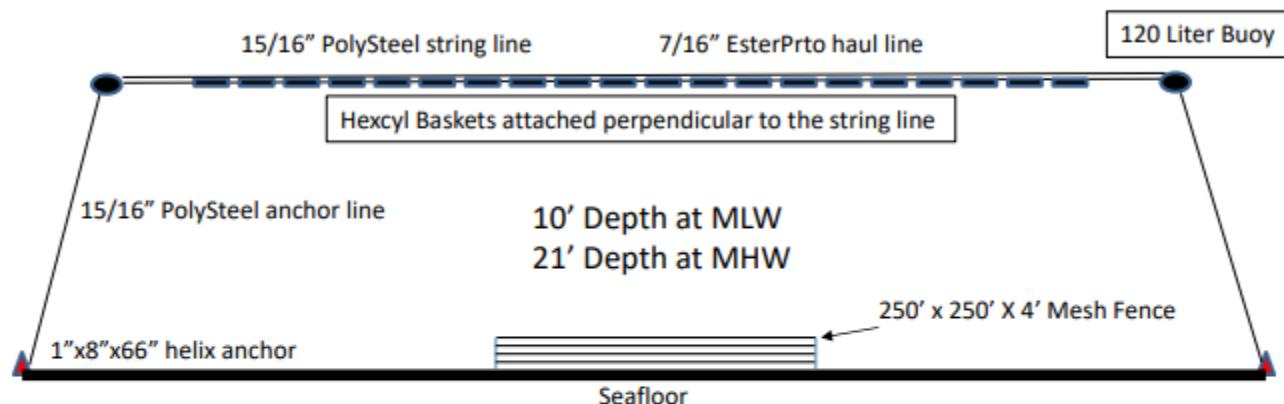
# Vicinity Map:



## OVERHEAD VIEW 580' x 270'



## Cross Section View

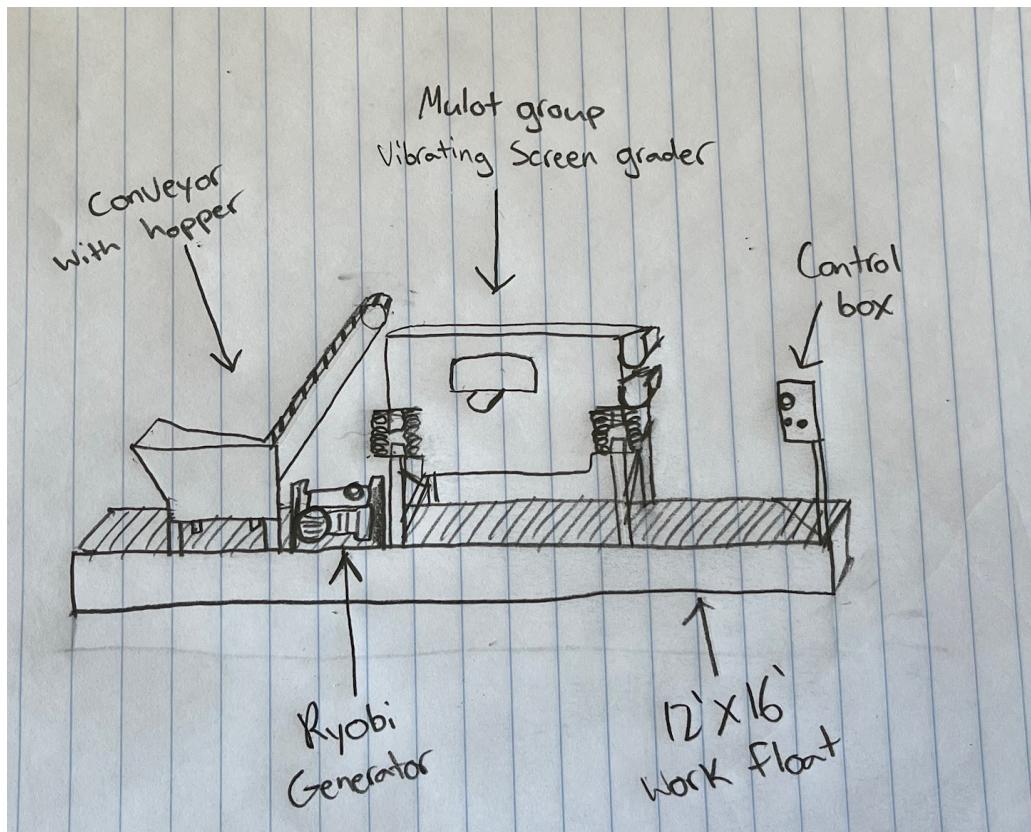


- 1"x8"x66" helix anchor screws at the end of each string line and corner pyramid anchors attached by 1/2" chain
- 480' of 15/16" PolySteel string line and 7/16" EsterPro haul line
- Approximately 400 Hexcyl Baskets per string line with no spacing between baskets
- Approximately 20mm mesh plastic-free/green fence pen 250' x 250' x 4' anchored with galvanized stakes



Hexcyl Baskets have a perpendicular axle attachment of PVC tubing that the string line passes through. This axle protects the rope from chaffing and fouling and also acts as a swivel for the basket to be flipped over or stood upright for opening and dumping into a basket without heavy lifting. Please visit the manufacturer website for more details at <https://www.flipfarm.co.nz/>

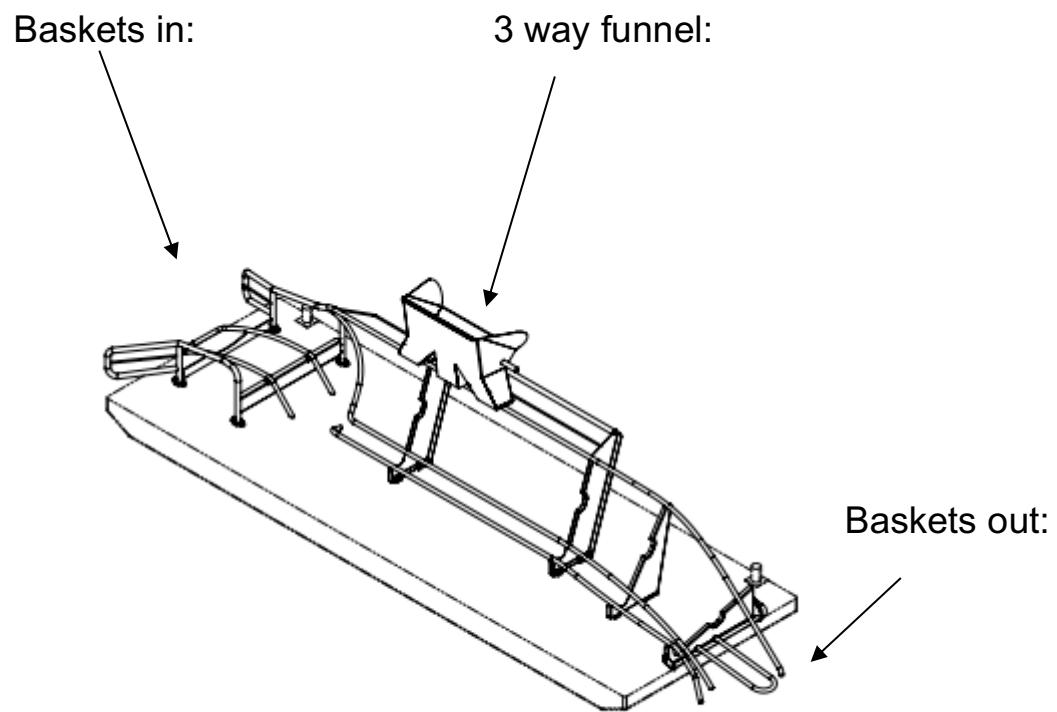
# Work Float with Grader:



## Grader in use:

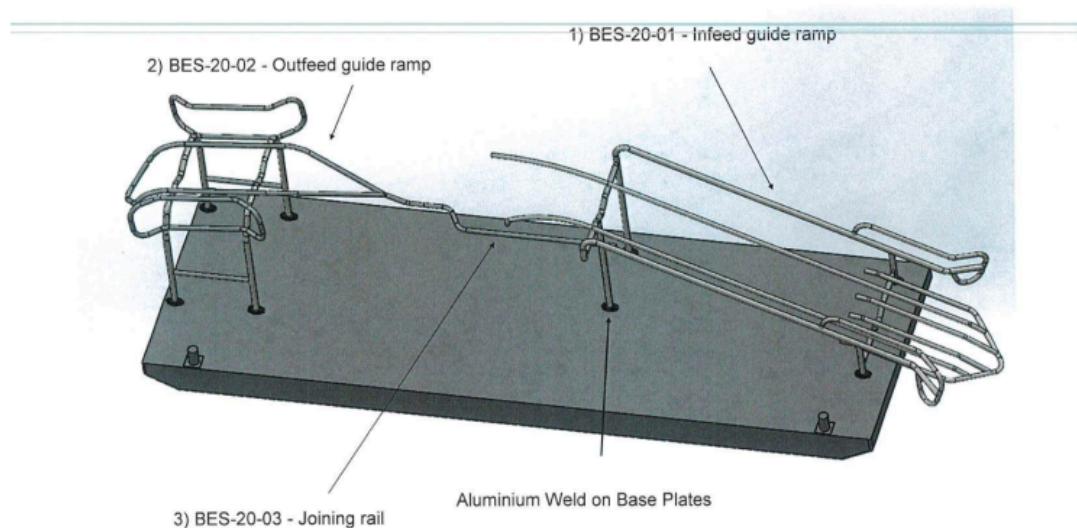


## Basket Fill Station:





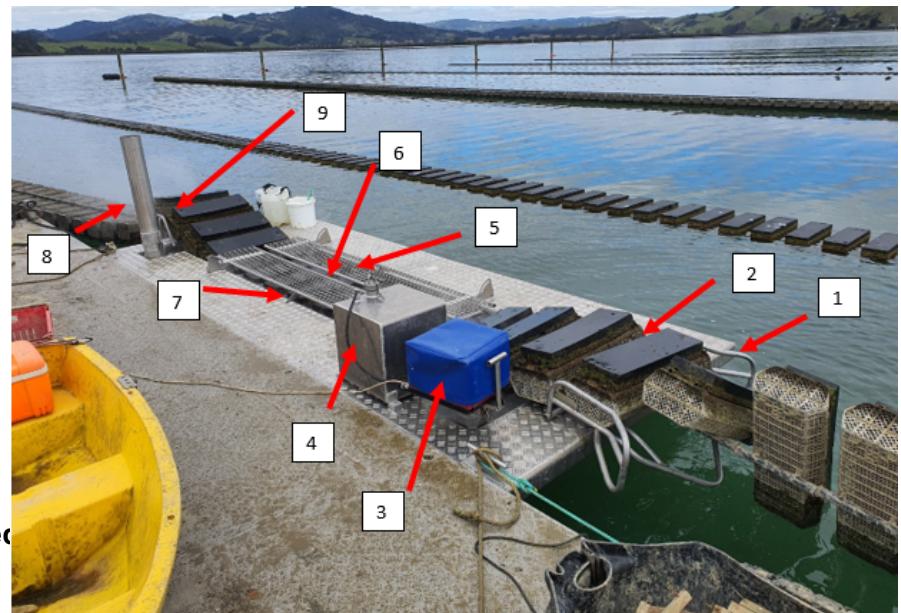
## BASKET EMPTY STATION ASSEMBLY



## Diesel Water Heater:

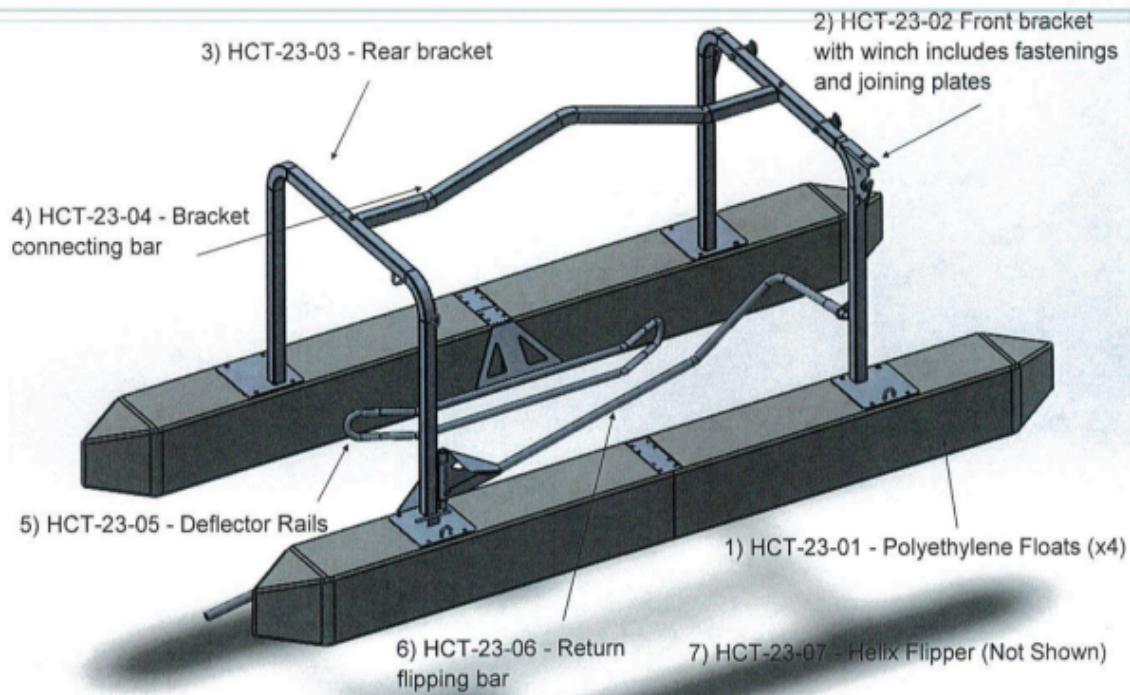
### Parts:

1. Infeed guide rails
2. Inlet manifold (obscured)
3. Heater unit
4. Diesel tank
5. Safety cage
6. Cooker water trough
7. Cooker guide rails (obscured)
8. Exhaust stack
9. Outfeed guide rails





## HELICAT ASSEMBLY

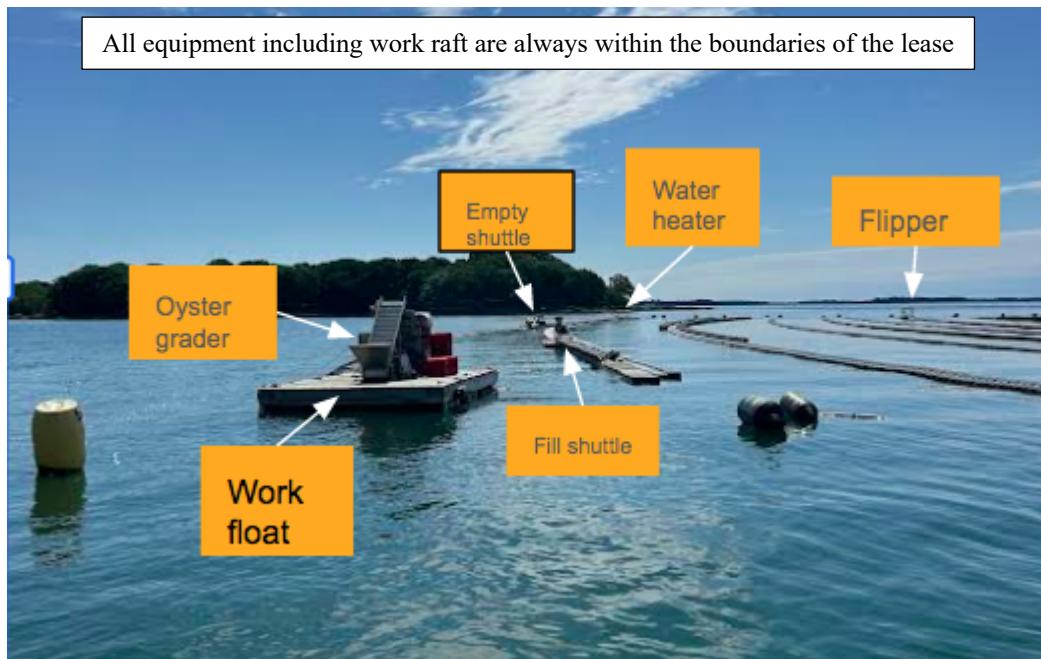


## B. EQUIPMENT LAYOUT

### Note:

**The work float is to be positioned near the NW corner of the lease tied off to the inside of the first (northernmost) long line of FlipFarm baskets. The raft will remain at this spot within the lease boundaries for the duration of the working season until it is removed from the site for winter storage. No aquaculture activity will take place outside the lease boundaries.**

C. Provide schematic or photographic renderings of the generalized layout of the equipment as depicted from **two** vantage points on the water (i.e. what will your site look like on the water from different points)

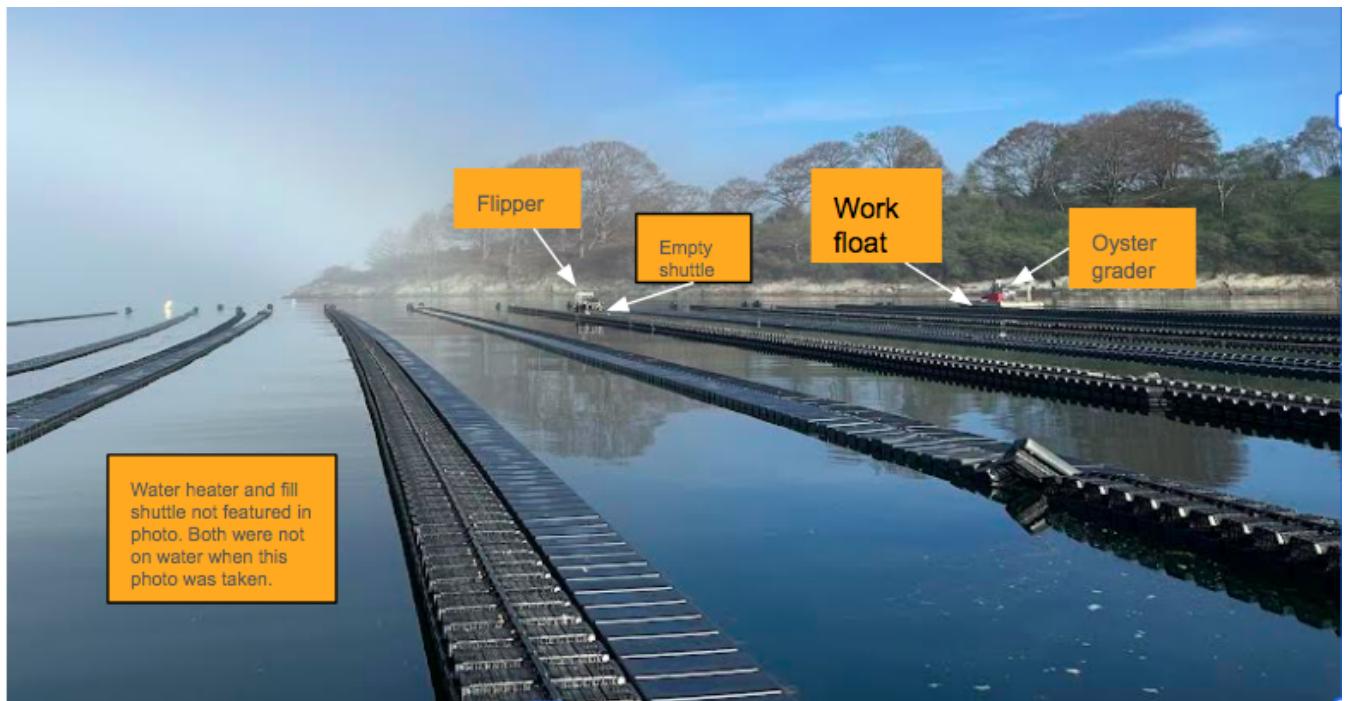


^ Photo taken on 6/26/2025 from the northwest side of the site facing the southern tip of Moshier Island. All equipment, including work float and oyster grader are always within the boundaries of the proposed lease. Alternative angles below.



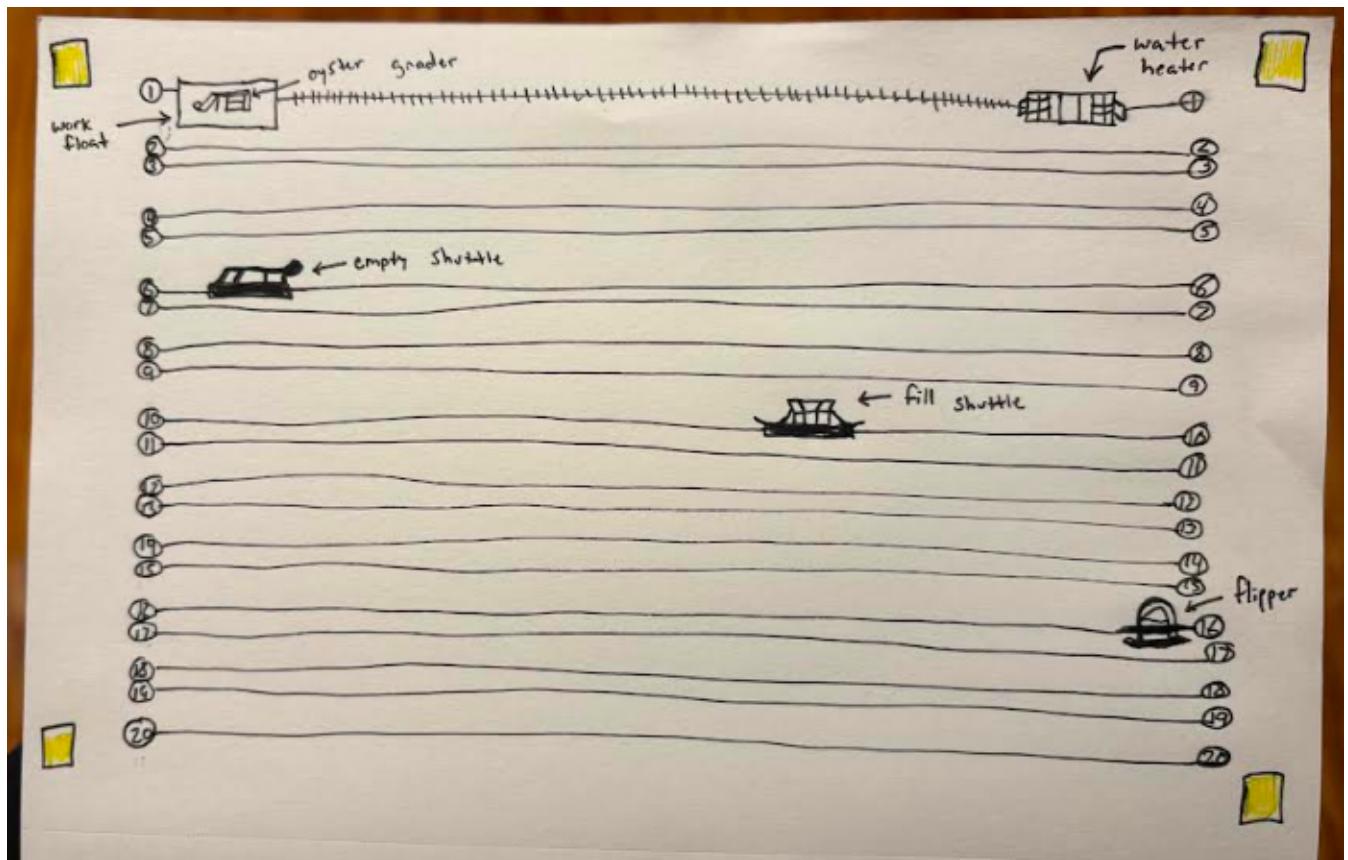


^Photos taken from NW corner of lease on 10/28/25 showing raft within lease boundary.



^ Photo taken on 5/08/2025 from the southeast end of the lease site facing the eastern shoreline of Little Moshier Island. **All equipment, including work float and oyster**

grader are always within the boundaries of the proposed lease.



^ Overhead drawing of equipment layout. The work float and oyster grader primarily stay where the drawing indicates (closest to the northwest corner buoy next to Little Moisher). The work float/grader always stays within the boundaries of the proposed lease. The water heater typically stays where the drawing shows except for when we are actively using it (roughly 20 times a season). However, the flipper, fill and empty shuttle often move around the farm due to everyday use. All equipment stays within the boundaries of the site and are tied off to the lines on 4 different points. This includes the work float and grader.

**D.**Provide the locations of the two vantage points.



Photo taken from middle of lease site facing the southern tip of Moshier Island on 10/03/24. Work float can be seen in background.



Photo taken from the southeast end of the lease site facing the eastern shoreline of Little Moshier Island on 01/29/2025. Empty station depicted in background.

#### **OTHER ATTACHMENTS**

##### **E. OIL SPILL PREVENTION AND CONTROL PLAN**

If petroleum products are stored on the proposed site, you need to attach a spill prevention and control plan. It must include the following:

- Procedures and control measures to prevent spills.
- Measures to contain, cleanup, and mitigate the effects of an oil spill that has impacted navigable waters or adjoining shorelines.

**N/A**

##### **F. FINANCIAL INSTITUTION LETTERS**

In accordance with regulation, you must include a letter from a financial institution indicating you have an account in good standing. If there are multiple applicants, they each submit letters.

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February 11, 2025

Butterfield Shellfish LLC  
Keith Butterfield  
17 Haskell Avenue  
Raymond, ME 04071-6229

Dear Keith,

To Whom It May Concern:

Butterfield Shellfish LLC, and its principal, Keith Butterfield, has an established relationship with Maine Community Bank. Please accept this letter as confirmation that all accounts are in good standing; and have been handled as agreed.

If you have any further questions, I can be reached at (207) 222-1495

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie".

Julie L. Viola  
Senior Vice President  
Commercial Banking Officer and Small Business Manager

## G. INTERTIDAL SITES

If any portion of the proposed site is above mean low water, you need to provide the following under 1) and 2):

### 1. Landowner Written Permission

All upland owners whose intertidal lands will be used for aquaculture need to give the applicant written permission to use intertidal lands. You need to submit this written permission with your application. DMR will not accept the application without the required permission.

The written permission must include the following:

- The map and lot number of the parcel to which the permission applies, which needs to match what is listed on the riparian landowner list.
- The letter must include the names(s) of the landowner(s). If the parcel is held by multiple people, each individual needs to provide permission. It can be included in the same letter, but it needs to be clear that all owners of the parcel consent.
- The letter must clearly state that the parcel owner is giving the applicant(s) **permission to use their intertidal lands** for the proposed aquaculture activities. General letters of support from the parcel owner do not satisfy this requirement.
- If the intertidal land is owned by the applicant(s) then an ‘Applicant Statement’ must be included with the submission. The submission needs to include the map and lot number of the parcel owned.

N/A

### 2. Municipal Permission

Does the municipality have a shellfish conservation program in accordance with 12 M.R.S.A. section 6671?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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## 12. ACKNOWLEDGEMENT AND SIGNATURE PAGE

Every listed applicant needs to complete and include a copy of this form with the submission. If the applicant is a company, this needs to be completed and signed by a person authorized to make such certifications and submissions on behalf of the company.

**Please read and check each box confirming understanding**

I have read DMR's aquaculture laws and regulations and will comply with those provisions.

I understand that lease proposals are evaluated in consideration of applicable decision criteria and processed in accordance with relevant law and rules. Applying for a lease is not a guarantee that this site will be granted or otherwise granted as originally applied for.

I understand that lease application fees are non-refundable.

I understand that falsifying any information in this application will result in termination of the application or other enforcement action.

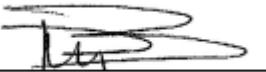
I understand that it is my responsibility to submit a copy of this application to the U.S. Army Corps of Engineers (USACE) and that their review process is separate from DMR's. If I have questions about the USACE process or review, I will contact that agency.

I read the lease application instructions. I will follow the instructions and provide any requested information in a timely manner.

If the lease is granted, I understand that all gear, including moorings, are required to remain within the boundaries of the proposed lease site at all tidal stages. I understand that if the lease is granted, failure to keep gear, including moorings, within the boundaries of the site will result in compliance action including possible revocation of the site.

I will mark the site in accordance with Chapter 2.80 of DMR's regulations.

<b>Printed Name</b>	Keith Butterfield
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<b>Signature</b>	 ^ Keith Butterfield
<b>Date</b>	10/27/2025