

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	MARK MILLER		
Contact Person	MARK MILLER		
Address	38 FULLER ROAD		
City	SPRUCE HEAD		
State, Zip	MAINE 04859		
County	KNOX		
Telephone	207-596-3466/207-596-3466		
Email	jamesbalano@yahoo.com		
Type of Application	<input type="checkbox"/> Draft Application [submitted before scoping session]		<input checked="" type="checkbox"/> Final Application [submitted after scoping session]
Dates	Pre-Application Meeting: 4/11/24	Draft Application Submitted: 5/2/24	Scoping Session: 7/30/24
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card		Final Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card

Note: The email address you list here will be the primary means by which we will contact you. Please provide an email address that is checked regularly. If you do not use email, please leave this blank.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	ST. GEORGE
Waterbody	WHEELER'S BAY
General Description (e.g. south of B Island)	1060 FEET SOUTH OF EAGLE ISLAND
Lease Information	
Total acreage requested (100-acre maximum)	12.3 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: "Landowner/Municipal Permission Requirements".

3. GROWING AREA DESIGNATION

Directions: Information for growing area designations can be found here:

<https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

Growing Area Designation (e.g. WL):	WV
Growing Area Section (e.g. "A1"):	"A"

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 or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. SUGAR KELP (SACCHARINA LATISSIMA)	ATLANTIC SEA FARMS, 23 POMERLEAU ST., BIDDEFORD, MAINE 04005	75,000 LBS.
2. SKINNY KELP (SACCHARINA ANGUSTISSIMA)	ATLANTIC SEA FARMS, 23 POMERLEAU ST., BIDDEFORD, MAINE 04005	75,000 LBS.
3. WINGED KELP (ALARIA ESCULENTA)	ATLANTIC SEA FARMS, 23 POMERLEAU ST., BIDDEFORD, MAINE 04005	15,000 LBS.
4. HORSETAIL KELP (LAMINATA DIGITATA)	ATLANTIC SEA FARMS, 23 POMERLEAU ST., BIDDEFORD, MAINE 04005	15,000 LBS.
5.		

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

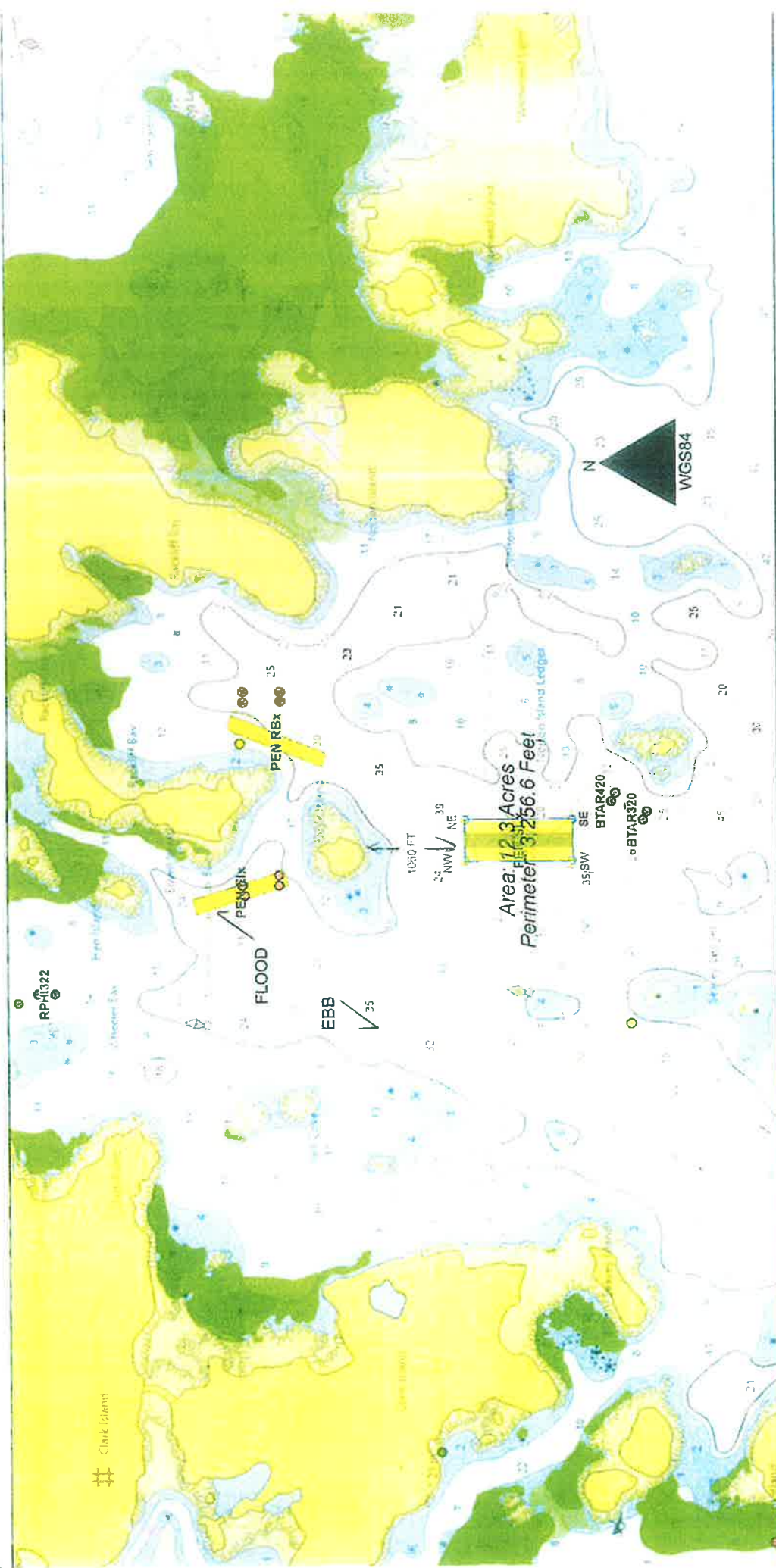
6. BOUNDARY DRAWING

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 in decimal degrees (e.g., 43.123456 N, -69.123456 W) Identify the datum from the map, chart, or GPS unit used to develop these coordinates. The datum will be shown on the map or chart you are using. The Coordinate Description may be provided separately from the Boundary Drawing.

5: VICINITY MAP



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reas

- Override 1
- Override 2
- SV Layer
- CSV Layer

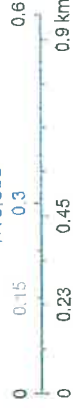
○ Approximate Center Point of Lease Applications Under Review

○ Esri, Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SaleGraph, GeoTechnology, Inc. METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | Esri, NASA, NGA, USGS, FEMA | MaineDMR, MaineGeoLibrary | MaineDMR, Maine GeoLibrary | OrthoPhotos were produc

- Limited Purpose Aquaculture (LPA) Licenses
- Active
- Terminated
- Active or Pending Aquaculture Leases
- Active
- Renewal or Standard Application Pending

- Eelgrass 2010
- 0-10%
- 10-40%
- 40-70%
- 70-100%

1:18,056



Esri, NASA, NGA, USGS, FEMA, Esri, Community Maps Contributors, Esri, TomTom, Garmin, SaleGraph, GeoTechnology, Inc. METI/NASA, USGS, EPA, NPS, US Census Bureau, USFWS

WebAppBuilder for ArcGIS

SECTION: 6B

BOUNDARY DRAWING COORDINATES, BEARINGS & DISTANCES

WGS84

FROM POINT "NW" 43.981233 N, -69.159634 W

THENCE 447.6 FEET AT 090.11 DEGREES TRUE

TO POINT "NE" 43.981233 N, -69.157933 W

THENCE 1,147.85 FEET AT 180.11 DEGREES TRUE

TO POINT "SE" 43.978083 N, -69.157933 W

THENCE 447.6 FEET AT 270.11 DEGREES TRUE

TO POINT "SW" 43.978083 N, -69.159634 W

THENCE 1,147.85 FEET AT 000.11 DEGREES TRUE

TO POINT "NW" 43.981233 N, -69.159634 W

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
MARINE ALGAE LONGLINES	3/8" ROPE X 1000 FT	OCTOBER THROUGH JUNE	14 LONGLINES	MARINE ALGAE
DEPTH CONTROL BUOYS – WHITE STYROFOAM 14 LB. DISPLACEMENT LOBSTER BUOYS	37 INCHES HIGH X 16 INCHES DIAMETER	OCTOBER THROUGH JUNE	70 BUOYS	MARINE ALGAE
MOORING BUOYS (A5 YELLOW POLY) AS PER DMR 2.80	SIZE A5 – 5 FT DIAMETER	ALL YEAR	4 BUOYS (LEASE CORNER MARKERS)	MARINE ALGAE
MOORING LINES – 3-STRAND WHITE POLY	1 INCH X 40 FT	ALL YEAR	32 MOORING LINES	MARINE ALGAE
MOORING CHAIN	1-1/8 INCH USCG IRON BUOY CHAIN X 10 FT	ALL YEAR	BOTTOM CHAIN FOR 32 MOORINGS	MARINE ALGAE
GRANITE MOORING BLOCKS	2000 LB BLOCKS	ALL YEAR	32 BLOCKS	MARINE ALGAE
MOORING BUOYS (A3 WHITE POLY)	SIZE A3 – 2 FT DIAMETER	ALL YEAR	28 BUOYS (LONGLINE MARKERS)	MARINE ALGAE



GEAR DRAWING #2

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SECTION 7. SITE DEVELOPMENT A1b: GEAR INFORMATION



Marine Algae Culture Lines/Longlines
Length: 1,000 feet
Diameter: 3/8-inch



Depth Control Buoys
Description: Traditional lobster buoys
Height: 37 inches
Diameter: ~16 inches Lobster buoys



Mooring Ball
Description: A3 or A4 Polyballs
Height: 23 inches
Diameter: ~2 feet



Inflatable Mooring Buoys

High quality, durable materials. Unique vinyl valving system. Consistent wall thickness. Polyform US achieves excellence through superb design and continuous research and development.



***Mooring Buoyancy**

Mooring buoyancy indicates the approximate weight a mooring buoy will float with the upper half of the buoy remaining above the waterline. You need a buoy with enough buoyancy to float the top chain and its tackle. To calculate required buoyancy, add total chain weight and tackle.

Part#	Dia. x Length	Circ.	Mooring		Red	White	Yellow	SELL
			Buoyancy	Buoyancy*				
POL-A0	8" x 11.5"	25.1"	14 lbs	7 lbs	160626	160627	-	37.59
POL-A1	11" x 15"	34.6"	28 lbs	14 lbs	160628	160629	-	45.09
POL-A2	14.5" x 19.5"	45.6"	66 lbs	33 lbs	160630	160631	-	61.19
POL-A3	17" x 23"	53.4"	120 lbs	60 lbs	160632	160633	-	83.19
POL-A4	20.5" x 27"	64.4"	190 lbs	95 lbs	160636	732203	774850	114.39
POL-A5	27" x 36"	84.8"	390 lbs	195 lbs	160638	734779	-	246.99
POL-A6	34" x 44"	106.8"	780 lbs	390 lbs	-	160640	-	433.49



Mooring Line
Description: 3-strand rope
Length: 40 feet
Diameter: 1-inch



Mooring Chain
Description: Galvanized chain
Length: 10 FT
Diameter: 1-3/8 in.

Concrete or granite block
Length: 36 inches
Width: 18 inches
Height: 12 inches
Weight: 2000 pound



Screw Pin Anchor Shackles

Hot dip galvanized. Forged, quenched and tempered with alloy pins. Approved for use at -40°F to 400°F.

Size	WLL (lbs)	Order#	SELL
1/4"	1000	105398	12.99
5/16"	1500	105399	16.59
3/8"	2000	105400	15.99
7/16"	3000	105401	17.69
1/2"	4000	105402	20.19
5/8"	6500	105403	37.49
3/4"	9500	105404	53.99
7/8"	13,000	105405	77.19
1"	17,000	105406	99.79



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B. Maximum Structure and Mooring System Schematic

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

1. Overhead View. Please include the following and label as “Overhead View”:
 - Maximum layout of gear, including moorings.
 - Length and width of project.
 - Approximate spacing between gear.
 - Lease boundaries and the location of proposed corner markers and any additional gear markers that would be present.

2. Cross-Section View. Please include the following and label as “Cross-Section View”:
 - The sea bottom.
 - Profile of gear in cross-section as it will be deployed.
 - Label gear with dimensions and materials.
 - Show mooring gear with mooring type, scope, hardware, and line type and size.
 - Depth of gear in relation to the water’s surface at mean low water and mean high water (if applicable).

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

C. On-Site Support Structures

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

N/A NO ON-SITE STRUCTURES.

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

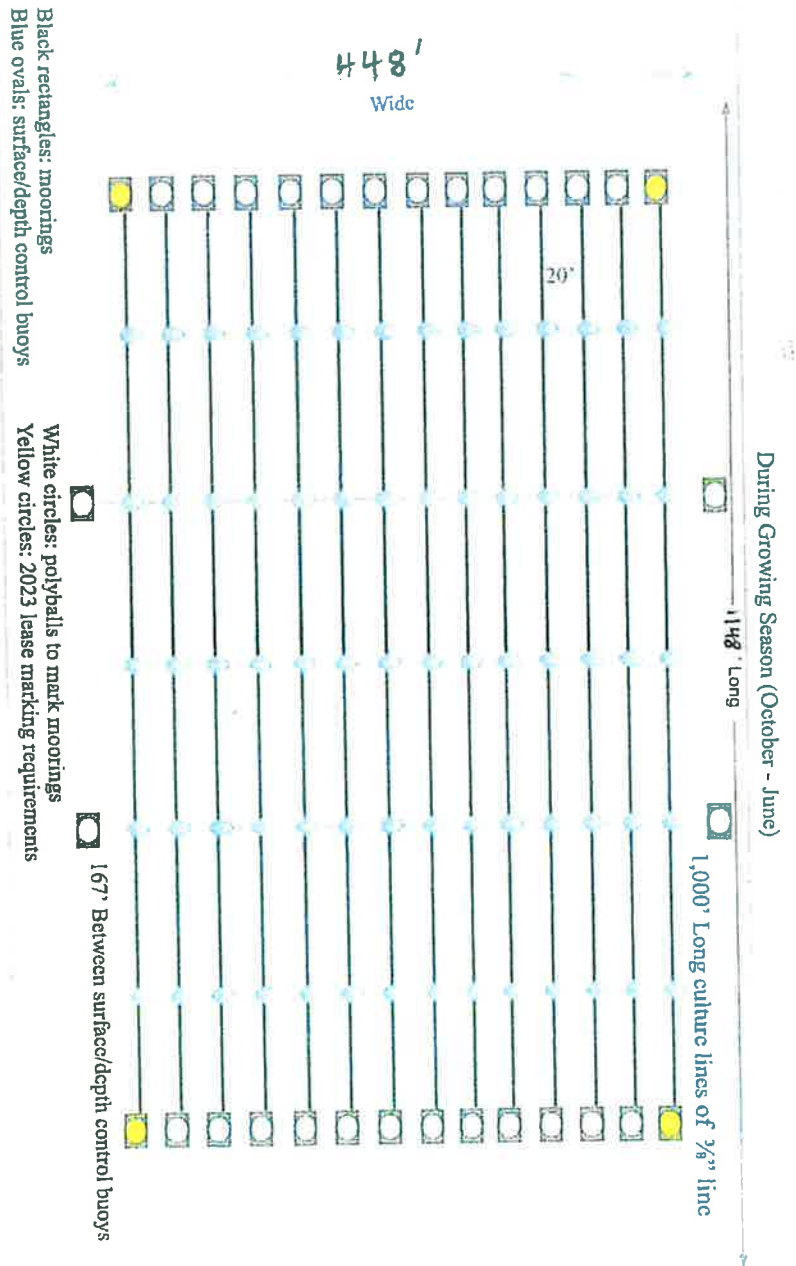
N/A NO ON-SITE STORAGE OF OIL, GASOLINE, OR OTHER HAZARDOUS MATERIALS.

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B. MAXIMUM STRUCTURE AND MOORING SYSTEM SCHEMATIC

1. OVERHEAD VIEW

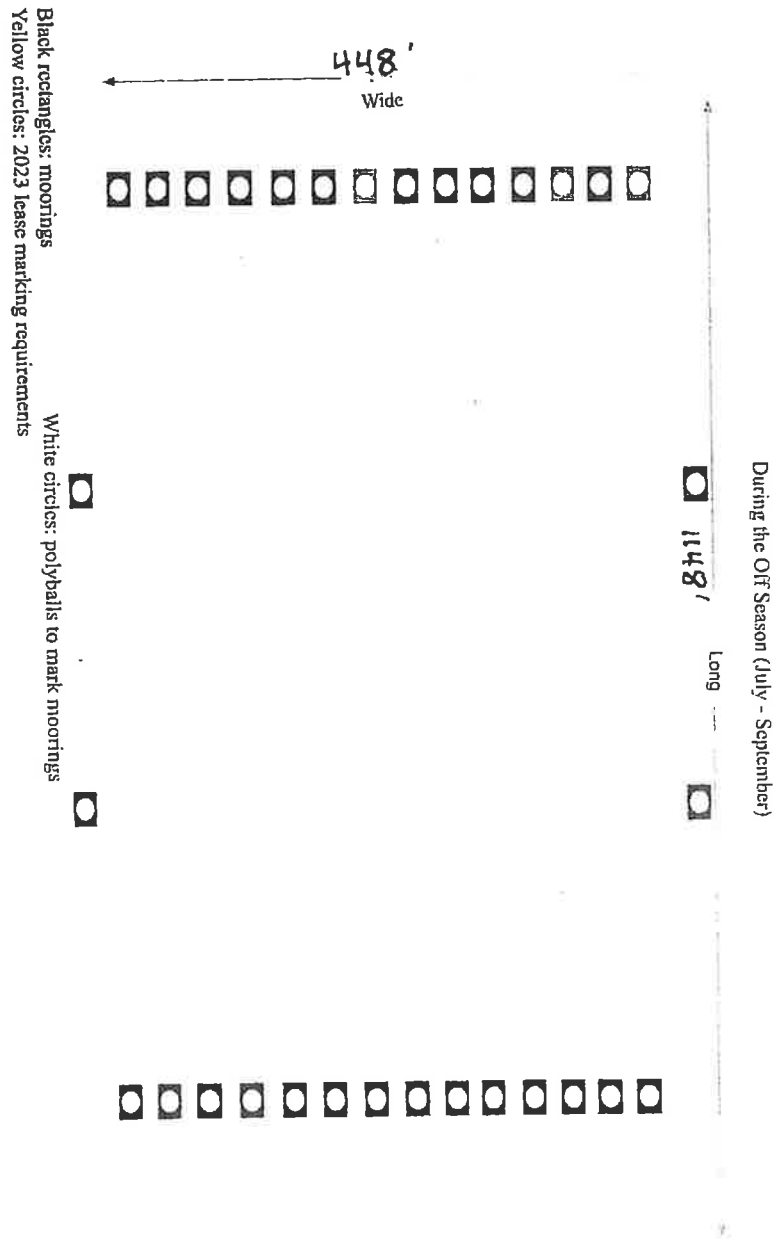
a. DURING GROWING SEASON (OCTOBER-JUNE)



B. MAXIMUM STRUCTURE AND MOORING SYSTEM SCHEMATIC

1. OVERHEAD VIEW

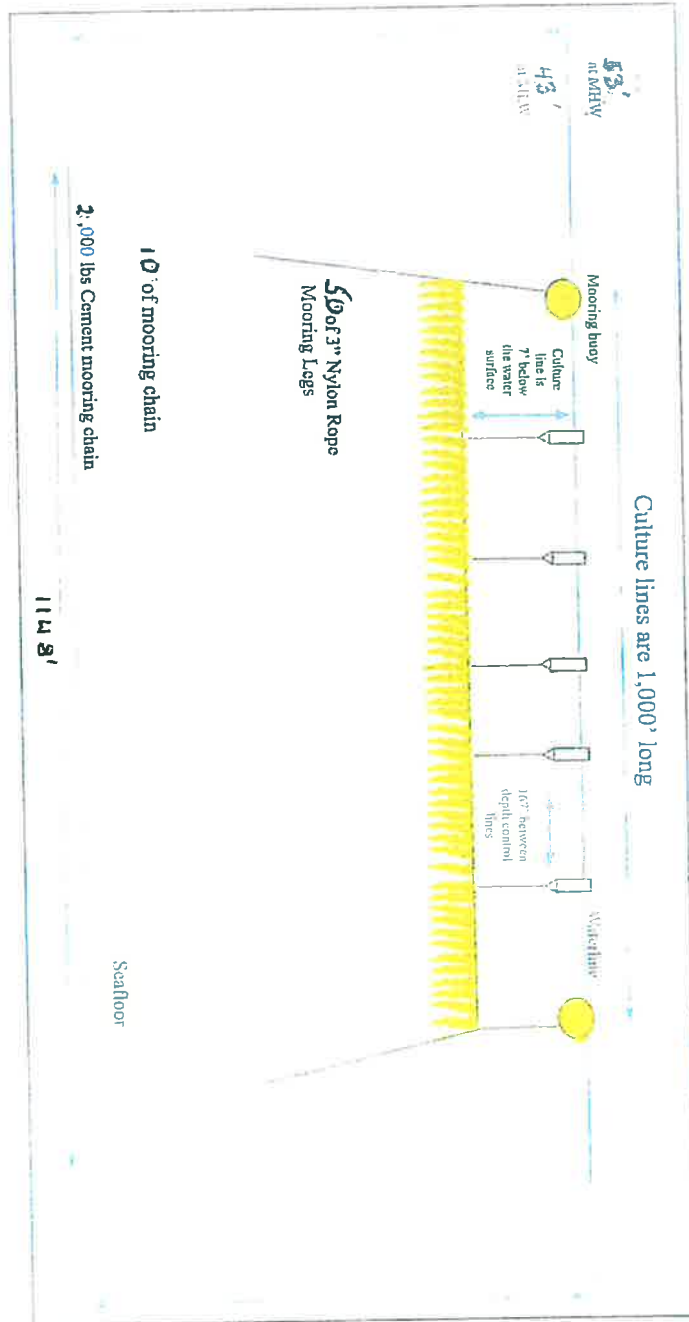
b. DURING THE OFF SEASON (JULY-SEPTEMBER)



B. MAXIMUM STRUCTURE AND MOORING SYSTEM SCHEMATIC

2. CROSS SECTION VIEW

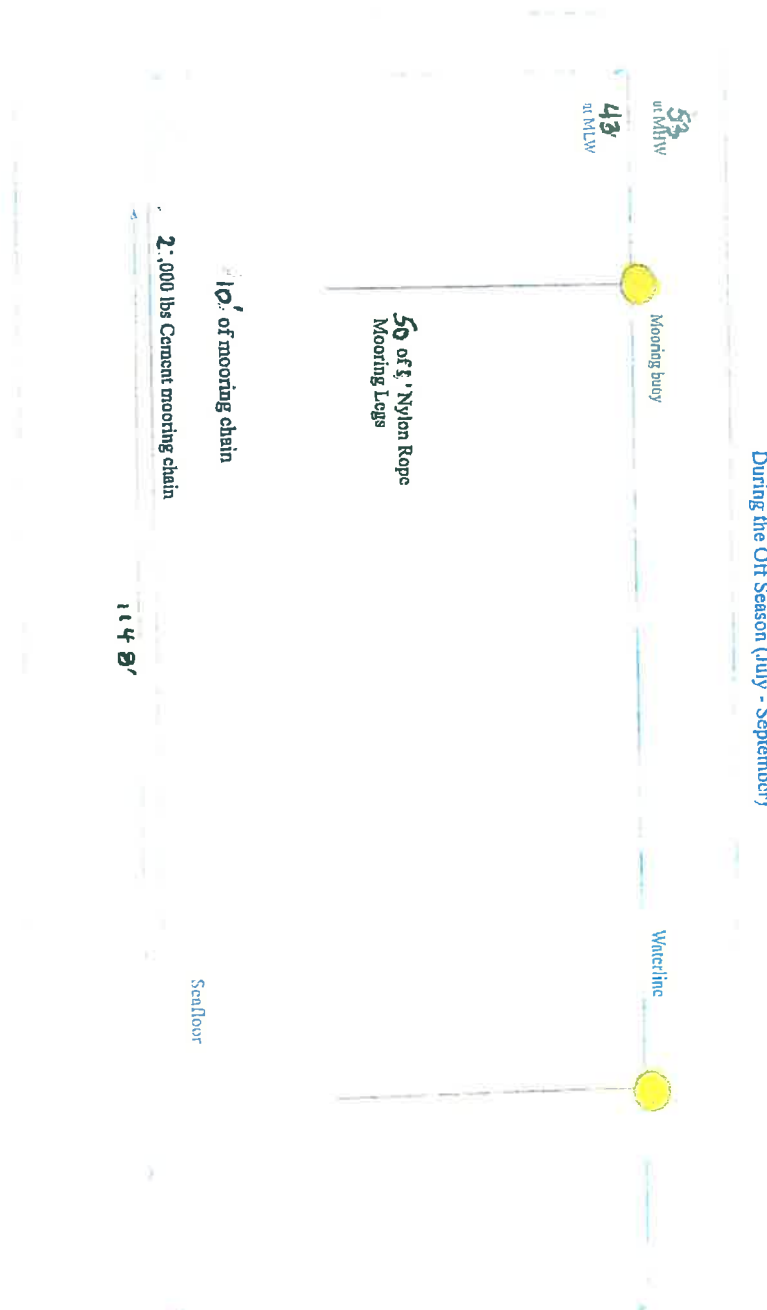
a. DURING GROWING SEASON (OCTOBER - JUNE)



B. MAXIMUM STRUCTURE AND MOORING SYSTEM SCHEMATIC

2. CROSS SECTION VIEW

b. DURING THE OFF SEASON (JULY - SEPTEMBER)



D. Gear Color

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

MIXED STYLE AND COLOR LOBSTER Buoys WILL BE USED FOR DEPTH CONTROL THROUGHOUT. LEASE CORNER BUOYS WILL BE AS YELLOW POLY BALLS MARKED AS PER DMR REGS CHAPTER 2.80. GREEN AND GRAY POLY BALLS WILL BE USED FOR INTERMEDIATE MOORING MARKERS.

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? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease. Effective January 1, 2023, marker buoys need to be yellow and host reflective material.

Yes No

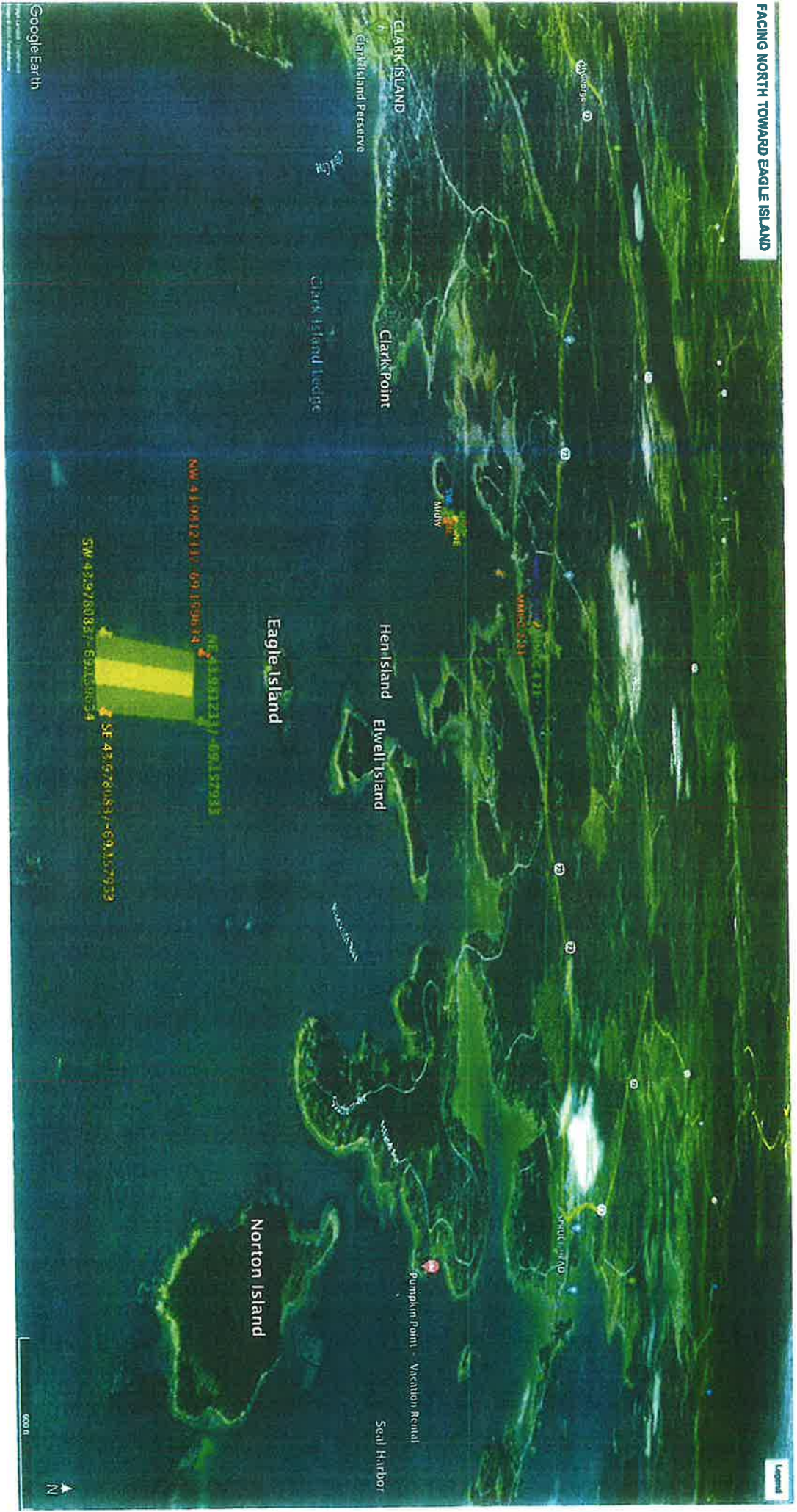
If you answered no, explain why and suggest alternate markings.

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).

6A/PAGE SECTION 7: SITE DEVELOPMENT

E. EQUIPMENT LAYOUT

↳ GOOGLE EARTH MAP FACING DUE NORTH TOWARD EAGLE ISLAND FROM SOUTH END OF PEN 5LX

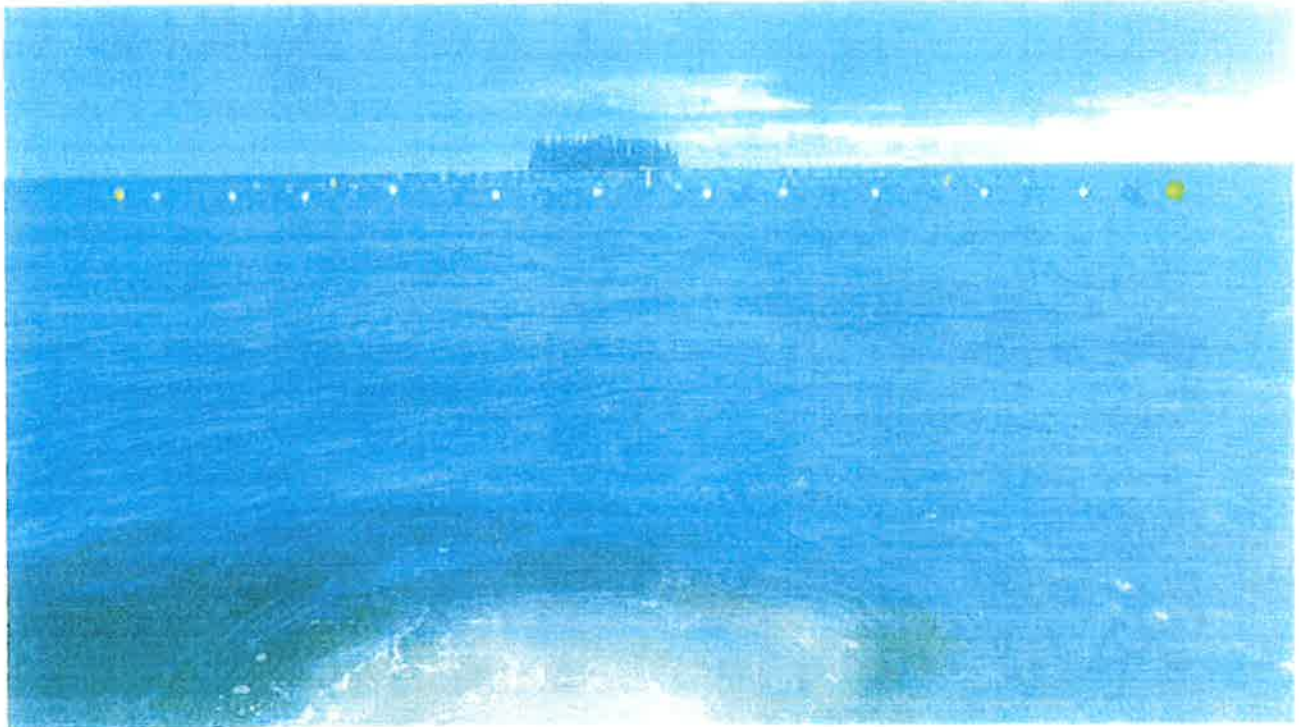


6A/PAGE

6A/PAGE

E. EQUIPMENT LAYOUT

2. PHOTO OF EQUIPMENT LAYOUT FACING NORTH TOWARD SALMON ISLAND



3. PHOTO OF EQUIPMENT LAYOUT FACING EAST TOWARD NORTON ISLAND



8. PRODUCTION ACTIVITIES

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

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

SEEDING OF LONGLINES WILL TAKE PLACE BETWEEN OCT. 1 AND NOV. 31 DEPENDING ON SEED AVAILABILITY AND WILL TAKE ROUGHLY ONE WEEK TO COMPLETE. IN THE FUTURE, RED AND GREEN ALGAE SPECIES WOULD BE SEEDED IN LATE FEBRUARY/EARLY MARCH AND TAKE 2 TO 3 DAYS TO COMPLETE. LEASE SITE WILL ALSO BE VISITED SUBSEQUENTLY ON AT LEAST A WEEKLY BASIS FOR OBSERVATION AND MAINTENANCE AND ESPECIALLY BEFORE AND AFTER SEVERE WEATHER.

B. Please explain your proposed tending/maintenance activities.

TENDING/MAINTENANCE DURING DEC., JAN., FEB., AND MARCH WILL CONSIST OF REPAIRING AND REALIGNING AFTER SEVERE WEATHER AND WEIGHING DOWN LINES THAT GROW FLOATING KELP AS IT GROWS AND BECOMES MORE BUOYANT. DURING APR., MAY, AND JUN., POWER WASHING FOULED LINES AND GEAR WILL BE ADDED.

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

I WILL VISIT THE SITE FOR ROUTINE TENDING AND MAINTENANCE AND PRESSURE WASHING 3 DAYS PER WEEK (MONDAY, WEDNESDAY AND FRIDAY) FOR AN EXPECTED 3 HOURS PER VISIT.

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

HARVESTING WILL BE DONE USING MY 38' LOBSTER BOAT AND 14' CAROLINA SKIFF. LONGLINES WILL BE HAULED USING A WINCH MOUNTED ON THE DECK AND THROUGH A BLOCK HANGING FROM A YARD AND STAY MAST AND BOOM. ALGAE WILL BE CUT BY HAND FROM THE LONGLINES INTO LARGE TOTE BAGS ON DECK WHICH WILL BE UNLOADED TO TRUCKS ON MY WHARF AT MILLER'S LOBSTER. NO DRAGS WILL BE USED IN THIS OPERATION.

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

EVERY AVAILABLE DAY WILL BE UTILIZED DURING THE HARVESTING SEASON UNTIL ALL OF THE AVAILABLE MARINE ALGAE HAS BEEN HARVESTED. HARVESTING TYPICALLY OCCURS BETWEEN APRIL AND THE END OF JUNE. I ESTIMATE IT COULD TAKE 7-10 WORKING DAYS TO HARVEST DEPENDING ON WEATHER AND THE ALGAE BIOMASS. CURRENT KELPS WILL BE HARVESTED BETWEEN APRIL AND THE END OF JUNE.

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

G. Describe any overwintering or “off season” plans for the site. For example, will you remove gear from the site and/or deploy gear in different areas within the proposed site? Please include where gear or product will be located if removed from the site.

THE APPLICANT IS PROPOSING TO CULTURE MARINE ALGAE FROM OCTOBER THROUGH JUNE, ANNUALLY. SEEDING OF LONGLINES WILL TAKE PLACE FROM OCTOBER THROUGH DECEMBER AND HARVESTING WILL TAKE PLACE FROM APRIL THROUGH JUNE. LONGLINES, DEPTH CONTROL LINES, BUOYS AND ANCHORS WILL BE REMOVED BY JULY. MOORINGS AND ASSOCIATED MOORING LINES AND A5 YELLOW POLY MARKER BUOYS DESIGNATING THE FOUR CORNERS OF THE LEASE WILL BE THE ONLY GEAR REMAINING ON SITE YEAR-ROUND. OFF SEASON, WHILE APPLICANT IS LOBSTERING, GEAR REMOVED FROM SITE WILL BE STORED ON LAND AT MILLER'S LOBSTER WHARF AND WORKSHOP.

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

N/A NO PREDATOR CONTROL TECHNIQUES WILL BE USED ON THE PROPOSED LEASE SITE.

- I. Suspended culture gear can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. In order to comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that applications for the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the proposed site. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Submerging suspended gear and associated product at a depth sufficient to deter roosting for two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- The site is proposed for the culture of seed only
- The site is proposed for the culture of adductor-only scallops (i.e. no other shellfish species would be grown on the site)
- Proposed gear would always be suspended below the surface of the water at a depth sufficient to deter roosting (i.e. as is common for scallop lantern nets)

N/A MARINE ALGAE ONLY

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?

MY 38' LOBSTER BOAT WITH DIESEL ENGINE AND 14' CAROLINA SKIFF WITH 50 HORSEPOWER OUTBOARD WILL BE USED TO SET AND RETRIEVE GEAR AND SEED AND HARVEST LONGLINES. THESE PRODUCE NO MORE NOISE THAN ANY OTHER BOATS IN THE AREA ENGAGED IN ANY OTHER TYPE OF MARINE HARVESTING SUCH AS LOBSTERING. WE WILL NOT BE WORKING AT NIGHT OR REQUIRING LIGHTS.

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?

OTHER THAN THE BOAT AND ITS INTEGRAL EQUIPMENT THE ONLY ADDITIONAL POWERED EQUIPMENT WILL BE A GASOLINE POWER WASHER. THIS WILL BE DURING THE MONTHS OF APR., MAY, AND JUN. FOR AN AVERAGE OF TWO DAYS A WEEK FOR A TOTAL OF 10 TO 12 HOURS MAXIMUM EACH WEEK.

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

ALL SEEDING, MONITORING AND HARVESTING OPERATIONS WILL BE DONE BY HAND ON THE BOATS AND REQUIRE NO ADDITIONAL POWER EQUIPMENT. NOISE LEVELS WILL BE NO GREATER THAN THOSE ASSOCIATED WITH TRADITIONAL LOBSTERING OPERATIONS. THERE IS NO NEED TO WORK AFTER DARK SO THERE WILL BE NO NOISE AFTER SUNSET.

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.

N/A

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

N/A

10. CURRENT OPERATIONS

Directions: If a question does not pertain to your proposed operations, please write “not applicable” or “N/A”.

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

CURRENTLY GROWING SKINNY KELP AT PEN SLx AT THIS SAME LOCATION TO BE CONVERTED BY THIS APPLICATION TO A LARGER STANDARD LEASE BY EXPANDING THE CURRENT EAST AND WEST BOUNDARIES AN ADDITIONAL 150 FEET EACH WAY.

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.

CURRENTLY GROWING SKINNY KELP AT PEN SLx THIS AT SAME LOCATION TO BE CONVERTED BY THIS APPLICATION TO A LARGER STANDARD LEASE BY EXPANDING THE CURRENT EAST AND WEST BOUNDARIES AN ADDITIONAL 150 FEET EACH WAY. APPLICANT WILL GROW WHICHEVER ONE OF THE 5 SPECIES OF MARINE ALGAE LISTED IN TABLE 4.A. ACCORDING TO THE DESIRES OF ATLANTIC SEA FARMS IN TERMS OF WHAT THEY REQUIRE FOR THEIR PRODUCTION GOALS. NO LPA'S WILL BE RELIQUISHED. HOWEVER, AS STATED ABOVE, THE CURRENT EXPERIMENTAL LEASE WILL BE REPLACED BY A STANDARD LEASE UPON GRANTING OF STANDARD LEASE OR EXPIRATION OF EXPERIMENTAL LEASE PEN SLx .

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 DEPTHS AT MEAN LOW WATER RANGE FROM 33 FEET AT THE NORTHERN END TO 43 FEET AT THE SOUTHERN END.

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

THE APPROXIMATE DEPTHS AT MEAN HIGH WATER RANGE FROM 43 FEET AT THE NORTHERN END TO 53 FEET AT THE SOUTHERN END.

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

THE MAX FLOW OF CURRENT AT THE SITE IS 1.5 KNOTS IN A SOUTHERLY DIRECTION DURING THE EBB AND 1.5 KNOTS IN A NORTHERLY DIRECTION DURING THE FLOOD. THIS VARIES SIGNIFICANTLY ACCORDING TO RANGE OF TIDE AND WEATHER CONDITIONS AND IS LESS STRONG AT MOST TIMES.

D. The following questions (D.1 through D.6) may be answered in writing or by submitting a video. If you plan to submit a video, please contact the Department prior to video collection.

1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?

THE BOTTOM IS PREDOMINANTLY MUD WITH PATCHES OF GRAVEL OR CLAY.

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

THE TOPOGRAPHY IS A FLAT SLOPING PLAIN OF MUD, GRAVEL AND CLAY EXTENDING FROM 33 FEET AT MLW AT THE NORTHERN END DOWN TO 43 FEET MLW AT THE SOUTHERN END OVER A DISTANCE OF 1140 FEET.

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?

ALL OF THE COMMON SPECIES OF MARINE ORGANISMS THAT INHABIT ANY OTHER AREAS OF WHEELER'S BAY ARE TO BE FOUND IN AND AROUND THE PROPOSED LEASE SITE. A LIST OF SUCH MARINE ORGANISMS INCLUDES AND IS NOT RESTRICTED TO LOBSTERS, CRABS, MENHADEN, HERRING, MACKEREL, STRIPED BASS, SCALLOPS, QUOHOGS, SEA CLAMS, STARFISH, JELLY FISH, ETC.

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

THERE ARE NO KNOWN SHELLFISH BEDS OR FISH MIGRATION ROUTES IN THE SURROUNDING AREA.

5. Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.

DATA ON THE DMR WEB MAP FROM 2010 INDICATE THAT THE NEAREST EELGRASS BED IS 2440 FEET NORTHEAST OF THE PROPOSED LEASE SITE BETWEEN THE SOUTHERN PORTIONS OF RACKLIFF AND NORTON ISLANDS. ANOTHER EELGRASS BED LIES 2490 FEET NORTH OF THE PROPOSED SITE SOUTH OF ELWELL ISLAND.

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

THE PROPOSED LEASE SITE OCCUPIES SUBTIDAL WATERS IN WHEELER'S BAY BETWEEN CLARK'S AND NORTON ISLANDS AND 1060 FEET SOUTH OF EAGLE ISLAND WHICH IS THE NEAREST LAND. GRANITE LEDGES AND EVERGREEN FORESTS MARK THE SHORELANDS AND UPLANDS OF THE SURROUNDING ISLANDS. HOUSES, STRUCTURES, AND/OR TENT PLATFORMS ARE VISIBLE ON ALL THREE OF THE SURROUNDING ISLANDS.

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.

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

ICE FREE YEARROUND.

Note: Description of ice should incorporate data such as water temperature or ice out date over a ten-year period or observations over several (no less than 5) recent winters from the harbormaster, a municipal official such as a shellfish warden, local harbor committee, Marine Patrol Officer, fishing/aquaculture industry members, or the applicant.

Stating "no ice observed last year" will not be accepted as a complete answer.

12. EXISTING USES

<p>A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.</p>
<p>1. Commercial Fishing</p>
<p>THE PROPOSED LEASE SITE IS USED FOR LOBSTER FISHING AS WELL AS PURSE SEINING FOR BAIT FISH (MENHADEN). THE SIGNIFICANT PERIOD OF TIME WHEN BOTH THESE FISHERIES ARE ACTIVE COINCIDE WITH THE OFF SEASON FOR THE GROWTH OF MARINE ALGAE. THE REASON AQUACULTURE OF MARINE ALGAE IS ATTRACTIVE TO COMMERCIAL FISHERMEN IS THAT IT PROVIDES INCOME DURING THE OFF SEASON, THOSE WHO ARE INVOLVED IN THIS AQUACULTURE ARE ALSO THOSE WHO LOBSTER AND PURSE SEINE</p>
<p>2. Recreational Fishing</p>
<p>RECREATIONAL FISHING CAN TAKE PLACE ANYWHERE IN THE AREA AND IS NOT RESTRICTED BY THIS AQUACULTURE ACTIVITY. THE SPECIES USUALLY SOUGHT AFTER ARE MACKEREL AND STRIPED BASS WHICH MOVE ABOUT IN SCHOOLS AND DO NOT REMAIN FOR LONG PERIODS OF TIME IN ONE SPECIFIC PLACE. THIS ACTIVITY IS ALSO SEASONAL TAKING PLACE DURING THE SUMMER MONTHS WHEN THE LEASE IS INACTIVE.</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</p>
<p>RECREATIONBOAL BOATING ACTIVITY TAKES PLACE PRIMARILY DURING THE SUMMER MONTHS AND TAKES PLACE APPROXIMATELY 0.25 NM WEST OF THE LEASE SITE TO PASS NEAR A CHANNEL BUOY.</p>
<p>4. Ingress and egress (i.e. coming and going) of shorefront property owners within 1,000 feet of the proposal (e.g. docks, moorings, landing boats on shore, etc.)</p>
<p>THE PROPOSED LEASE IS 1060 FEET DUE SOUTH OF EAGLE ISLAND WHICH IS THE NEAREST SHORE POINT AT EXTREME LOW WATER. MOORINGS AND DOCK FOR RESIDENTS OF EAGLE ISLAND ARE TO THE NORTH AND OPPOSITE SIDE OF THE ISLAND FROM THE PROPOSED LEASE SITE. THE SITE IS NOT IN THE PATH OF NORMAL APPROACH TO THE ISLAND FROM THE MAINLAND. THE PROPOSED SITE IS OUT OF THE WAY OF THE MAIN CHANNEL.</p>
<p>5. Other uses (kayaking, swimming, etc.)</p>
<p>THE LEASE SITE IS SEAWARD OF MOST SWIMMING AND KAYAKING. IT IS ALSO INACTIVE DURING THE MONTHS WHEN THESE ACTIVITIES WOULD NORMALLY TAKE PLACE.</p>

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

THERE ARE NO DOCKS, MOORING, OR OTHER ACCESS POINTS WITHIN 1,000 FEET OF THE PROPOSED LEASE SITE.

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

THERE ARE NO PUBLIC BEACHES, PARKS, OR DOCKING FACILITIES WITHIN 1,000 FEET OF THE PROPOSED LEASE SITE.

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

Current and pending aquaculture leases and active LPA licenses may be found here:

<https://www.maine.gov/dmr/aquaculture/leases/index.html>

BTAR120

BTAR220

BTAR320

BTAR420

13. RIPARIAN LANDOWNERS AND SITE ACCESS

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

1. A labeled copy of a tax map(s) depicting the location of the proposed lease site and including the following elements:
 - Label the map “Tax Map: Town of (name of town).”
 - Legible scale
 - Tax lot numbers clearly displayed
 - The boundaries of the proposed lease
2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list. Refer to the riparian determination guidance document to ensure all riparian landowners are included:
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>
3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: “Landowner/Municipal Permission Requirements”.

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 “Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

THE PROSPECTIVE LEASE HOLDER OWNS MILLER'S LOBSTER ON WHEELER'S BAY WITH ASSOCIATED WHARF AND FLOATS AND WILL ACCESS THE LEASE SITE BY BOAT FROM THIS FACILITY.

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

ACTIVITIES ON THE LEASE SITE WILL HAVE NO AFFECT ON RIPARIAN OWNERS. THE SITE IS A MINIMUM OF 1060 FEET FROM THE NEAREST SHORE WHICH IS AN ISLAND WITH ONE HOUSE THAT IS HIDDEN BY TREES WITH A BLUFF INACCESSIBLE SHORE. THERE WILL BE NO NIGHT ACTIVITY.

RIPARIAN LANDOWNER LIST

****THIS LIST MUST BE CERTIFIED****

On this list, please show the current landowners' names and mailing addresses as listed in the municipal tax records for all riparian shorefront parcels within 1,000 feet of the proposed lease site along with the map and lot number for each parcel. **It is the applicant's responsibility to assemble the information for the Town Clerk to certify.** The Town Clerk only certifies that the information is correct according to the Town's records. Once you have completed the form, ask the Town Clerk to complete the certification section below. If the parcels are within more than one municipality, provide a separate, certified riparian list for each municipality.

TOWN OF: ST. GEORGE

MAP #	LOT #	Landowner name(s) and address(es)
N/A		NO RIPARIAN LANDOWNERS WITHIN 1000 FEET.

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, N/A, Town Clerk for the Town of St. George 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: N/A **DATE:** _____

14. TECHNICAL CAPABILITY

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

I HAVE 2 YEARS EXPERIENCE IN FARMING KELP AND I HAVE EXPERIMENTAL LEASE PEN SLX WHICH HAS BEEN PRODUCING KELP AS PER LEEDS DMR LANDINGS DATA.
MY WHOLE LIFE HAS BEEN ON THE WATER LOBSTERING, SEINING, AND DRAGGING AND I HAVE ALL THE SKILL SETS REQUIRED TO SUCCESSFULLY FARM MARINE ALGAE. I OWN MILLER'S LOBSTER COMPANY AND HAVE ALL THE WHARFS, FLOATS, GEAR AND EQUIPMENT ALREADY ON HAND.

15. FINANCIAL CAPABILITY

A. Financial Capability SEE PAGE 22

Please provide a letter from a financial institution indicating the applicant has an account in good standing.

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

I OWN MILLER'S LOBSTER COMPANY AND HAVE ALL THE WHARFS, FLOATS, GEAR AND EQUIPMENT ALREADY ON HAND.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

I OWN MILLER'S LOBSTER COMPANY AND HAVE ALL THE WHARFS, FLOATS, GEAR AND EQUIPMENT ALREADY ON HAND. I ESTIMATE IT WILL COST ME ROUGHLY \$4,000 A YEAR TO MAINTAIN THE ROPES, BUOYS AND MOORINGS EACH SEASON. VESSELS REQUIRE AN ADDITIONAL \$1,000 PER SEASON FOR MAINTENANCE AND UPKEEP ASSOCIATED WITH GROWING MARINE ALGAE.

16. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input type="checkbox"/>	No gear/structure, no discharge	\$500.00
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input 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) MARK MILLER 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.

Mark K Miller
Applicant Signature

5/2/2024
Date

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

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

I, (printed name of applicant) N/A 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.

Applicant Signature

Date

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

17. APPLICANT SIGNATURE PAGE

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

Printed name: MARK MILLER

Title (if corporate applicant): N/A

Signature:  Date: 5/2/2024

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: N/A

Title (if corporate applicant): _____

Signature: _____ Date: _____

18. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS (if applicable)

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

Step I: Obtain written permission from all intertidal landowners.

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

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

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

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

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

Does the municipality, where the proposed site is located, have a shellfish conservation program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If you answered yes, please attach documentation from a public meeting demonstrating that a majority of municipal officers have consented to your proposal. **SEE PAGE 23**

04/05/2024



Camden National Bank
300 Main St.
Rockland, ME 04841

To Whom It May Concern:

This letter is to certify that on April 5th, 2024 Eagle Quarry LLC have accounts that are open and in good standing at Camden National Bank. Eagle Quarry LLC account is held in the name of Mark K Miller and Gayle M Miller.

If you require further information or have any questions, please do not hesitate to contact us directly at 207-230-2399 and cbelcher@camdennational.com

Sincerely,

A handwritten signature in blue ink that reads "Corey Belcher".

Corey Belcher | Vice President
Banking Center Manager II
300 Main Street - Rockland, Maine 04841
207-230-2399 (office)
207-542-3621 (mobile)
www.CamdenNational.com

22/PAGE





TOWN OF WARREN, MAINE

Mark Miller
38 Fuller Road
Spruce head, ME 04859

By a majority vote of the selectmen of the Town of Warren, approval is given to Mark Miller to apply for a DMR Non-Discharge Aquaculture Standard lease 1060 feet south of Eagle Island with the following geographical WGS84 coordinates:

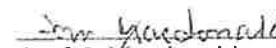
FROM POINT "NW" 43.981233 N, -69.159634 W
THENCE 447.6 FEET AT 090.11 DEGREES TRUE
TO POINT "NE" 43.981233 N, -69.157933 W
THENCE 1,147.85 FEET AT 180.11 DEGREES TRUE
TO POINT "SE" 43.978083 N, -69.157933 W
THENCE 447.6 FEET AT 270.11 DEGREES TRUE
TO POINT "SW" 43.978083 N, -69.159634 W
THENCE 1,147.85 FEET AT 000.11 DEGREES TRUE
TO POINT "NW" 43.981233 N, -69.159634 W"



John G. Crabtree, Chair



Roger L. Peabody, Vice Chair



Jan M. Macdonald



Wayne G. Luce



Brent A. Pratt

Signed: May 1, 2024

Select Board Town of Warren, Maine

23/PAL E

