EXPERIMENTAL LEASE APPLICATION

1. APPLICANT INFORMATION

A. CONTACT PERSON

Legal Name of Applicant(s):	Andrew Peters
Contact Person:	Andrew Peters
Email:	andrew@verticalbaymaine.com
Telephone:	(207) 505-2734

B. MAILING ADDRESS

Street Address:	59 Court Street
City:	Belfast
State:	Maine
Zip Code:	04915

C. PHYSICAL ADDRESS

☐ Same as mailing address

Street Address:	60 Court Street
City:	Belfast
State:	Maine
Zip Code:	04915

D. PAYMENT METHOD

☐ Check X Credit Card

E. PENDING APPLICATIONS

How many pending experimental lease applications (including this one) do you have pending?	X One (1) ☐ Two (2) *Note: An applicant may have no more than two pending experimental leases at any time.*
Do you have a legal interest in any entity that has a pending experimental application?	☐ Yes X No
If yes, provide the name of the applicant(s):	**n/a**

2. PROPOSAL INFORMATION

A. LOCATION OF PROPOSED LEASE SITE

Town:	Islesboro
County:	Waldo
Waterbody:	Penobscot Bay
General Description:	Northeast of Turtle Head

B. PROPOSED LEASE INFORMATION

Total Acreage Requested:	4
Lease Term Requested:	3 years
Type of Culture: (Check all that apply)	X Suspended (gear in the water and/or on the bottom) ☐ Bottom (no gear)

C. INTERTIDAL SITE

Is any portion of the proposed lease site above mean low water?	☐ Yes X No

If you checked 'yes' you will need to complete section 11(J) of this application.

D. RESEARCH PROGRAM

Type of Study: (Check one)	☐ Scientific Research X Commercial Research

What is the purpose of the study? If scientific, please include a detailed study design.
The intent of this research is to determine the commercial viability of scallop aquaculture over a three-year cultivation period. Our existing farm site (PEN PIx) is located further down Penobscot Bay and has different depth, current, and temperature profiles, all essential variables that impact scallop growth rates, biofouling, and farm management. Over the 3-year course of the lease, we will conduct growth analysis of farmed scallops to determine their growth rate from seed to various market sizes while experimenting with different gear configurations and stocking densities. This commercially applicable scallop research is essential to determining financially viable pathways for the emerging scallop sector.

3. INTERAGENCY REVIEW INFORMATION

Lease applications are reviewed by other state and federal agencies. The questions below are intended to assist them 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. **n/a**
☐Essential Habitat (includes Roseate Tern habitat and Piping Plover/Least Tern habitat) ☐Shorebird Area ☐Tidal Waterfowl and Wading Bird Habitat

B. Provide the water depth at mean high water.
72 ft.

C. Provide the water depth at mean low water.
62 ft.

D. Are you proposing to use any suspended gear?
X Yes ☐ No
If yes, will the gear be submerged (below the surface of the water) at all tidal stages?
X Yes ☐ No

E. Are you proposing predator netting?	
☐ Yes X 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. **n/a**

☐Docking facility owned by federal, state, or municipal governments ☐Beach owned by federal, state, or municipal governments
Provide the name of the docking facility and/or beach:
n/a
Proximity of the respective property to the proposed lease site in feet:
n/a

Select which level of government owns the respective property: n/a	
☐Federal ☐State ☐Municipal	
Provide the name of the government entity that owns the respective property:	**n/a**

G. Is any portion of the proposal within a marked navigational channel?	
☐Yes X No	
If no, how far is the proposal from the nearest marked navigational channel? Provide the distance in feet.	**2,700 feet from SE corner to shipping channel to the east.** **4,000 feet from NE corner to shipping channel to the north.**

H. Is the proposed site within 1,000 feet of any federal navigation project or anchorage?	
☐Yes X No	
If yes, identify the project or anchorage:	**n/a**

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

☐Yes X No

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.

A. Describe the observed bottom characteristics of the proposed lease site:	The bottom within the lease site and immediate surrounding area is mud.
Date of Observation:	August 12 - 28th, 2024
B. Provide the speed of current:	17 cm/s
Date of Observation:	August 12 - 28th, 2024
C. Provide the direction of current:	North to South (ebb is South, flow is North)
Date of Observation:	August 12 - 28th, 2024
D. Describe the fauna (animals) you have observed in the area:	We have seen sea squirts in large numbers as biofouling on fishing gear. Starfish have been observed, but in low numbers. We have also seen seals and sea ducks.
Date of Observation:	August 12 - 28th, 2024
E. Describe the flora (plants) you have observed in the area:	We have seen rockweed and kelp that has come detached from beds/rocky shoreline floating near the lease site.
Date of Observation:	August 12 - 28th, 2024

F. Have you observed eelgrass within the boundaries of the proposed site?	☐Yes X No
Date of Observation:	October 12th, 2025
Method of Observation:	Visual inspection and Maine 2001 - 2010 eel grass survey

G. Have you observed eelgrass within 1,000 feet of the proposed site?	☐Yes X No
Date of Observation:	October 12th, 2025
Method of Observation:	Visual inspection and Maine 2001 - 2010 eel grass survey

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.
In speaking with members of the Belfast fishing community, there has been consistently less sea ice in and around the proposed site over the last 5 years. Historically, fishermen and boaters on the water during the winter have seen ice blocks that originated in the upper part of the bay heading South with the tide. In the last five years, these ice blocks have become far less common with warming winter temps. Our gear configuration is designed to have minimal surface exposure, minimizing any risk of damage from the occasional ice block that may travel through the boundaries of our proposed lease.

5. SOURCE OF STOCK AND WATER QUALITY

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.

	Common Name	Latin Name	Name of Source	Stocking Density
1.	Bay Scallops	*Argopecten irradians*	Muscongus Bay Aquaculture	30 inds. / pearl net

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.	Sea Scallops	Placopecten Magellanicus	HOG MC	Marsh Cove	Penobscot Bay wild spat collection	15 - 300 inds. / pearl net (size dependent)

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.	Sea Scallops	*Placopecten magellanicus*	Penobscot Bay	Andrew Peters (applicant)	15 - 300 inds. / pearl net (size dependent)
2.	Sea Scallops	*Placopecten magellanicus*	Casco Bay	Nate Perry - Pine Point Oysters	15 - 300 inds. / pearl net (size dependent)

4. Scallops

Do you intend to possess whole or roe-on scallops?	☐ Yes X No
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: DMRPublicHealthDiv@maine.gov	

B. GROWING AREA CLASSIFICATION

Growing Area Designation	WY

Growing Area Classification	X Approved ☐Conditionally Approved ☐Restricted ☐Conditionally Restricted ☐Prohibited
If you are proposing to grow molluscan shellfish in waters classified as anything other than open/approved, you must contact: DMRPublicHealthDiv@maine.gov	

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:
Our proposed lease would host exclusively submerged (~15-30 ft. below the surface) suspended culture gear. The depth at which these nets/scallop ear-hanging lines would be held mitigates the potential for bird/gear interactions.

6. PROPOSED OPERATIONS

A. CULTIVATION METHODS AND GEAR

1. How will you culture marine organisms?	X Gear ☐Bottom planting only (no gear proposed) ☐Combination: Both gear and free planting

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
Lantern net	20” x 60”	Year round	1,200	Black	Sea scallops and bay scallops
Pearl net	12” x 12”	Year round	27,000 arranged in stacks of 15 nets tied to longline	Blue	Sea scallops and bay scallops
Spat collector bag	12” x 30”	September - May	2000 in strings of 20 bags	Blue	Sea scallops
Ear-hanging lines	½” x 35’	Year round	1,800	Green	Sea scallops
Longlines / anchor lines: braided poly rope	1 1/4” x 1,200’	Year round	3	Green	Sea scallops and bay scallops
Depth anchors	5-gallon bucket sized concrete anchors	Year round	45	Grey	Sea scallops and bay scallops

Moorings	7,000 #	Year round	6	Stone	Sea scallops and bay scallops
Mooring chain	1” x 15’	Year round	6	Grey	Sea scallops and bay scallops
Submerged buoyancy buoys	12” x 24”	Year round	60	Blue, green, pink	Sea scallops and bay scallops
Surface marker buoys	12” x 24”	Year round	9	Blue, green	Sea scallops and bay scallops
HiFlyer (Corner markers): Lobster buoys with pole, flag, and radar detector	9” X 10’	Year round	2	Silver and yellow	Sea scallops and bay scallops

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

List all species that would be free planted	**n/a**
Describe the areas of the proposed site where free planting would occur. If it is the entire site, specify accordingly.	**n/a**

4. On Site Activity

At maximum capacity, which days of the week do you anticipate being on the site?	Monday - Friday. Saturday - Sunday if needed due to weather.
At maximum capacity, what is the earliest time of day you would start work on the site?	On a normal working day, the earliest would be 6am, but we may start as early as 3:00am should the weather require an earlier start.
At maximum capacity, what is the latest time you would end work on the site?	5pm

What months will seeding occur?	May - July
What is the maximum number of days it will take to seed the site?	10
Describe tending and maintenance activities:	Typical tending and maintenance activities will include seeding (stocking pearl and/or lantern nets with spat), thinning (emptying nets of juvenile scallops and restocking into clean nets at lower densities), cleaning ear-hanging lines using a rail-mounted washer, and harvesting (stripping dropper lines of scallops and shucking aboard the vessel).
What months will harvesting occur?	Harvesting will occur between May and September.
How will you harvest each species? If you are using a drag, provide the dimensions.	We use a small, rotating drum (called a pata pata) to pull ear-hanging lines onto the boat, strip scallops from the lines manually, grade scallops based on size and then shuck.

5. Seasonality

Are there any seasonal changes to gear deployment?	X Yes ☐ No
If yes, please describe:	The quantities of gear that we will have on the farm change seasonally, but the infrastructure and setup (e.g., mooring lines, anchors, and surface floats) remain the same year-round.

B. MOTORIZED EQUIPMENT AND LIGHTING

1. Are you proposing to use motorized equipment on the proposed lease?	X Yes ☐ No
2. Are any of the noise sources fixed?	X Yes ☐ No

3. If yes, describe your plan to direct the noise from residences or areas of routine use on adjacent land:	The motorized equipment we plan to use on the lease is employed for removing gear from the longlines, cleaning ear-hanging lines, and grading scallops by size. These machines are all powered by quiet electrical motors. However, we will occasionally use a gas-powered generator to power pumps and a diesel "power pack" to power a water pump. Our generator is an ultra-quiet Honda model that is rated as one of the lowest noise emitting models on the market. We also keep the generator under the vessels' shelter top to direct noise away from the surrounding areas. The "power pack" consists of a diesel engine that directly powers a water pump via attached belts. The pack is encased in a stainless steel, insulated casing to mitigate noise.
4. Does any of the equipment contain exterior lighting?	☐Yes X No
5. Describe the measures taken to ensure that exterior lighting on the equipment only illuminates the target area and reduces glare:	None of our equipment has exterior lighting. Our vessel is equipped with coast guard compliant navigation lights and deck lights. Our two deck lights face downwards towards the interior of the vessel and won't be shined towards the surrounding area if we're operating before sunrise.
6. Describe the measures taken to mitigate light impacts from equipment:	We focus the light from our deck lights into the working area on the deck.
7. Are you proposing to use a generator?	X Yes ☐ No
8. What is the generator used for?	We will use an electric powered vibrating grading machine intermittently during the workday to grade scallops on a twice weekly basis during harvest season and the Summer and Fall thinning seasons. A Honda generator will be used to power the grader. This is an ultra-quiet model (see above). A separate unit, the "power pack," consisting of the diesel engine and pump, provides the high

	volume/pressure water for the rail washer that is used for cleaning our ear-hung dropper lines. This unit will be on the boat for a week at a time roughly 4 times per year, during the periods we clean all our ear-hanging lines.
9. What type of fuel does the generator take?	X Gasoline (Honda generator) X Diesel (Power pack) ☐ Other. Please specify:
10. Which months would you use the generator? If year-round, specify accordingly.	The grader (powered by a generator) will be used during harvesting (May - September) and for grading seed during the seed stocking and thinning process (May - July and October - November). Dropper line cleaning occurs on average 4 times a year and takes roughly 5 days to clean all the dropper lines on the lease. Specific timing of dropper cleaning is dependent on the timing of biofouling, but would occur generally once per season (Spring, Summer, Fall, Winter).
11. What is the maximum number of days the generator would be used each year?	200
12. Which days of the week will the generator be used?	Monday - Friday with occasional weekend use if weather demands working outside the standard work week.
13. What are the maximum hours a day the generator would be used?	5
14. Do you intend to use a generator designed to mitigate noise?	X Yes ☐ No
15. What measures will you take to mitigate noise from the generator?	The generator we use is rated as one of the quietest generators on the market. Honda, the manufacturer, markets this model as generating no more noise than a normal conversation. The generator is also housed beneath the vessel's shelter top, redirecting noise away from surrounding areas. As mentioned above, the grader and associated

	generator will only be used intermittently during harvest / thinning days.

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.

1. Equipment Name	Scallop grader
What is the piece of equipment used for?	Sorting scallops by size
Select the color(s) of this piece of equipment.	X Grays ☐Blacks ☐Browns ☐Blues ☐Greens ☐Other Please specify:
Does the piece of equipment have any exterior lights?	☐Yes X No
How is this piece of equipment powered?	Gas powered generator
Which months would this piece of motorized equipment be used? If year round, specify accordingly.	The grader (powered by a generator) will be used during harvesting (May - September) and for grading seed during the seed thinning process (mid-Summer and Fall)
What is the maximum number of days that this piece of motorized equipment would be used?	160
Which days of the week would this motorized equipment be used?	We could potentially use the generator during normal business hours (6am - 3pm) Monday - Friday
What are the maximum hours a day that this piece of motorized equipment would be used?	5

What measures would be taken to mitigate noise from this piece of equipment?	The grader, which is electric, is housed below the shelter top on the Vertical Bay vessel which mitigates much of the noise. Furthermore, the grader is powered by an ultra-quiet generator.
2. Equipment Name	Scallop rail mounted washer
What is the equipment used for?	Cleaning scallops on ear hanging lines
Select the color(s) of this piece of equipment.	X Grays ☐Blacks ☐Browns ☐Blues ☐Greens ☐Other Please specify:
Does the piece of equipment have any exterior lights?	☐Yes X No
How is this piece of equipment powered?	The washer is powered using the same generator as the grader as well as the diesel powered “power pack”.
Which months would this piece of motorized equipment be used? If year round, specify accordingly.	The washer would only be used for a few days in the Spring and a few days in the Fall.
What is the maximum number of days that this piece of motorized equipment would be used?	28
Which days of the week would this of motorized equipment be used?	We could potentially use the washer during normal business hours Monday - Friday
What are the maximum hours a day that this piece of motorized equipment would be used?	5

What measures would be taken to mitigate noise from this piece of equipment?	The washer itself is electric and therefore does not make much noise. The generator used to power the unit is the same ultra quiet model used for the grader. The Power Pack, used to power the pumps for the washer, is diesel powered and is housed on the deck of the vessel. The power pack is equipped with a quiet muffler and is housed within a sealed case to mitigate noise.
3. Equipment Name	Pata Pata
What is the equipment used for?	Pulling nets and droppers lines out of the water and into the vessel
Select the color(s) of this piece of equipment.	X Grays ☐Blacks ☐Browns ☐Blues ☐Greens ☐Other Please specify:
Does this piece of equipment have any exterior lights?	☐Yes X No
How is this piece of equipment powered?	Electric motor powered by a generator (same Honda model as above)
Which months would this piece of motorized equipment be used? If year round, specify accordingly.	The pata pata is used almost year-round (aside from January)
What is the maximum number of days that this piece of motorized equipment would be used?	160

Which days of the week would this of motorized equipment be used?	We could potentially use the pata pata during normal business hours Monday - Friday
What are the maximum hours a day that this piece of motorized equipment would be used?	5
What measures would be taken to mitigate noise from this piece of equipment?	The pata pata itself is electric and is therefore very quiet. We use the same Honda generator to power this unit as well (ultra quiet model).

C. FLOATING STRUCTURES

1. Are you proposing any of the following? Check all that apply.	☐Work Float ☐Barge ☐Other structure. Please specify: X **Not** proposing floating structure
2. Which months will the structure be within the boundaries of the proposed site?	NA
3. Describe the purpose of the structure:	NA
4. Provide the length and width in feet:	NA
5. Provide the height as measured from the water line:	NA
6. Provide the construction materials:	NA
7. Select the color: NA	☐Grays ☐Blacks ☐Browns ☐Blues ☐Greens ☐Other Please specify:
8. Does the structure contain exterior lighting? n/a	☐Yes ☐No

9. Describe the measures taken to ensure that exterior lighting on the structure only illuminates the target area and reduces glare:	NA
10. What measures would you take to mitigate light impacts from the structure?	NA

D. BUILDINGS

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

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. Lobster boat	Diesel; 368 hp	40’	9’	200	7

2. From where will the service vessels be launched? Check all that apply.
☐ Public boat launch
☐ Private property owned by the applicant
X Other. Please specify: Mooring within Belfast Harbor licensed to the applicant (Andrew Peters of Vertical Bay)

3. Are you storing petroleum products on the proposed site?	☐Yes X 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

1. When did you complete your observations of commercial vessel navigation in the area? Include the month(s) and year(s).	
Month(s): Jan - Dec	**Year(s):** 2021 - 2024
2. What types of commercial vessels did you observe navigating in the area?	

The proposed site is along the route that the Vertical Bay crew takes to access our currently active lease (PEN PIx). We have observed commercial oil tankers and cargo ships to the Northeast running to and from Searsport and Bucksport using the designated shipping channels. None of these vessels come within 3,000 ft. of our proposed lease site as they use the navigational channel located to the East. We have also seen multi-day windjammer charter boats navigating northward to the eastern side of Islesboro to round Turtle Head before heading South towards Camden and Rockland.
3. What was the approximate length of the commercial vessels you observed?
50 ft. (e.g., windjammer) - 600 ft. (e.g., oil tanker)
4. How many commercial vessels did you observe navigating in the area?
6 vessels
5. Did any commercial vessels transit through the boundaries of the proposed site?
X Yes ☐ No If yes, how many commercial vessels transited through the boundaries: we observed a single windjammer cruise through the proposed lease boundaries in September of 2024. Other windjammers that we have observed typically give Turtle Head a wider berth and travel further to the Northeast than the proposed site.
6. What is the typical direction of commercial vessel traffic?
North to South and South to North to the East of our proposed site

B. RECREATIONAL NAVIGATION

1. When did you complete your observations of recreational vessel navigation in the area? Include the month(s) and year(s).	
Month(s): Jan - Dec	**Year(s):** 2021 - 2024
2. What types of recreational vessels did you observe navigating in the area?	
We observed sailboats and power boats.	
3. What were the approximate size of the recreational vessels you observed?	

Typically, 20 - 40 ft. with some upwards of 60 ft.
4. How many recreational vessels did you observe navigating in the area?
Up to 2 in any given observation (i.e., transiting past the proposed lease sites) during the Summer (if we observed any vessels at all). Traffic decreases (0 - 1) in the Fall, Winter, and Spring.
5. Did any recreational vessels transit through the boundaries of the proposed site?
X Yes ☐ No If yes, how many recreational vessels transited through the boundaries: In the last three years, we observed 2 - 3 vessels transiting through the proposed lease site.
6. What is the typical direction of recreational vessel traffic?
Recreational vessel traffic moves West to East from Belfast to Castine. We also see traffic moving to and from Belfast and Eastern Penobscot Bay (e.g., Eggemoggin Reach). These vessels tend to round Turtle Head close to shore and then travel between Islesboro and the proposed lease site.

C. MOORINGS

1. When did you complete your observations of moorings in the area? Include the month(s) and year(s).	
Month(s): Jan - Dec	**Year(s):** 2024
2. Are there any moorings within the vicinity of the proposed lease site?	☐Yes X No
3. How many moorings are within 1,000 feet of the proposed site?	None
4. What type of vessels utilize the moorings? Check all that apply.	☐Commercial X Recreational
5. What is the distance (in feet) from the proposed lease site to the closest observed mooring?	5,500 ft.
6. What is the length (in feet) of the vessel that utilizes this mooring?	25 ft.

C. COMMERCIAL FISHING

1. When did you complete your observations of commercial fishing in the area? Include the month(s) and year(s).	
Month(s): Jan - Dec	**Year(s):** 2024
The following questions are specific to commercial fishing that may occur within the boundaries of the proposed site.	
2. Does any commercial fishing occur within the boundaries of the proposed site?	☐Yes X No
3. List the type of commercial fishing that occurs within the boundaries of the proposed site.	NA
4. What months does commercial fishing activity occur within the boundaries of the proposed site?	NA
5. How many people commercially fish within the boundaries of the proposed lease area?	NA
The following questions are specific to commercial fishing that may occur within the vicinity of the proposed site.	
6. Does any commercial fishing occur within the vicinity of the proposed site?	X Yes ☐No
7. List the type of commercial fishing that occurs within the vicinity of the proposed site.	Lobstering
8. What months does commercial fishing activity occur within the vicinity of the proposed site?	June - November
9. How many people commercially fish in the vicinity of the proposed site?	3

E. RECREATIONAL FISHING

1. When did you complete your observations of recreational fishing in the area? Include the month(s) and year(s).	
Month(s): Jan - Dec	**Year(s):** 2024
The following questions are specific to recreational fishing that may occur within the boundaries of the proposed site.	
2. Does any recreational fishing occur within the boundaries of the proposed site?	☐Yes X No
3. List the type of recreational fishing that occurs within the boundaries of the proposed site.	NA
4. What months does recreational fishing activity occur within the boundaries of the proposed site?	NA
5. How many people recreationally fish within the boundaries of the proposed lease area?	NA
The following questions are specific to recreational fishing that may occur within the vicinity of the proposed site.	
6. Does any recreational fishing occur within the vicinity of the proposed site?	X Yes (close to the Turtle Head shoreline and shoal areas) ☐No
7. List the type of recreational fishing that occurs within the vicinity of the proposed site.	Rod and reel fishing for Striped Bass, Mackerel, and Tuna
8. What months does recreational fishing activity occur within the vicinity of the proposed site?	June - August
9. How many people recreationally fish in the vicinity of the proposed site?	1 - 2

F. RIPARIAN INGRESS AND EGRESS

1. When did you complete your observations of riparian ingress and egress in the area? Include the month(s) and year(s).

Month(s): Jan - Dec	**Year(s): 2024**
2. Describe the shoreline in the vicinity of the lease proposal.	
The nearest shoreline to the proposed site (located ~5,800 ft. to the West) is the Turtle Head preserve, a small peninsula owned and maintained by the Islesboro Islands Trust. The shoreline of the preserve is characterized by rocky ledges that transition to grassy fields and spruce trees. Further south, there are a few private residences that dot the shoreline and a public beach (Sprague's beach) to the Southwest.	
3. Have you observed any riparian owned vessel(s) accessing the shoreline?	☐Yes X No
4. What type of vessel(s) did you observe?	While we haven't observed any vessels, a google maps view of Turtle head shows a few moorings off the end of docks located to the Southwest of the proposed site.
5. Describe the length (in feet) of the vessel(s).	**n/a**
6. Describe the surrounding uplands in the vicinity of the lease proposal.	
The inland region of Turtle Head Preserve is characterized by grassy meadows, spruce trees, and rocky terrain. The peninsula is bisected by a road that provides access to the residences further to the South.	

G. DOCKS

1. Are there any docks in the area?	X Yes ☐ No
2. If yes, how many are within 1,000 feet of the proposed site?	None
3. Have you observed any vessels accessing or secured to the docks?	☐ Yes X No
4. If yes, what is the length (in feet) of the vessels observed?	NA
5. What is the distance (in feet) from the proposed lease site to the closest observed dock?	5,800 ft.

H. OTHER WATER RELATED USES

Do any of the following activities occur within the vicinity of the proposed site? Check all that apply and answer the associated questions. n/a			
Activity	**Month(s) of Observation**	**How many persons or vessels were engaged in the activity?**	**Location**
☐ Kayaking	**n/a**	**n/a**	☐Within the proposal boundaries ☐ Within the vicinity of the proposed site.
☐ Swimming	**n/a**	**n/a**	☐Within the proposal boundaries ☐ Within the vicinity of the proposed site
☐Other. Please specify:	**n/a**	**n/a**	☐Within the proposal boundaries ☐ Within the vicinity of the proposed site.

I. OTHER AQUACULTURE SITES

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

Are there any LPA licenses within the boundaries of the proposed site?	No
If yes, provide the LPA site ID(s)	NA
Are there any LPA sites within 1,000 feet of the boundaries of the proposed site?	No
If yes, provide the LPA site ID(s)	NA

2. Experimental Aquaculture Lease(s)

Is any portion of an experimental lease within the boundaries of the proposed site?	No
If yes, provide the experimental lease site ID	NA
Is there an experimental lease within 1,000 feet of the boundaries of the proposed site?	No
If yes, provide the experimental lease site ID	NA

3. Standard Aquaculture Lease(s)

Is any portion of a standard lease within the boundaries of the proposed site?	No
If yes, provide the standard lease site ID	NA
Is there a standard lease within 1,000 feet of the boundaries of the proposed site?	No
If yes, provide the standard lease site ID	NA

8. OPERATIONAL CAPABILITY

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

A. TECHNICAL CAPABILITY

Do you or any other applicant hold existing aquaculture sites?		X Yes ☐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.**
Deep Blue Aquaculture LLC	X Experimental ☐Standard ☐LPA	PEn PIx	3.91

Andrew Peters	☐Experimental ☐Standard X LPA	APET823	
Andrew Peters	☐Experimental ☐Standard X LPA	APET1023	
Andrew Peters	☐Experimental ☐Standard X LPA	APET723	
Andrew Peters	☐Experimental ☐Standard X LPA	APET923	

List your skills and experiences working on the water:
Our team has been operating a commercial sea scallop farm in Penobscot Bay since 2018. Prior to this, Andrew Peters (Vertical Bay CEO) worked as a commercial lobsterman.

B. COMPLIANCE HISTORY

Have you been convicted of violating any state or federal marine resource laws?	☐Yes X No
Have you been adjudicated to be responsible for violating any state or federal marine resource laws?	☐Yes X 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.	
Annual Lease Rent	$400
Annual DMR Licensing Fees	$150

Annual cost to maintain the bond or commitment amount for the escrow account	$300
Annual Equipment Costs	$8,000
Annual Maintenance Costs	$2,000

9. RIPARIAN LANDOWNER NOTIFICATION

Is the proposal within 1,000 feet of shorefront land (which extends to mean low water or 1,650 feet from shore, whichever is less, according to NOAA charts).	☐Yes X No

If yes, please submit the following: n/a

☐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 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 shorefront 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:	

Tax Map Number	**Lot Number**	**Name of Landowner(s)**	**Mailing Address (Based on municipal tax records)**

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:	
Signature:	
Position:	☐Town Clerk ☐Town Assessor ☐Other town official. Please specify:
Date:	

10. SITE COORDINATES

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

Corner Label	Latitude (N)	Longitude (W)
1 (NW corner)	44.398472N	–68.865861W
2 (NE corner)	44.398528N	–68.865722W
3 (SE corner)	44.388528N	–68.853778W
4 (SW corner)	44.388472N	–68.853861W

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.

X Label the rendering 'Boundary Drawing'

X All corners are labeled in accordance with the instructions and match the coordinate table.

B. VICINITY MAP

Using a NOAA Chart, show the area within a minimum of 3,000 feet of the proposed lease site. The vicinity map needs to include the following:

X Label the rendering 'Vicinity Map'

X Lease boundaries

X 1,000-foot radius buffer around each corner

X Arrow indicating true north

X Scale bar

GEAR SCHEMATICS

If you are proposing any gear or structure, you must provide the following renderings.

C. OVERHEAD VIEW

X Label the rendering 'Overhead View'

X Include the maximum layout of all gear, including moorings

X Label each gear type

X Depict the location of floats or other associated structure

X Approximate spacing between gear in feet

X Length and width of the proposed site

X Lease boundaries and the location of proposed corner markers and any additional gear markers that would be present.

X Gear orientation

D. SEASONAL OVERHEAD VIEW

If there are seasonal changes to the gear layout (i.e. overwintering), submit an overhead view depicting the following: ***No seasonal changes to gear layout***

☐Label the rendering 'Seasonal Overhead View'

☐Include the maximum layout of all gear, including moorings

☐Label each gear type

☐Depict the location of floats or other associated structure

☐Approximate spacing between gear in feet

☐Length and width of the proposed site

☐Lease boundaries and the location of proposed corner markers and any additional gear markers that would be present

☐Gear orientation

E. CROSS SECTION VIEW

X Label the rendering 'Cross Section View'

X Profile of gear in cross-section as it will be deployed

X Label each gear type

X Depict mooring type

X Depict mooring scope

X Depict mooring hardware

X Depict mooring line type and size

X Depict the depth of the gear in relationship to the water's surface at both mean low water and mean high water

F. SEASONAL CROSS SECTION VIEW

If there are seasonal changes to the gear layout (i.e. overwintering), submit a cross-section view depicting the following: ***No seasonal changes to gear layout***

☐Label the rendering 'Seasonal Cross Section View'

☐Profile of gear in cross-section as it will be deployed

☐Label each gear type

☐Depict mooring type

☐Depict mooring scope

☐Depict mooring hardware

☐Depict mooring line type and size

☐Depict the depth of the gear in relationship to the water's surface at both mean low water and mean high water

G. STRUCTURE/FLOAT SCHEMATICS

Provide a schematic or photos of any structures or floats that are proposed. The schematic(s) need to include the following: ***No proposed structures or floats***

☐The location of any lights (if applicable)

☐Approximate location of any mechanized equipment that may be used or stored on the structure. The equipment must be labeled.

H. EQUIPMENT LAYOUT

X 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)

X Provide the locations of the two vantage points.

OTHER ATTACHMENTS

I. 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: **n/a**

☐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.

J. FINANCIAL INSTITUTION LETTERS

X 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.

K. INTERTIDAL SITES

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

1. Landowner Written Permission n/a

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.

2. Municipal Permission n/a

Does the municipality have a shellfish conservation program in accordance with 12 M.R.S.A. section 6671?	☐Yes X No

If you selected "no" then part 2) is not required.

If you selected "yes" then you also need to submit the following with your application:

The **municipal officials** need to consent to using the intertidal area. Consent means that a majority of the municipal officials voted to grant permission to use the intertidal area. The vote needs to occur during a public meeting.

After the meeting, you will need to submit one of the following:

A copy of the final meeting minutes that includes the text of the motion and the results of the vote, which demonstrates that a majority of municipal officials gave consent to the applicant(s) to use the intertidal area. Draft copies of meeting minutes will not be accepted.

OR

A letter from the municipality that summarizes the meeting when the vote was taken. The letter needs to include:

☐The date of the meeting.

☐Text of the motion.

☐The vote of each municipal official (they need to be individually named).

☐Name and signature of the individual submitting the letter on behalf of the town.

12. ACKNOWLEGEMENT 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 box confirming understanding

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

X 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.

X I understand that lease application fees are non-refundable.

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

X 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.

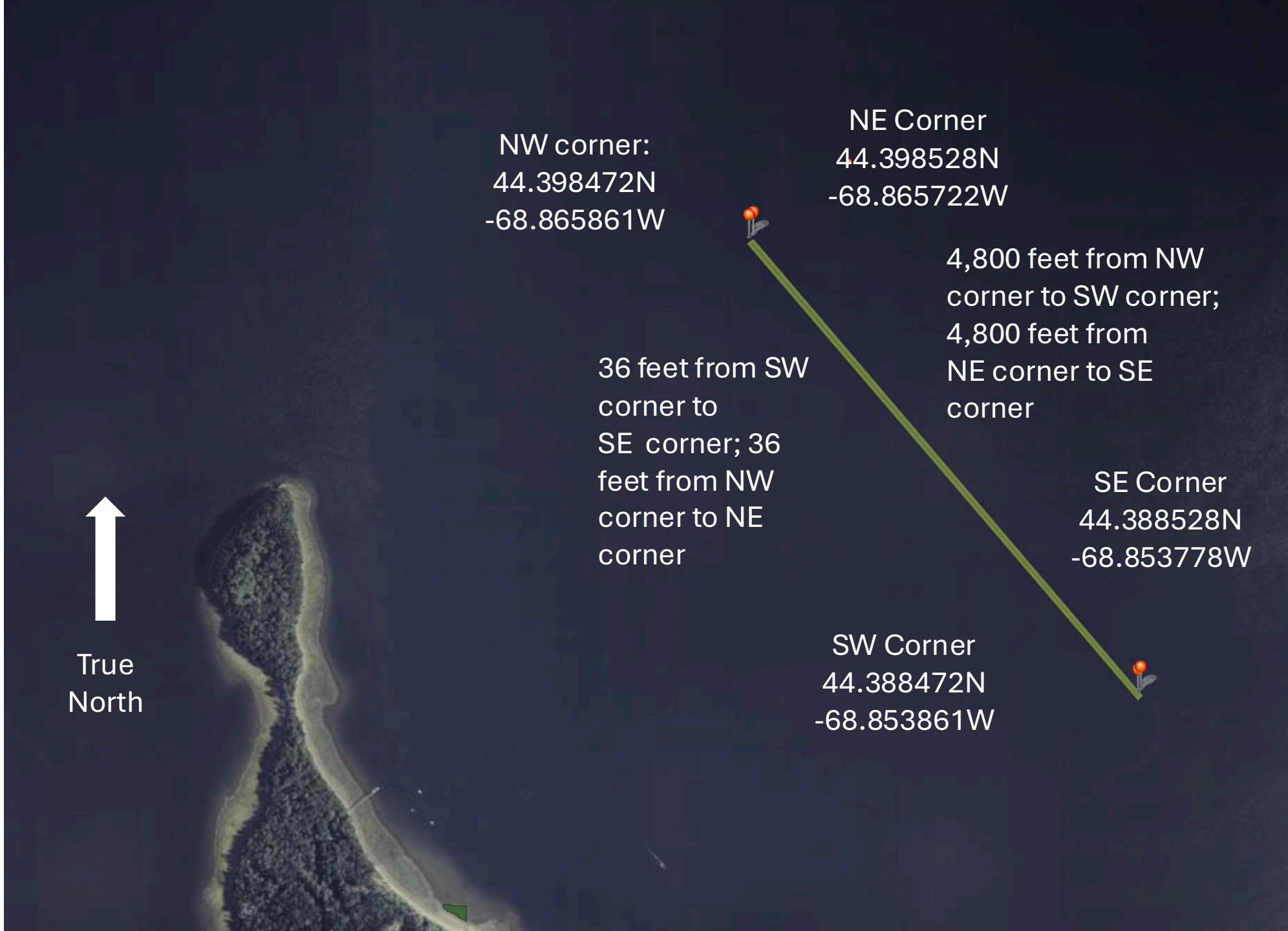
X I read the lease application instructions. I will follow the instructions and provide any requested information in a timely manner.

X 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.

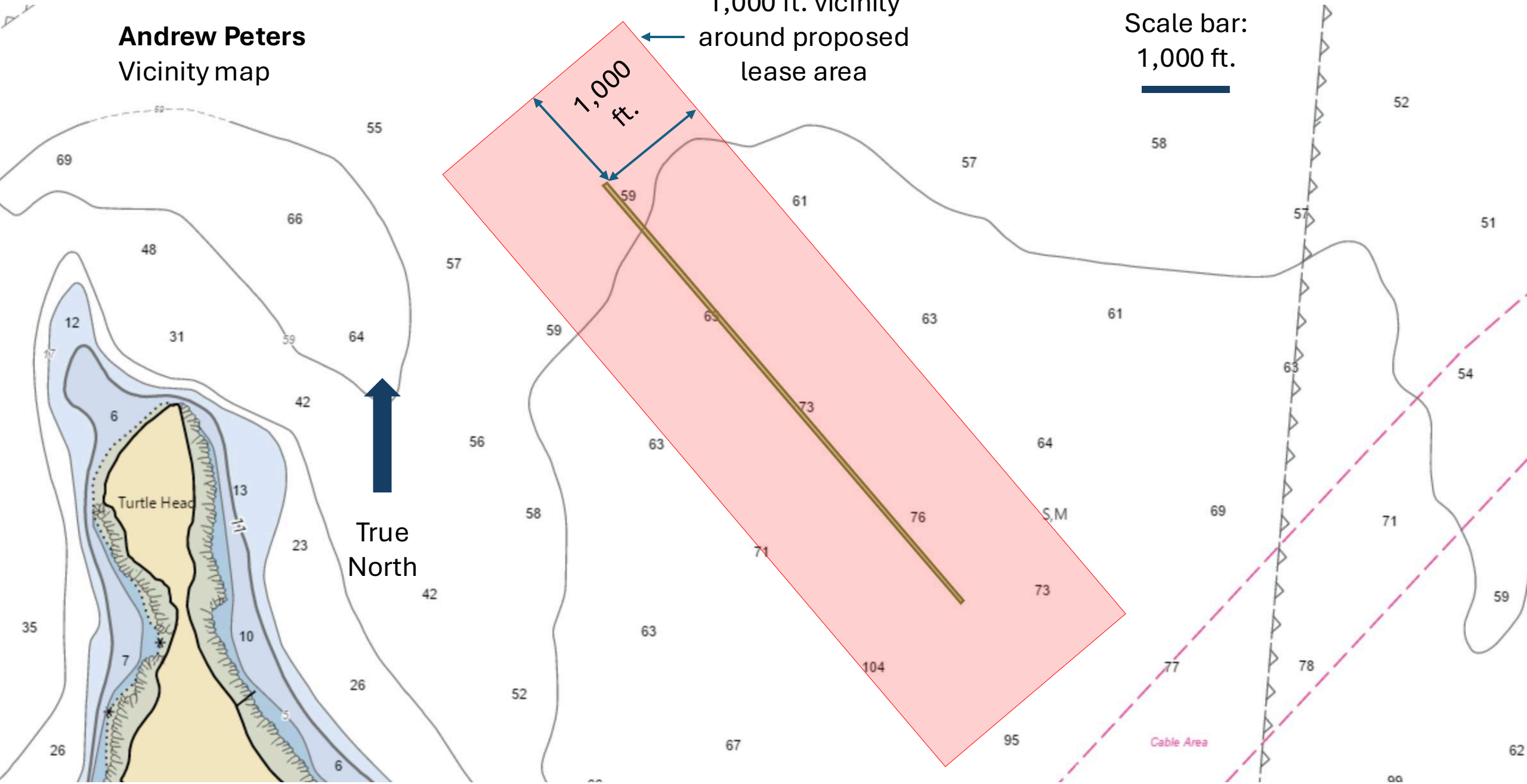
X I will mark the site in accordance with Chapter 2.80 of DMR's regulations.

Printed Name	Andrew Peters
Signature	
Date	4/15/2025

Andrew Peters
Boundary drawing



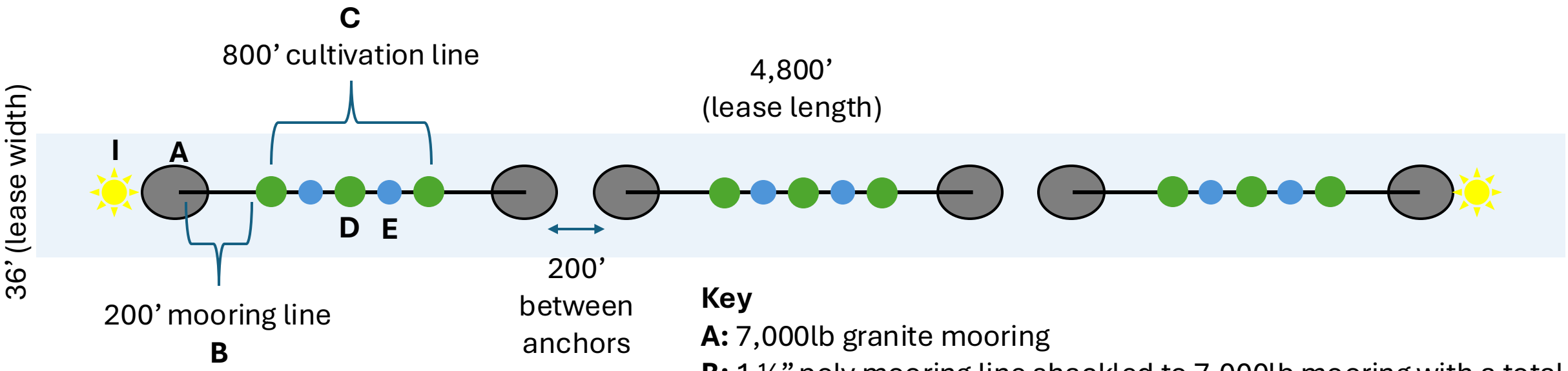
Andrew Peters
Vicinity map



Andrew Peters
Overhead view
(not to scale)

Gear spacing

- Lease marker buoy with attached hi-flyer located directly above anchor
- 15’ x 1” chain will be shackled to anchors
- Chain will be connected to 1 ¼” poly mooring line via shackle
- 200’ between surface marker buoys (green)
- 200’ between internal anchors

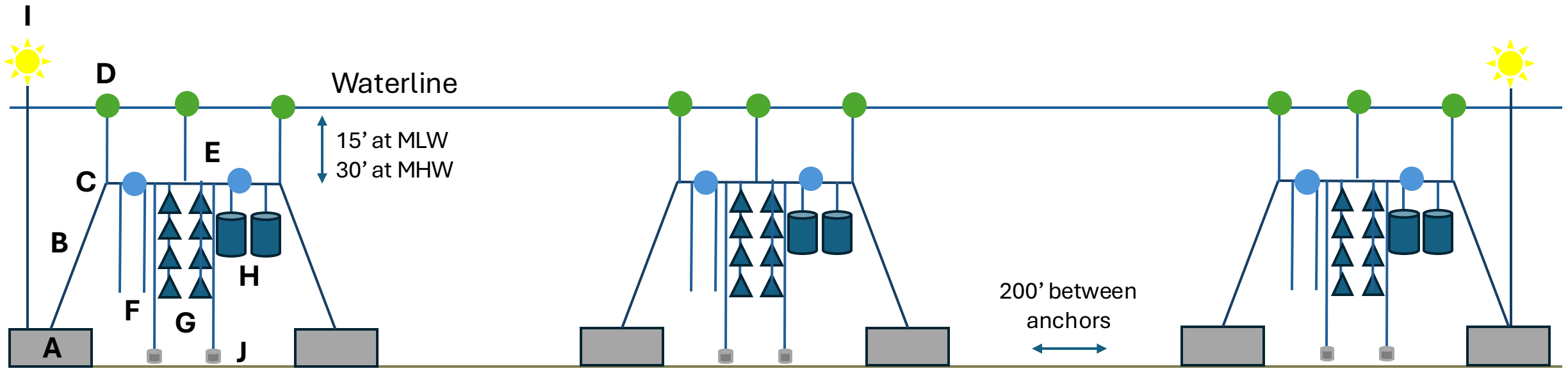


Key

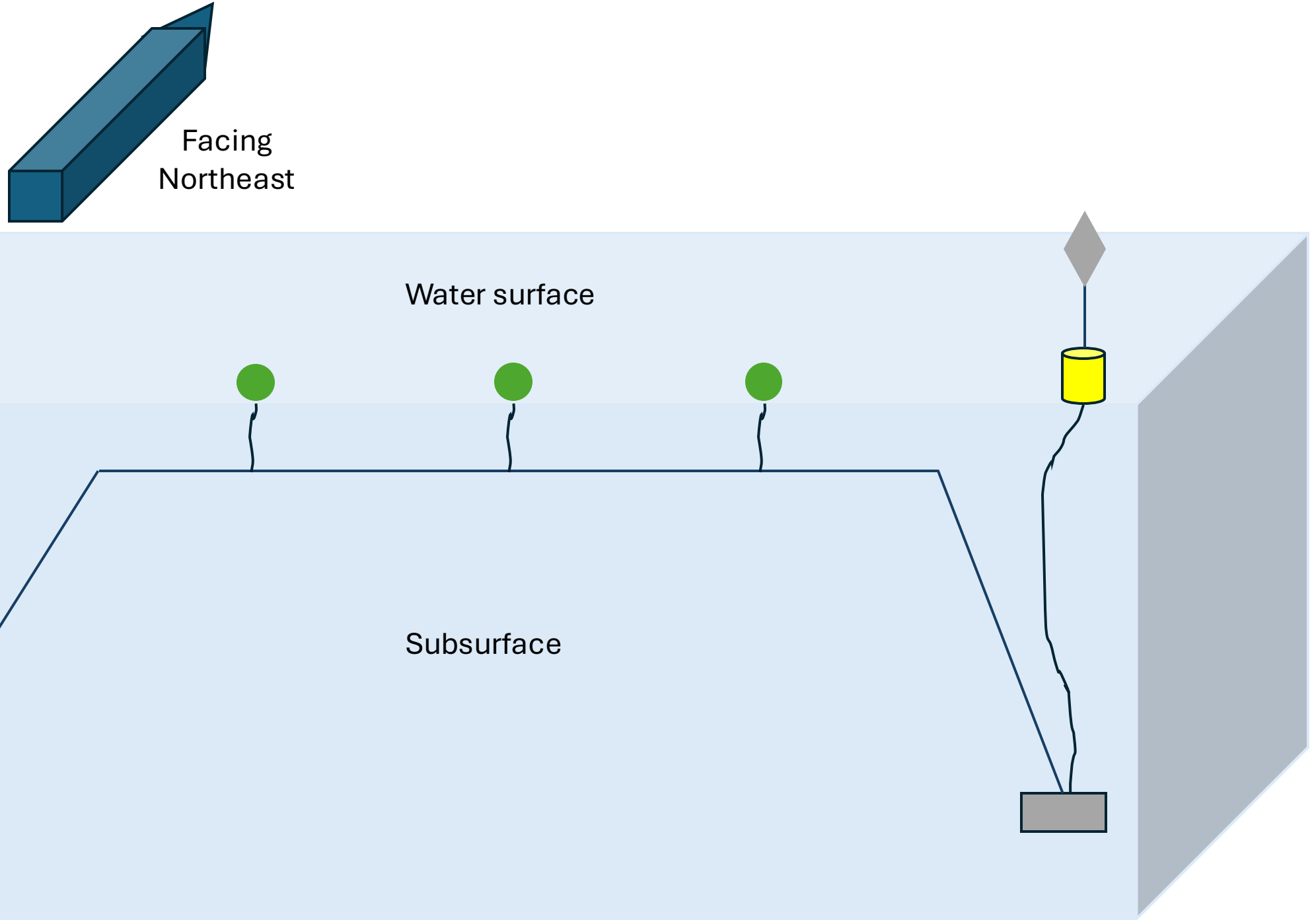
A: 7,000lb granite mooring
B: 1 ¼” poly mooring line shackled to 7,000lb mooring with a total scope of 4:1; mooring line is connected to cultivation longline (C) using a shackle
C: Horizontal cultivation longline (800’) using 1 ¼” poly line
D: Center marker buoys (12” x 24”)
I: Corner lease marker buoys with attached Hi flyers

Andrew Peters
Cross sectional view
(not to scale)

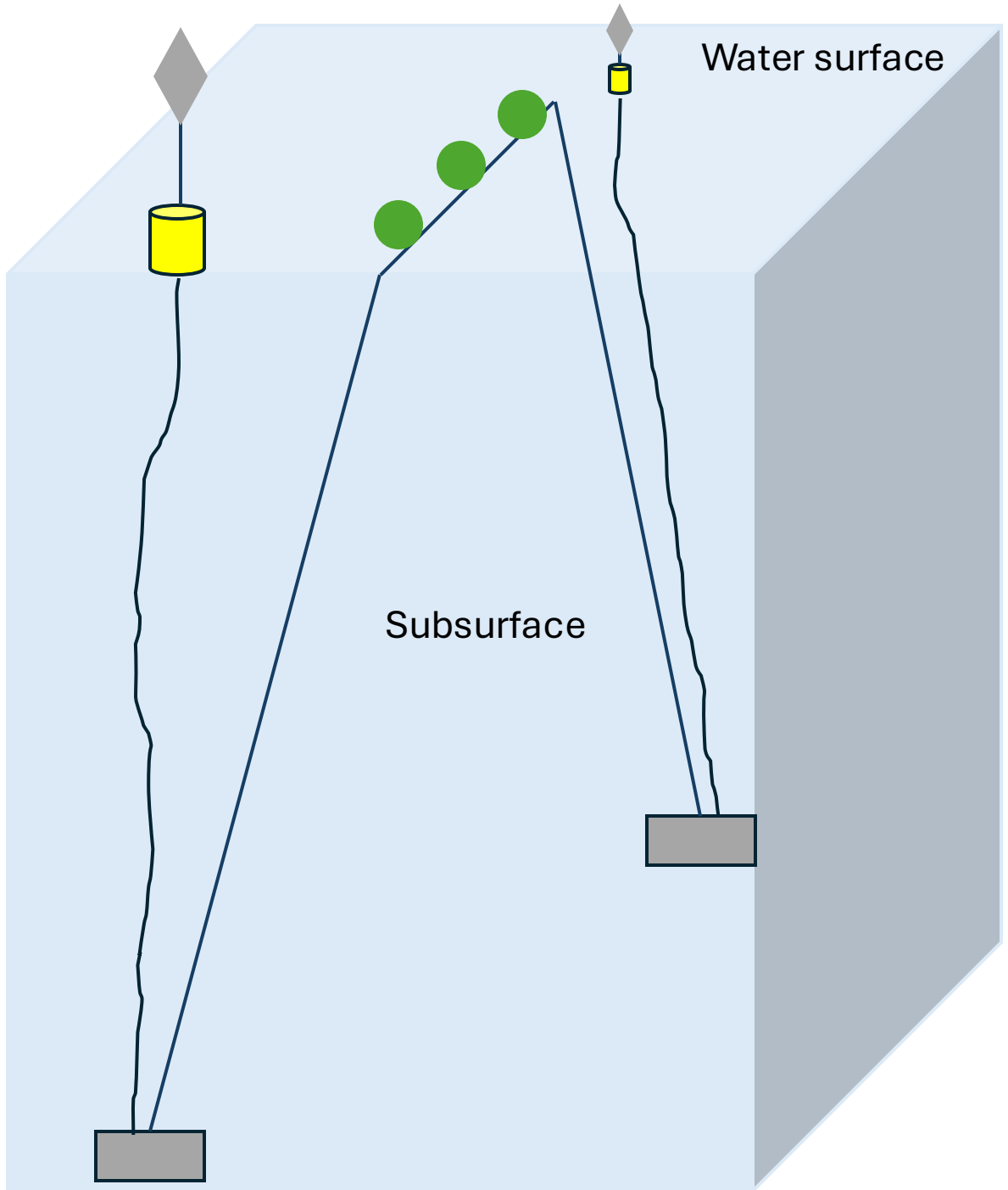
Key
A: 7,000lb granite mooring
B: 1 ¼” poly mooring line shackled to 7,000lb mooring with a total scope of 4:1; mooring line is connected to cultivation longline (C) using a shackle
C: Horizontal cultivation longline (800’) using 1 ¼” poly line
D: Center marker buoys (12” x 24”)
E: Buoyancy buoys (11” x 21”)
F: Ear-hanging lines (5/16” x 35’) with scallops spaced 10” apart
G: Pearl nets in groups of 15 spaced 1’ apart
H: Lantern nets spaced 1.5’ apart
I: Corner lease marker buoys with attached Hi flyers
J: Concrete bucket depth anchors

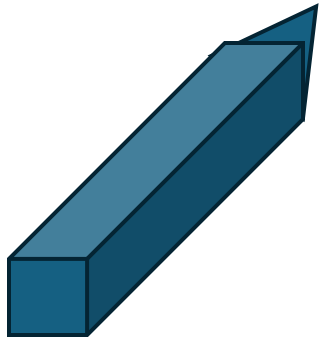


Andrew Peters
Equipment layout
Vantage point #1:
Facing Northeast from west side of lease



Andrew Peters
Equipment layout
Vantage point #2:
Facing Southeast looking past Northeast and Northwest lease corners towards Southeast and Southwest lease corners





Facing southeast

Bangor Savings Bank

You matter more.®

February 19, 2025

State of Maine
Department of Marine Resources
State House
Augusta, Maine 04333

Re: Deep Blue Aquaculture LLC dba Vertical Bay

I am writing to confirm that Blue Aquaculture LLC dba Vertical Bay, located in Belfast, Maine, has been a valued client of Bangor Savings Bank for over nine years. Throughout this time, the business has consistently adhered to all agreed-upon terms, and all accounts have been managed in a satisfactory manner.

The owner, Andrew Peters, has demonstrated exceptional financial, operational, and managerial expertise, contributing to the continued success of Blue Aquaculture LLC dba Vertical Bay.

Should you require any further information or assistance, please do not hesitate to reach out.

Sincerely,

Carrie Ingraham
Assistant Branch Manager II, AVP
Bangor Savings Bank
Belfast, Maine
207.420.3968