

**STANDARD LEASE APPLICATION: NON-DISCHARGE****1. APPLICANT CONTACT INFORMATION**

Applicant	Maine Oyster, Inc.		
Contact Person	Eric Horne & Valy Steverlynck		
Address	62 Pine Street		
City	Freeport		
State, Zip	Maine, 04032		
County	Cumberland		
Telephone	(207) 522-1520		
Email	ericLhorne@hotmail.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application <input type="checkbox"/> Final Application [submitted before scoping session session]		
Dates	Pre-Application Meeting: 9/26/23	Draft Application Submitted: 4/15/25	Scoping Session:

**2. PROPOSED LEASE SITE INFORMATION**

Location of Proposed Lease Site:	
Town	Yarmouth
Waterbody	Casco Bay
General Description (e.g. south of B Island)	SW of Lanes Island
Lease Information	
Total acreage requested (100-acre maximum)	12.11 acres* *Subject to a second DMR review
Lease term requested (20-year maximum)	20 years
Type of culture (check all that apply)	<input checked="" type="checkbox"/> Bottom (no gear) <input 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

### 3. WATER QUALITY

Growing Area Designation	WI (CA3)
Water Quality Classification (e.g. approved, restricted, etc.):	Conditionally Approved

### 4. SPECIES INFORMATION

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

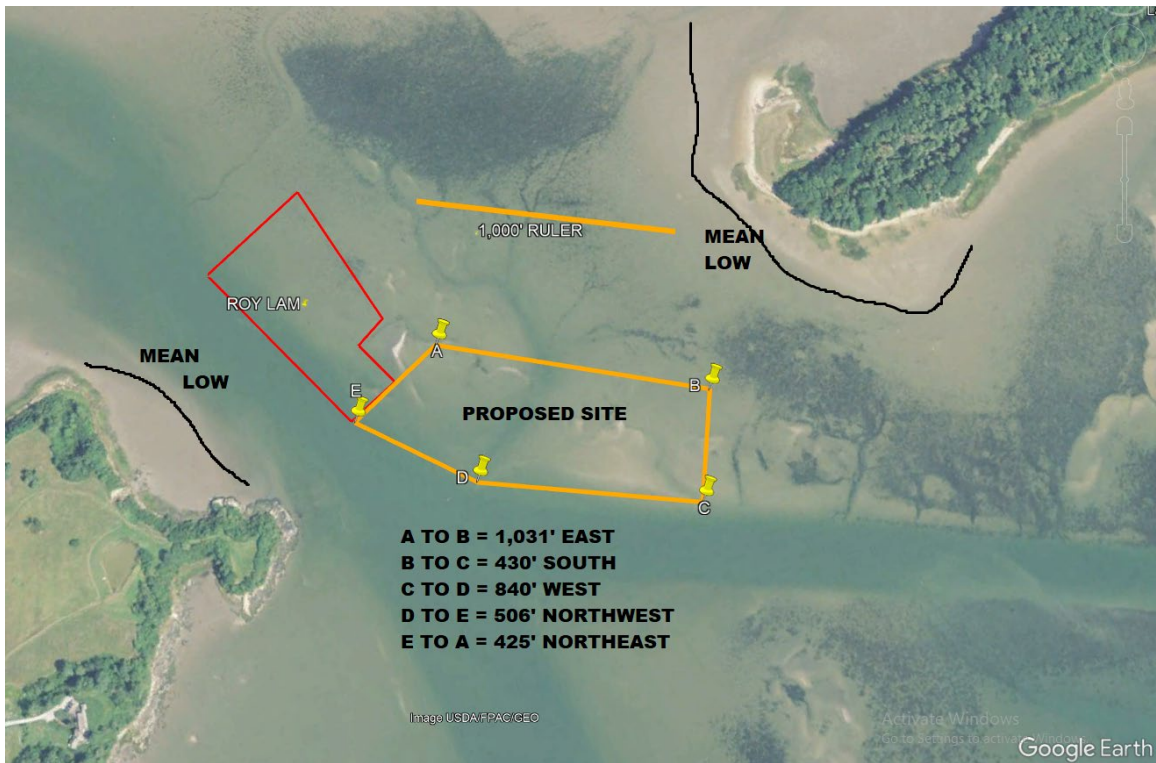
<b>Name of species to be cultivated (include both common &amp; scientific names):</b>	<b>Name and address of the source of seed stock, juveniles, and/or smolts</b>	<b>Maximum number (or biomass) of organisms you anticipate on the site at any given time</b>
Eastern oyster <i>(Crassostrea virginica)</i>	Muscongus Bay Aquaculture - PO Box 204 Bremen, Maine 04551	4 million

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

**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](mailto:DMRPublicHealthDiv@maine.gov)

## 5. VICINITY MAP / BOUNDARY DRAWING



**Scale Bar: See 1,000' Ruler above (yellow line)**

**Note: The mean high water boundaries are the shorelines of Lanes Island & the mainland**

### Coordinates

- A) 43.790918° -70.137893°
- B) 43.789564° -70.134425°
- C) 43.788510° -70.135069°
- D) 43.789445° -70.137973°
- E) 43.790426° -70.139335°

## **SITE DEVELOPMENT**

This application is for bottom culture only. No gear will be used to culture the organisms. The site will be marked at the corners in accordance with DMR guidelines - Chapter 2.80 - and in accordance with appropriate U.S. Coast Guard Regulations.

## 8. PRODUCTION ACTIVITIES

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

Bottom Culture: Oysters would be broad-cast on the bottom (no structures used). Seeding would occur in the fall of each year – usually in September & October. Typically seeding takes place over three weeks with one to two seeding trips per week.

**B.** Please explain your proposed tending/maintenance activities.

Once the seed is planted on the bottom, no tending/maintenance is conducted other than occasional spot checks to observe progress/survival.

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

Spot checks occur every six months or so.

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

We employ the use of a skiff-drawn drag for harvesting. The drag cutting bar dimension is 44" wide.

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

We typically harvest once or twice per week. **Note:** the water quality of the proposed lease area is classified as Conditionally Approved (WI – CA3). Under this classification, we recognize that harvesting is not allowed in the event of a malfunction/CSO event at the Yarmouth Wastewater Treatment Plant.

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

**N/A**

**G.** If gear will not be on the site year-round, please describe any overwintering or “off season” plans for the site. For example, will you remove gear from the site and/or deploy gear in different areas within the proposed site? Please include where gear or product will be located if removed from the site.

**N/A**

## 9. NOISE AND LIGHT

**A.** What type of boats will be used on the site? When and how often will these vessels be on the site?

We use a single 24' Carolina Skiff with a 4-stroke outboard for all planting and harvesting operations. We are typically on-site once or twice per week.

**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?

For harvest, we use a small electric hauler on the skiff to raise the drag. It is essentially inaudible. We are typically on-site once or twice per week.

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

Our outboard engine is a quiet, 4-stroke engine; our hauler is electric. Both of these pieces of equipment make our operations extremely quiet.

**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

**A.** Describe your existing aquaculture operations.

We have a bottom culture site in the immediate vicinity of the proposed lease location (ROYLAM). We seed oysters on this site in the fall and harvest market-size product throughout the year.

**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.

We do not plan to make any changes to our existing lease ROY LAM.

## 11. ENVIRONMENTAL CHARACTERIZATION

**A.** What are the approximate depths at mean low water?

Mean low water depths range from 1' to 2'.

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

Mean low water depths range from 9' to 10'.

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

Current runs in a north/south direction at +/-0.75 knot during maximum ebb/flow.

**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.)?

Bottom characteristics: firm clay with sand and shell fragments.

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

Bottom topography is relatively flat - slow changes in depth over distance.

**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?

Green crabs (*Carcinus maenas*) are abundant. Rock crabs (*Cancer irroratus*) are common.

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

No shellfish beds are located within the boundaries of the proposed lease area. Fish migration unknown.

**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.

We observe seaweed (*Enteromorpha*) growing on the ledges near the lease area. There is no eelgrass within the proposed area. Our observations are based on our experience working this area since 2004.

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

Uplands are forested with white pine, birch, maple and oak stands. The shoreline is mostly rocky with mudflats along the intertidal borders of the proposed area.

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

☐ Yes ☒ No

## **12. EXISTING USES**

<b>A. Describe the existing uses of the proposed area in questions A.1 through A.5 below.</b>  Please include the a) type; b) time of year the activity occurs; c) frequency; and d) proximity to the lease site.
<b>1. Commercial Fishing</b>
Worm and clam harvesters work in the inter-tidal areas - outside the boundaries of the proposed lease. This is year-round activity – modest frequency.
<b>2. Recreational Fishing</b>
There is ample recreational fishing boat traffic – lots of Striper fishing. Volume is heavy from early spring through the fall.
<b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).</b>
There is ample recreational and commercial boat traffic in the channel to the west of the proposed site. Traffic is heaviest in the summer months though there is traffic year-round so long as the Royal doesn't ice up. The proposed site is adjacent to this traffic. Due to the nature of our bottom culture operations, we do not anticipate our activities to impede this traffic in any way.
<b>4. Riparian Ingress/Egress</b>
There are no riparian ingress/egress points in the vicinity of the proposed lease.
<b>5. Other uses (kayaking, swimming, etc.):</b>
There is a rowing club that frequents the area in their scull – 2x/wk; occasional kayaking
<b>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.</b>
No
<b>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.</b>
No

### **13. EXCLUSIVE USE**

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

We would **not** exclude most uses of the area. We ask that harvesting of shellfish not be allowed by any method - manual or mechanical - within the boundaries of the lease. Boating, sport fishing, lobstering, swimming, rowing and kayaking, are all compatible uses in the site area.

#### 14. RIPARIAN LANDOWNERS AND SITE ACCESS

<b>B.</b> Will your access to the lease area be across riparian land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>C.</b> How will you access the proposed site?
We would access the site via the Yarmouth town boat ramp, Yankee Marina (Yarmouth) or the Winslow Park boat ramp (Freeport).
<b>D.</b> How will your proposed activities affect riparian ingress and egress?
Our activities would not impede riparian ingress or egress as there is none.

# RIPARIAN LANDOWNER LIST

TOWN OF: Yarmouth, Maine

MAP #	LOT #	Landowner names and addresses
064	001	Maine Coast Heritage Trust ✓ 1 Bowdoin Mill Island, Suite 201 Topsham, Maine 04086
003	001/00B/010	Wallace W. Gardiner ET AL – Trustees ✓ 125 High Street - High Street Tower 27 <sup>th</sup> Floor Boston, MA 02210

## CERTIFICATION

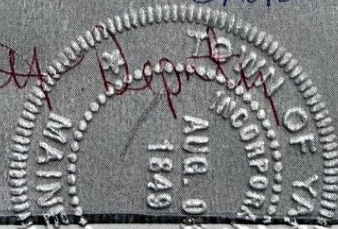
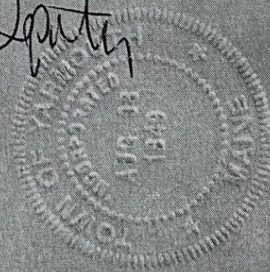
I, Ruth A. Bennett, Deputy, Town Clerk for the Town of Yarmouth certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

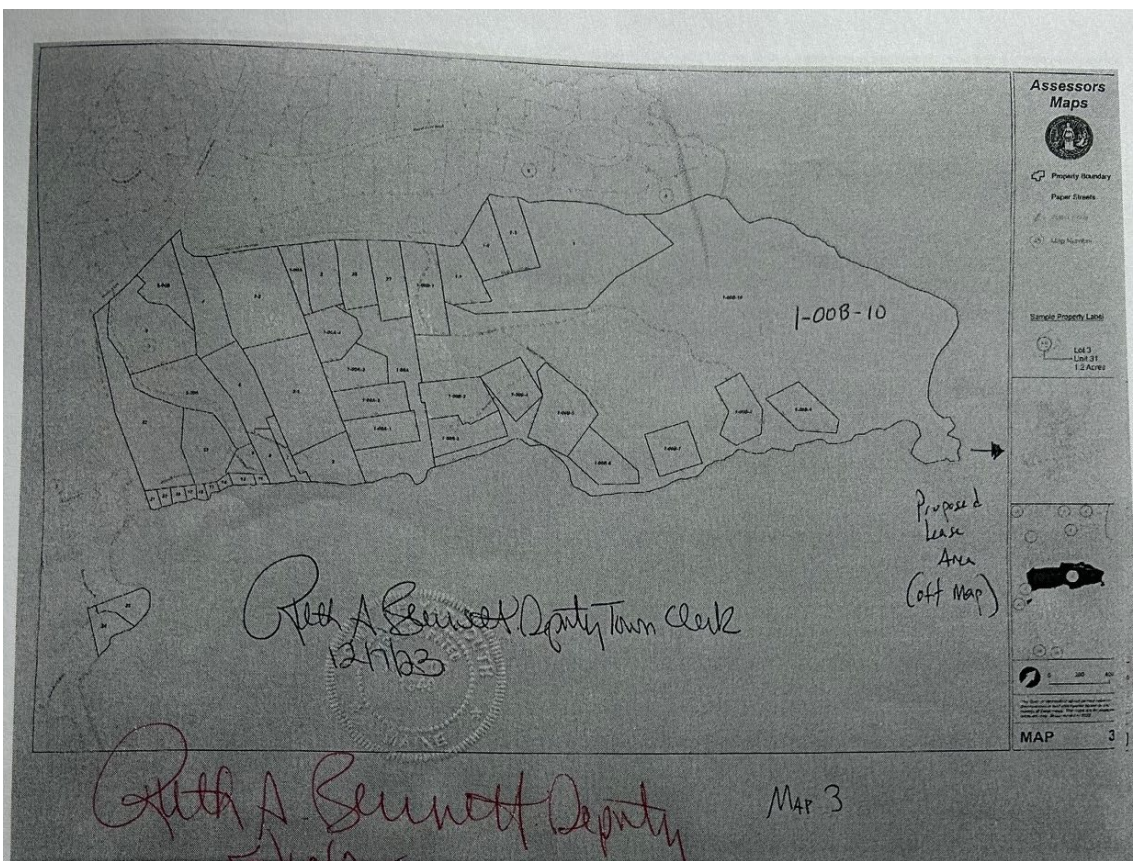
SIGNED: DATE:

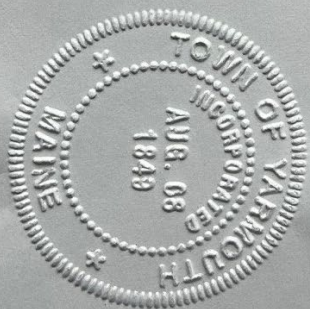
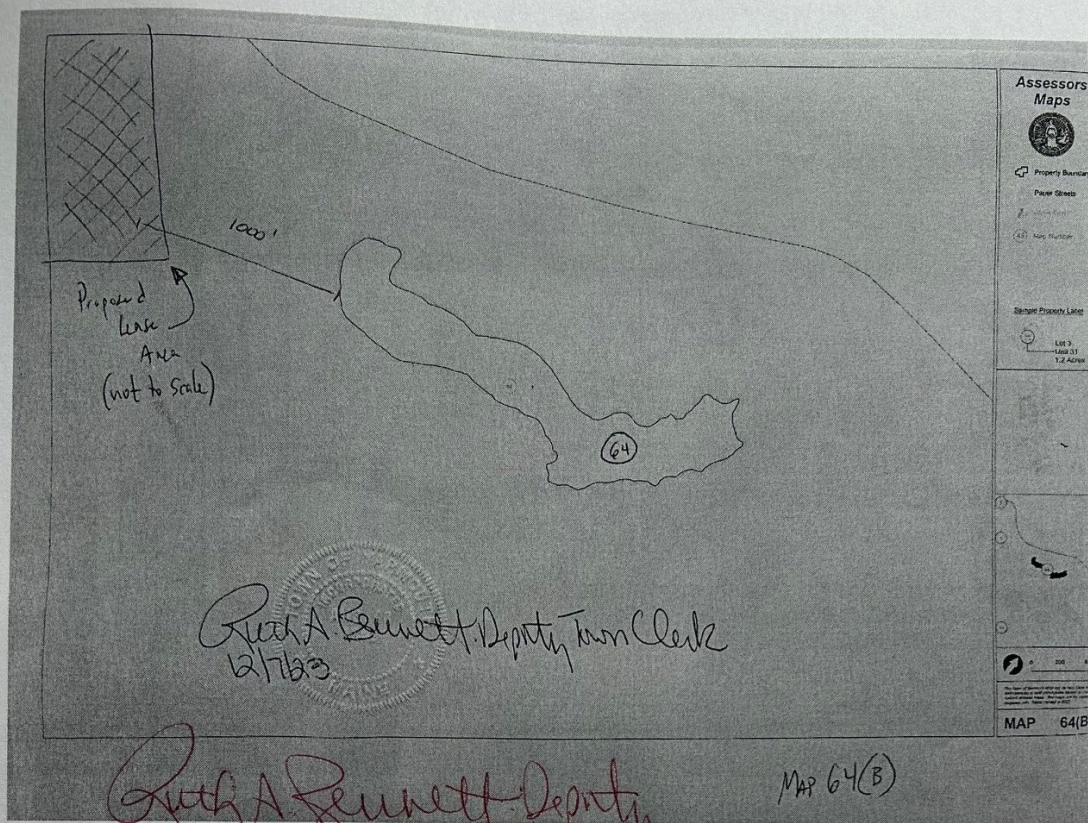
Ruth A. Bennett, Deputy  
12/17/23

Wendy Sims, Codes  
5/6/25

Ruth A. Bennett, Deputy  
5/6/25







RIPARIAN LANDOWNER LIST

TOWN OF: Freeport, Maine

MAP #	LOT #	Landowner names and addresses
25	59	Fogg Point Family Estate, LLC 370 Hobart Avenue Short Hills, NJ 07078

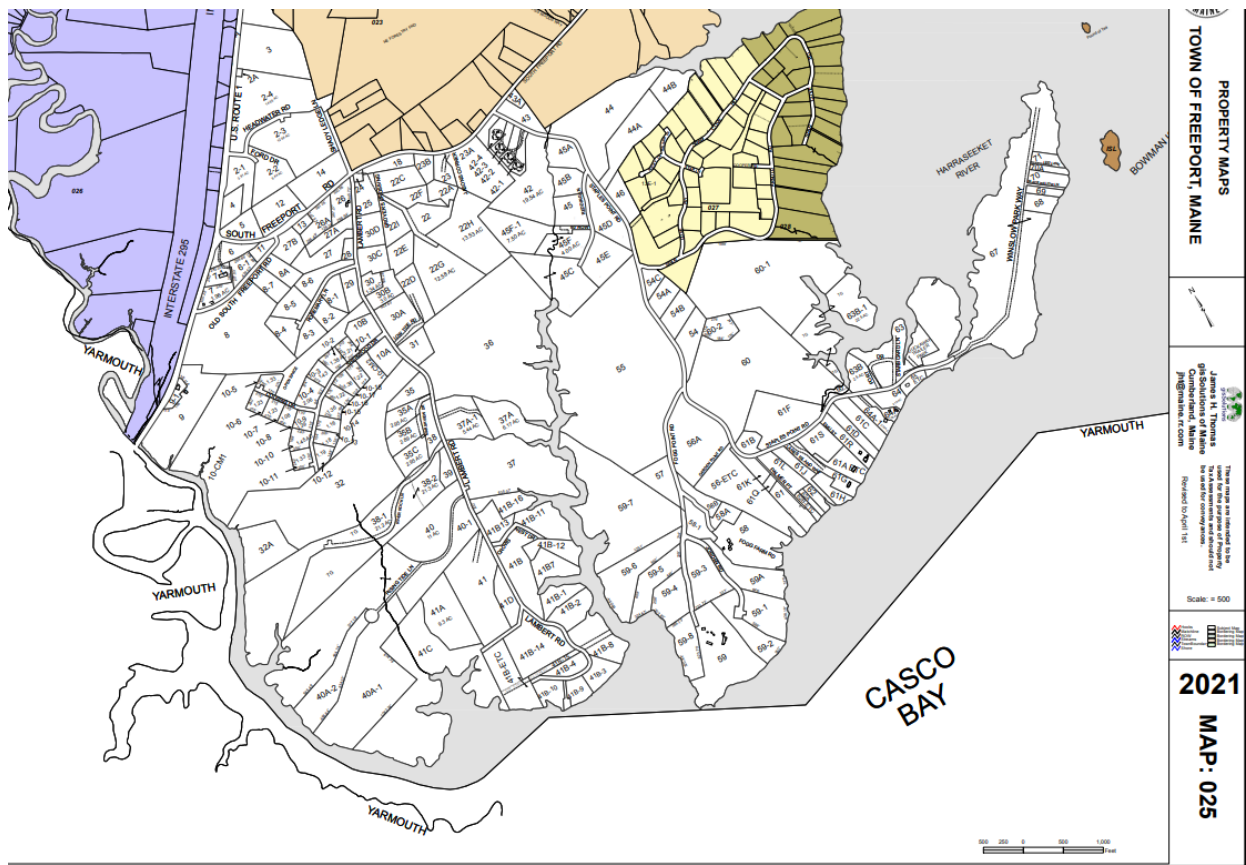
CERTIFICATION

I, Carrie Waernin Deputy, Town Clerk for the Town of Freeport 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: DATE:

July 17, 2024

May 16, 2025



Proposed area off map (to the East)

## 15. TECHNICAL CAPABILITY

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

We have been farming oysters in Maine - full time - since 2000. We love what we do, and we feel confident that we have the expertise and practical experience necessary to continue in this industry for many years to come.

## 16. FINANCIAL CAPABILITY

### A. Financial Capability

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

See letter below - Key Bank.



December 7, 2023

To Whom it may concern,

This letter is to confirm Maine Oyster Company of Freeport Maine has had a relationship with KeyBank since at least 2006 and accounts are in good standing.

Respectfully,

Andrew Brunner

A handwritten signature in blue ink, followed by the date "12/7/2023" written in blue ink.

Branch Manager –Yarmouth KeyBank

188 Main St. Yarmouth, ME 04096

Phone: Branch (207) 846-5501

Desk: (207) 847-8100

Fax: (207) 846-1417

[Andrew\\_S\\_Brunner@keybank.com](mailto:Andrew_S_Brunner@keybank.com)

## B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

### Cost Estimates\*

#### *Year One*

Seed	\$ 8,000
Labor	\$ 5,000
Lease Fees	\$ 250
Insurance	<u>\$ 500</u>

**Total Year One        \$13,750**

#### *Year Two*

Same as Year One (No harvesting costs): \$13,750

**Total Year Two        \$13,750**

#### *Year Three*

Same as Year Two	\$14,000
Plus harvest costs	<u>\$25,000</u>

**Total Year Three        \$39,000**

**TOTAL PROJECT COST YEARS 1-3:        \$69,250**

\*Note: Equipment costs are not included. Applicant has access to the necessary gear and harvesting equipment.

# 17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input checked="" 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 type="checkbox"/>	>400 square feet of gear/structure, no discharge	\$5,000.00*
<input type="checkbox"/>	Gear/Structure, discharge	\$25,000.00

I, (printed name of applicant) Eric Horne, VP 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.

iml 1/7/25 iml 5/6/25

Applicant Signature Date

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

### 18. APPLICANT SIGNATURE PAGE

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

Printed name:

Title (if corporate applicant):

Signature:

Date:

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