

## STANDARD LEASE APPLICATION: NON-DISCHARGE

### 1. APPLICANT CONTACT INFORMATION

Applicant	Dodge Cove Marine Farm		
Contact Person	Nellie Brylewski		
Address	PO Box 204		
City	Bremen		
State, Zip	Maine, 04551		
County	Lincoln		
Telephone	(207) 529-4100		
Email	Nellie@muscongusbay.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application [submitted before scoping session session] <input type="checkbox"/> Final Application [submitted after scoping session]		
Dates	Pre-Application Meeting: 9/8/2023	Draft Application Submitted: 12/5/23	Scoping Session:
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card		Final Application: <input 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	Damariscotta
Waterbody	Damariscotta River
General Description (e.g. south of B Island)	South of Hog Island, overlapping our current leases: DAM HI; DAM HI2; Dam HI3; DAM HI5
Lease Information	
Total acreage requested (100-acre maximum)	31.7
Lease term requested (20-year maximum)	20
Type of culture (check all that apply)	<input checked="" 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):	WQ
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](mailto: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. American Oysters <i>Crassostrea virginica</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	20 million animals
2. European Oysters <i>Ostrea edulis</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551 Or DMR Approved Hatchery	5 million animals
3. Northern Hard Clam <i>Mercenaria mercenaria</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	10 million animals
4. Bay Scallop <i>Argopecten irradians</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	10 million animals

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](mailto: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](mailto: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

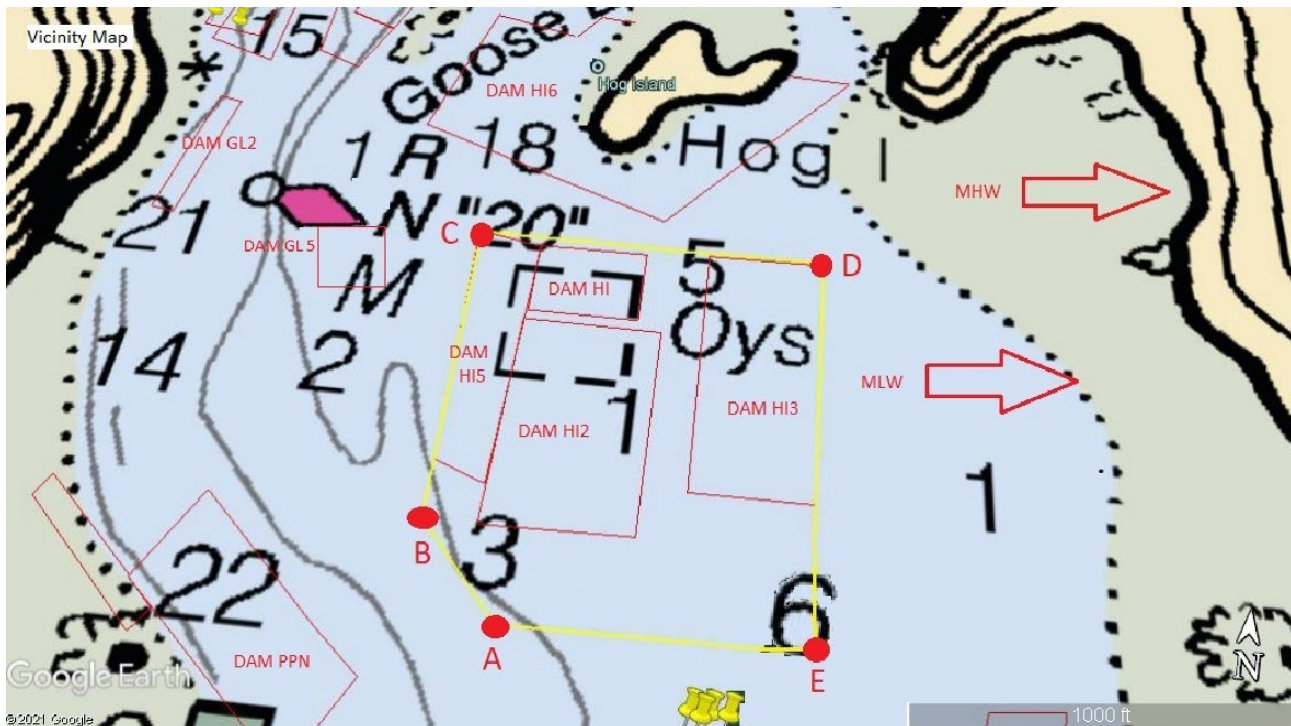


Figure 1: Vicinity Map for Dodge Cove Marine Farm's proposal.

## 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.



Figure 2: Dodge Cove Marine Farm's Boundary Drawing for proposed application.

Name	Latitude	Longitude
A	44.008081	-69.543144
B	44.008839	-69.544111
C	44.011614	-69.544172
D	44.011578	-69.539903
E	44.008117	-69.539864

Figure 3: Dodge Cove Marine Farm's coordinate description for their proposed application



## 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.

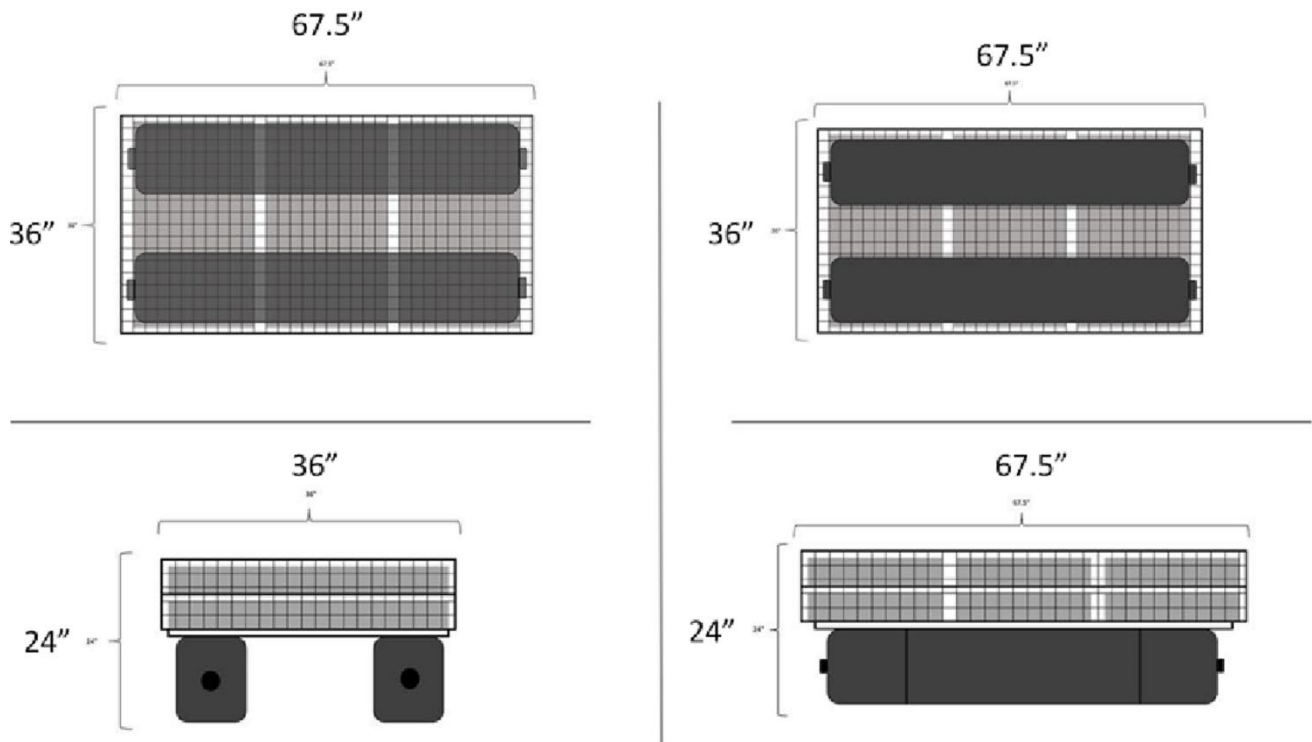
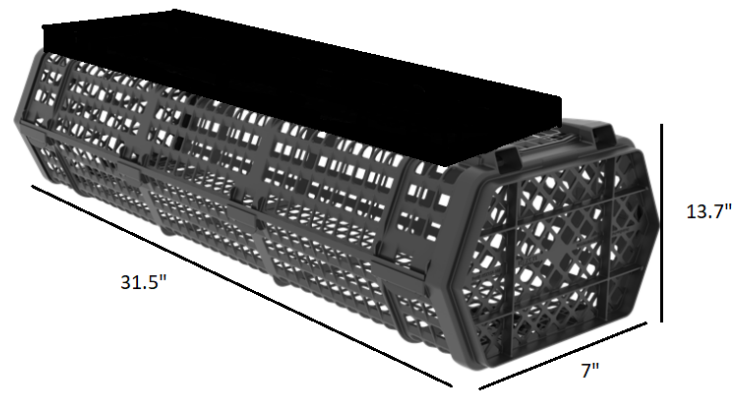


Figure 4: Gear Drawing for Oystergro Cages for Dodge Cove Marine farm's proposal.



Hexcyl Basket:  
31.5"x11"x7"

Figure 5: Gear Drawing of Hexcyl "Flip Farm" basket for Dodge Cove Marine Farm's proposal.



Figure 6: Gear Drawing of float bad for Dodge Cove Marine Farm's proposal.

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.).

<b>Specific Gear Type</b> (e.g. <i>soft mesh bag</i> )	<b>Dimensions</b> (e.g. <i>16"x20"x2"</i> )	<b>Time of year gear will be deployed</b> (e.g. <i>Spring, Winter, etc.</i> )	<b>Maximum amount of this gear type that will be deployed on the site</b> (i.e. <i>200 cages, 100 lantern nets, etc.</i> )	<b>Species that will be grown using this gear type</b>
6-Bag OysterGro Cages	67.5"x36"x24"	Surface: Spring-Fall  Bottom: Winter	4,034	American Oysters ( <i>Crassostrea virginica</i> ) European Oysters ( <i>Ostrea edulis</i> ) Northern Hard Clam <i>Mercenaria mercenaria</i> Bay Scallop <i>Argopecten irradians</i>
Hexcyl "Flip Farm Basket"	31.5"x11"x7"	Surface: Spring-Fall Bottom: Winter	45,280	" "
Float Bags	28"x21"x5:"	Surface: Spring-Fall	23,500	" "
Helix Anchor	10" disk, 48" shaft	Year round (mooring)	228	N/A
3/8" system line	3/8"	Surface: Spring-Fall Bottom: Winter	56,000'	N/A
1" mooring/helix system line	1"	Surface: Spring-Fall Bottom: Winter	55,000'	N/A
Flip Farm Buoy	Approx. 1.5'x3' (12L total)	Spring-fall	100	N/A
Sea Farm yellow Marker Buoys	11"	Mar-Dec (If ice present we pull)	9	N/A
½" Line	½"	Year round	10,000'	N/A
Anchor line floats	2"x5"	Year round	228	N/A
"C" clips	2"x1"	Year round (mooring)	450	N/A

## 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.

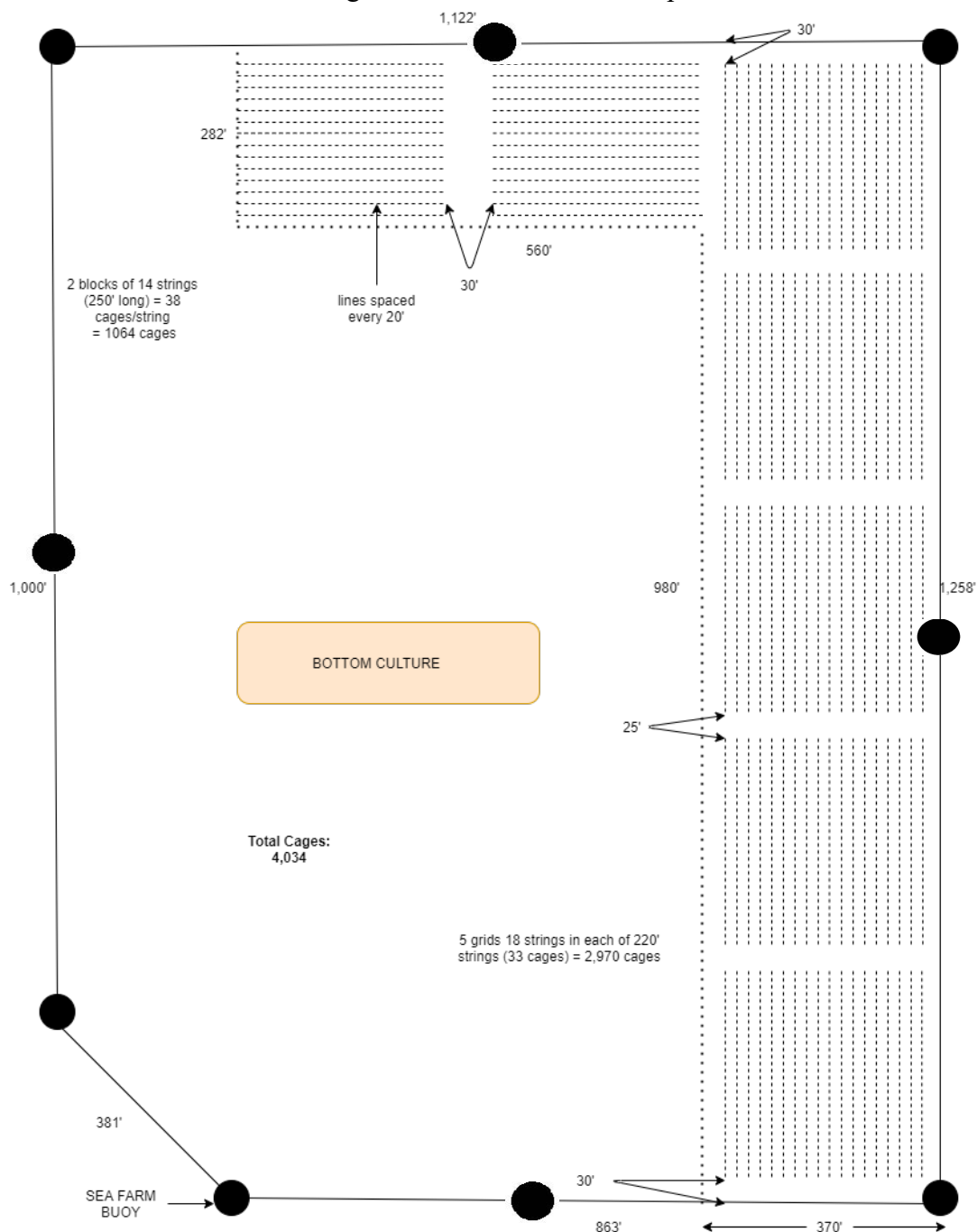


Figure 7: Overhead View for Oystergro cages for Dodge Cove Marine Farm's proposal

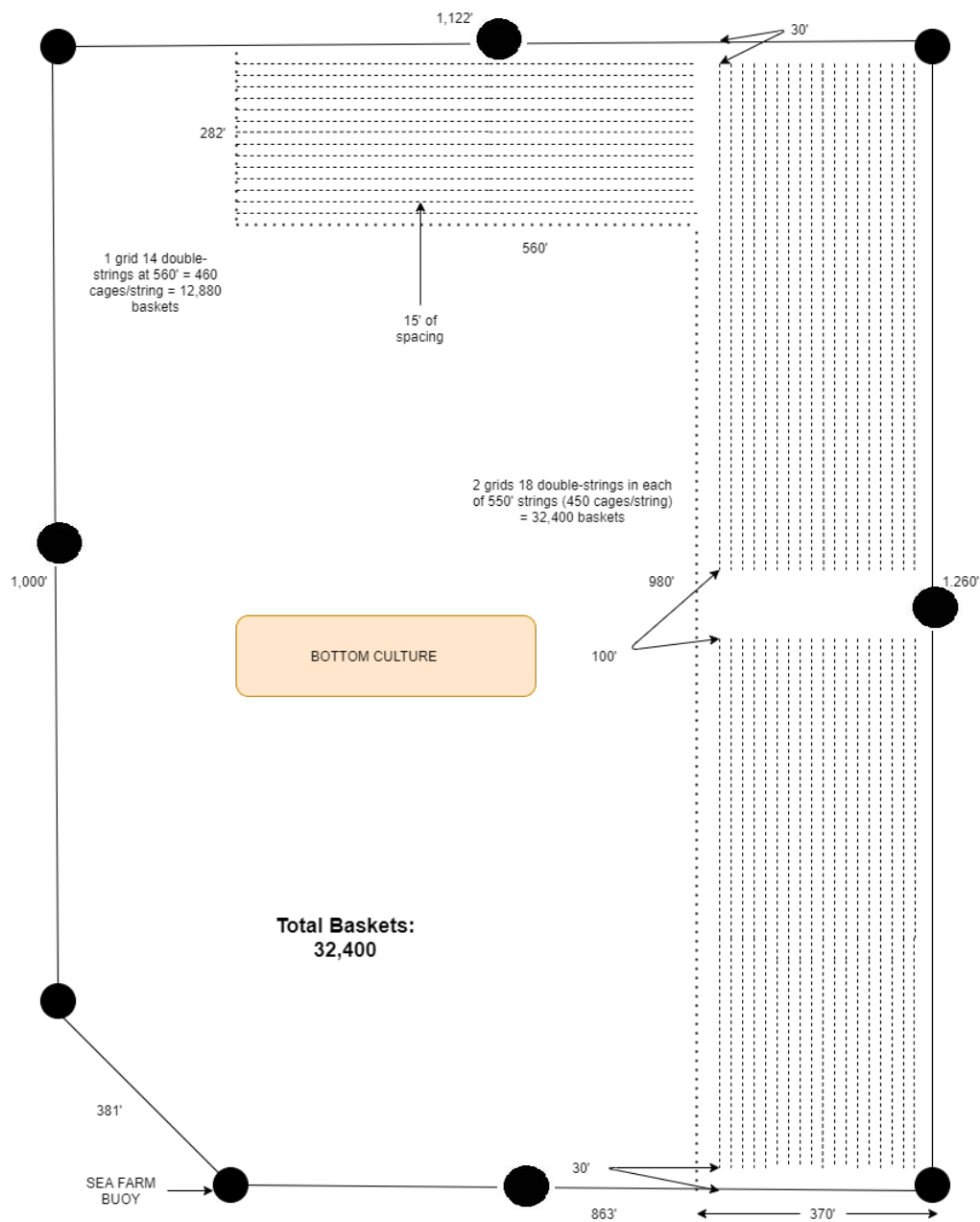


Figure 8a: Overhead View for “Flip Farm” baskets for Dodge Cove Marine Farm’s proposal.

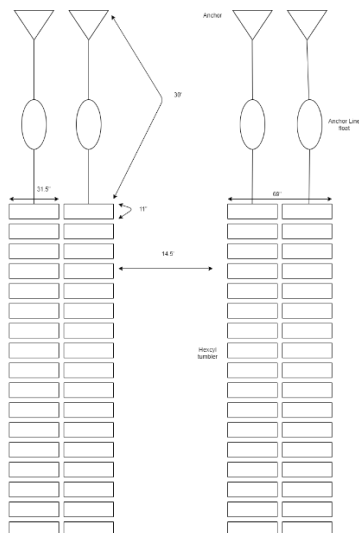


Figure 8b: Overhead View for “Flip Farm” baskets, micro view, for Dodge Cove Marine Farm’s proposal.



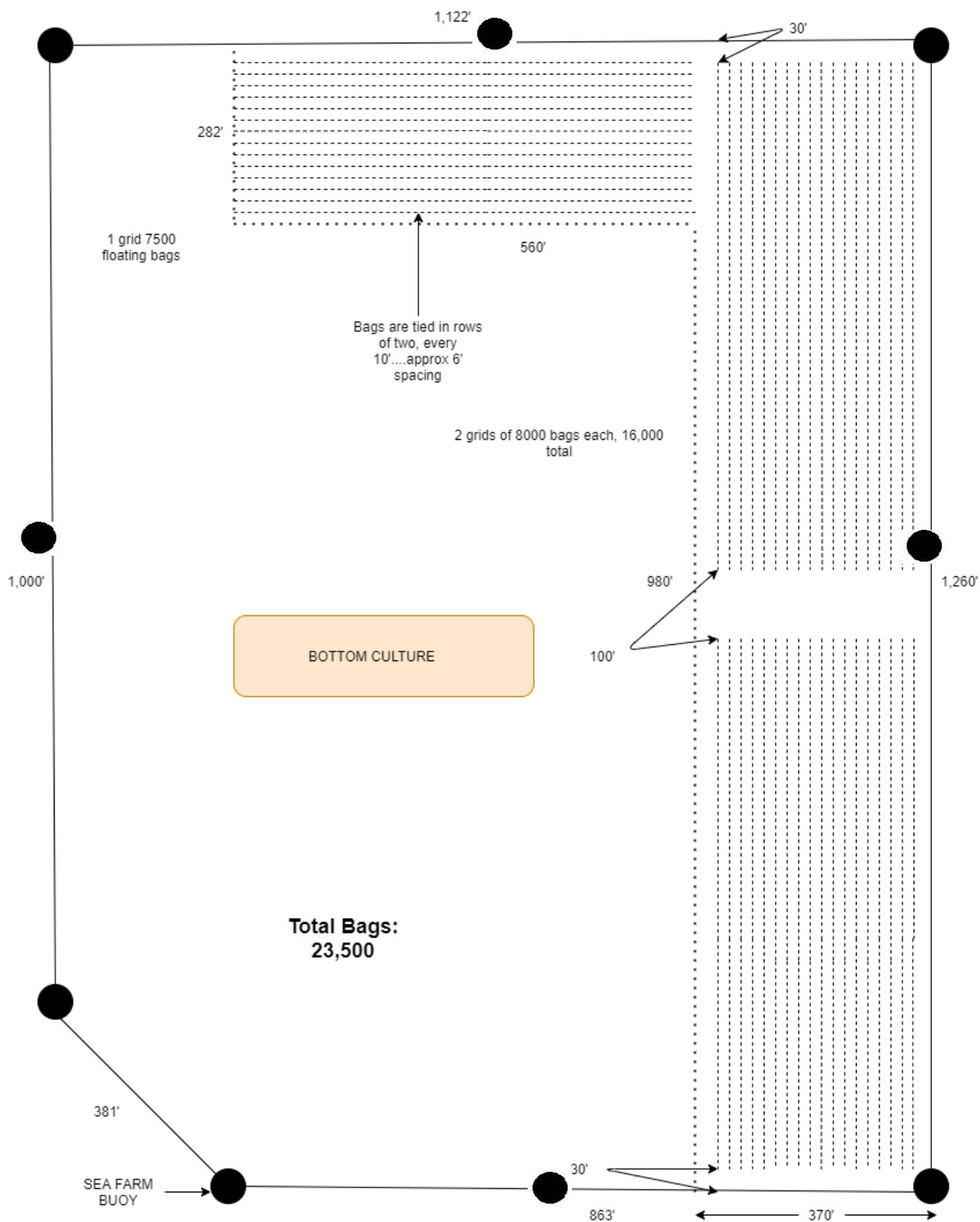


Figure 9: Overhead View for floating bags for Dodge Cove Marine Farm's proposal.

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).

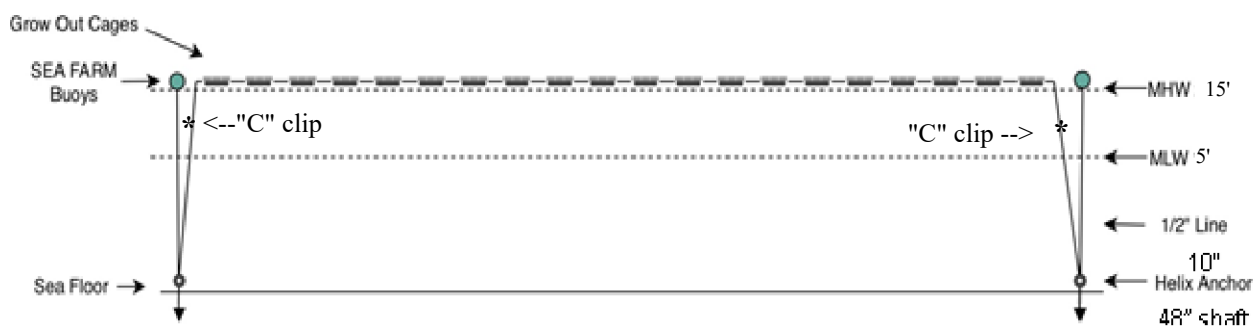


Figure 10a: Cross section for OysterGro cages for Dodge Cove Marine Farm’s proposal.

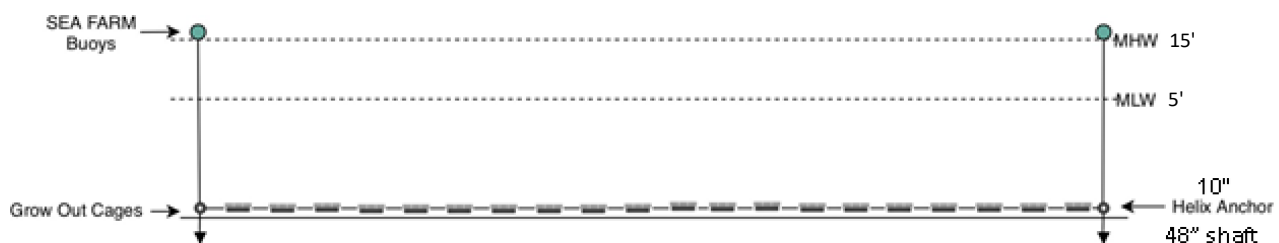


Figure 10b: Cross Section for Oystergro cages for Dodge Cove Marine Farm’s proposal (same for “Flip Farm” baskets).

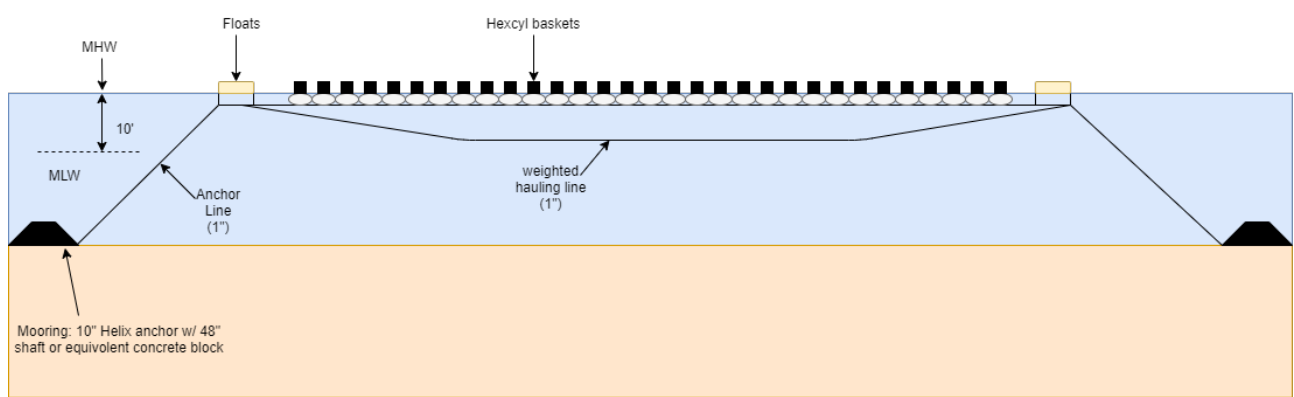


Figure 11: Cross Section for "Flip Farm" baskets for Dodge Cove Marine Farm's proposal.

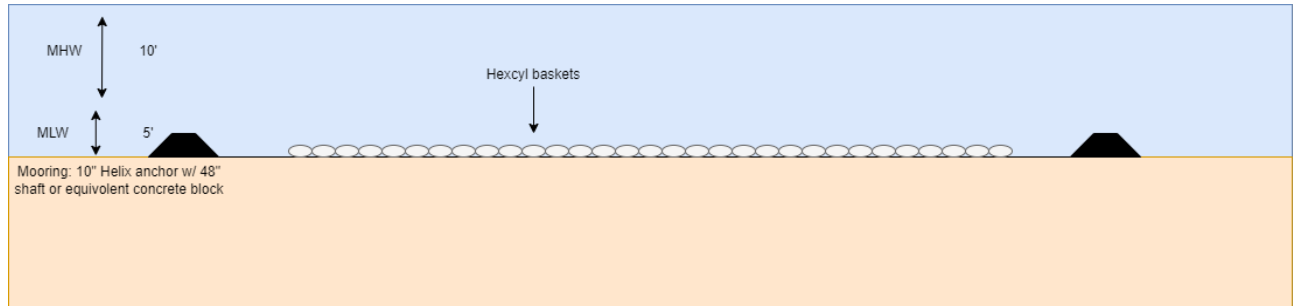


Figure 11a: Cross Section for "Flip Farm" baskets for Dodge Cove Marine Farm's proposal winterized.

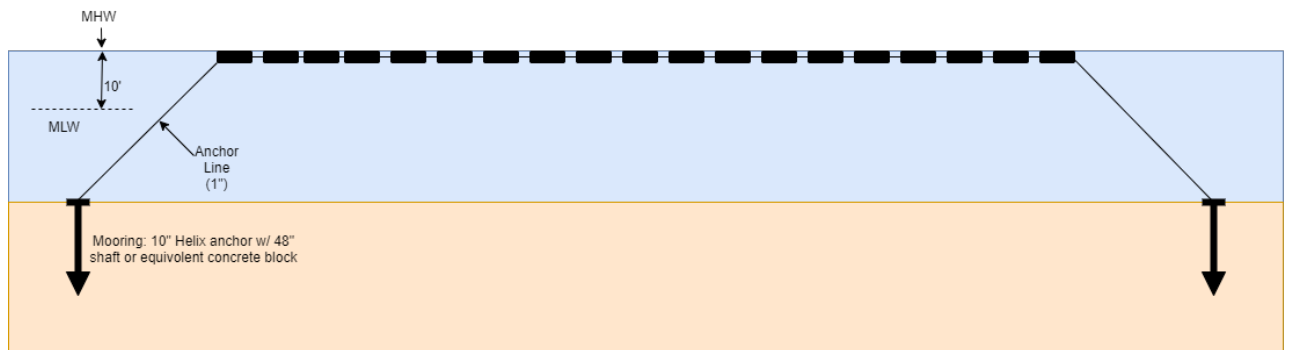


Figure 12: Cross Section for float bags for Dodge Cove Marine Farm's proposal.

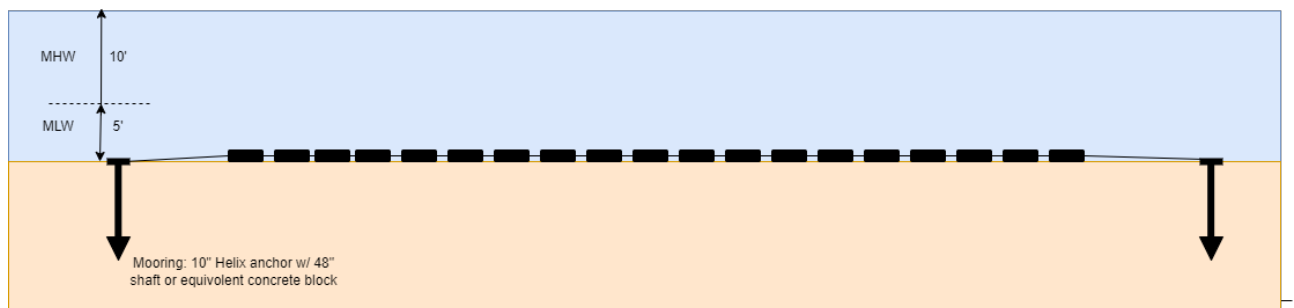


Figure 12a: Cross Section for Float bags for Dodge Cove Marine Farm's proposal winterized.

### 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.

We have two floats on site used to process, harvest, and sort our shellfish. Our processing float can vary in size depending on the time of year and need....it is made up of smaller 16'x16' rafts we tow to the area. At its maximum the raft could measure 64'x64' (we currently use a raft 32'x48'). There is an awning spanning half the float for shade. Our second float is smaller and used to hold gear or as a spot to relay equipment. Its maximum size would be 32'x48' (See **Attachment** for a more detailed diagram and materials list). We use 3,000lb granite blocks to hold the rafts. Floats are removed end of December and brought back the first of March.

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.

No storage of oil, gasoline, or other hazardous materials will be done at the site. We will use small 10hp engines to wash and process product, but will bring them out with us every day.

### D. Gear Color

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

Oystergro cages are constructed with black lobster wire or out of aluminum. Hexcyl baskets are black with either a black or blue float. Float bags are black as well. Our Barge is brown with a brown and white table, and a white awning.

### 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.

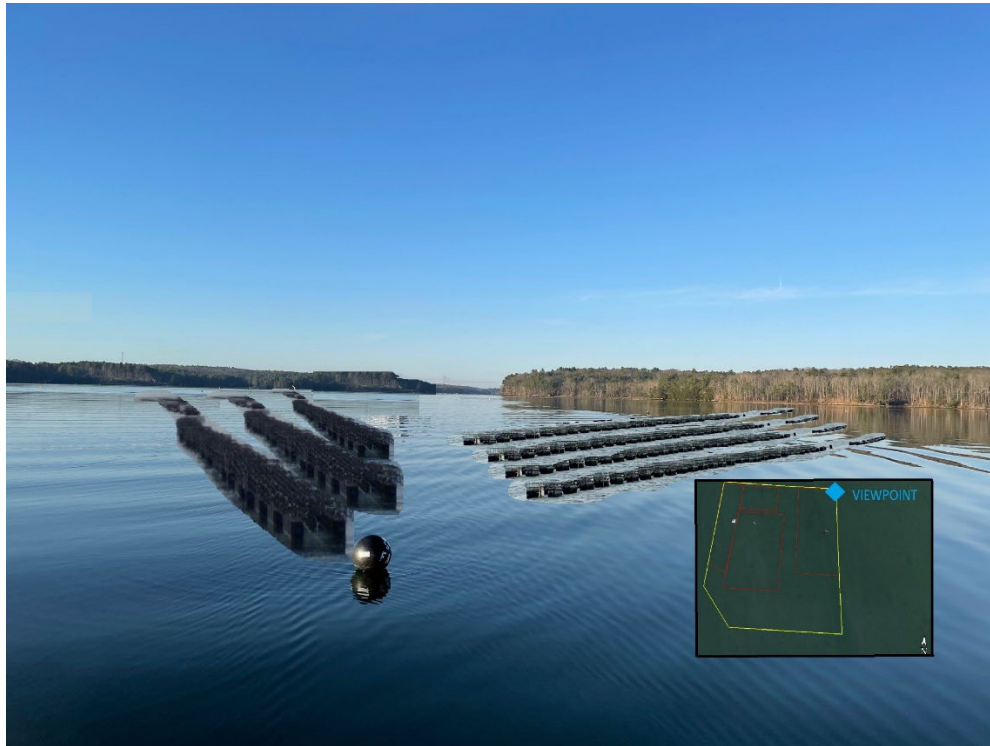


Figure 13: Picture view of proposed gear for Dodge Cove Marine Farm's application.

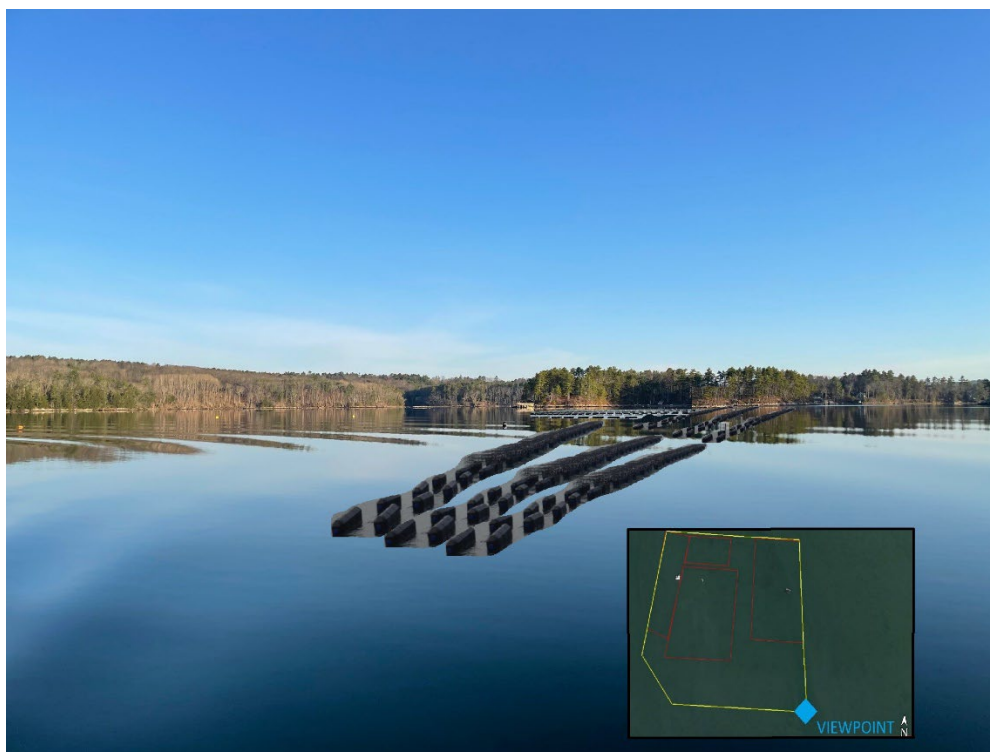


Figure 14: Picture view of proposed gear for Dodge Cove Marine Farm's application.





Figure 15: Gear layout overlay (oystergro) for Dodge Cove Marine Farm's application.



Figure 16: Gear layout overlay (Flip Farm/float bags) for Dodge Cove Marine Farm's application.

## 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: 1<sup>st</sup> Coast Guard District, Aids to Navigation Office (617-223-3293).

## 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.

Our operations will not change significantly from how we currently operate. We will be putting seed bags out in June/July and planting in the fall. We are on site daily to seed, harvest, and maintain our existing floating gear.

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

We are on site daily and do not anticipate this changing: grow out cages will have to be transported to the lease and then will remain onsite to be sunk in the fall and floated to the surface in the spring (or brought back to our Ring Point facility). Cages will be flipped weekly to reduce biofouling during warmer months. Carolina skiffs will be used to harvest oysters, tend to cages and maintain the lease. Our drag boats, equipped with electric lifting davits, will be used to float cages in the spring and lift cages from the water. These drag boats may be supplemented by specialized barges with hydraulic lifting gear.

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

Flipping occurs every two weeks, sometimes more frequently depending on biofouling. We would be on site daily, with a crew working a full 8 hours every day.

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

We will harvest with specialized equipment (Flip Farm), dragging on our bottom culture site (42" drag with a 12" opening) and will harvest Oystergros by pulling the cage alongside a boat and emptying the bags into bins or stacking them in the vessel.

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

Harvesting occurs daily as well. We can be dragging all day, but harvesting Oystergros and Flip farm cages usually takes a hour or two.

**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.

We believe we will remove a majority of the gear every year. If we decide to have a significant amount of OysterGros on site they will be sunk in our deeper lease areas (NE, SE). Cages that cant be sunk in this area will be removed. Since Hexcyl baskets/floating bags have a much smaller profile, we plan to sink those in shallower waters. We feel most of those baskets will be removed from the site, like our float bags currently are. Floating bags are taken off site every winter.

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

Outside of our grow out gear, we don't plan on employing predator control techniques.

- 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)

Most birds can be kept off gear with activity in the area, but if they become an issue we plan on using large cable ties, sold by Ketcham Traps, which have been shown to be effective in preventing birds from landing on gear. The cable ties are 175lb rated, black, and UV treated.

## 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?

We use Carolina Skiffs, custom aluminum boats and a 22’ drag boat for most of our operations. Boats are powered with quite 4-stroke engines and are much quieter than your typical lobster boat. Multiple boats are onsite everyday. We also may use a specialized barge to tend and harvest gear, but for now we are using attachments that can be mounted to our skiffs.

**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?

We use a small water pump daily to wash oysters. We may have other small 10hp powerpacks to operate hydraulic gear on the site. Small engines like these are used almost daily.

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

We have engines encased in noise shielding compartments and we operate the smallest engines possible to accomplish tasks. Our engines are also significantly quieter than other diesel boat engines. None of the noise emitting from our farm is any louder than a typical lobster boat.

**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.

No lights are used on the lease.

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

We would be working beyond daylight hours only in extreme/emergency circumstances, whether fixing gear or preparing for a storm.



## 10. CURRENT OPERATIONS

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

<b>A. Describe your existing aquaculture operations, including the acronyms of all active leases and/or licenses.</b>
Dodge Cove Marine Farm and Muscongus Bay Aquaculture currently run an oyster grow-out operation based at River Road in Edgecomb, Maine. Crews are based at this facility and all Damariscotta River grow-out operations utilize this facility. Dodge Cove Marine Farm and Muscongus Bay Aquaculture presently operate 48.09 acres of oyster bottom and nursery leases and Dodge Cove Marine Farm has been in operation since 1977.
We currently operate Leases: NMR NML; DAM DP; DAM DPT; DAM GS2; DAM HI; DAM HI2; DAM HI3; DAM HI5; DAM DL3x
Members of our company currently operate LPAs: Nellie Brylewski has: NBRY 124 Tonie Simmons has: SIM 622 Justin Dickenson has: JDIC 123, JDIC 223, JDIC323 Maddi Cox has: MCOX 123, MCOX 223, MCOX 323, MCOX 424 Jeff Auger has: JAUG 223, JAUG 323 Nate Cole has: NCOL 123, NCOL 223 Eben Court has: ECOL 123, ECOL 223, ECOL 323

<b>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.</b>
If granted we will relinquish Leases DAM HI, DAM HI2, DAM HI3, and DAM HI5.
We would also relinquish Justin Dickenson's LPAs: JDIC 223, JDIC 123

## 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).

<b>A. What are the approximate depths at mean low water?</b>
Depths can range from around 2' to 5' at low tide depending on the area.

<b>B. What are the approximate depths at mean high water?</b>
High tides range from 12-15' with the NE and SE corners closer to 16'.

<b>C. Provide the approximate current speed and direction during the ebb and flow.</b>
Current speed is less than a knot, running Northwest on a flood tide and Southwest on the ebb.
<b>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.</b>
<b>1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?</b>
A majority of the bottom has been an active oyster lease for many years. It is a firm muddy bottom with shell mixed in.
<b>2. Describe the bottom topography (flat, steep rough, etc.).</b>
Most of the bottom is flat, there is a gradual slope down as you go East, but this is a pretty minor change.
<b>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?</b>
Based on numerous dives and operations in the area the most abundant species present are Polychaete worms and green crabs. We also have some small fish, eels, and occasionally will have striped bass on the lease.
<b>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</b>
The shellfish beds that are present are a result from the 30 years the site has been farmed.
<b>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.</b>
There is no aquatic vegetation on the site.
<b>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</b>
The shoreline has a mudflat leading up to a rocky coast. There are upland woods mixed with residential housing.

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](mailto:John.Perry@maine.gov), phone: 207-287-5254) prior to application submission.

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

Historically ice forms at the site every year. The timing and amount varies, with there being ice coverage of 2' for weeks at a maximum, and small floating patches present for a day or two at a minimum. Over the years there has been less ice, although the winter of 2015 had the most ice present in 20? years. We remove gear and get farms "ice ready" by mid December every year, we have no desire to battle ice.

We resume operations on the river March 1, usually ice is away or significantly melting by this time.

**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

<b>A.</b> 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.
<b>1. Commercial Fishing</b>
The only commercial fishing in the area occurs on our existing leases. We harvest year round and are active on the site at all months. Our leases are included in the proposal.
<b>2. Recreational Fishing</b>
Recreational fishing occurs on and around the site. As we have always done, recreational fishing would be permitted on our site.
<b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</b>
Due to the depth of the site, there is very minimal boating activity that occurs. Our site is about 150' from the navigable channel, but this is the "Bottom culture" section of the lease, which allows boats to freely pass over with no issue. Our surface gear would be about 700' from the channel at its closest point.
<b>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.)</b>
Our lease is over 1000' from the eastern shore of the river. We are not moving or changing any of our existing sites in the northern/northeast corner of the site. There is a dock 373' to the north of the site, but this has existed with our current operations for years with no issue. It is used almost daily during the summer, but this is due to the expansion in operations of Blackstone Point and has not/will not be impacted by our lease and operations.
<b>5. Other uses (kayaking, swimming, etc.)</b>
Kayakers frequent the site, but they are permitted in the area, no swimming (outside our crew) has been observed in the area.

**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 is a private dock 373' to the north of the 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.

N/A

**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>

JDIC 123  
JDIC 224  
CHBU 123  
CHBU 223  
CHBU 323  
CHBU 423



### 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>

*Note:* When the application and riparian list are both ready to be submitted, you may choose to email a copy of the riparian list and proposed lease coordinates to [DMRAquaculture@maine.gov](mailto:DMRAquaculture@maine.gov) for staff to verify that all required parcels are included on the list *before* having it certified by the municipality. DMR will not verify a riparian list multiple times, so please ensure there will be no additional changes to the application before emailing the riparian list for verification.

3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: “Landowner/Municipal Permission Requirements”.

**\*SEE ATTACHED\***

**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?

We will access the site from our Ring Point facility on River Road in Edgecomb, Maine.

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

Our activities will not affect riparian ingress and egress.

## 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:** \_\_\_\_\_

MAP #	LOT #	Landowner name(s) and address(es)

**Please use additional sheets if necessary and attach hereto.**

### **CERTIFICATION**

I, \_\_\_\_\_, Town Clerk for the Town of \_\_\_\_\_ 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:** \_\_\_\_\_

**\*SEE ATTACHED\***

## 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.

Dodge Cove Marine Farm has been proudly producing farmed oysters for the half shell markets since 1977. Our Founder, Tonie Simmons, has been working in aquaculture for over 30 years. Our General Manager, Nellie Brylewskie has been operating at MBAQ for over 20 years and reliably employs over 30 people to help with the daily operations of her aquaculture business. Furthermore, our parent company Atlantic Aqua Farms operates farms in PEI and Virginia and has a diverse team of aquaculture professionals that we feel is leading the industry in new techniques and best practices.

## 15. FINANCIAL CAPABILITY

### A. Financial Capability

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.

**See Attached**

### B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Estimate for maximum gear on lease:	
Cages and cage insert	\$1,008,500
Boats/rafts/etc.	\$ 80,000
Misc. equipment	\$ 35,000
Total	\$1,123,500

## 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*) Nellie Brylewski 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**

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

Jan 30, 2024

**Date**

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

I, (*printed name of applicant*) \_\_\_\_\_ have read DMR Aquaculture Regulations Chapter 2.64(10) (D) and if this proposed lease is granted by DMR, I will either open an escrow account or obtain a performance bond, in the amount determined by the lease category.

**Applicant Signature**

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

**Date**

## 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: Nellie Brylewski

Title (*if corporate applicant*): General Manager

Signature:  Date: Nov 28, 2023

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

### Note:

- All applicants must sign and date this page. Please use the space below, if additional signatures are required.
- Corporate applicants, please be sure to include the title(s) (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

### Additional Applicant:

Printed name: \_\_\_\_\_

Title (*if corporate applicant*): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## 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.**

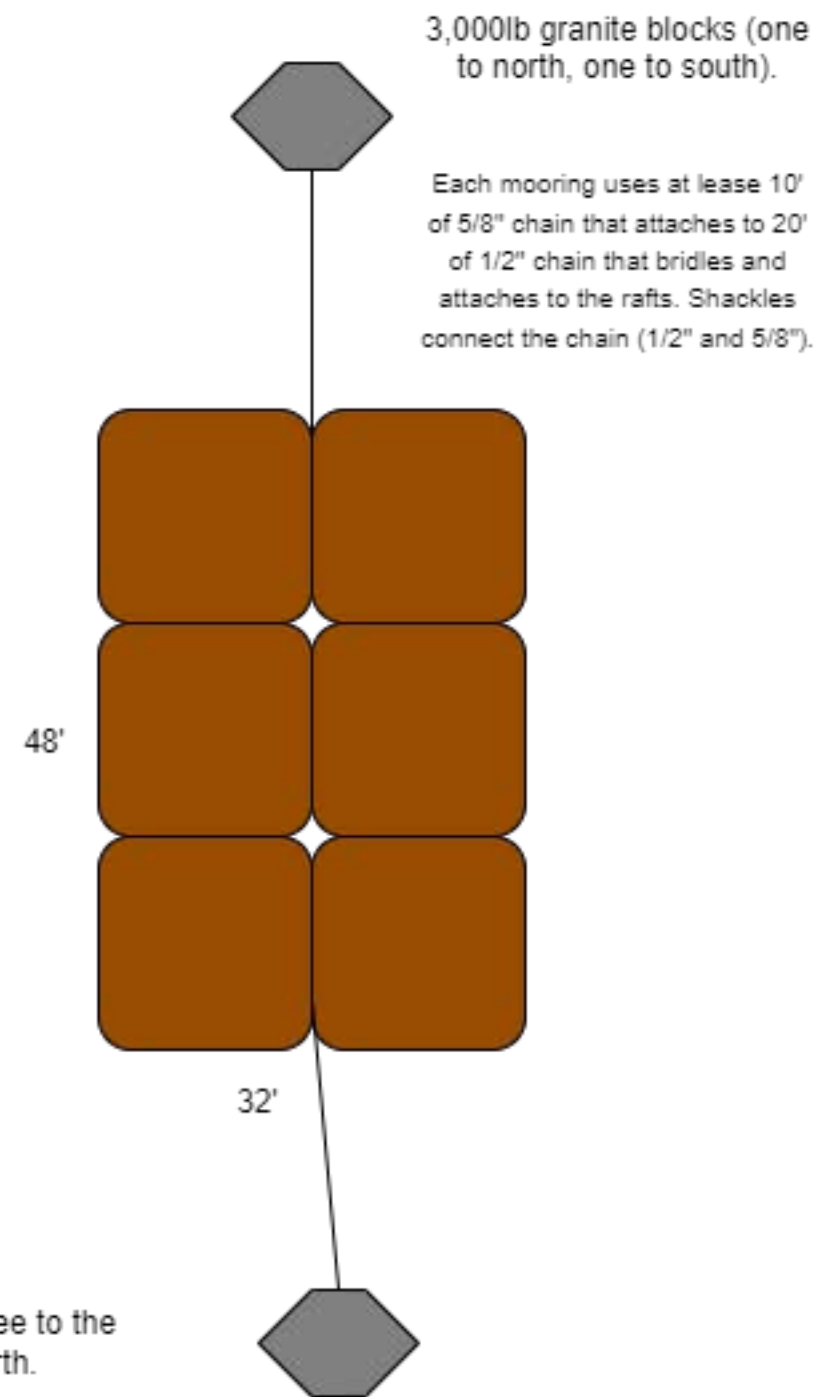
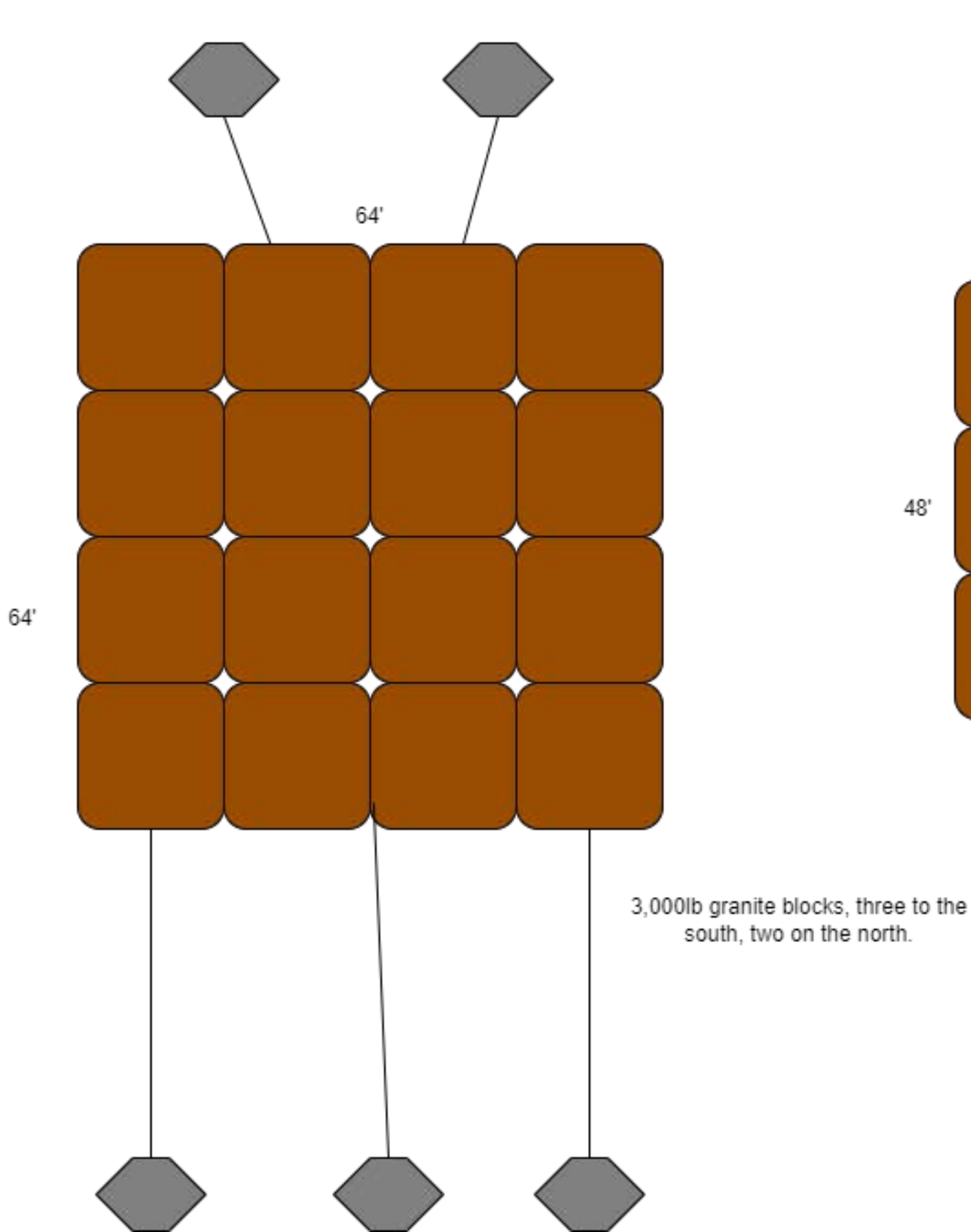
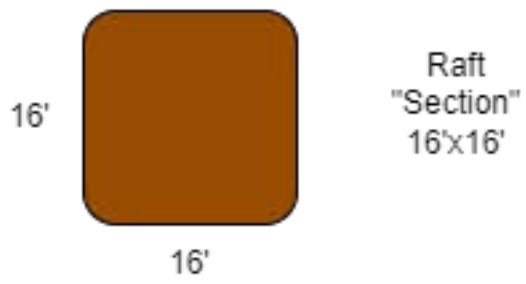
Pursuant to 12 MRSA §6072(3) *In any municipality with a shellfish conservation program under section 6671, the Commissioner may not lease areas in the **intertidal zone** within the municipality without the consent of the municipal officers.*

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 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.







JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

## RIPARIAN OWNERS LIST

*THIS LIST MUST BE CERTIFIED BY THE TOWN CLERK*

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. 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 riparian parcels are located within more than one municipality, provide a separate, tax map and certified riparian list for each municipality.

**TOWN OF:** Newcastle

MAP #	LOT #	Landowner name(s) and address(es)
03	052	McNamer, Amy and Neils, James 3257 Beech St. NW. Washington DC 20015
03	057	Denray LLC 6139 Franklin Park Drive, Mclean, VA 22101-4214
03	059-01	Denray LLC 6139 Franklin Park Drive, Mclean, VA 22101-4214
03	059	Two the Shore, LLC c/o Mark Hanley 1829 Bristol Rd. Bristol, ME 04539

Please use additional sheets if necessary and attach hereto.

### CERTIFICATION

I, Cheryl Clifford Deputy Town Clerk for the Town of Newcastle 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:

Cheryl Clifford DATE: 11-21-2023

# APPENDIX C: Damariscotta Riparian List



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

## – RIPARIAN OWNERS LIST –

*THIS LIST MUST BE **CERTIFIED** BY THE TOWN CLERK*

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. 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 riparian parcels are located within more than one municipality, provide a separate, tax map and certified riparian list for each municipality.

**TOWN OF:** Damariscotta

MAP #	LOT #	Landowner name(s) and address(es)
01	074	Parsons-Nelson; LLC PO Box 762 Damariscotta, ME 04543
01	027	Westview Acre's Associates; In care of Donald Curtis 98 Westview rd., Damariscotta, ME 04543
01	021-001	Phelps, Randall L and Diane H; Heron Bay Construction 1005 Island Dr., Delray Beach, FL 33483
01	019-001	Hart, Mary S 36 Whipple Farm Ln. Falmouth, ME 04105
01	017-001	Hart, Mary S 36 Whipple Farm Ln. Falmouth, ME 04105
01	016-001	Kennedy, Matha Merritt 315 Winston Ave. Baltimore, MD 212124425
01	013	Smith, John A, JT, Elizabeth H 311 Bristol rd. Damariscotta, ME 04543
01	012	Elizabeth Brindle 315 Bristol Rd., Damariscotta, ME 04543
01	011	Kirley, Terry Christine and Ellis, Kevin W and Sara M 322 Bayview rd. Nobleboro, ME 04555
01	010-002	Coastal Rivers Conservation Trust PO Box 333, Damariscotta ME, 04543
01	007-002	Gibbons, Daniel N. 26 Silky Way, Damariscotta, ME 04543

MAP #	LOT #	Landowner name(s) and address(es)
01	006	Pemaquid Oyster Co, Inc. PO Box 302, Waldoboro, ME 04572
01	006-01	Way, Helen Frost and Pennington H. IV. 365 Bristol rd. Damariscotta, ME 04543
01	004	Way, Pennington H. IV and Jamie E. 365 Bristol Rd., Damariscotta, ME 04543
01	003-001	Curran, Brian Dean and David A 387 Bristol rd. Damariscotta, ME 04543
012	006	Fales, R.E&P. P., Trustees Fales Living Trusts 22 River Rd. RM 30 Newcastle, ME 04553
012	005	Guttenplan, Steven D and Karen A 2246 Harbor View Dr. Dunedin, FL 34698
012	004	Dibble, Ann W. 28 Council St. Charleston SC 29401
012	003	Peterson, Maryann PO Box 1406 Damariscotta, ME 04543
012	002	Parsons, Rebecca. Neil L Jr. PO Box 492 Damariscotta, ME 04543
012	001-002	Parsons, Neil L Jr. PO Box 762 Damariscotta, ME 04543

**Please use additional sheets if necessary and attach hereto.**

### **CERTIFICATION**

I, Rebecca J. Bartolotta, Town Clerk for the Town of Damariscotta, 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: 11.21.2023

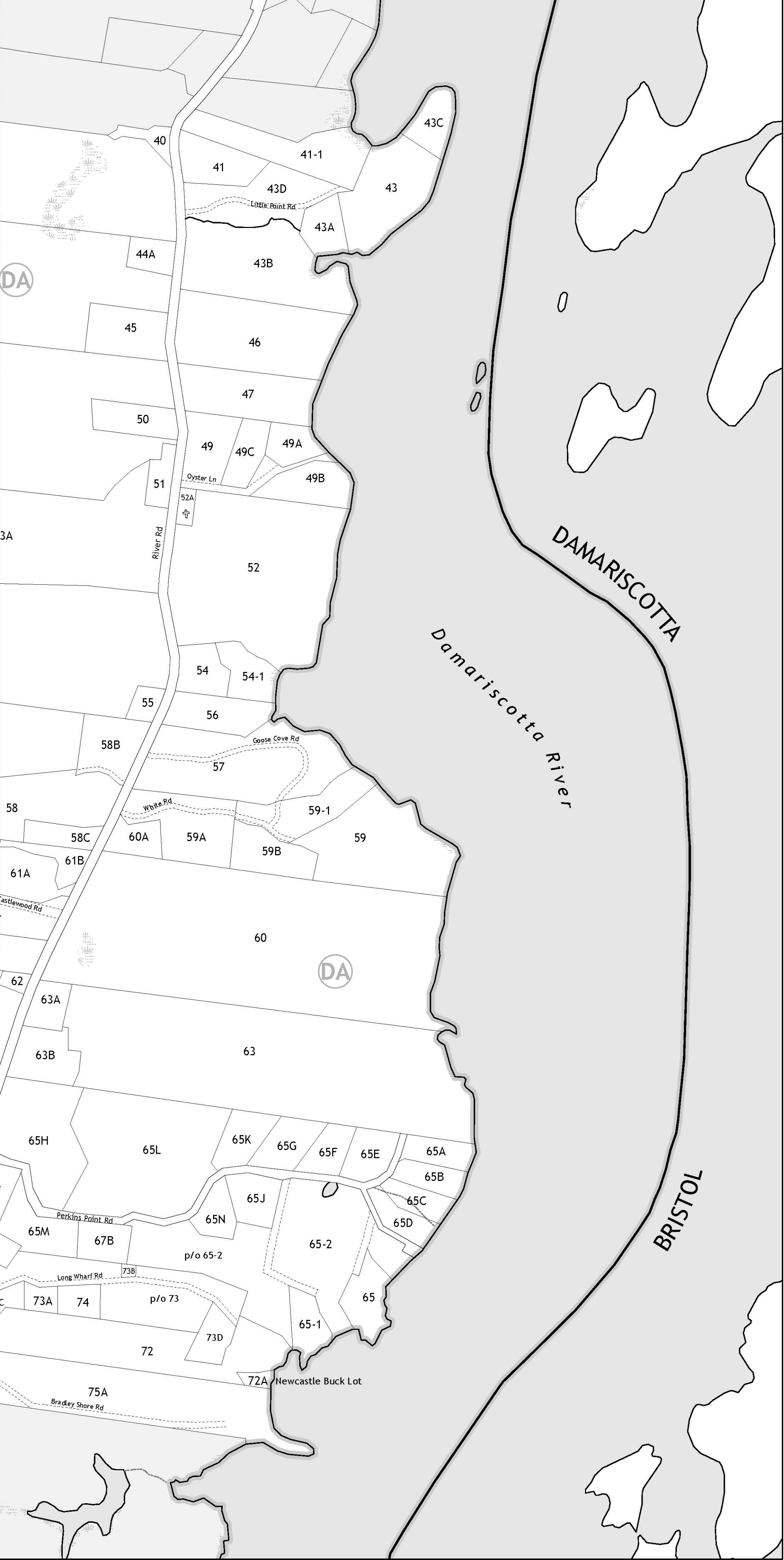
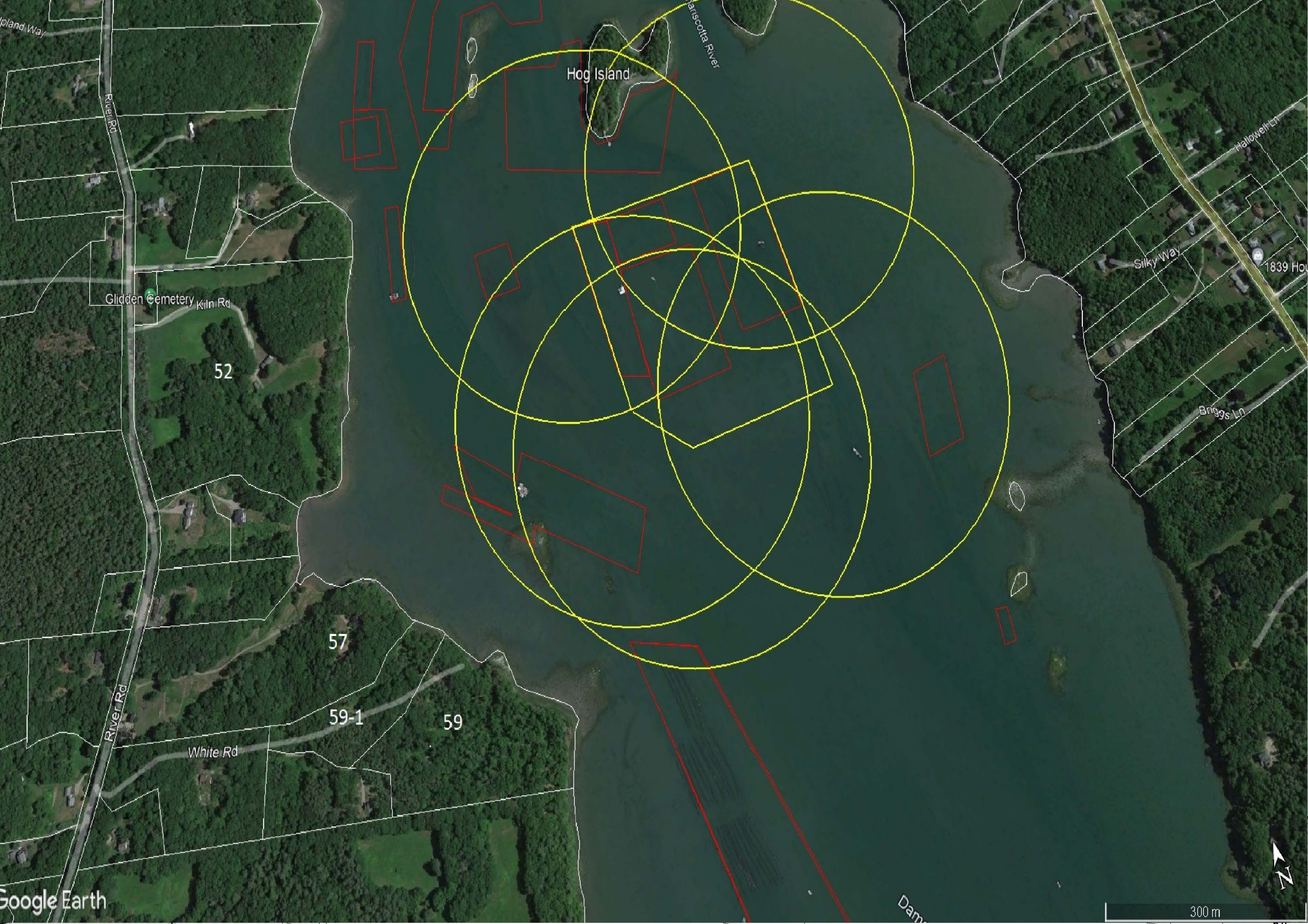


Map 3

Property Map  
Town of Newcastle  
Lincoln County, Maine  
July 22, 2020

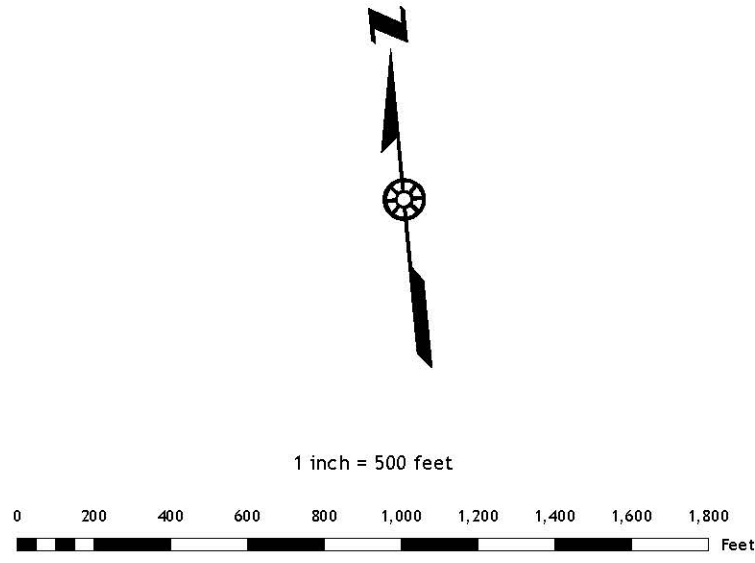
- Legend
- Parcel Line
  - Right of Way
  - RR Right of Way
  - Boundary Stream
  - Townline
  - Discontinued Road
  - Other
  - Private Right of Way
  - Lakes, Ponds and Rivers
  - Non-forested Wetlands
  - Adjacent Maps
  - Adjacent Map Number

- Land Use Zoning Districts
- C Commercial
  - LI Light Industrial
  - R1 Route 1
  - R Rural
  - DA District A
  - DB District B
  - DD District D
  - VB Village Business
  - VC Village Center
  - VR Village Residential



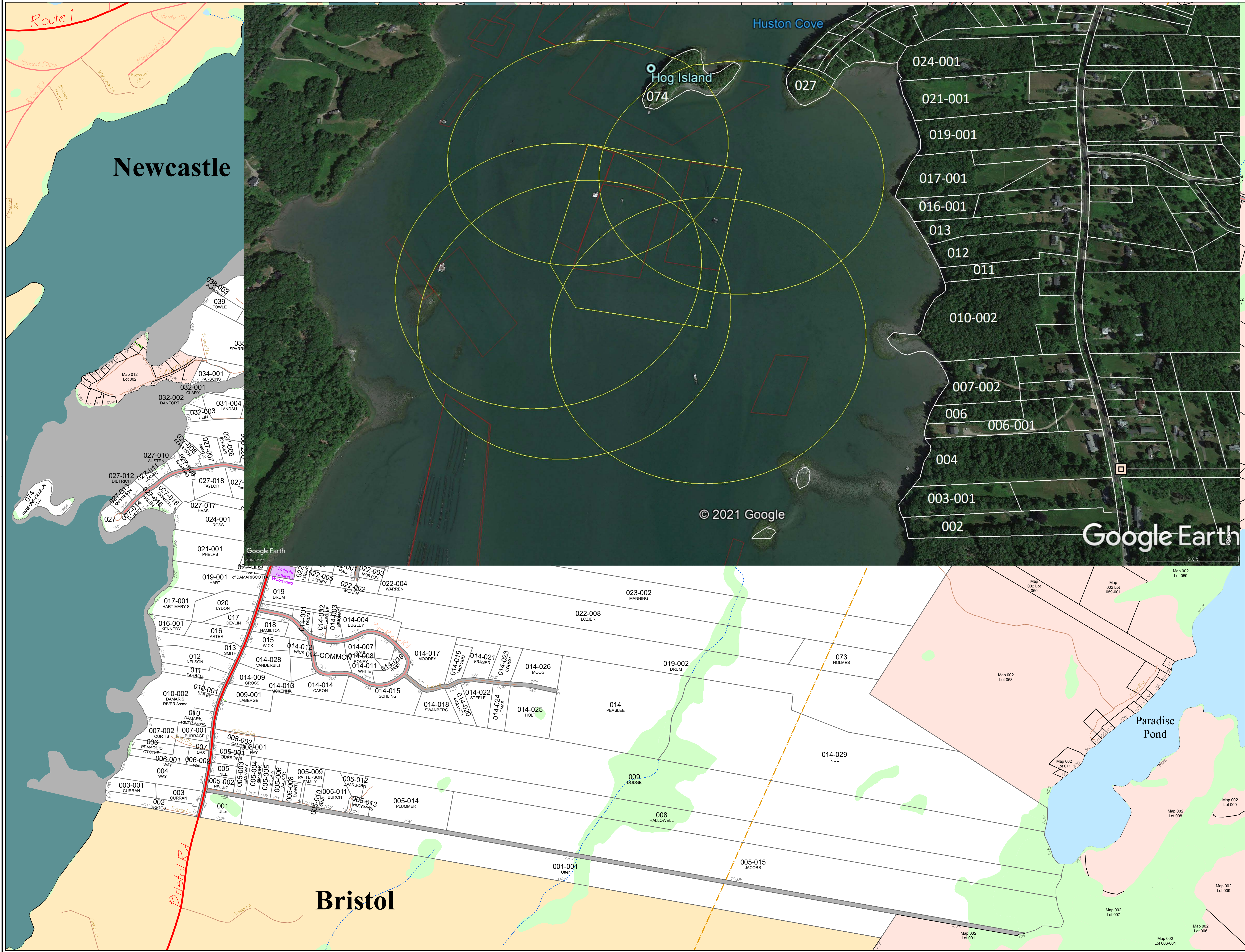
DISCLAIMER: This map is intended for property tax assessment purposes only. The information contained on this map is based upon recorded deeds, plans, and other public sources. These primary sources should be consulted to verify the information contained on this map. Due to conflicts, errors, and omissions in the primary sources, the tax map should be considered to be a representation of the editor's judgment, based upon the available evidence. Tax maps are not legal evidence of size, shape, location, or ownership of real estate, roads, or municipal boundaries.

THE TOWN OF NEWCASTLE ASSUMES NO LIABILITY RELATED TO THE USE OF THIS MAP. THIS MAP IS NOT A SURVEY.



Northern Geomatics, Inc.  
PO Box 557, Bradford, NH 03221  
bduffy@northgeo.com  
www.northgeo.com

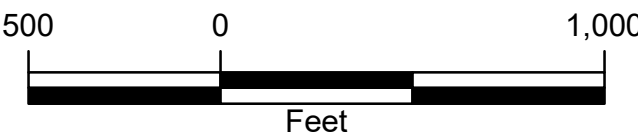




Property Map  
Damariscotta  
Maine



1 inch = 500 feet



Legend

- Current Parcels
- Adjacent Parcels
- Frontage
- Cemetery
- Slate Highway
- Town Road
- Private Way
- Easement
- Powerline
- Streams
- Ponds
- Wetlands (NWI)
- Intertidal Waters
- Tidal Waters

Source Documents:  
Damariscotta Property Maps by James W. Sewall Co. and updated through 2009 by Maine Coast Surveying.  
Digital Property Maps prepared by Maine Coast Surveying in 2009 and updated through 2016.  
Digital Property Map updates by Maine Coast Surveying & Flood Consulting 2017 & 2018.  
High resolution digital orthophotographs produced from aerial photos collected in the Spring of 2013  
Maine Office of Geographic Information Systems digital data layers.  
Road Type contains Next Generation 9-1-1 road centerline and road name data last updated June 9, 2019.  
Streams depicts single line streams of Maine from USGS 1:24,000 scale quadrangles.  
Wetlands (NWI) contains USFWS National Wetland Inventory polygon data for Maine at 1:24,000 scale.  
The tidal shore was developed from two foot contours derived from 2010 -2011 Lidar data courtesy of the USGS and the Maine Office of GIS.  
This revision is based only on plans, deeds and other data supplied by the Town of Damariscotta.  
Owner's names may be abbreviated or simplified to save space. See Damariscotta Tax Records for complete names.  
The dimensions shown were derived from this map for assessment purposes only. They may be different from previous tax maps, deeds, or surveys.

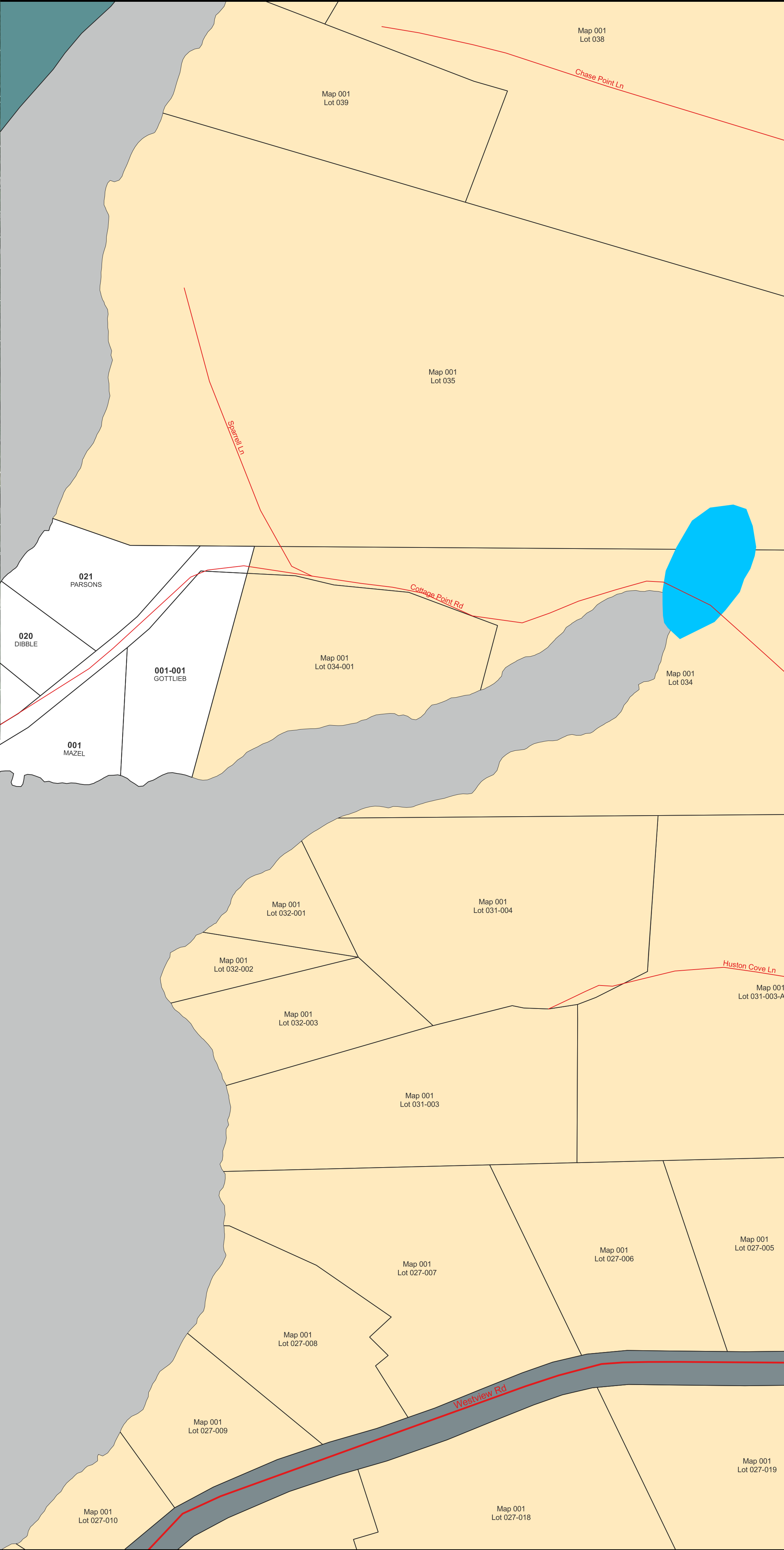
Not a Boundary Survey  
For Assessment Purposes  
Not to be used for Conveyances

April 1, 2019

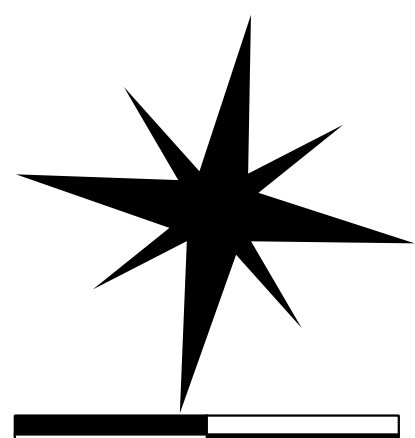
prepared by  
Roderick H. Craib, Jr.  
21 Clarks Cove Road  
Walpole, ME 04573

Map 001





# Property Map Damariscotta Maine



Scale:  
1" = 100 ft.

## Legend

- Powerline
- Sub-parcel lines
- Easements
- NG911 Roads
- Secondary
- Local
- Private
- Paper Street
- Streams
- Parcels shown on this Tax Map
- Parcels shown on other Tax Maps
- Wetlands
- Forested Wetlands
- Ponds
- Road ROW
- Tidal
- Tidal Flats
- Cemeteries

## Source Documents:

Damariscotta Property Maps by James W. Sewall Co. and updated through 2009 by Maine Coast Surveying.

Digital Property Maps prepared by Maine Coast Surveying in 2009 and updated through 2016.

Digital Property Map updates by Maine Coast Surveying & Flood Consulting 2017 & 2018.

Digital Property Map updates by Roderick H. Craib, Jr. (PLS 1191) 2019.

Maine Office of Geographic Information Systems digital data layers include:

High resolution digital orthophotographs produced from aerial photos collected in the Spring of 2013 and 2018.

Road Type contains Next Generation 9-1-1 road centerline and road name data last updated June 20, 2022.

Streams depicts single line streams of Maine from USGS 1:24,000 scale quadrangles.

Wetlands (NWI) contains USFW National Wetland Inventory polygon data for Maine at 1:24,000 scale.

The tidal shore was developed from two foot contours derived from 2010 -2011 Lidar data courtesy of the USGS and the Maine Office of GIS.

This revision is based only on plans, deeds and other data supplied by the Town of Damariscotta.

Owner's names may be abbreviated, simplified, or omitted to save space. See Damariscotta Tax Records for complete names.

The dimensions and areas shown were derived from this map for assessment purposes only. They may be different from previous tax maps, deeds, or surveys.

For Assessment Purposes Only  
Not a Boundary Survey  
Not To Be Used For  
Conveyances

prepared by:  
Roderick H. Craib, Jr.  
P.O. Box 101  
167 Fox Hill Road  
Walpole, ME 04573

Revisions dated November 18, 2022  
based on Ownership on April 1, 2022

# Map 012





223 Main Street  
P.O. Box 940  
Damariscotta, ME 04543  
Phone: 207.563.3195 Ext: 2007  
Fax: 207-563-3356  
Email: nicci.doray@thefirst.com

September 14, 2020

Department of Marine Resources  
State House Station 21  
Augusta, ME 04333

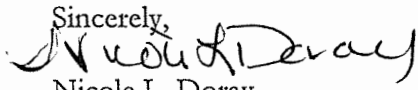
Subject: Muscongus Bay Aquaculture, Inc  
Dodge Cove Marine Farm, LLC  
Ring Point LLC  
Antonina Simmons

To Whom It May Concern,

Please let this communication serve as a letter of recommendation for doing business with Antonina Simmons and the subject businesses.

First National Bank has been providing financial services to Antonina Simmons and the subject businesses in varying credit facilities and deposit accounts since September of 1999. All of their banking relationships have been handled to the utmost satisfaction of the bank. Our history with the subjects has proven that they are very financially prudent and capable, and that they possess the management skills to succeed in their industry and appropriately handle aquaculture leases.

Please do not hesitate to let me know if I can provide any additional information in recommending the subjects in their business endeavors.

Sincerely,  
  
Nicole L. Doray  
VP, Business Relationship Officer

Bangor • Bar Harbor • Blue Hill • Boothbay Harbor • Calais • Camden • Damariscotta • Eastport  
Ellsworth • Northeast Harbor • Rockland • Rockport • Southwest Harbor • Waldoboro • Wiscasset

800.564.3195 | thefirst.com | Member FDIC | 



## MAINE DEPARTMENT OF MARINE RESOURCES

*Aquaculture Division, 21 State House Station, Augusta, ME 04333-0021 (207) 624-6567*

### **CORPORATE APPLICANT FORM** **For Standard and Experimental Aquaculture Lease Applications**

Corporations or partnerships that apply for aquaculture leases in the State of Maine must complete this form. Corporations must submit information as requested under A. Corporate Applicant. Partnerships must submit information as requested under B. Partnership Applicant.

#### **A. Corporate Applicant**

**Note:** You must attach a copy of the Articles of Incorporation (Inc.) or Certificate of Formation (LLC) to your application.

1. Name of Corporation: Muscongus Bay Aquaculture, Inc.

2. Date of incorporation: March 5, 1999 State of incorporation: Maine

3. List the names, addresses, and titles of all officers:

Name	Address	Title
Thierry Bedard	5650 Yonge Street, Toronto, ON M2M 4H5	President, Secretary and Treasurer

**Please use additional sheets if necessary and attach to the application.**

4. List the names and addresses of all directors/members:

Name	Address
Thierry Bedard	5650 Yonge Street, Toronto, ON M2M 4H5
Chris Metrakos	5650 Yonge Street, Toronto, ON M2M 4H5

**Please use additional sheets if necessary and attach to the application.**



5. Has the corporation, or any stockholder, director, or officer applied for an aquaculture lease for Maine lands in the past? ☒ Yes ☐ No

If you selected “yes,” please indicate who applied for the lease and the status of the application or lease.

6. List the names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each stockholder.

Name	Address	Percentage of Owned Stock
Atlantic Aqua Farms USA, Inc.	414 Dow Highway, Eliot, Maine, 03903	100%

**Please use additional sheets if necessary and attach to the application.**

7. List the names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person. If none, write, “None.”

Name	Address	Lease Acronym	Acreage
See attached.			

**Please use additional sheets if necessary and attach to the application.**

8. Has the corporation or any officer, director, member, or shareholder listed in item 5 above ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal?

☐ Yes ☒ No

If you selected “yes”, please provide details.

7. List the names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person. If none, write, "None."

<b>Name</b>	<b>Address</b>	<b>Lease Acronym</b>	<b>Acres</b>
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM DPT	12.42
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM HI2	6.95
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM HI	2.01
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM HI5	3.55
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	NMR NML	.39
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM DL3x	3.93
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM DP	6.53
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM HI3	6.99
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM GS2	5.32

APPENDIX H: Articles of Incorporation

DOMESTIC  
LIMITED LIABILITY COMPANY


STATE OF MAINE

ARTICLES OF AMENDMENT

DCMF, LLC

(Name of Limited Liability Company)

File No. 20081657DC Pages 2  
Fee Paid \$ 50  
DCN 2090551500040 LNME  
FILED  
02/03/2009

  
Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 31 MRSA §623, the undersigned limited liability company executes and delivers for filing these articles of amendment:

**FIRST:** The name of the limited liability company has been changed to (if no change, so indicate)

Dodge Cove Marine Farm, LLC

(The name must contain one of the following: "Limited Liability Company", "L.L.C." or "LLC", §603-A 1)

**SECOND:** The management of the limited liability company has been changed (if no change, so indicate N/A). If changed, "X" one box only.

☐

A. The management of the company is vested in a member or members.

☐

B. The management of the company is vested in a manager or managers. The minimum number shall be \_\_\_\_\_ managers and the maximum number shall be \_\_\_\_\_ managers.

**THIRD:** Other amendments to the articles, if any, that the members determine to adopt are set forth in Exhibit \_\_\_\_\_ attached hereto and made a part hereof.

FORM NO. MLLC-9 (1 of 2)

Tue Feb 23 2010 14:11:47

DATED 1/26/09

Manager(s)/Member(s)\*

[Signature]  
(signature)

Antonia Simmons, manager  
(type or print name and capacity)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name and capacity)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name and capacity)

For Manager(s)/Member(s) which are Entities

Name of Entity \_\_\_\_\_

By \_\_\_\_\_  
(authorized signature) (type or print name and capacity)

Name of Entity \_\_\_\_\_

By \_\_\_\_\_  
(authorized signature) (type or print name and capacity)

Name of Entity \_\_\_\_\_

By \_\_\_\_\_  
(authorized signature) (type or print name and capacity)

\*Articles MUST be signed by:

- (1) at least one manager OR
- (2) at least one member if the limited liability company is managed by the members OR
- (3) any duly authorized person.

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

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

**SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE,  
101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101**

FORM NO. MLLC-9 (2 of 2) Rev. 8/1/2004

TEL. (207) 624-7752

**DOMESTIC  
LIMITED LIABILITY COMPANY**

**STATE OF MAINE**

**ARTICLES OF ORGANIZATION**

**Filing Fee \$175.00**

**File No. 20081657DC Pages 3**

**Fee Paid \$ 175**

**DCN 2073441900005 LTLC**

**FILED**

**11/27/2007**

*Julie L. Flynn*  
Deputy Secretary of State

A True Copy When Attested By Signature

*Julie L. Flynn*  
Deputy Secretary of State

Pursuant to 31 MRSA §622, the undersigned executes and delivers the following Articles of Organization:

**FIRST:** The name of the limited liability company is

DCMF, LLC

(The name must contain one of the following "Limited Liability Company", "L L C" or "LLC" - see 31 MRSA §603-A 1)

**SECOND:** (Check only if applicable)



This is a professional limited liability company\* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services

(Type of professional services)

**THIRD:** The name of its Registered Agent, an individual Maine resident or a foreign or domestic business entity\*\*or nonprofit corporation authorized to do business or carry on activities in Maine, and the address of the registered office shall be:

Robert E. Stevens

(Name)

One Canal Plaza, Suite 1000, Portland, ME 04101

(Physical location - street (not P O Box) city, state and zip code)

PO Box 7320, Portland, ME 04112

(Mailing address if different from above)



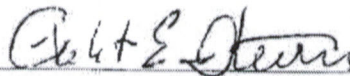
**FOURTH:** (Check one box only)

- ☐ A. The management of the company is vested in a member or members.
- ☒ B. 1. The management of the company is vested in a manager or managers. The minimum number shall be one managers and the maximum number shall be five managers
2. If the initial managers have been selected, the name and business, residence or mailing address of each manager is
- | <u>Name</u> | <u>Address</u> |
|-------------|----------------|
| _____       | _____          |
| _____       | _____          |
| _____       | _____          |
- ☐ Names and addresses of additional managers are attached as Exhibit \_\_\_\_\_, and made a part hereof

**FIFTH:** Other provisions of these Articles, if any, that the members determine to include are set forth in the attached Exhibit \_\_\_\_\_ and made a part hereof.

**Organizer(s) \*\*\***

**Dated** November 26, 2007

  
(Signature)

Robert E. Stevens

(Type or print name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or print name)

**For Organizer(s) which are Entities**

Name of Entity \_\_\_\_\_

By \_\_\_\_\_  
(Authorized signature)

\_\_\_\_\_  
(Type or print name and capacity)

Name of Entity \_\_\_\_\_

By \_\_\_\_\_  
(Authorized signature)

\_\_\_\_\_  
(Type or print name and capacity)

Name of Entity \_\_\_\_\_

By \_\_\_\_\_  
(Authorized signature)

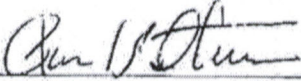
\_\_\_\_\_  
(Type or print name and capacity)

### Acceptance of Appointment of Registered Agent

The undersigned hereby accepts the appointment as registered agent for the above-named limited liability company

Registered Agent

Dated November 26, 2007

  
(Signature)

Robert E. Stevens

(Type or print name)

For Registered Agent which is an Entity

Name of Business Entity\* or Nonprofit Corporation \_\_\_\_\_

By \_\_\_\_\_

(Authorized signature)

(Type or print name and capacity)

Note: If the registered agent does not sign, Form MLLC-18 (31 MRSA §607.2) must accompany this document

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\***Examples** of professional service corporations are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians  
(This is not an inclusive list – see 13 MRSA §723.7)

\*\*Business entity is defined as a business corporation, a limited partnership or a limited liability company.

\*\*\*Articles **MUST** be signed by:

- (1) all organizers **OR**
- (2) any duly authorized person

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453

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

Submit completed form to

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

Email Inquiries CEC Corporations@Maine.gov

STATE OF MAINE  
Department of the Secretary of State  
Bureau of Corporations, Elections and Commissions  
101 State House Station  
Augusta, Maine 04333-0101

December 11, 2007

CURTIS THAXTER STEVENS BRODER & MICOLEAU, LLC  
ATTN: AURALEE J. BUSSONE  
PO BOX 7320  
PORTLAND ME 04112-7320

ATTESTED COPIES  
WR DCN: 2073441900004

Enclosed please find copies of documents recently placed on file with our office. Each copy has been attested as a true copy of the original and serves as your evidence of filing. We recommend that you retain these permanently with your records.

Charter#: 20081657DC Legal Name: DCMF, LLC

ARTICLES OF ORGANIZATION

DCN: 2073441900005 Page(s) 3

Total Pages 3