

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Thomas Henninger		
Contact Person	Heidi Henninger		
Address	492 W. Wlm St.		
City	Yarmouth		
State, Zip	ME 04096		
County	Cumberland		
Telephone	207-318-5617		
Email	hlhenninger@me.com		
Type of Application	<input type="checkbox"/> Draft Application <small>[submitted before scoping session session]</small>		<input checked="" type="checkbox"/> Final Application <small>[submitted after scoping session]</small>
Dates	Pre-Application Meeting: 9/6/19	Scoping Session: 02/06/2020	Draft Application Submitted:

Note: If applicant is a corporation or a partnership, the “Corporate Applicant Information Document” available at: <http://www.maine.gov/dmr/aquaculture/forms/standard.html> must also be completed.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Yarmouth
Waterbody	Broad Cove, Casco Bay
General Description (e.g. south of B Island)	East side of mouth of Broad Cove
Lease Information	
Total acreage requested (100-acre maximum)	5.9 acres
Lease term requested (20-year maximum)	20 year
Type of culture (check all that apply)	<input type="checkbox"/> Bottom (no gear) <input checked="" type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Note: If you selected yes, you need to complete the steps outlined in the section titled: “19. Landowner/Municipal Permission Requirements”.

3. WATER QUALITY

Directions: Water Quality Information can be found here: <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>

Pollution Area (e.g. "19-A"):	14
Pollution Area Section (e.g. "B.2". or "none"):	none
Water Quality Classification (e.g approved, restricted, etc.):	Open

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 you plans at the following email: DMRPublicHealthDiv@maine.gov

4. SPECIES INFORMATION

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

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock, juveniles, and/or smolts	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern oysters <i>Crassostrea virginica</i>	Mook Sea Farm 321 ME Rt 129 Walpole, ME 04573	2.5 million
2. Sea Scallop <i>Placopecten magellanicus</i>	Mook Sea Farm 321 ME Rt129 Walpole, ME 04573	500,000
3. Hard clam <i>mercenaria mercenaria</i>	Mook Sea Farm 321 ME Rt 129 Walpole, ME 04573	1 million
4.		
5.		

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

If you answered "yes" please contact the Bureau of Public Health to discuss you plans at the following email: DMRPublicHealthDiv@maine.gov

Note: If you are proposing to grow molluscan shellfish, this application also serves as your written operational plan as required in the National Shellfish Sanitation Program (NSSP) Model Ordinance Chapter 2, and must be maintained in your files. If you wish to submit an operational plan separate from this application, please contact: DMRPublicHealthDiv@maine.gov

5. VICINITY MAP

Note: Please label as: 'Vicinity Map'.

Directions: Using a NOAA Chart or USGS topographic map, show the area within a minimum of one-half mile of the proposed lease site.

The map needs to display the following:

- The waters, shore lands, and lines of mean high and mean low water within the general area of the lease
- An arrow indicating true north
- A scale bar
- The approximate lease boundaries

6. BOUNDARY DRAWING

Note: Please label as: 'Boundary Drawing'.

Directions: Depict the boundaries of the proposed lease site. Provide a drawing with all corners, directions, and distances labeled. Provide coordinates for each corner as follows:

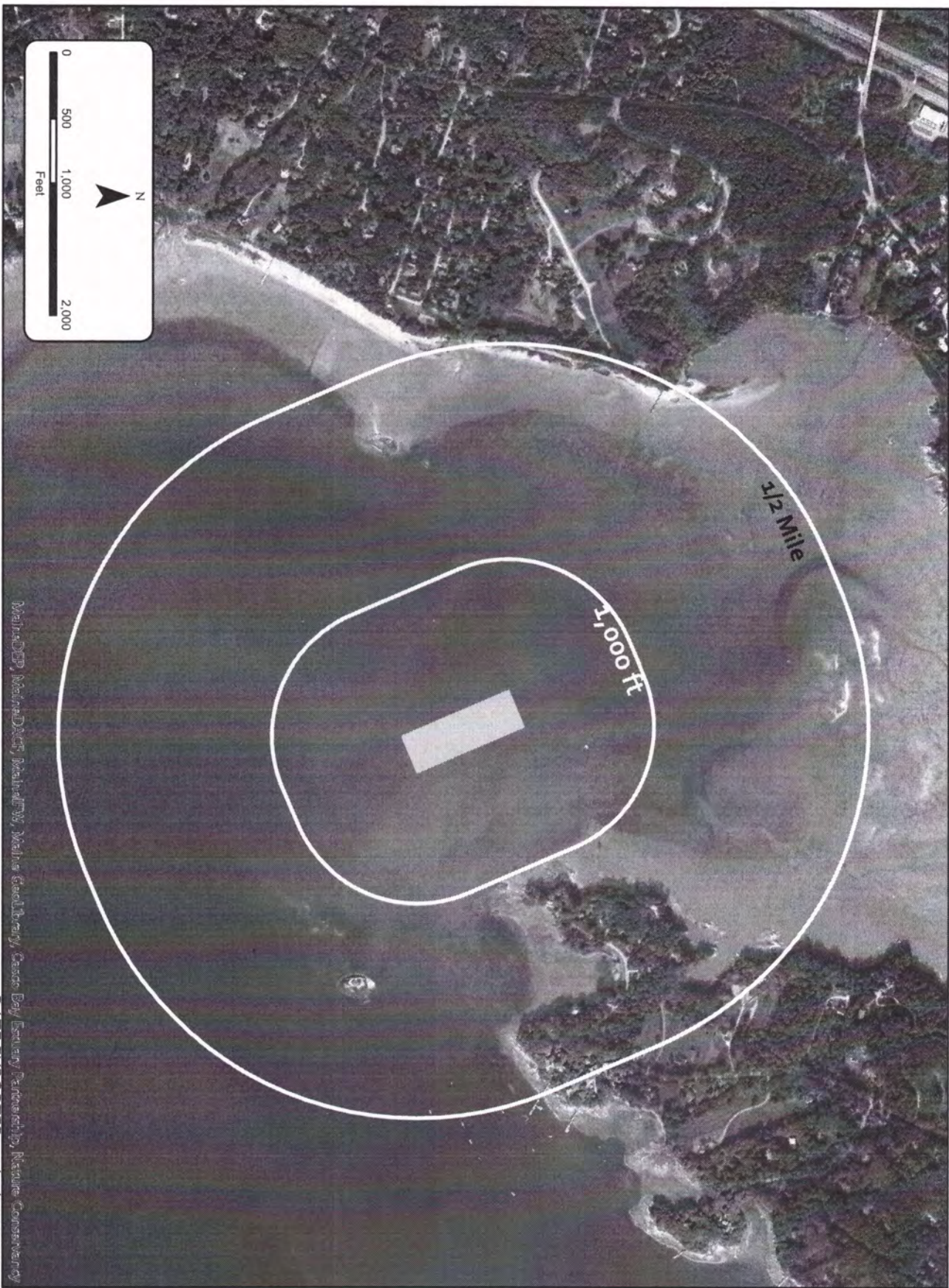
- Coordinate Description
Provide geographic coordinates for each corner of the lease site in latitude and longitude as accurately as possible (e.g., to the nearest second or fraction of a second). Identify the datum from the map, chart, or GPS unit used to develop these coordinates. The datum will be shown on the map or chart you are using. The Coordinate Description may be provided separately from the Boundary Drawing.

Figure 1: Vicinity Map



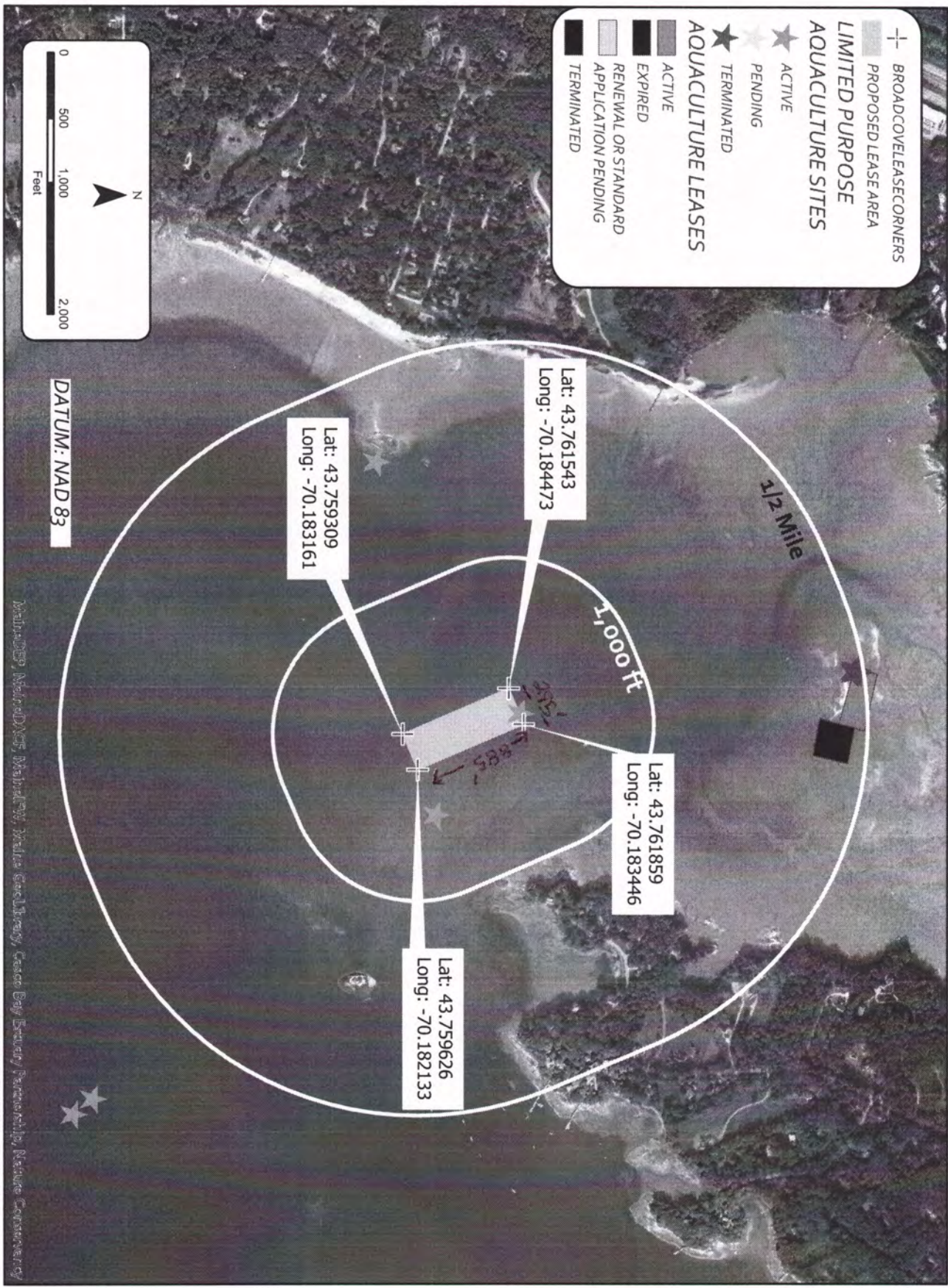
DATE EXPORTED: 10/17/2019 9:25

Figure 2: Vicinity Map



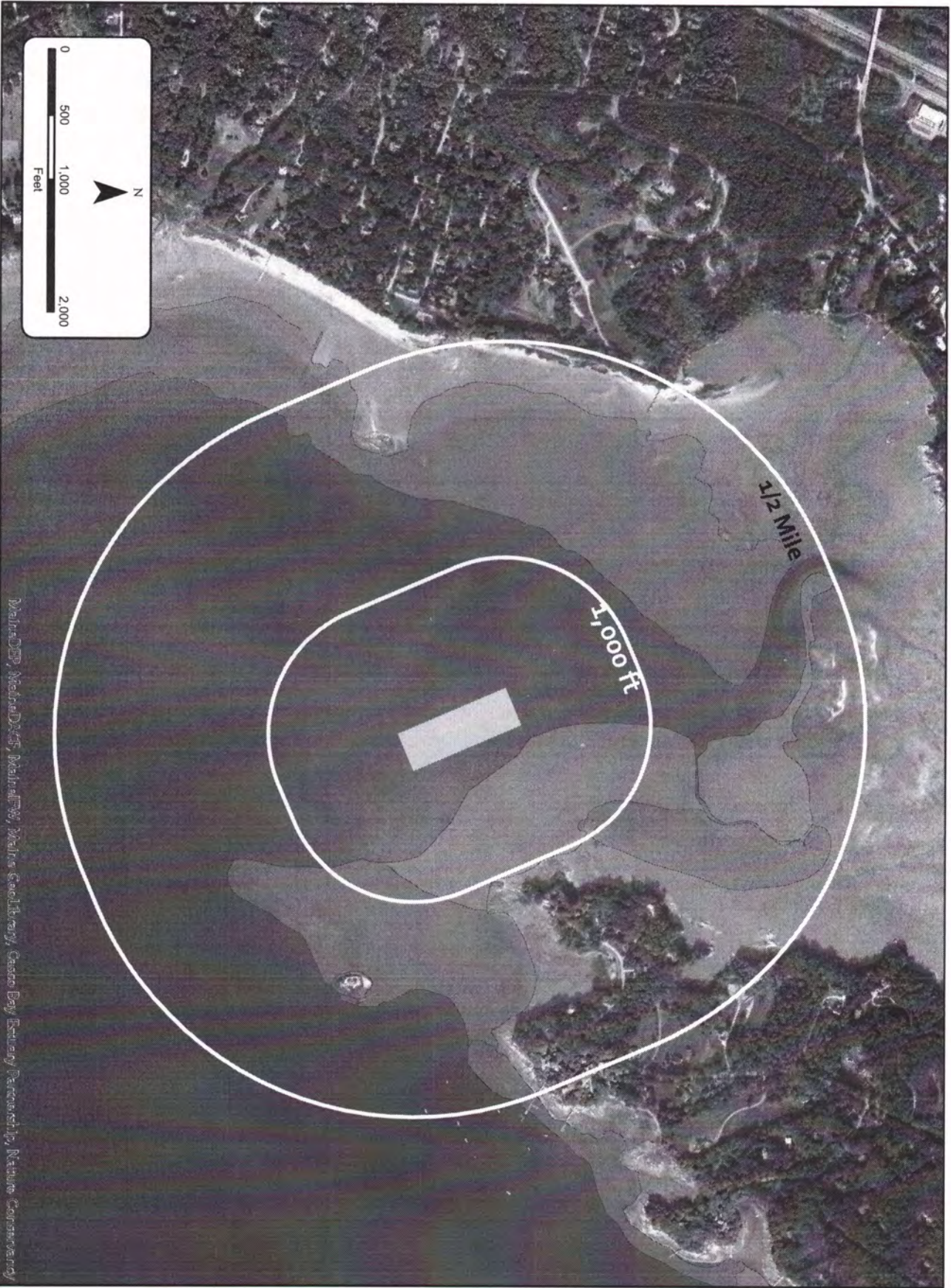
Map made by Maura D'Arcy, Maura Gaultney, Cascade Bay Estuary Partnership, Nature Conservancy
DATE EXPORTED: 10/17/2019 4:31

Figure 3: Boundary Drawing



DATE EXPORTED: 10/17/2019 9:41

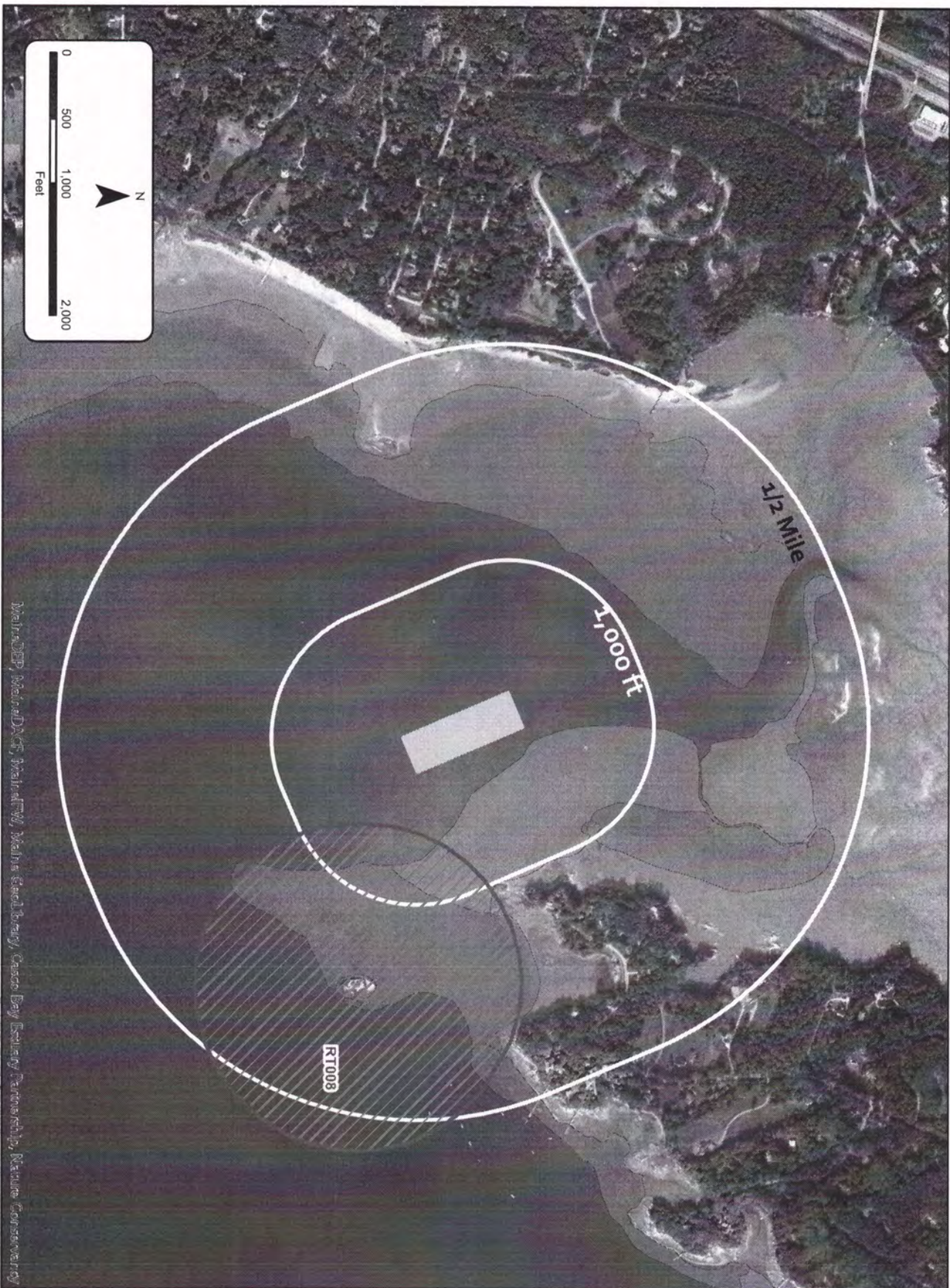
Figure 4: Eel Grass Beds 2018



Mather, D.P., Mather, D.A., Mather, D.W., Mather, S. Geology, Casco Bay Estuary, Percussive, Nature Conservancy

DATE EXPORTED: 10/17/2019 9:27

Figure 5: Roseate Tern Essential Habitat



Maintained by Maine DEP, Maine DOW, Maine Fish & Wildlife, Maine Sea Grant, Casco Bay Estuary Partnership, Nature Conservancy

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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.).

- 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.
- Gear Table:** List and describe each individual gear type that you will use in the table below. Only include gear that will hold organisms to be cultured (e.g. Polar circles, marine algae longline, oyster cages).

Specific Gear Type (e.g. soft mesh bag)	Dimensions (e.g. 16"x20"x2")	Time of year gear will be deployed (e.g. Spring, Winter, etc.)	Maximum amount of this gear type that will be deployed on the site (i.e. 200 cages, 100 lantern nets, etc.)	Species that will be grown using this gear type
OysterGro cages and floats	41" x 68" x 22"	throughout the year	675 cages (total lantern net + cages will not exceed 675)	Eastern Oyster /scallop & clams
Lantern nets	30"x 70"	throughout the year	675 lantern nets (total nets + cages will not exceed 675)	Scallops
Bottom cages	36" x 48" x 48"	November - June (some may remain on bottom year round)	72 cages	Eastern Oyster / scallops & clams
BEAD AWAY FLAG/KITE	18' FIBER GLASS POLE 22" BEAD SHAPED KITE	RANDOMLY THROUGHOUT SUMMER MONTHS	ONE	

OYSTER GROU TOP

← 36" →

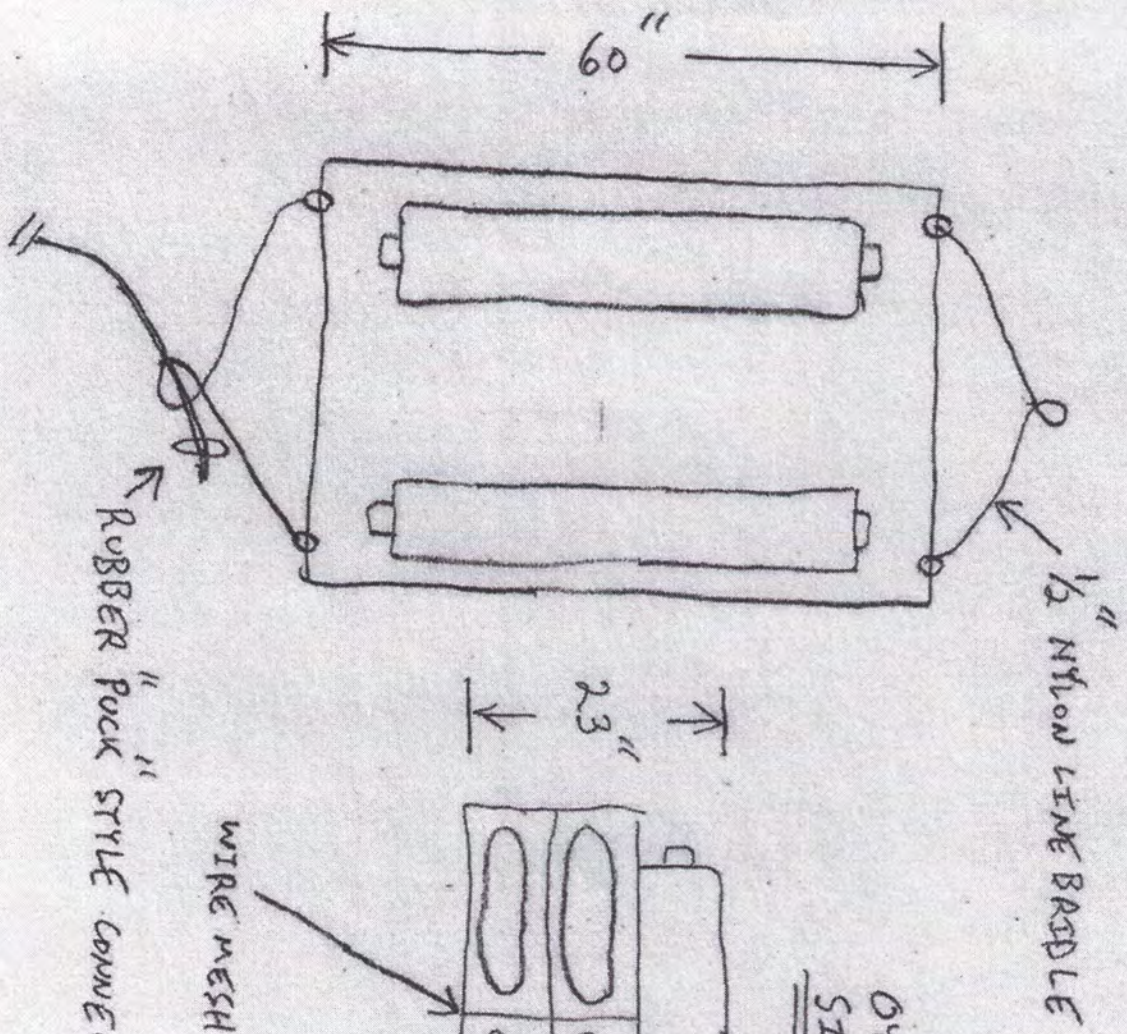


Figure 6: GEAR DRAWING

OYSTER GRO
SIDE VIEW

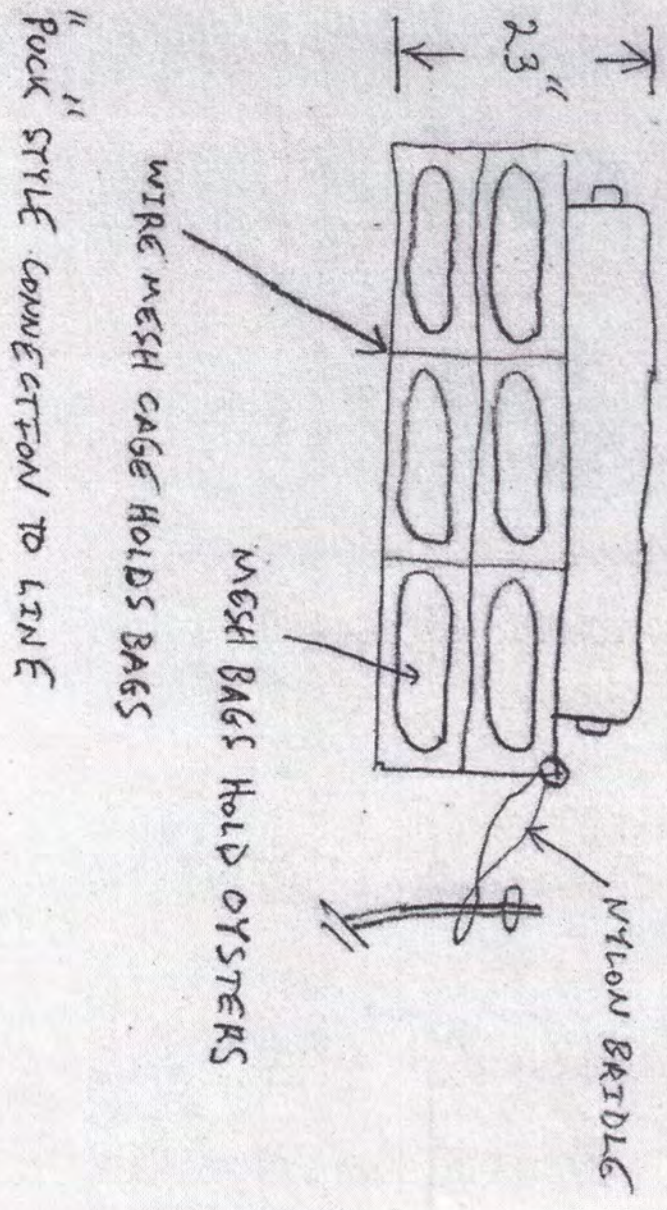
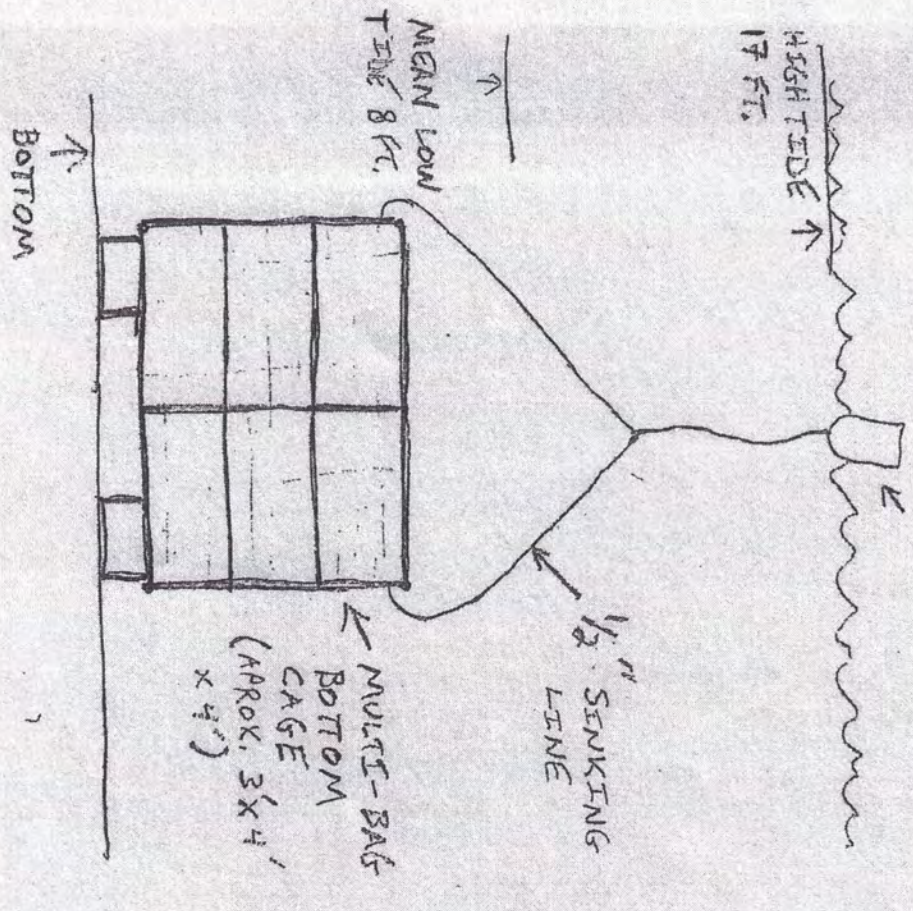
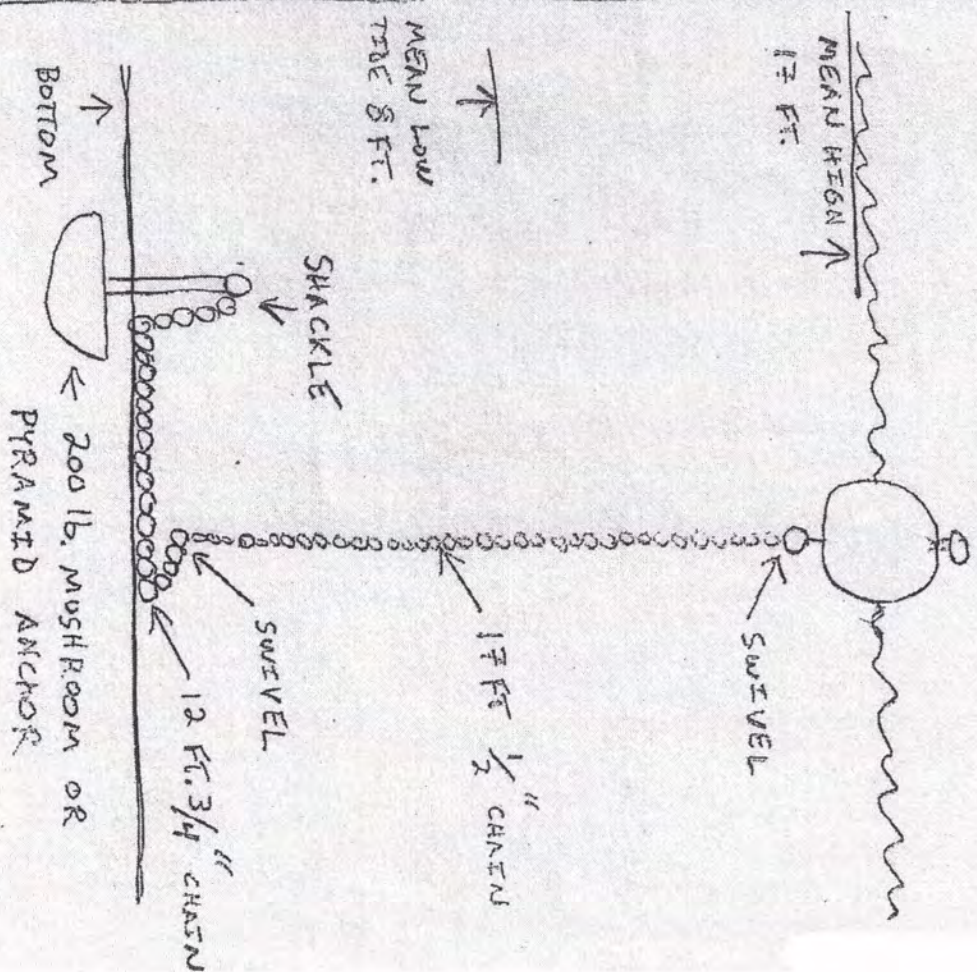


Figure 7



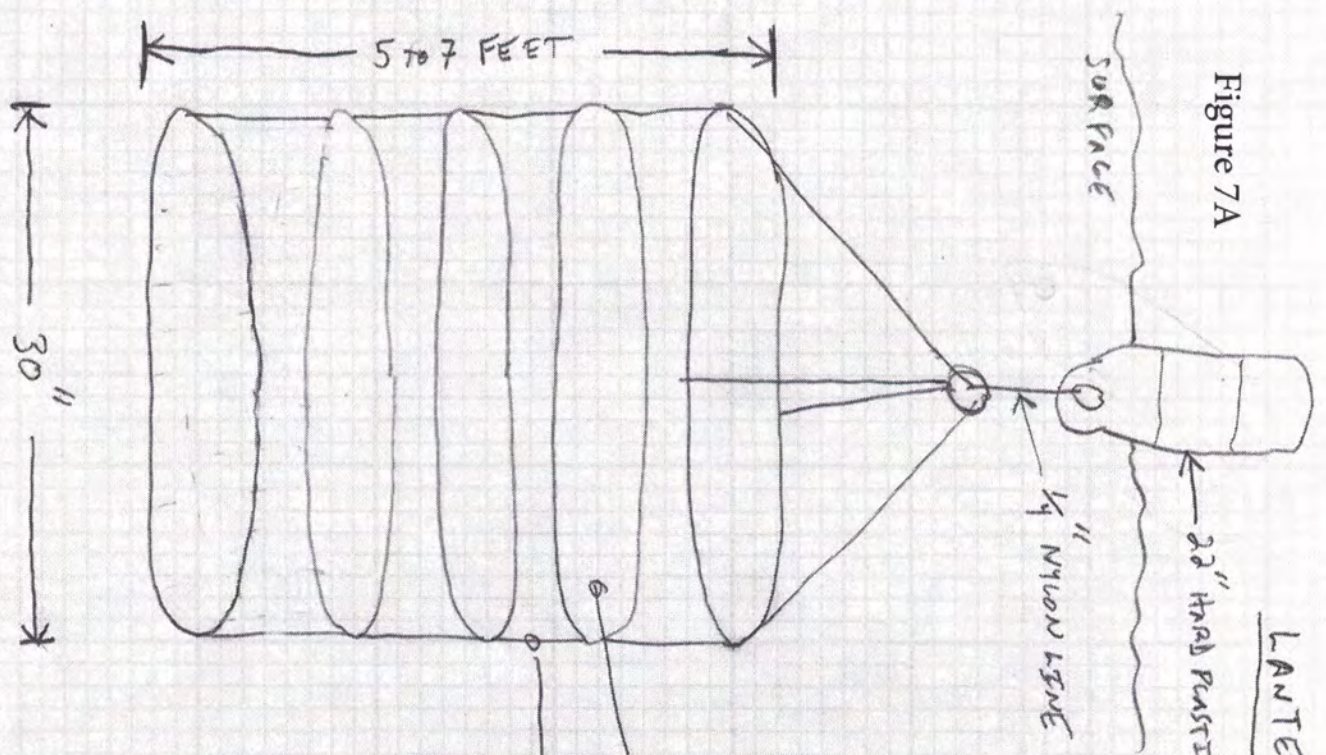
BOTTOM CAGE CROSS SECTION VIEW

NOT TO SCALE



MOORING CROSS SECTION VIEW

Figure 7A



LANTERN NET GEAR DRAWING
(NOT TO SCALE)

LANTERN NET HAS SEVEN NYLON MESH DISKS APPROX. 30" IN DIAMETER. SCALLOP RING ON TOP OF THESE MESH DISKS, ENCLOSED BY A MESH ENCLOSURE.

B. Maximum Structure and Mooring System Schematic

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

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

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

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

C. On-Site Support Structures

1. Describe structures such as barges, sheds, etc., to be located on-site. Provide a schematic and indicate the dimensions, including height above sea level, materials, etc.
15' x 30' float with tumbler sorter may be on site (at intervals), refer to figure 8 for location (FIGURE 8 = OVERHEAD GEAR DIAGRAM, PAGE 5A)
2. Describe the storage and use of oil, gasoline or other hazardous materials on this facility. If petroleum products are to be stored on site, provide a spill prevention plan.
none

FIGURE 8

Overhead Gear Diagram

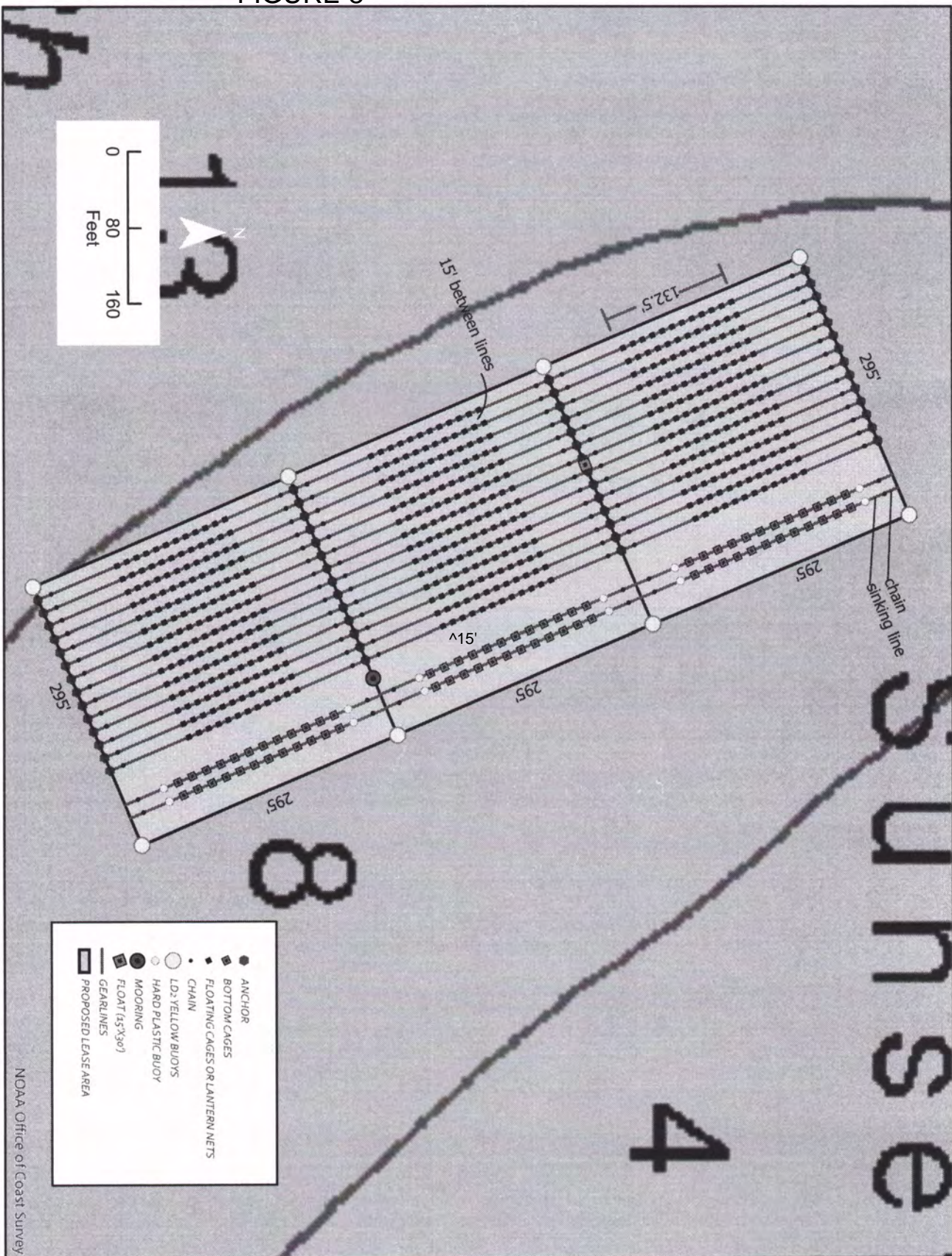


Figure 9:

OVERHEAD VIEW (MAX. 12 CAGES)

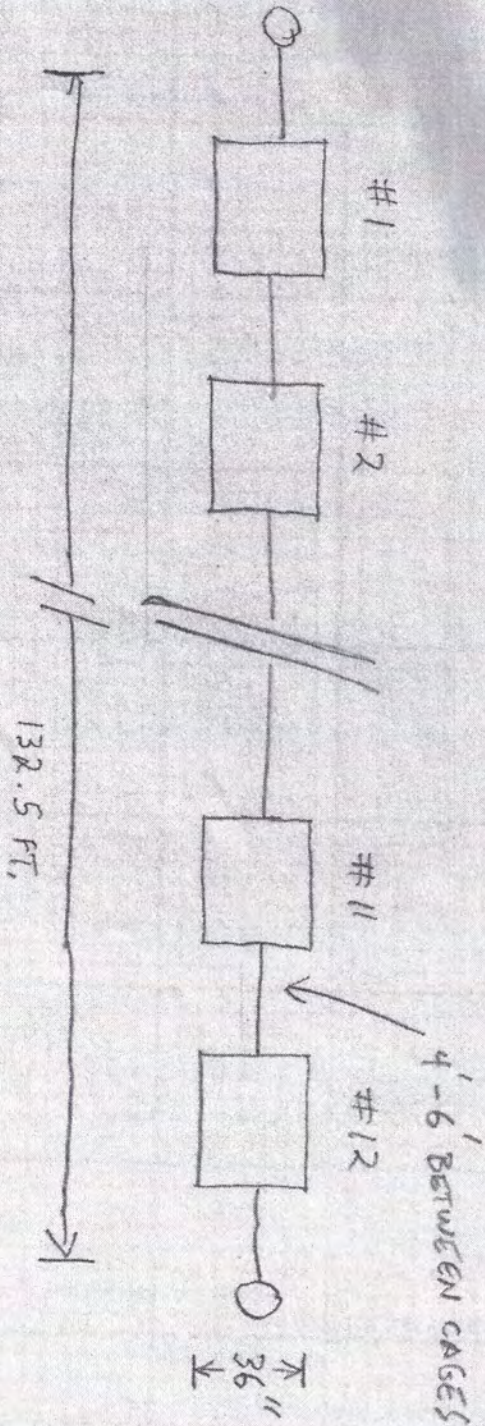


Figure 10
SIDE VIEW
 (NOT TO SCALE)

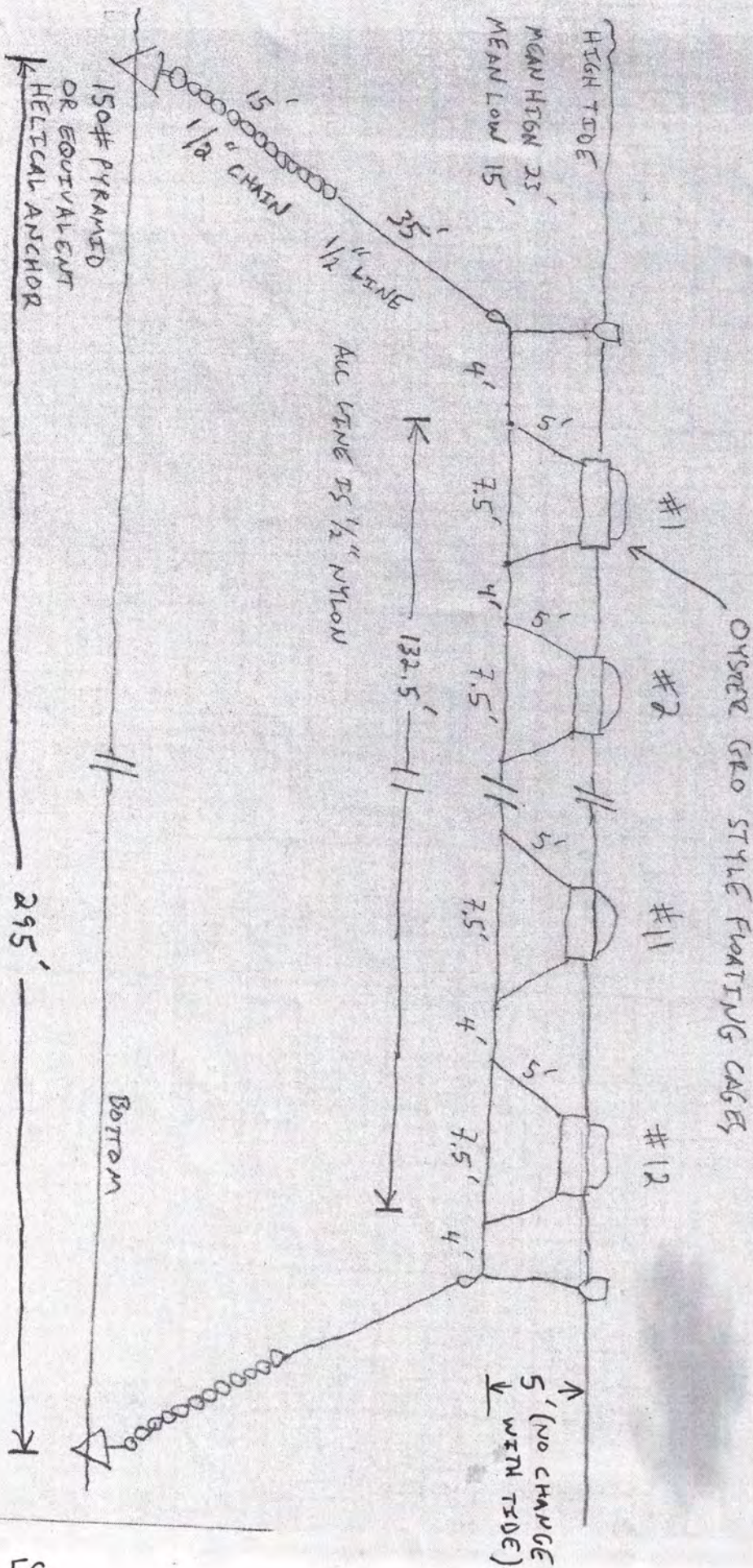
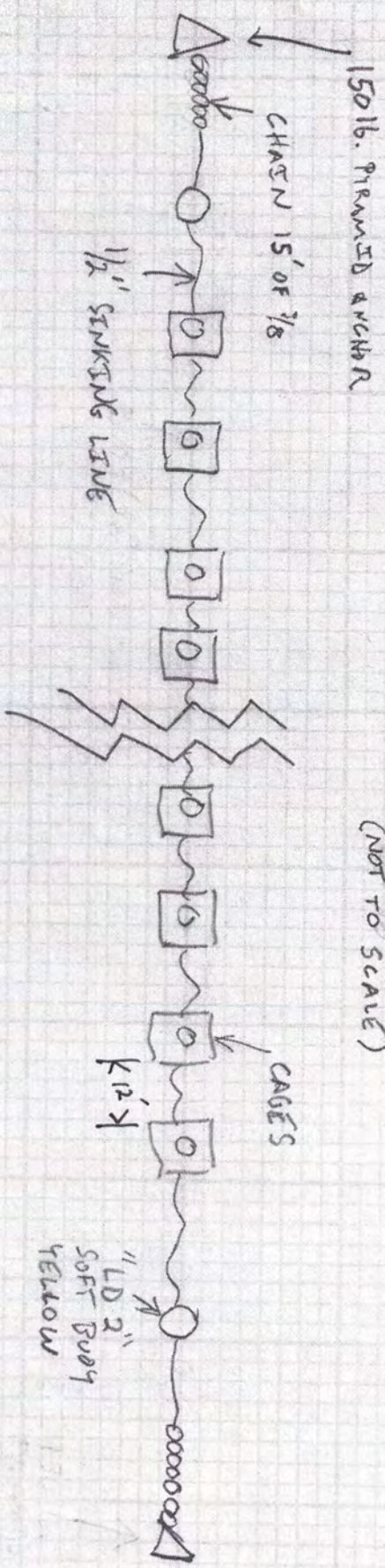


Figure 11

OVER HEAD VIEW OF BOTTOM CAGES
(NOT TO SCALE)



SIDE VIEW OF BOTTOM CAGES

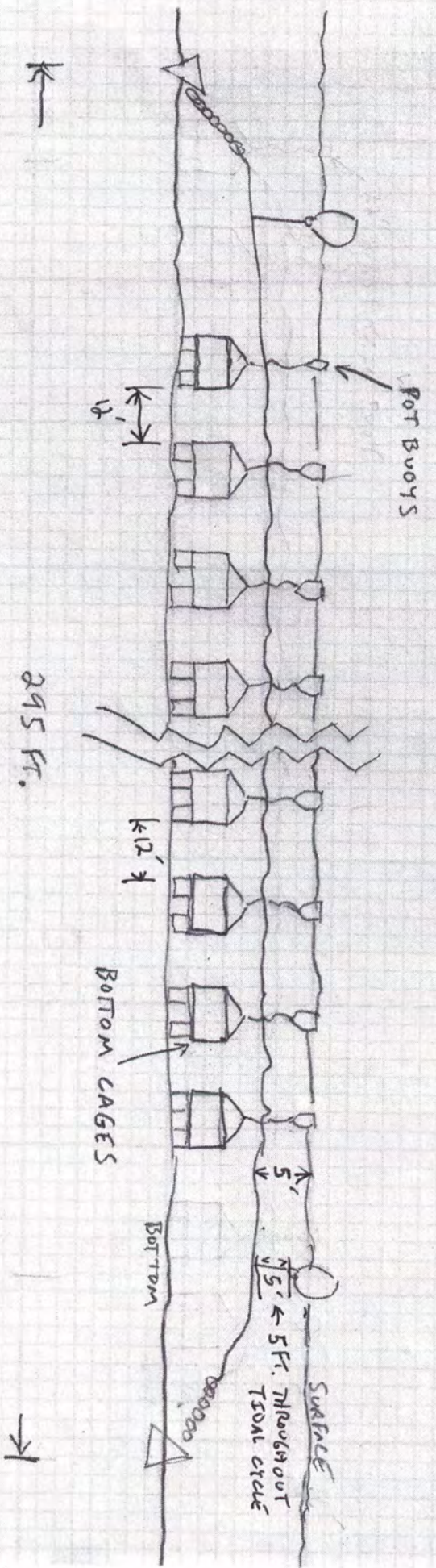
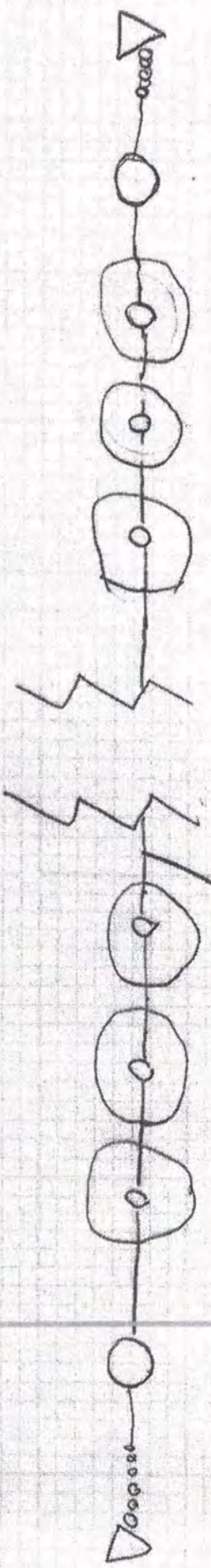
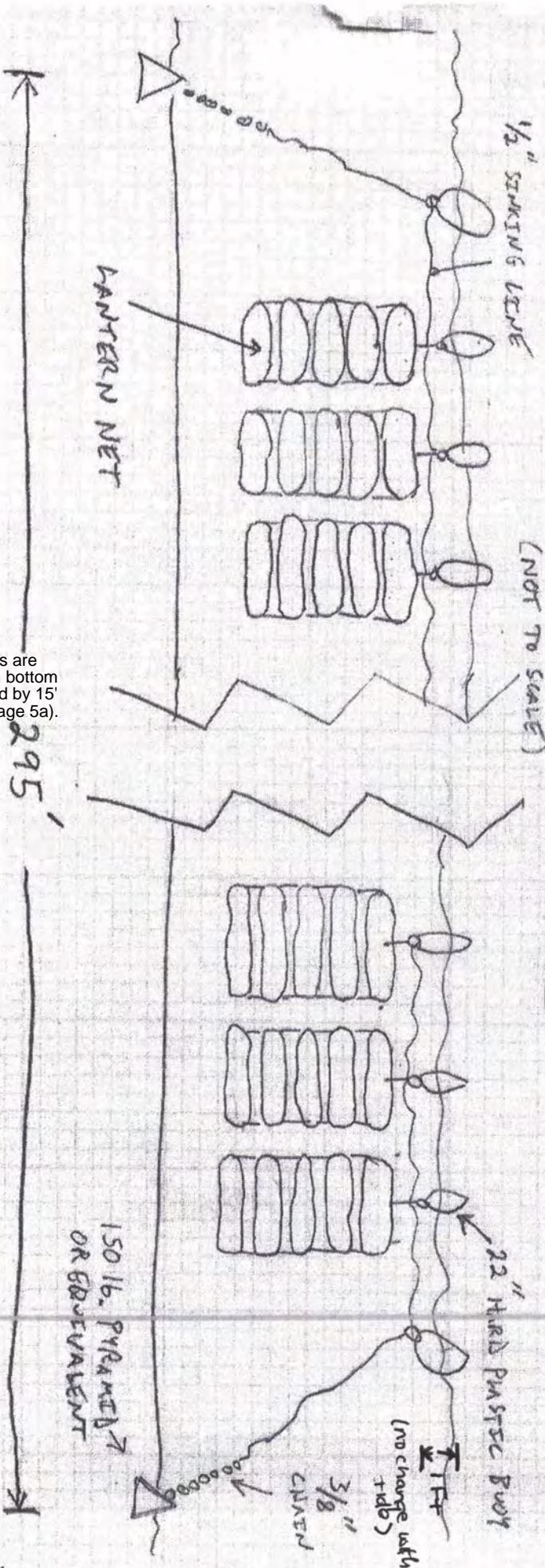


Figure 12

LANTERN NET STRING TOP VIEW
(NOT TO SCALE)



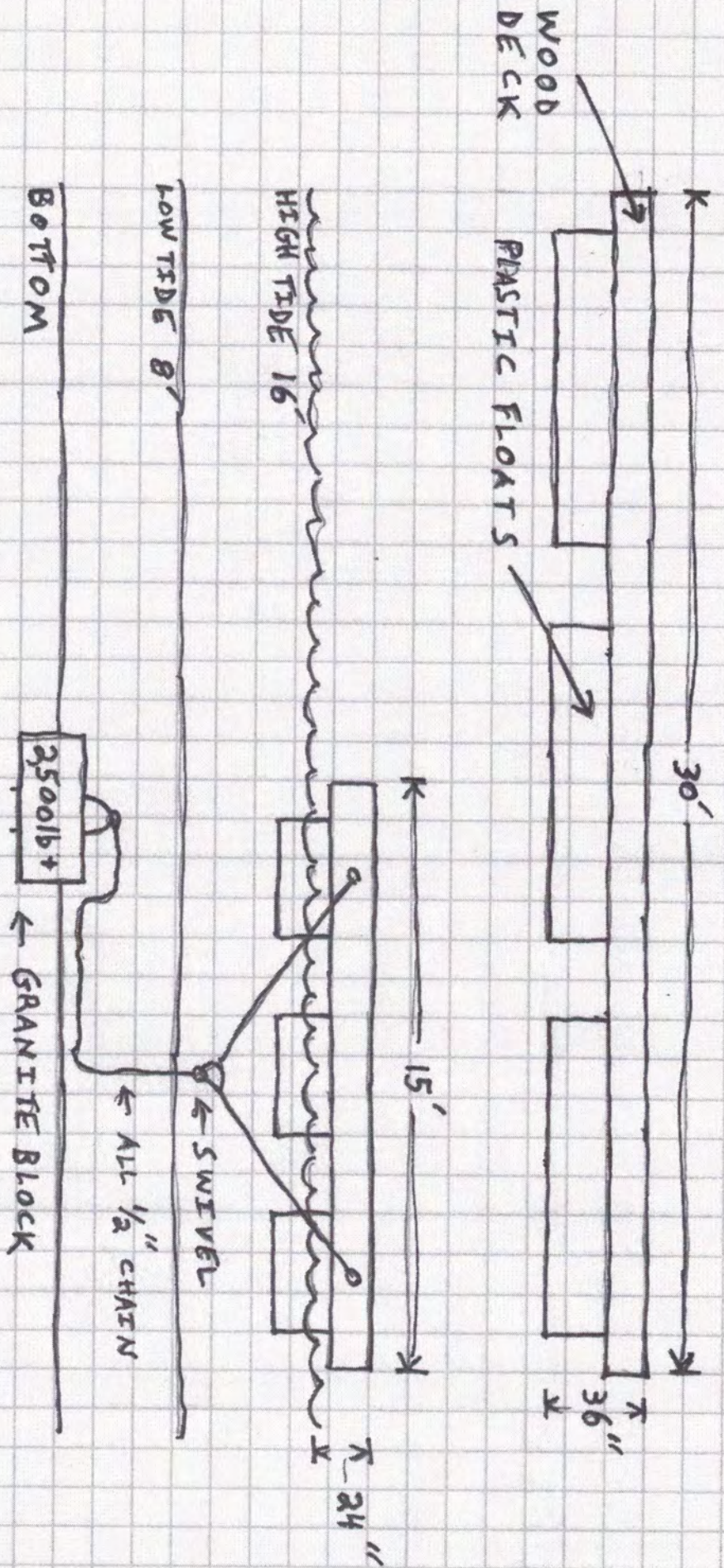
LANTERN NET STRING SIDE VIEW
(NOT TO SCALE)



*Strings with lantern nets are distinct from strings with bottom cages and are separated by 15' as shown in Figure 8 (page 5a).

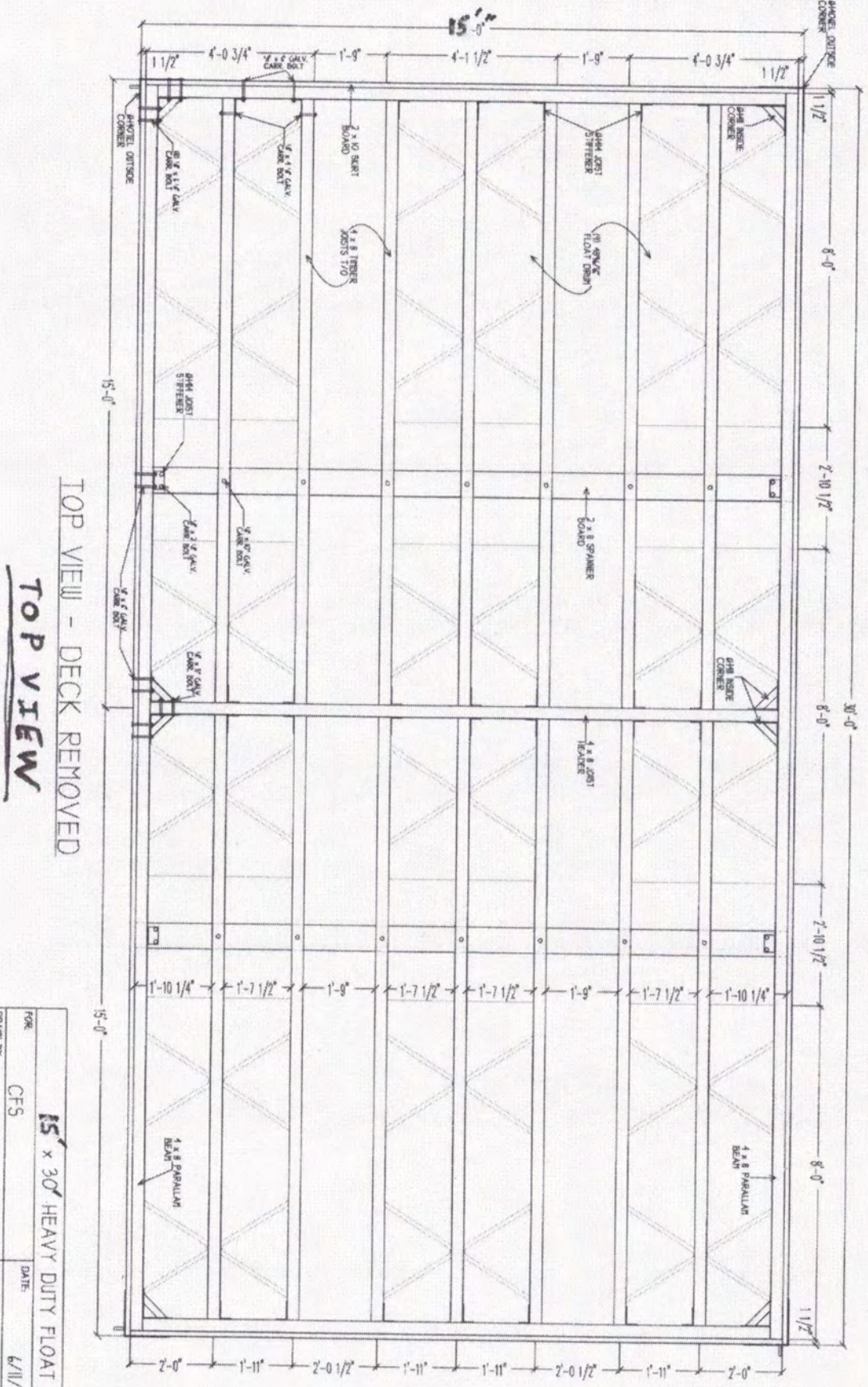
Figure 13

15' X 30' WORK FLOAT (SIDE VIEWS)



(NOT TO SCALE)


Figure 14



TOP VIEW - DECK REMOVED

TOP VIEW

FOR:	CFS	DATE:	6/11/09
DRAWN BY:	MPD	FLORATION:	(9) 4896-16"
DESIGNED BY:			

 Custom Float Services
The Nation's Best Floating Inc.

D. Gear Color

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

The oyster gro floats are grey or black; cages are black wire. Perimeter buoys are yellow

E. Equipment Layout

Provide schematic or photographic renderings of the generalized layout of the equipment as depicted from two vantage points on the water. Provide the locations of the two vantage points.

F. Marking

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80?

Yes No

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

Note: If a lease is granted, you will also be required to mark the site in accordance with appropriate US Coast Guard Regulations. If you have questions about US Coast Guard Regulations contact: 1st Coast Guard District, Aids to Navigation Office ((617)-223-3293).

8. PRODUCTION ACTIVITIES

Directions: If you are cultivating more than one species, you will need to provide 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.

Oyster seeding depends on water temperature. 0.5" oysters will be placed in bags, 6 bags per cage and this may occur as early as July through October. The prior year's oysters are raised off the bottom possibly in May/June and these will remain on surface through October/November. Scallop seed will be placed in lantern nets in April/May and remain through Harvest. Hard clams are seeded in the same manner as oysters, at the same time, in the same gear (in separate bags and cages).

B. Please explain your proposed tending/maintenance activities.

Cages are flipped 1-2 times per week depending on degree of bio-fouling. Oyster bags are removed from cages, taken off-site for tumbling/sorting. Tumbler site is located 7000 feet to the ESE of the lease, on a moored float. In future, we hope to locate the tumbler on a float within the lease. Tumbling, sorting and splitting bags will occur weekly throughout the season (June through November)* Over the winter, market ready oysters**and scallops will be raised off the bottom to be sold on a weekly basis. Hard clams are not tumbled but bag splitting will occur similar to oysters. **see additional info in C

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

Aside from extreme weather, the site will be tended 4 - 5 days per week (and sometimes 7d) throughout the majority of the growing season (June through November), and once weekly or every other week over the winter.

*additional info (8B): Lantern nets and scallops are inspected every 1 - 3 weeks and defouled with brushes as needed.

**additional info (8B): Over the winter, market-ready clams will also be raised off the botton to be sold on a weekly basis.

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

Harvesting is done by removing oysters from bags. Similarly for scallop, harvesting entails removal from lantern nets or bottom cages. Hard clams are harvested by removal from bags in either floating or bottom cages. In the winter, lantern nets are removed and all species, oysters, scallop and clams will be in bottom cages. Harvesting will entail removal from bottom cages.

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

Harvesting is ongoing throughout the entire season, June - November, and will co-occur with maintenance (tumbling and sorting). Over the winter, harvesting will occur by raising bottom cages off the bottom and removing oysters and/or scallops, approximately once weekly or every-other week. The same is true of hard clams.

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

G. If no, 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.

All grow-cages will be sunk to the bottom for overwintering. Buoys will remain on the surface. The lantern nets will be removed. Scallops will over-winter in bottom cages.

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 site?

24 foot skiff (or smaller) with 115 hp, 4 stroke (or smaller) engine. These will be on site 4 - 7 days per week during the growing season and approximately once weekly (or every other week) over the winter.

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?

Currently, our tumbling and sorting is performed off site. In the future, tumbling/sorting may occur on a float within the lease site. The machine is run on a Honda 3000 generator (rated < 58 dB).

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

We limit the boat engines on our lease to small, 4 stroke outboards, quiet and efficient. The tumbler/sorter is insulated with sound-baffling materials and covered with a plastic housing. The generator operates in an insulated metal box.

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.

not applicable

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

If a major storm was approaching, in an emergent situation, we may need to be at the lease after dark, sinking cages to the bottom. Usually there is sufficient warning to accomplish work during daylight hours.

10. CURRENT OPERATIONS

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

A. Describe your existing aquaculture operations.

We currently have an experimental lease within the area of the proposed lease and have 450,000 oysters (first and second years) currently in bags within cages. We started in the same area with an LPA prior to obtaining the experimental lease. We have 4 LPAs south of the bridge to Cousin's Island* and an experimental lease (to be active May 2020) near Little John Island.** We have LPAs for floating upwellers currently on the Cousin's River and Royal River.* We are upwelling 1-2 mm oyster seed to 12 mm before either selling the upwelled seed to other Casco Bay farmers or placing them on our family's farm. We successfully upwelled over 1 million 2 mm seed oysters this season. We also grow sugar kelp on four LPAs in the waters of Yarmouth. We have a tumbler/sorter and seed shaker table to increase production efficiency. *HHEN419, HHEN319, THEN118, THEN418; CAS LJ2x; HHEN219, HHEN119
****NHEN118, NHEN218, NHEN318, NHEN418

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.

The proposed lease will replace the current experimental lease* at the same site. The other projects will not be affected. *CAS BC2x

11. ENVIRONMENTAL CHARACTERIZATION

Directions: Using your knowledge of the area, describe the environment of the proposed lease site. Be sure to include units of measurement in your answers (i.e. feet, cm/s).

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

8 - 10 feet

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

16 - 18 feet

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

Northwest <---> Southeast 0 - 2 knots

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.)?

Sticky mud

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

flat

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?

skeleton shrimp, ctenophores, sporadic bait fish and striped bass have been seen swimming beneath the cages.

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

No.

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.

See Figure 4 for 2018 DMR Eel Grass bed locations. We dove the length and breath of the proposed lease site multiple times in the June 2019, October 2019 and December 2019 and we did not observe eel grass, only sticky mud. In 2018 we dove a limited portion of the lease (our prior LPA THEN 318) (July, November 2018).

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

The shore is mixed upland forest.

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

Yes No See Figure 5 for location of Roseate Tern Essential Habitat

Note: The location of Essential Habitats in the State of Maine, along with information on how projects within these areas are reviewed, can be found here: <https://www.maine.gov/ifw/fish-wildlife/wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html>

If a project is located within an Essential Habitat, applicants are strongly encouraged to contact the MDIFW Environmental Review Coordinator (John.Perry@maine.gov, phone: 207-287-5254) prior to application submission.

12. EXISTING USES

A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type; b) time of year the activity occurs; c) frequency; and d) proximity to the lease site.
1. Commercial Fishing
No commercial fishing has been observed at the proposed lease site. There have been a small number of lobster pots observed in the surrounding area over the summers of 2017, 2018, 2019
2. Recreational Fishing
No recreational fishing has been noted within the area of the proposed lease. Minimal recreational fishing has been observed in the area around the Nubbin, to the Southeast of the proposed lease site.
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).
Sporadic boating has been observed in the summer. Most boaters are further from the shoreline. The closest navigable channel from the site at low tide is 3000 feet to the southeast.
4. Riparian Ingress/Egress
The proposed lease site is sufficiently far from riparian landowner's docks that it will not affect ingress or egress
5. Other uses (kayaking, swimming, etc.):
Kayaking and paddle-boarding traffic is light in this 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 proposed lease.
No

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.

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 do not request that any activities be prohibited. Recreational boaters are welcome to approach and observe operations. Similarly, lobstermen are welcome to set their traps within the lease taking care to avoid fouling of gear. Paddlers can easily navigate between the cages and are encouraged to do so.

14. 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), 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.
 3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: “19. Landowner/Municipal Permission Requirements”.

B. Will your access to the lease area be across riparian land?

Yes No

Note: If you selected yes, you will need to complete the landowner permission requirements included in “19. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

We will approach by boat from the south.

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

Our activities will not affect riparian ingress or 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: Yarmouth

MAP #	LOT #	Landowner name(s) and address(es)
24	50	Nancy Tabor & Linda Daily 110 Sunset Point Rd, Yarmouth ME 04096

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 page 16a



MAINE DEPARTMENT OF MARINE RESOURCES

Aquaculture Administrator, 21 State House Station, Augusta, ME 04333-0021 (207) 624-6550

- RIPARIAN OWNERS LIST -

For LEASE applications

THIS LIST MUST BE

*** CERTIFIED ***

On this list, please show the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the proposed license site, and 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 form below. If the parcels are within more than one municipality, provide a separate, certified tax map and riparian list for each municipality.

TOWN OF: Yarmouth

Table with 3 columns: MAP ##, LOT #, Landowner name(s) and address(es). Handwritten entry: MAP ## 24, LOT # 50, Landowner name(s) and address(es) Nancy B. Tabor & Linda Dailey & Brian Micknell c/o Linda Dailey, 243 Raymond Road Raymond Me 04071

<u>MAP #</u>	<u>LOT #</u>	<u>Landowner name(s) and address(es)</u>

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Jennifer Daten, 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: Jennifer P. Daten DATE: 4/28/2020

**Assessors
Maps**



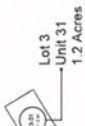
Property Boundary

Paper Streets

Water Body

Map Number

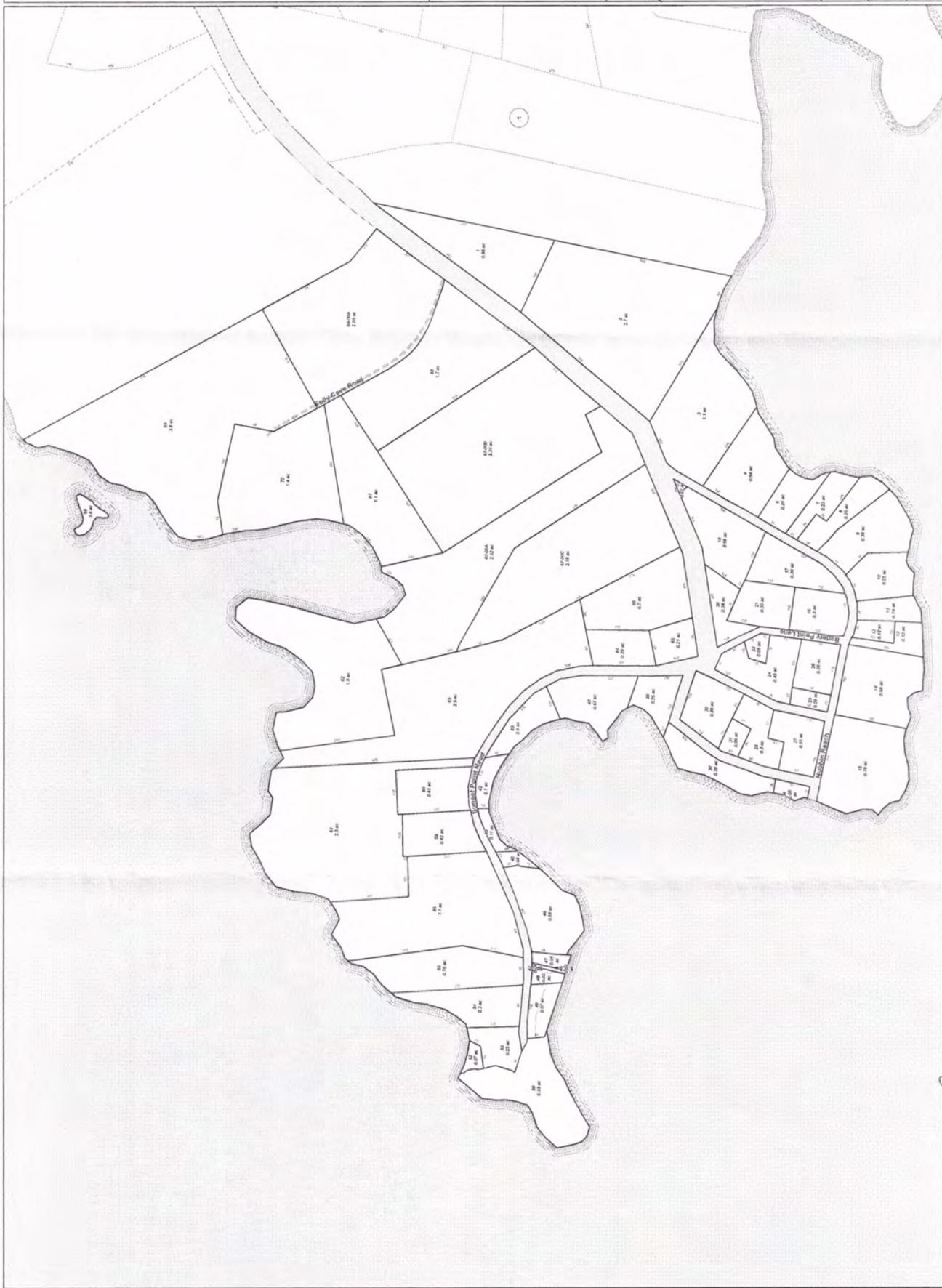
Sample Property Label



0 100 200
1 inch = 100 feet

This is a map of Vermont and not a deed. It is for information only. The map is for assessing purposes only. Maps revised to 2019.

MAP 24



4/28/2020 Jannigh & Patten

P16Kc

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.

Thomas Henninger started working in the oystering business at age 11. He has a degree in Biology and a captain's license. He has twice attended the Aquaculture and Shared Waters course offered by Sea Grant and possesses an aquaculture license. He has grown oyster seed to market size on this site for over 2 years.

16. FINACIAL CAPABILITY

A. Financial Capability

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

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

Our business banking account is at Bath Savings. Submitted is a letter indicating that we are in good standing. We also submit letters from CEI and FAME, our funding partners, indicating that we are in good standing.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Most of the capital investment creating the infrastructure for the farm has been completed. The primary future costs are for the cages and bags needed to increase from our current capacity (\$60,000 - \$80,000). Moreover, further moorings and anchors will be necessary to accommodate the new footprint of the lease. This will require an investment of approximately \$15,000. Our boat, trailer and engine are new so maintenance should be supported by selling product.

17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
	No gear/structure, no discharge	None
	No gear/structure, discharge	\$500.00
	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
X	>400 square feet of gear/structure, no discharge	\$5,000.00*
	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) Thomas Henninger 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.

03/23/2020

Date

Final submission: 6/8/2020

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.

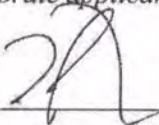
Date

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: Thomas Henninger

Title (if corporate applicant): _____

Signature:  Date: 03/23/2020

Final submission 06/08/2020

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: _____

19. 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? Yes No

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

APPLICATION SUBMISSION CHECKLIST

Please note: This checklist is provided for the applicant's reference and does not need to be returned with the application.

I. Content

_____ **Check** for non-refundable application fee (\$500 for Draft Applications and \$1,000 for Final Applications), payable to *Treasurer State of Maine*.

_____ **Newspaper Tearsheet** showing notification of scoping session (Draft Applications only)

One (1) Vicinity map with required items shown

One (1) Boundary drawing with required items shown

One (1) Gear drawing for each type of gear proposed

One (1) Overhead view depicting layout of gear from overhead

One (1) Cross section view depicting gear & moorings from the side for each gear configuration

Tax map(s)

Riparian list, certified (*if applicable*)

Corporate applicant information document and articles of incorporation or documentation of partnership (*if applicable*)

If any portion of the proposed lease site is above mean low water:

_____ **Written permission** from all riparian landowners of the intertidal land on which the lease is proposed.

_____ **Written consent** from the municipal officers (only required if the municipality has a shellfish conservation program).

II. Formatting

_____ All pages (including attachments) are numbered sequentially

_____ All attachments are clearly labeled and legible

_____ Drawings and maps are legible, labeled properly, and include all required elements

_____ All questions have been answered and signature pages signed

_____ Please do not staple applications



Capital for Opportunity and Change

December 6, 2019

RE:
Thomas Henninger, Sole Member
SeaChange LLC dba Madeleine Point Oyster Farms
CEI loan #6644

To whom it may concern:

At the request of CEI's borrower SeaChange LLC, I hereby attest that as of the date above the borrower is in good standing and has been since initiation of the lending relationship. If you have any further questions, please feel free to contact me at 207-535-2916.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D Wallace', written over a horizontal line.

Daniel Wallace
Director of Lending



December 6th, 2019

SeaChange, LLC
DBA Madeleine Point Oyster Farm
492 West Elm Street
Yarmouth, ME

To whom it may concern,

SeaChange LLC DBA Madeleine Point Oyster Farm have been a customer with the Finance Authority of Maine since August of 2019. Signers on the account are Thomas Henninger and Heidi Henninger.

To date all loan payments have been made as agreed. (3 months).

Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Roxanne Broughton". The signature is written in a cursive style with a large, looping initial "R".

Roxanne Broughton
Commercial Loan Officer
5 Community Drive
Augusta, ME 04332
207-620-3547



Benj. F. Packard

Bath Savings Institution

Since 1852

December 6, 2019

SeaChange LLC

DBA Madeleine PT Oyster Farm

To whom it may concern:

SeaChange LLC DBA Madeleine PT Oyster Farm has been a good customer of Bath Savings institution since March 5, 2018. The signers on the account are Thomas Henninger and Dr. Heidi Henninger. During this time the account has never had any Non-sufficient fund activity. If you have any further questions please feel free to reach out to me at (207) 846-1156.

Thank you.

Sincerely,

Melissa S. Libby

AVP Branch Manager

Yarmouth Office

424 U.S. ROUTE ONE, P.O. BOX 1500, YARMOUTH, MAINE 04096
TEL. 207-846-1156 FAX 207-846-0613
1-800-447-4559

MEMBER FDIC

