

EXPERIMENTAL LEASE APPLICATION

1. APPLICANT CONTACT INFORMATION

Applicant	Lloyd Bracy and Peter Lombardo
Contact Person	Lloyd Bracy
Address	16 Vine St
City	Damariscotta
State, Zip	Maine 04543
County	Lincoln
Telephone	LB: 207-691-4867 PL: 207-350-1592
Email	lnbracy@gmail.com

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

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Bristol
Waterbody	Pemaquid Harbor
General Description (e.g. south of B Island)	Pemaquid River north of Coombs Cove
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	1.6 acres
Type of culture (check all that apply)	<input checked="" type="checkbox"/> Bottom (no gear) <input type="checkbox"/> Suspended (gear in the water and/or on the bottom) <input type="checkbox"/> Net Pen (finfish)
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: "17. 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"): Growing Area	WR
Pollution Area Section (e.g. "B.2". or "none"): Section	CA4
Water Quality Classification (e.g. approved, restricted, etc.):	Conditionally Approved: Please note that this area will close from May 1 through September 30.

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. GENERAL LEASE 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, smolts, etc., to be cultivated:
1. Crassostrea Virginia; American Oyster, Eastern Oyster	Muscongus Bay Aquaculture; 25 Seal Ledge Lane, Bremam, ME 04551 Mooks Sea Farm; 321 State Rt 129, Walpole, ME 04573
2.	
3.	
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: You may embed the maps within the document, or attach the maps to the end of your application. If you attach the maps, please label them according to the instructions provided below. If you attach the map, please label it: ‘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 scalebar
- The approximate lease boundaries

6. BOUNDARY DRAWING

Note: If you attach a drawing, please label it ‘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.

7. RESEARCH PROGRAM AND OPERATIONS

Directions: If you are cultivating more than one species, you will need to provide information for each species. Please attach a separate page if needed.

A. Type of study (check one): Scientific Research Commercial Research

Please note:

a) Scientific research is not kept confidential.

b) Experimental leases for commercial research are not renewable. Results of commercial research are kept confidential.

B. What is the purpose of the study? If scientific, please include a detailed study design.

To determine if conditions in the upper section of Pemaquid Harbor will support commercial bottom grown oysters.

C. Describe the general culture process for each species proposed.

Commercial seed will be set on the bottom in late fall. The oyster will feed on free-floating organisms in the water.

D. What months will the proposed activities (i.e. seeding, tending, and harvesting) occur?

Seeding will take place for several days in October/November/December. Oysters will not be tended as they will be bottom grown. Harvesting will be by hand by divers pending weather and oyster growth possibly 12 months.

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

Harvesting when happening will be 1-2 days per week.
Seeding will occur for several days in the fall.

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

NA – bottom culture

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

Hand harvest using divers.

H. 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 moved from the site.

NA – bottom culture, no gear.

I. What type of machinery (e.g. generator, drag, grading equipment, etc.) will you be using on the site? When and how often will the machinery be used?

Outboard motor to access site.

J. What is the maximum number (or biomass) of organisms you anticipate being on the site?

600,000 American Oysters

K. Please provide details on any predator control techniques you plan to employ, including the use of bird deterrents. Will you use commercially available or custom equipment? If commercially, available equipment, please include the brand and model names. If custom equipment, please attach a detailed schematic that includes the dimensions, materials, and function of the equipment.

NA

8. EXISTING USES

Directions: Describe the existing uses of the proposed area. Please include the amount of activity, the time of year the activity occurs, frequency, and proximity to the lease site.

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

None noted

2. Recreational Fishing
Striped bass fishing in the area and north of the area
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).
Boaters at high tide to fish in the upper river. Area above the lease site drains out at low tide.
4. Riparian Ingress/Egress
NA
5. Other uses (kayaking, swimming, etc.)
Kayaking north into the upper river during high water.

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.
Several recreational piers with boats that do not drain at low tide. Several moorings below site. There is a dock 65' north of the site. There are 2 docks 250' and 415' east. There are 3 docks 500', 725' & 845' SE of the site. There are boat moorings located SE of the site.

C. Are there public beaches, parks, or docking facilities within 1,000 feet of the proposed lease site. If yes, please describe and include approximate distances from proposed lease.
No

9. CURRENT OPERATIONS

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

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

NA

B. What are your plans for any existing leases and/or Limited Purposed Aquaculture (LPA) licenses if the lease is granted? Will any existing leases and/or Limited Purpose Aquaculture (LPA) licenses be relinquished if the lease is granted? If so, please indicate which ones.

NA

10. 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.

Bottom gear fishing. No known bottom fishing on lease site, however, bottom gear, traps or drags, could damage/kill oysters growing on site if it was used within the lease.

Setting block moorings ok with 2 weeks notice to allow area where mooring will be set to be cleared of oysters.

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?
2'- 5'
B. What are the approximate depths at mean high water?
12'-15'
C. Provide the approximate current speed and direction during the ebb and flow.
Appx 1.0 – 1.5 kts max ebb and flow during spring tides
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.)?
Gravel and hard mud with shells

<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p>Gradual slope to deeper from west and north sides to SE corner.</p>
<p>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?</p>
<p>Observed by Pete Lombardo diving on the area: European Oysters - common Quahogs – rare Periwinkles – common Mussels – rare</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>No</p>
<p>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.</p>
<p>None</p>

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

Rocky shoreline, forested upland with 5-6 houses within 1000'

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

Yes No

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

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

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

Yes No

Note: If you answered yes, you must submit a video of the bottom using a method prescribed by the Department. **The video must be filmed between April 1 and November 15.** If a discharge is proposed you will also need to obtain a Maine Department of Environmental Protection (DEP) discharge permit. For information on this permit please contact DEP's Wastewater Licensing Program (Gregg.wood@maine.gov, 207-287-7693). Further sampling may be required by DMR, or DEP, depending on the characteristics of the site or the proposed activities.

12. STRUCTURES *(if applicable)*

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 an **Overhead View** and **Cross-Section View** of your gear plans. It is important to note that, unlike Limited Purpose Aquaculture (LPA) Licenses, experimental and standard leases require that all gear, including moorings, must be located within the proposed lease boundaries.

Note: You may embed the gear plans, or attach them to the end of your application. If you attach the plans, please label them according to the instructions provided below.

A) **Overhead View** (please label this “Overhead View”):

Directions: All dimensions need to be labeled with the appropriate units (i.e. 10ft, 10in)

- Show maximum layout of gear including moorings.
- Show dimensions of entire gear layout
- Show approximate spacing between gear.
- Show lease boundaries and the location of proposed markers on all drawings.

B) **Cross-Section View** (please label this “Cross Section View”):

Directions: The cross-section view must show the following:

- 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
- Water depth at mean high and mean low water

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

C) Gear Description

Directions: List and describe each individual gear type that you will use in the table below.

Specific Gear Type <i>(e.g. soft mesh bag)</i>	Dimensions <i>(e.g. 16"x20"x2")</i>	Time of year gear will be deployed <i>(e.g. Spring, Winter, etc.)</i>	Maximum amount of this gear type that will be deployed on the site <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	Species that will be grown using this gear type
NA				

D) Gear Drawing (please label this “Gear Drawing”).

Directions: Include a drawing of an individual piece of gear for each of the gear type(s) you plan to use. The drawing(s) needs to depict the length, width, and height of each gear type with appropriate units referenced (i.e. 10in, 10ft, etc.).

13. MARKING

<p>Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If you answered no, explain why and suggest alternate markings.</p>

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.

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 “17. 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 “17. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

Via boat

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

There will not be any affect on ingress/egress of riparian landowners by this operation. There will be no surface gear to affect boat traffic through the area. Harvesting will be by diver and a boat on location tending the diver so should not impede the passage of any riparian land owners from the harbor to their property.

RIPARIAN LANDOWNER 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: Bristol

MAP #	LOT #	Landowner name(s) and address(es)
<u>04</u>	<u>070</u>	Daniel Furman 254 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>076</u>	Stafford Kay 234 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>081</u>	Eleanore Carver PO Box 104 Newcastle, ME 04553
<u>04</u>	<u>082-B</u>	Laurie Sherman 182 RIDGEFIELD RD, WILTON, CT 06897
<u>04</u>	<u>082-A</u>	Walter Johansson 196 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>087-A</u>	David King and Dorothy Ann White 180 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>087-B</u>	Sarah Kennedy and Jason Sewall 168 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>088</u>	Kennedy, Edward & Laleah 164 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>100-B</u>	Big Boulder LLC 859 Stonybrook Cir, Port Orange, FL 32127-4213
<u>04</u>	<u>100-D</u>	Mahan, Clifton Robinson 122 Pemaquid Harbor Rd, Pemaquid, ME 04558
<u>04</u>	<u>148-7</u>	Glenn Hopkins and Jamie Hanna PO Box 1609, Mill Valley, CA 94942-1609

<u>04</u>	<u>148-6</u>	Dominick Pucci & Donna Pucci, CDR.TR. PO Box 126, Bristol, ME 04539
<u>04</u>	<u>148-5</u>	Hurlburt Family Trust C/O MARCUS D. HURLBUT & PATRICIA M. HURLBUT - TRUS, 625 AVENIDA ACAPULCO, SAN CLEMENTE, CA 92672-2404
<u>04</u>	<u>148-4</u>	Chyllene McDonald 8 Thaxton Rd, Beverly, MA 01915-1551
<u>04</u>	<u>148-3</u>	Starland Properties Inc PO Box 440, Westminster, MA 01473-0440

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, RACHEL BIZARRO Town Clerk for the Town of BRISTOL 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: Rachel Bizano DATE: 06/08/2021

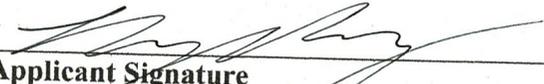
15. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input checked="" type="checkbox"/>	No gear/structure, no discharge	None
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input type="checkbox"/>	>400 square feet of gear/structure, no discharge	\$5,000.00*
<input type="checkbox"/>	Gear/Structure, discharge	\$25,000.00

*DMR may increase the bond/escrow requirements for leases with more than 2,000 feet of structure.

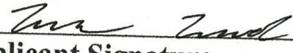
I, (printed name of applicant) Lloyd Bracy have read DMR Aquaculture Regulations 2.64(10) (D) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.


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

6-10-21
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) PETER LOMBARDO have read DMR Aquaculture Regulations 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, depending on the category of lease.


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

6-10-21
Date

16. 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 experimental lease process.

Printed name: Lloyd Bracy

Title (if corporate applicant): _____

Signature: [Handwritten Signature] Date: 6-10-21

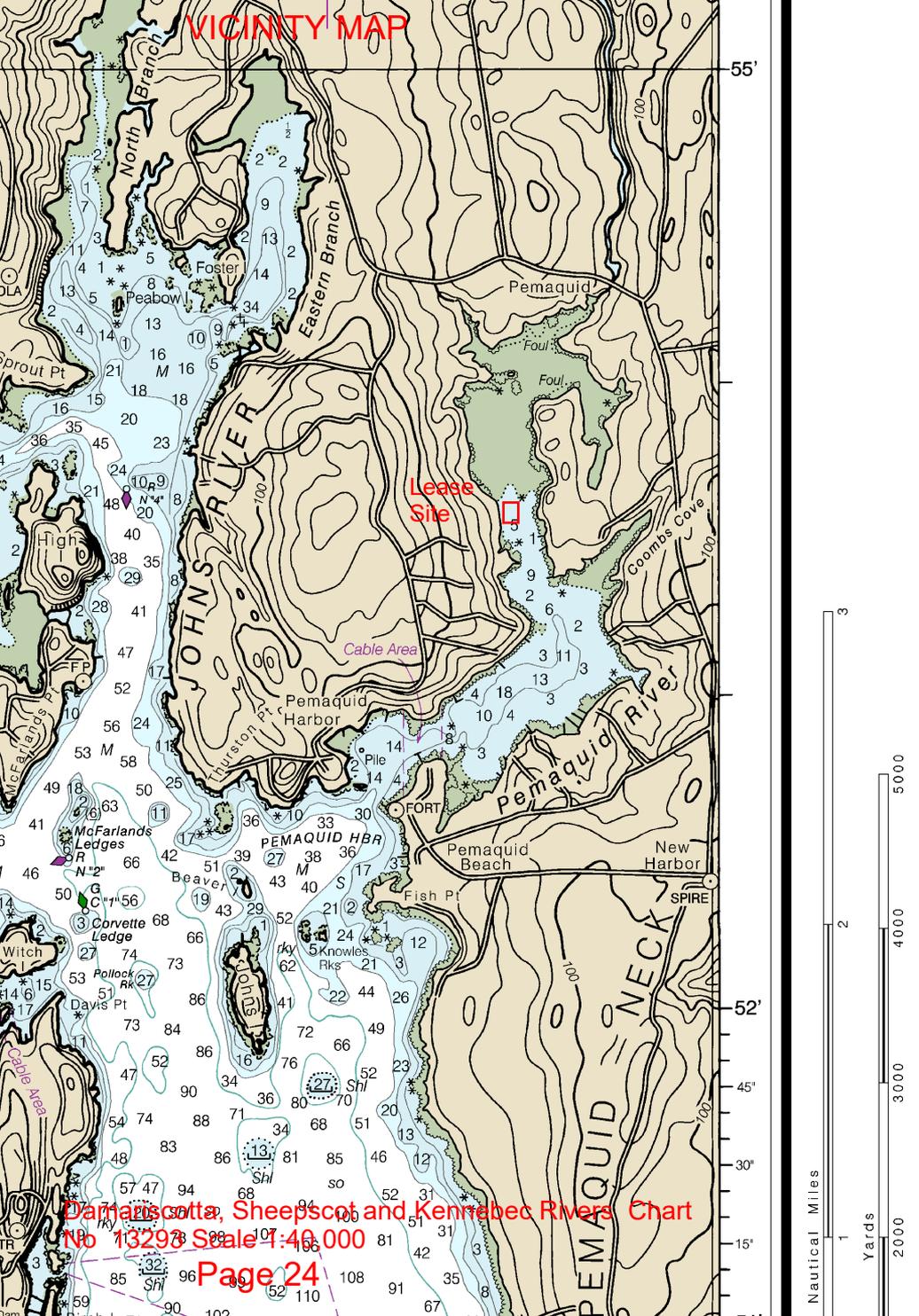
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations 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 (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

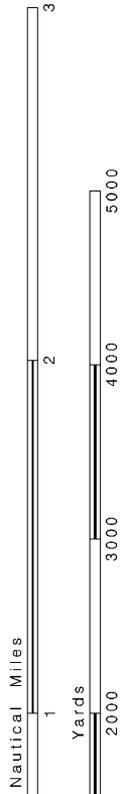
[Handwritten Signature] PETER LOMBARDO 6-10-21

VICINITY MAP



Damariscotta, Sheepscot and Kennebec Rivers Chart
No 13293 Scale 1:40,000

Page 24





NE N 43.8935540; W 69.5144990

NW N 43.8934000; W 69.5153710

389'

NW

NE

493'

478'

SW

SE

341'

SE N 43.8927550; W 69.5143010

SW N 43.8926420; W 69.5150710



Property Map Bristol Maine



1 inch = 500 feet



- Legend**
- This Map Parcels
 - Cemetery
 - Lobster Pound
 - Adjacent Map parcels
 - Roads
 - Municipal
 - Private
 - Easement
 - ROW
 - Internal parcel lines
 - Easements
 - Road Type
 - Secondary
 - Local
 - Private
 - Powerline
 - Streams
 - Fresh Water Bodies
 - Coastal Wetlands
 - Wetlands
 - Forested Wetlands
 - Surrounding Towns

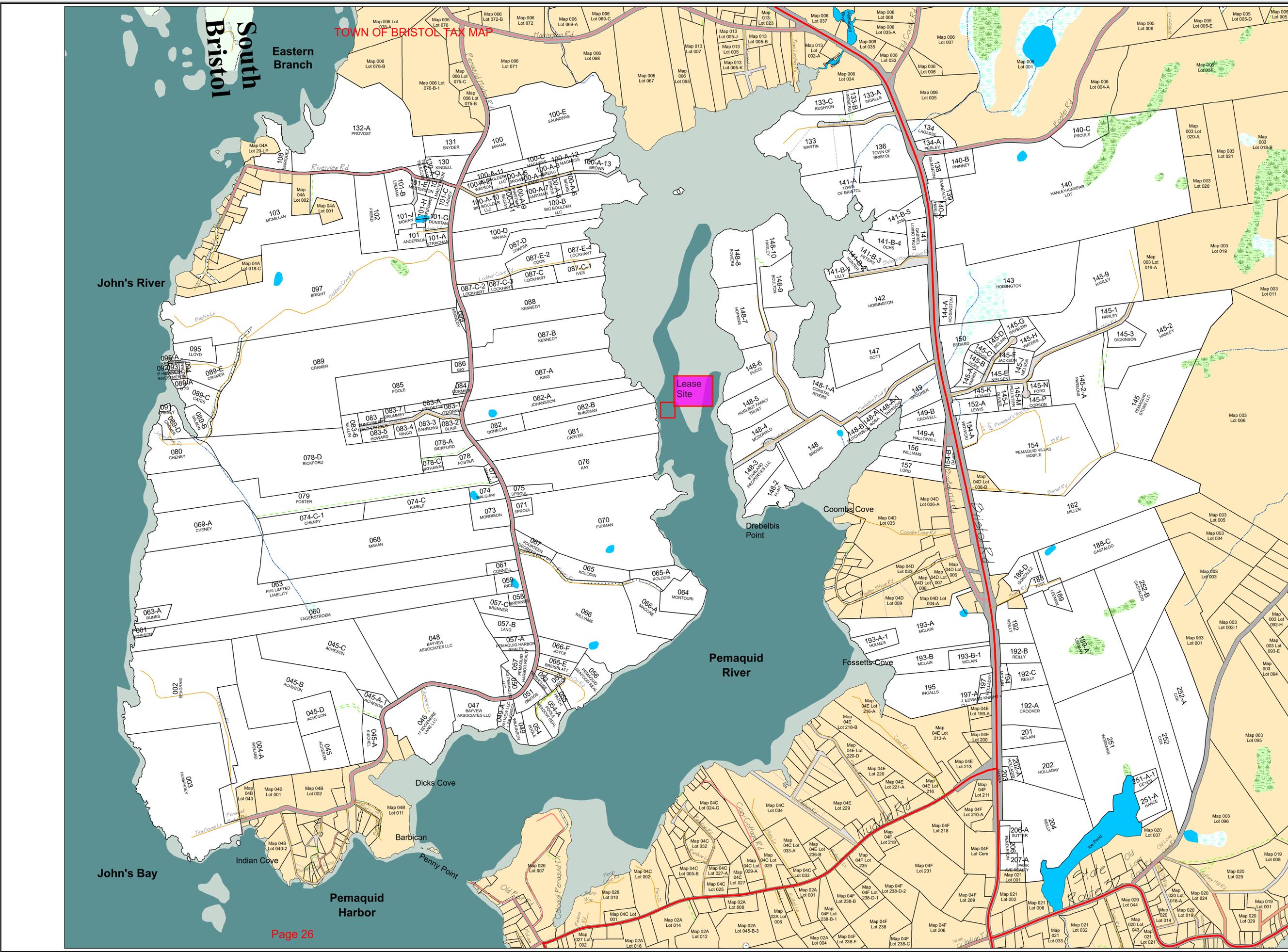
Source Documents:
 Bristol Property Maps prepared by Sackett & Brake in 1983 and updated through 2008 by Maine Coast Surveying.
 Digital Property Maps prepared by Maine Coast Surveying in 2009 and updated through 2016.
 Digital Property Map updates by Maine Coast Surveying & Flood Consulting 2017 & 2018.
 Maine Office of Geographic Information Systems digital data layers.
 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.
 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 USFW National Wetland Inventory polygon data for Maine at 1:24,000 scale.
 This revision is based only on plans, deeds and other data supplied by the Town of Bristol.
 Owner's names may be abbreviated or simplified to save space. See Bristol 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
 Not a Boundary Survey
 Not to Be Used for Conveyances

April 1, 2020

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

Map 4



TOWN OF BRISTOL TAX MAP

Lease Site