

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Dodge Cove Marine Farm		
Contact Person	Tonie Simmons		
Address	PO Box 204		
City	Bremen		
State, Zip	Maine, 04551		
County	Lincoln		
Telephone	(207) 529-4100		
Email	Tonie@muscongusbay.com		
Type of Application	<input type="checkbox"/> Draft Application [submitted before scoping session session] <input checked="" type="checkbox"/> Final Application [submitted after scoping session]		
Dates	Pre-Application Meeting: 3/5/2020 9/29/2020	Draft Application Submitted: 10/29/2020	Scoping Session: 2/16/2021

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	Newcastle
Waterbody	Damariscotta River
General Description (e.g. south of B Island)	SE of Dodge Point
Lease Information	
Total acreage requested (100-acre maximum)	12.26
Lease term requested (20-year maximum)	20 years
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"):	WQ (growing area)
Pollution Area Section (e.g. "B.2". or "none"):	None
Water Quality Classification (e.g. approved, restricted, etc.):	Open and Approved

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

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	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. American Oysters <i>Crassostrea virginica</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	
2. European Oysters <i>Ostrea edulis</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	
3. Northern Hard Clam <i>Mercenaria mercenaria</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	
4. Bay Scallop <i>Argopecten irradians</i>	Muscongus Bay Aquaculture PO Box 204 Bremen, ME 04551	4.5 million animals total (all species)

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

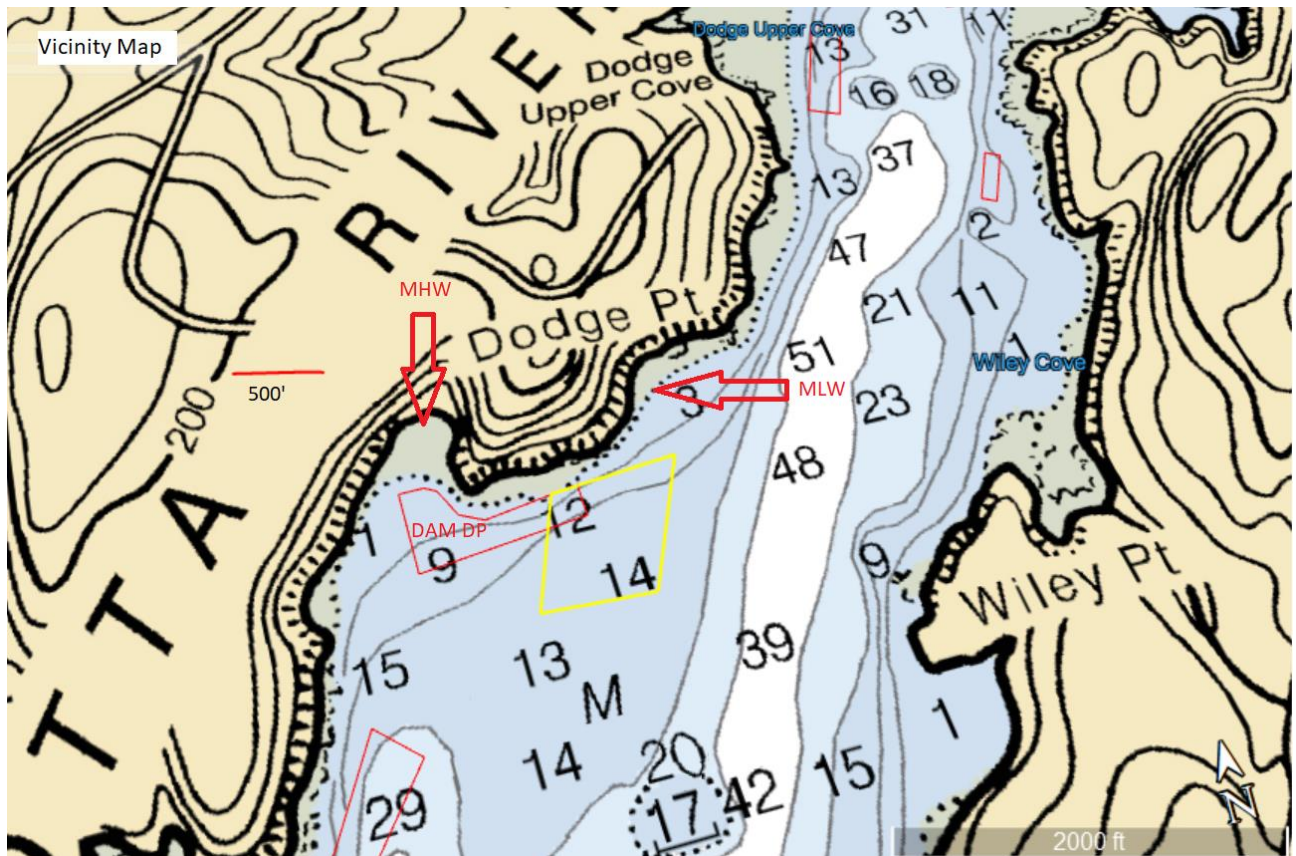


Figure 1: Vicinity map for Dodge Cove Marine Farm's proposed lease application

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

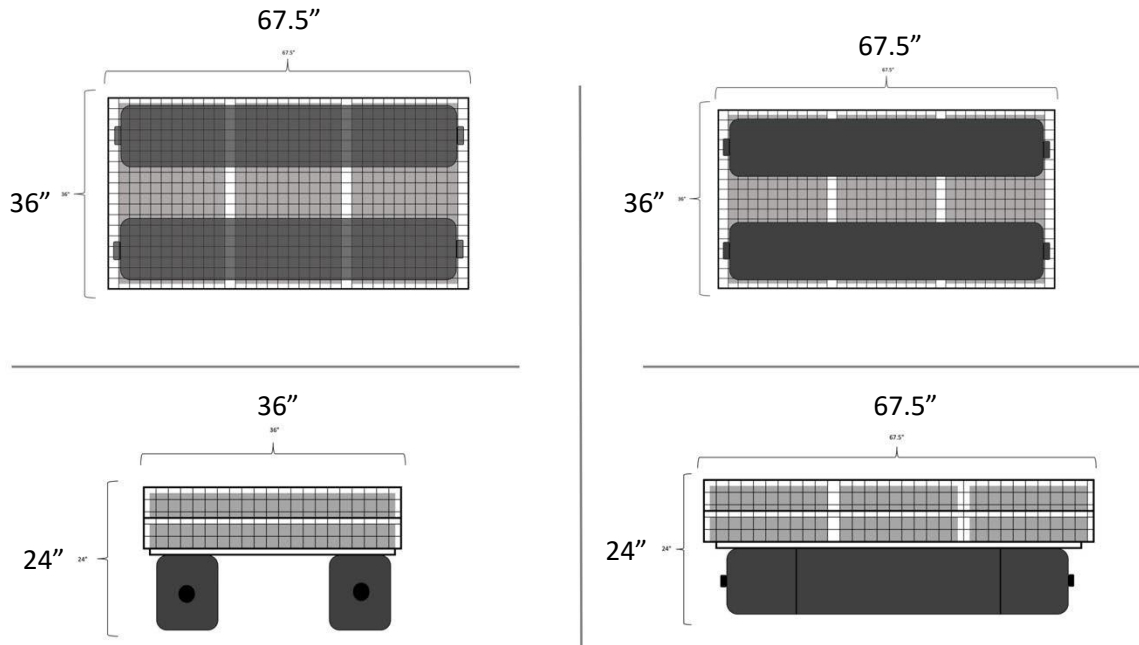
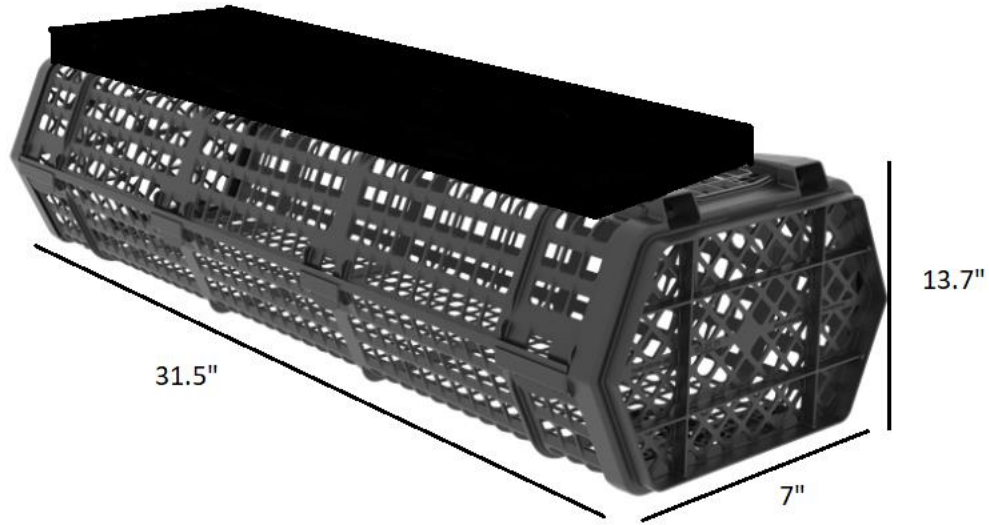


Figure 3: Gear drawing of 6-bag oyster grow out cages in drying position, feeding position, end view and side view.

Gear Diagram

Foam or hard float on top of basket:
25.5"x7.8"x2.7"



Hexcyl Basket:
31.5"x11"x7"

Figure 4: Gear drawing of Hexcyl “Flip Farm” basket.

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.).

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)</i>	Species that will be grown using this gear type
6-Bag OysterGro Cages	67.5"x36"x24"	Surface: Spring-Fall Bottom: Winter	3,352 cages	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	36,500 Baskets	“ ”

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.

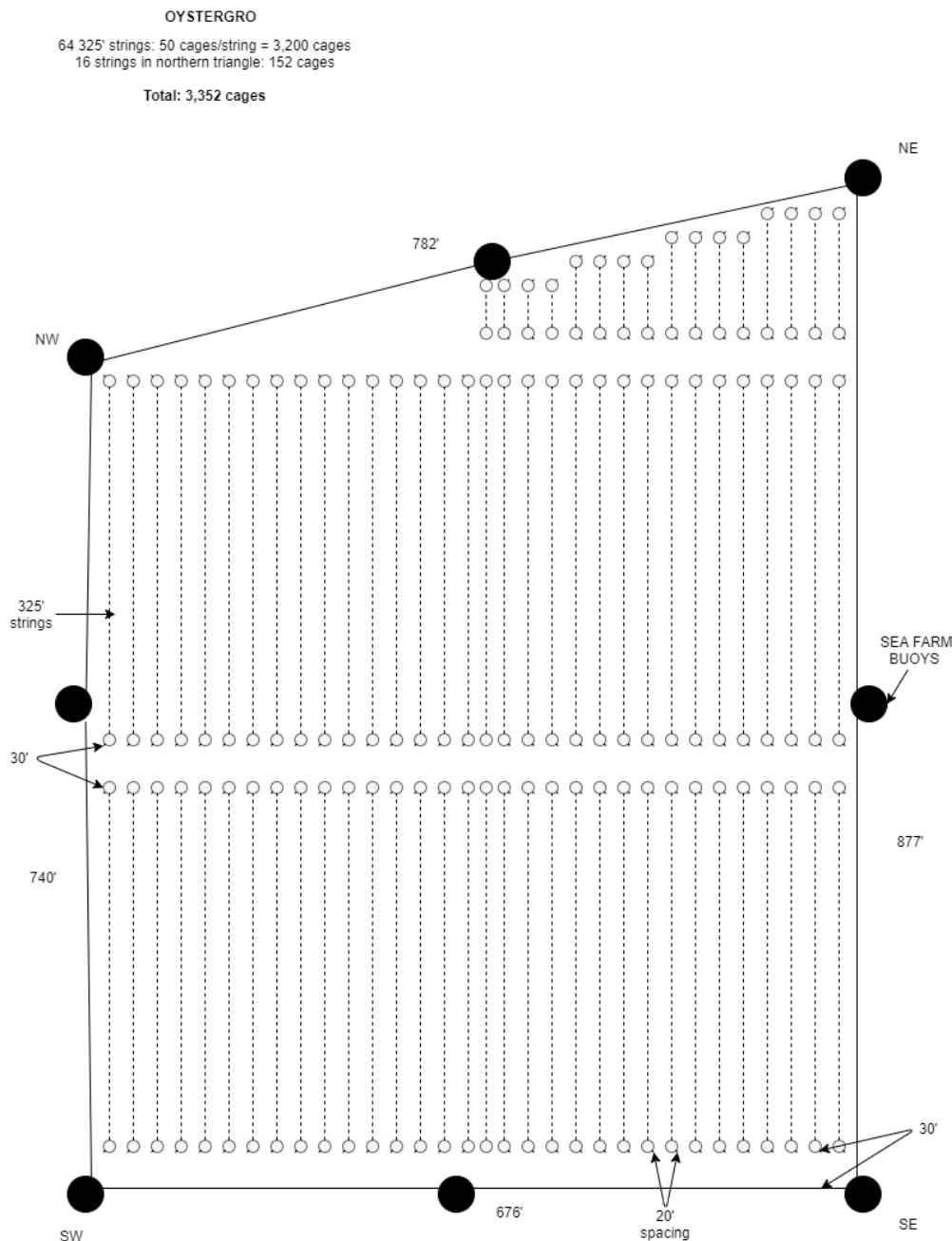


Figure 5: Overhead View for Oystergro layout

Flip Farm

32 double-cage lines: about 36,500 cages

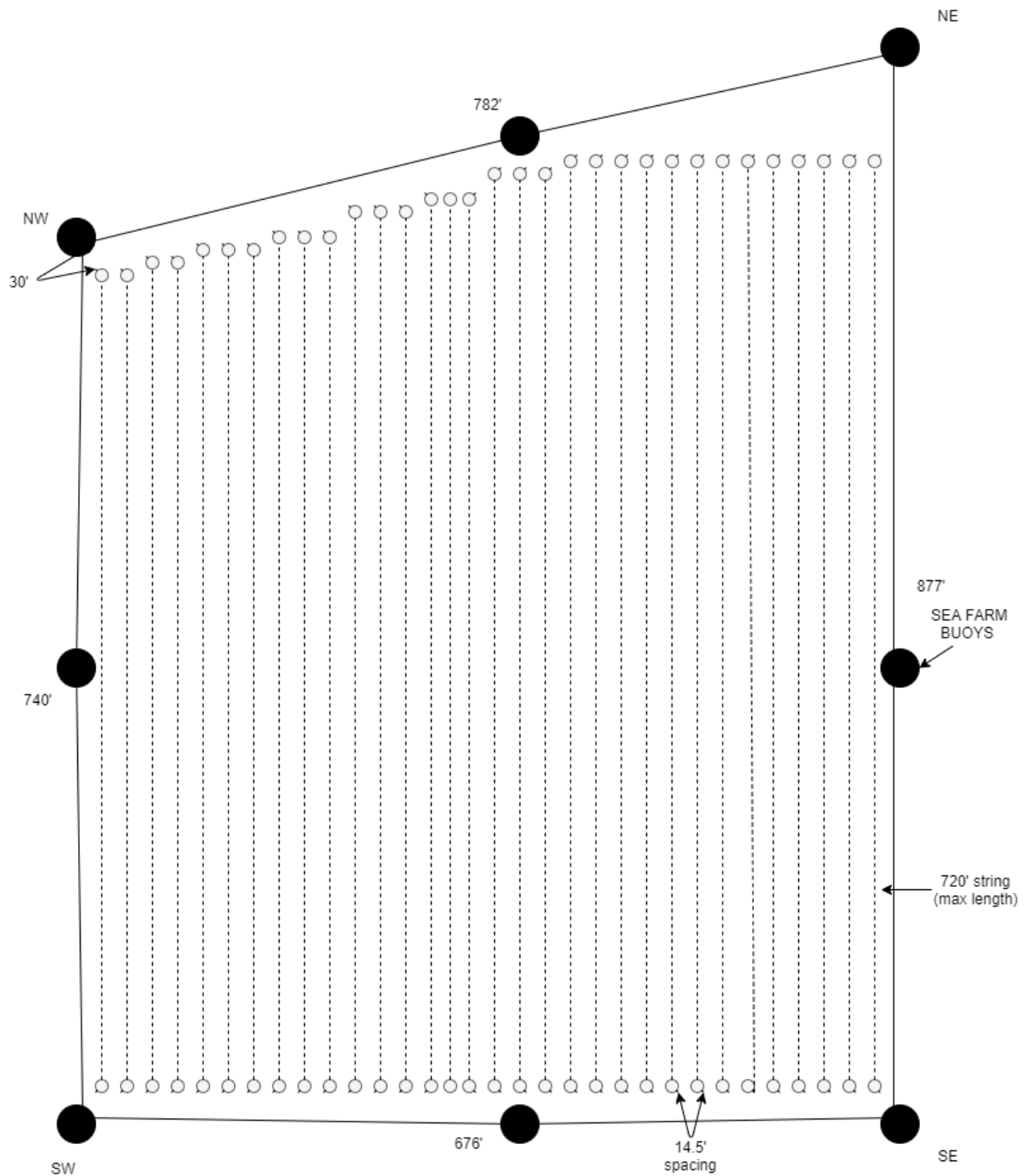


Figure 6: Overhead view for Flip Farm layout

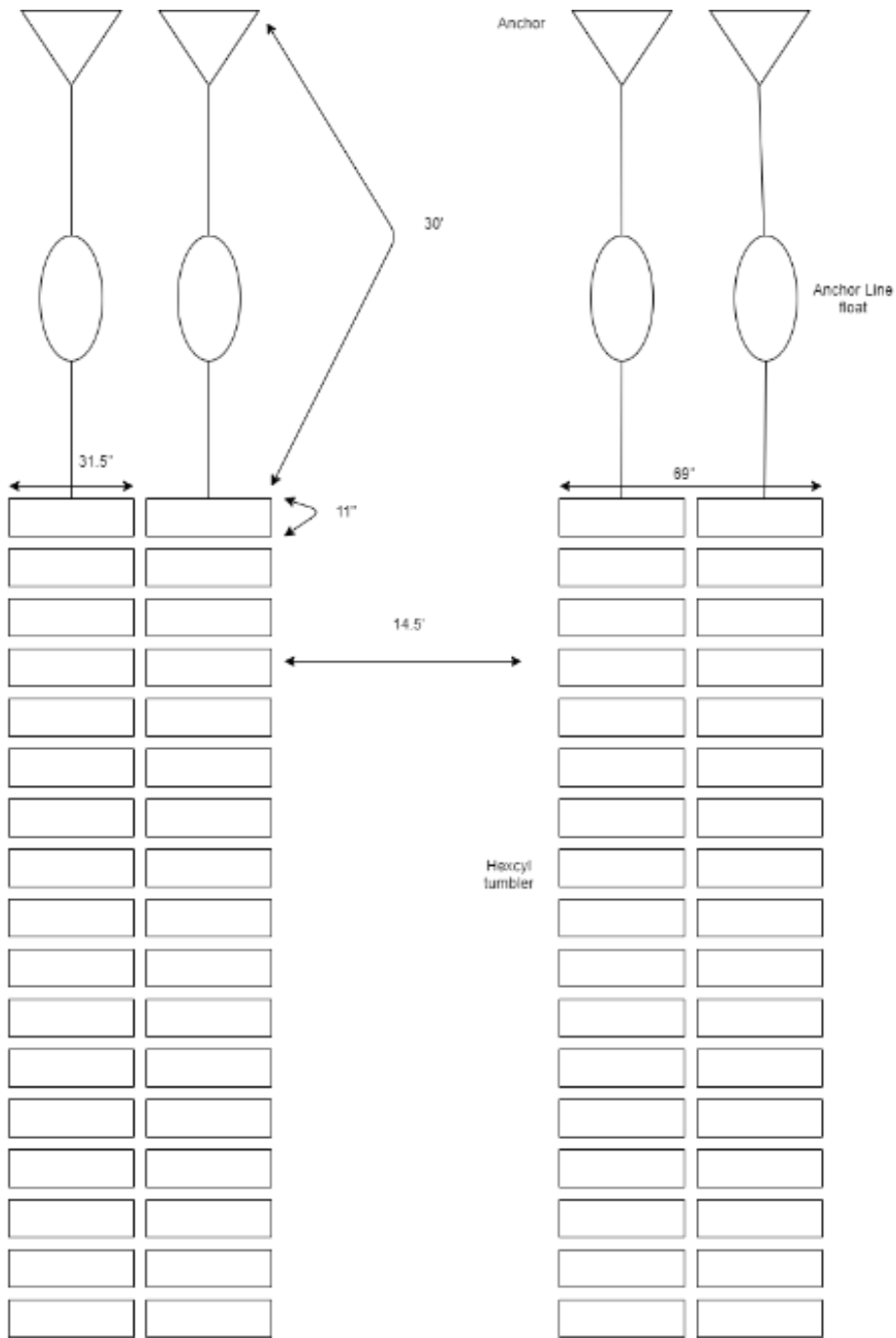


Figure 7: Overhead view for Flip Farm layout (zoomed in line of figure 6)

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).

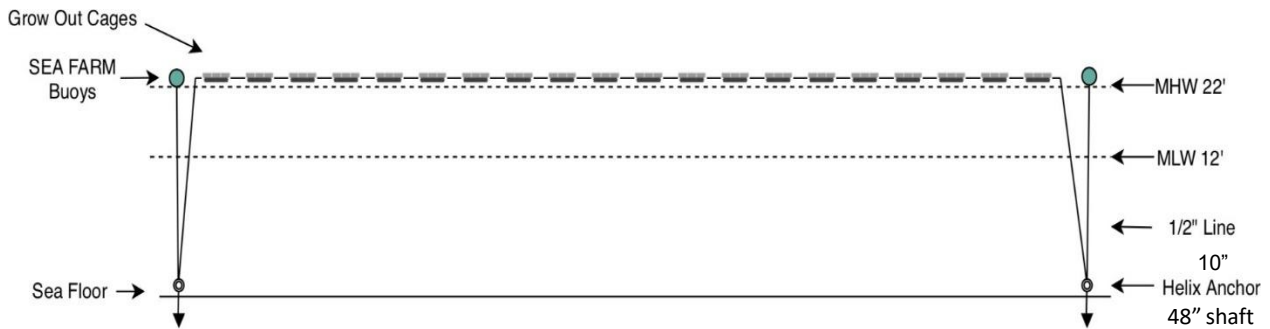


Figure 8: Feeding cross section view of OysterGro proposal

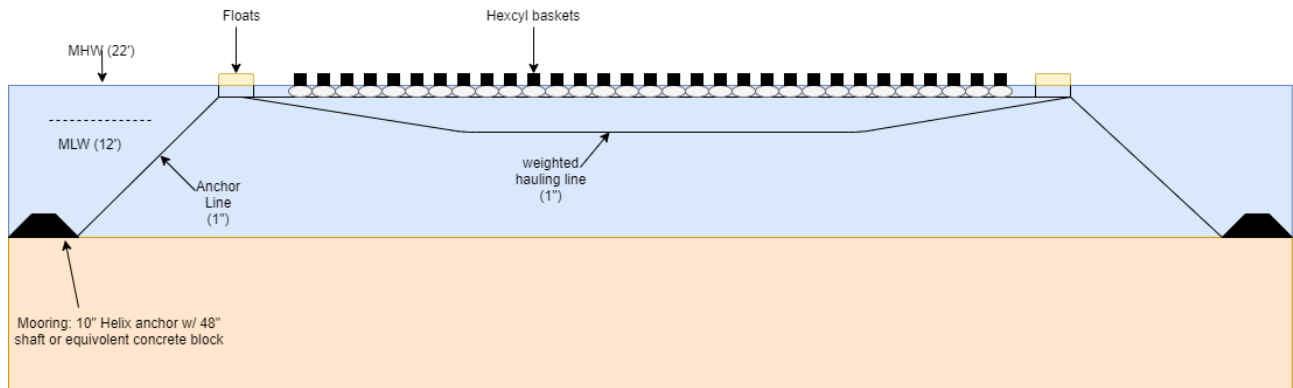


Figure 9: Feeding cross section view of flip farm proposal

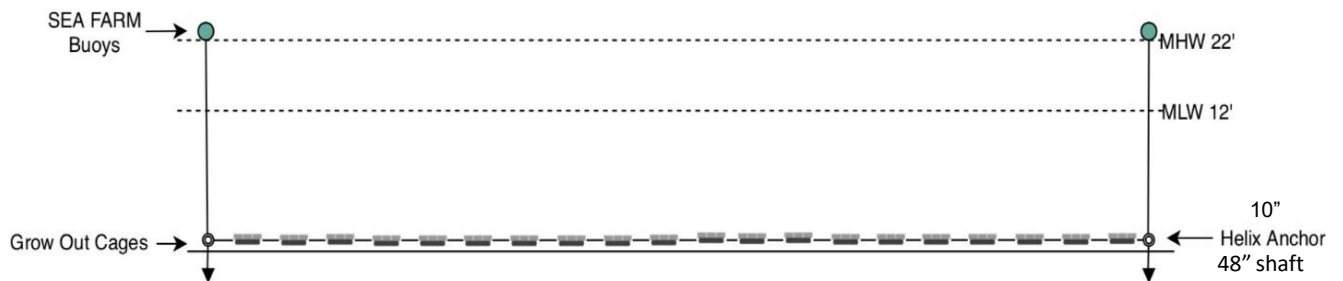


Figure 10: Overwintering cross section view of Dodge Cove Marine Farm’s proposed lease (same for Flip Farm).

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.

There will be no support structures located on this lease site.

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.

There will be no storage of oil, gasoline, or other hazardous materials on this lease site. Gasoline may be used on location to fill outboard boat motors and will be stored in five gallon “no spill” jerry cans. Each vessel is also equipped with oil absorbent spill pads in the event of a spill.

D. Gear Color

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

Cages will have dark green or black wire with black bags and black floats. Hexcyl baskets are black with black or blue floats.

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.

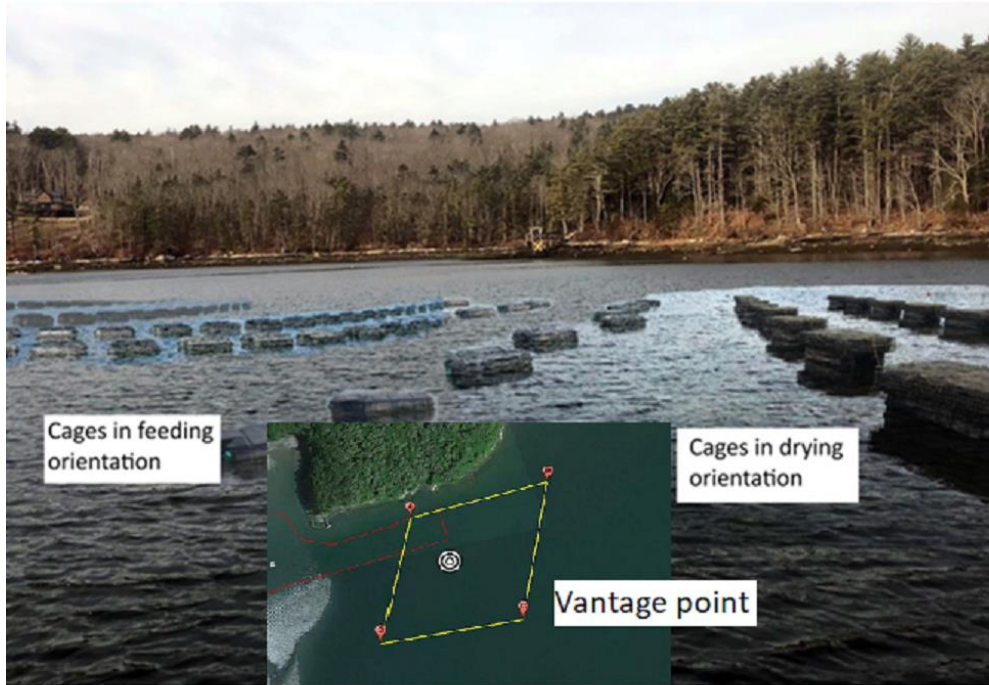


Figure 11: Equipment layout for Dodge Cove Marine Farm's proposed lease (OysterGro)

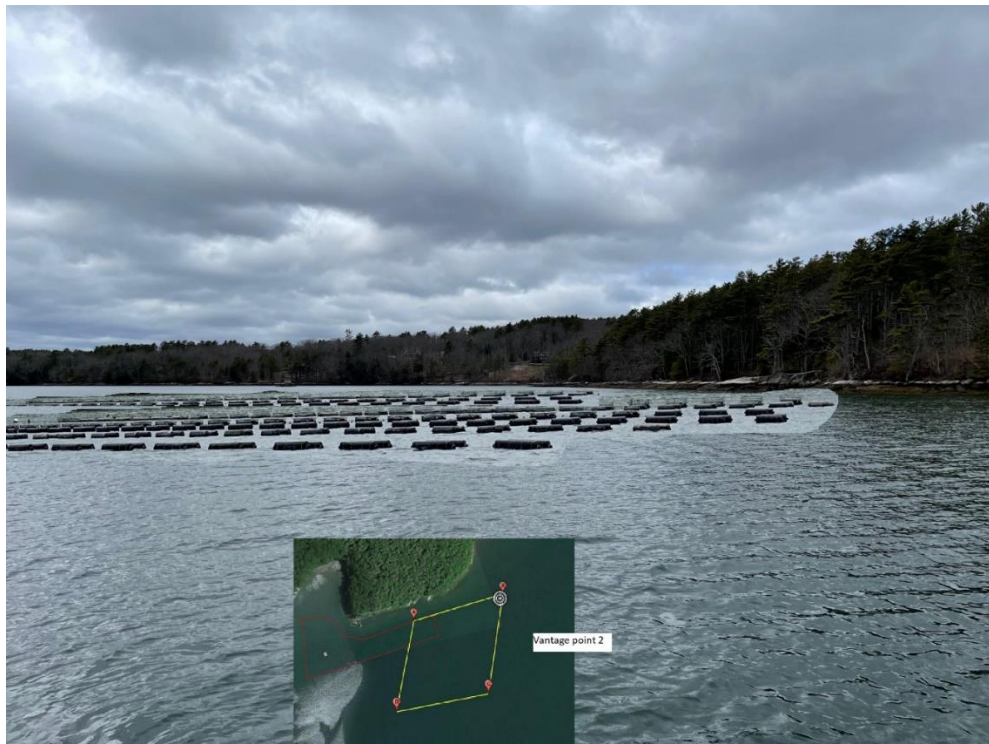


Figure 12: Equipment layout for Dodge Cove Marine Farm's proposed lease (OysterGro)

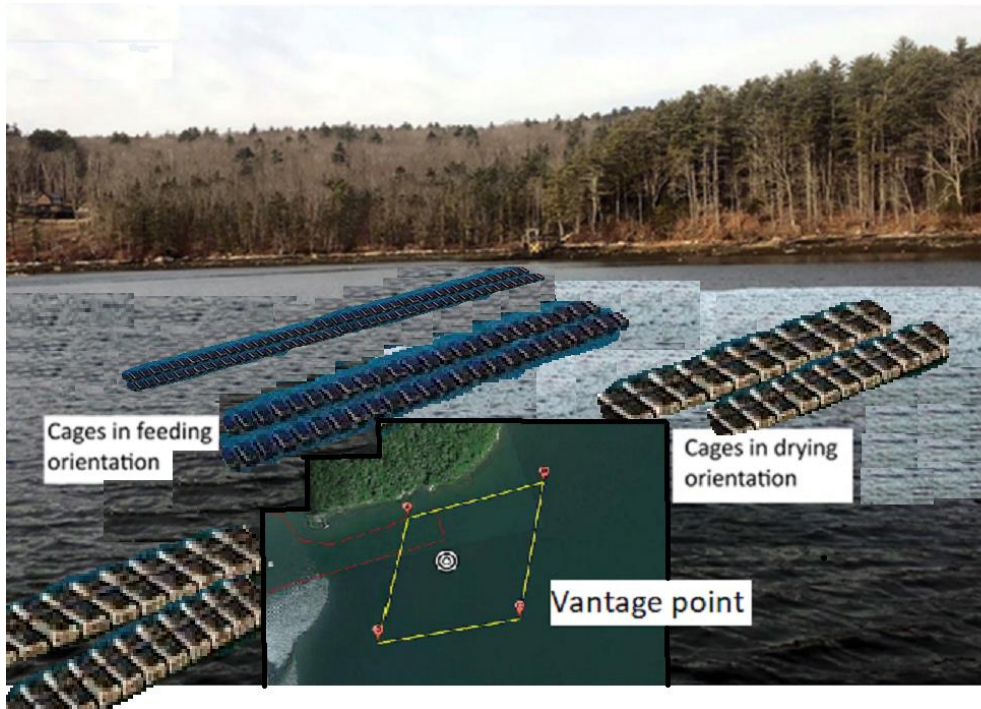


Figure 13: Equipment layout for Dodge Cove Marine Farm’s proposed lease (Flip Farm)

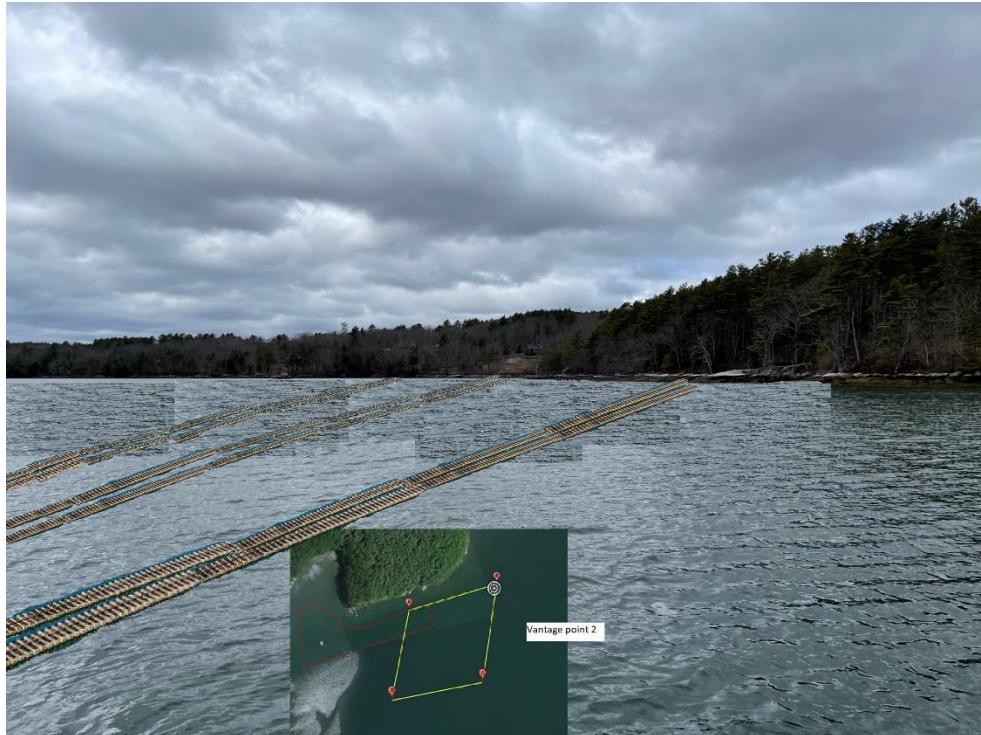


Figure 14: Equipment layout for Dodge Cove Marine Farm’s proposed lease (Flip Farm)

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 seed will be provided by our hatchery (Muscongus Bay Aquaculture) from June to July. The same will be true for scallop and clam seed. During these months we will be on site two to three times a week stocking seed and tending to gear.

B. Please explain your proposed tending/maintenance activities.

Initially, there will be a couple of weeks installing the helix anchors, marker buoys and grow out cages to the site. Grow out cages will have to be transported to the lease and then will remain on site to be sunk in the fall and floated to the surface in the spring. 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/tend the site for routine tending/maintenance (i.e. flipping cages, etc.)?

Flipping will occur one to two days a week from April to August. Harvesting will occur June through November for one to two days per week. General maintenance will occur April through November one to two days per week. There will be a two-week period each spring and fall when the cages are either sunk to the bottom or floated to the surface. Tending and maintenance activities will be the same for all species, with the exception that hard clams will have to be moved out of surface gear earlier than oysters or scallops, probably by mid-August.

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

Oysters, clams, and scallops will be held in HDPE mesh bags within the cages. To harvest, bags are removed from the cages and loaded into Carolina Skiffs. For the "Flip Farm" cages, specialized equipment will be used to dump the contents of a cage out and into a bin located on a skiff. Different mesh sized cages will be used for different sized shellfish. There will be no dragging at this location.

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

Harvesting and seeding will usually occur two to three days a week and general maintenance will occur on site one to two days a week. This will be the same for all species.

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.

Cages/baskets will be sunk to the bottom during the Fall and Winter (October-January) in the same orientation and location, they will remain submerged until March when we will start raising them back to the surface.

H. 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.

Our Cages and Hexcyl baskets effectively deter common oyster predators. Flipping the gear also helps reduce any predators/organisms that might harm our shellfish. We have found that frequent use of an area can effectively deter birds. If they become an issue, we plan to deploy 60” plastic cable ties on the gear that prevent birds from landing on pontoons. The cable ties are available through Ketcham traps, 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?

Harvesting, seed deployment, and gear maintenance work will be performed on flat bottom Carolina skiffs powered by four stroke engines. Flipping, winter sinking and spring floating of gear will be performed by Carolina skiffs, drag boats, and specialized barges all powered by 4 stroke engines. Depending on the time of the year certain tasks will be performed more often than others. A general schedule would consist of harvesting and flipping two to three days per week and general maintenance one to two days per week.

B. What type of powered equipment (e.g. generator, power washer, grading equipment, barges, etc.) will be used on the site? When and how often will the equipment be used?

Small hp engines will be used to operate hydraulic equipment for lifting cages during flipping, raising, and lowering gear for winter storage. Electric winches on drag boats may also be utilized for these purposes.

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

Four stroke engines are used on all boats to reduce engine noise. The small hp engines will be located in sound attenuating enclosures that decrease the noise and protect the engine from the elements.

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 would be deployed on the site.

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

Only for special circumstances such as bad weather.

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, including the acronyms of all active leases and/or licenses.

Dodge Cove Marine Farm and Muscongus Bay Aquaculture (MBAQ) 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 utilizes 31.33 acres of oyster bottom and nursery leases and Dodge Cove Marine Farm has been in operation since 1977. Part of this application overlaps a lease held by MBAQ, please see **appendix 6** for a letter of support from MBAQ.

We currently operate Leases: NMR NML; DAM DP; DAM GS2; DAM HI; DAM HI2; DAM HI3; DAM HI5

Tonie Simmons has SIM 412; SIM 312 for LPA's

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

We do not plan on relinquishing any leases or licenses.

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?

Approximate depths at mean low water in the northern section are 4-7 feet and 12-15 feet in the southern section.

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

At the very northwest part of the site approximate mean high water depths are 12-15 feet and 20-24 feet in the rest of the site.

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

Current speeds are less than a knot and run in a southwestern direction with an outgoing tide and in a northeastern direction on an incoming tide.

D. The following questions (D.1 through D.6) may be answered in writing or by submitting a video. If you plan to submit a video, please contact the Department prior to video collection.

1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?

Bottom Characteristics consist of soft mud throughout the lease. On the northern edge closest to the shoreline the bottom hardens up with a shell-hash, muddy consistency.

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

The bottom is a flat slope that deepens towards the South.

<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>Based on numerous dives in the area over the past ten years, the marine organisms present in abundance are green crabs and polychaete worms. Mackerel and Striped bass can be seen occasionally in the area as well.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>Lease site DAM-DP is in the surrounding area and the proposed lease covers around an acre in the Northeast corner of DAM-DP. DAM-DP is leased by Muscongus Bay Aquaculture.</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>No aquatic vegetation has been observed in the proposed area.</p>
<p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>The General shoreline is rocky with a sandy beach directly north of the proposed lease. The upland characteristics are forested land.</p>

<p>E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

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
During our scoping session we were alerted to some commercial fishing activity for Menhaden that occurs in the northern cove above the proposed site. Responding to the concerns raised, we moved our lease 500' to the south and overlapped it with part of our existing DAM DP site.
2. Recreational Fishing
There is occasional recreational fishing in the area during summer months.
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).
Boats occasionally pass through the area. The Dodge Point Preserve dock is located approximately 402 feet to the west, the navigable channel resides to the east roughly 500 feet, and the preserve beach is 2,300 feet to the north.
4. Riparian Ingress/Egress
The Proposed lease will not interfere with riparian ingress and egress
5. Other uses (kayaking, swimming, etc.):
There is occasional sea kayaking in the area near the beach to the north during the summer months. Kayakers are welcome to navigate within the lease.
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.
The Dodge Point Preserve dock is 402 feet northwest from the lease. There is a cluster of moorings northwest of the site, locate 970, 1,033, and 1,026 feet from the site. There are two other moorings to the southwest located 890 and 966 feet from 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.

The Dodge Point Preserve is located just north of the proposed lease. The closest access points are the dock, located 402 feet west of the lease, and the beach located 2300 feet north.

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 ask that no commercial fishing be conducted in the proposed site.

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

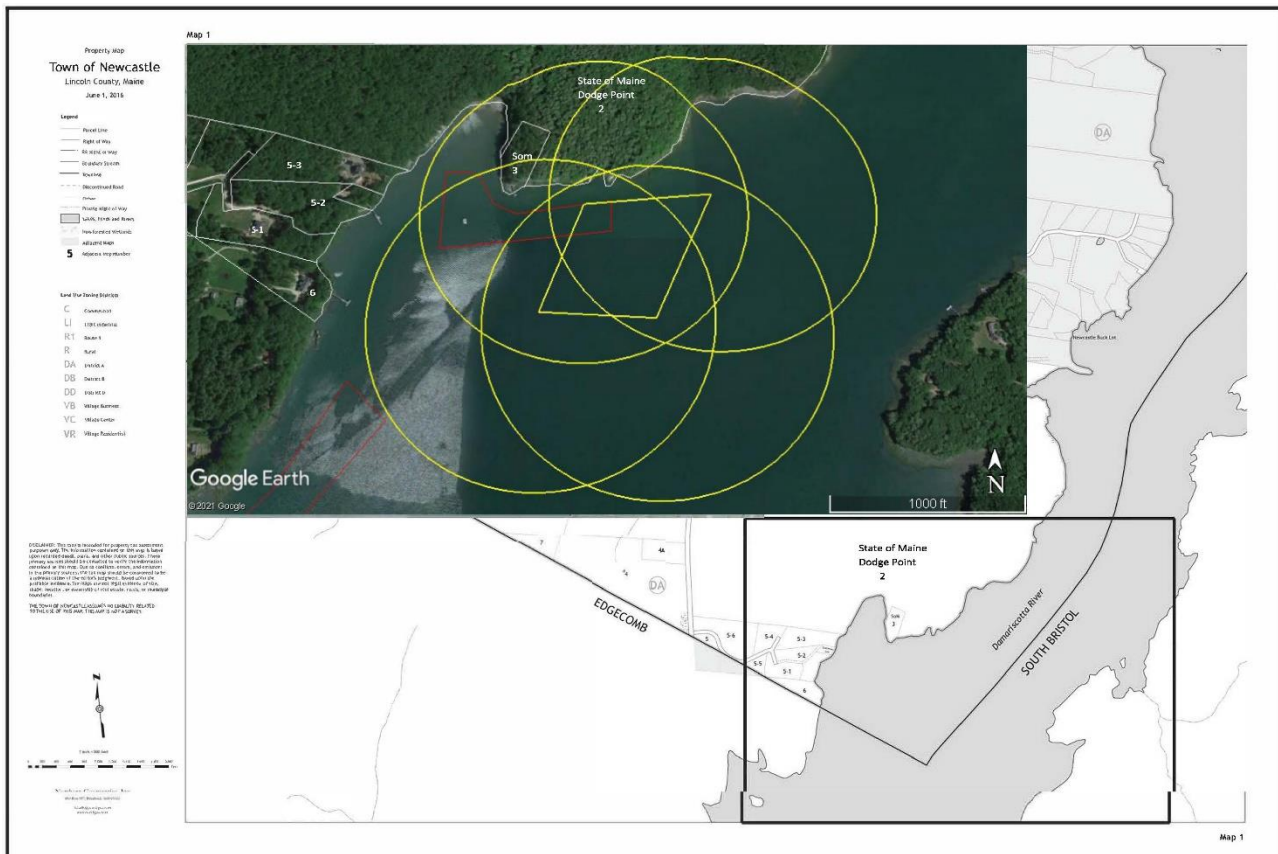


Figure 16: Tax Map: Town of Newcastle. See Appendix 1 for larger image

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. **See Appendix 2**
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?

The site will be accessed by water from Dodge Cove Marine Farm’s Ring Point facility on River Road, Edgecomb Maine.

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

The proposed activities will not affect riparian ingress and egress.

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.

Dodge Cove Marine Farm has been proudly producing farmed oysters for the half shell markets since 1977. Tonie Simmons has been working in aquaculture for over 30 years, and reliably employs over 20 people to help with the daily operations of her aquaculture business.

16. FINANCIAL CAPABILITY

A. Financial Capability

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

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

See attached (**Appendix 3**)

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Estimate for maximum gear on lease:	
Cages and cage insert	\$550,000
Boats/rafts/etc.	\$ 80,000
Misc. equipment	\$ 35,000
Total	\$665,000


17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input 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 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*) Tonie Simmons 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.

 MANAGING MEMBER

6/1/2021

Applicant Signature

Date

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

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

Date

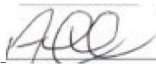
Note: Add title if signing on behalf of a corporate applicant.

18. APPLICANT SIGNATURE PAGE

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

Printed name: Tonie Simmons

Title (if corporate applicant): Managing Member

Signature:  MANAGING MEMBER Date: 6/1/2021

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: _____

APPENDIX 1: Tax Map Town of Newcaslte

Map 1

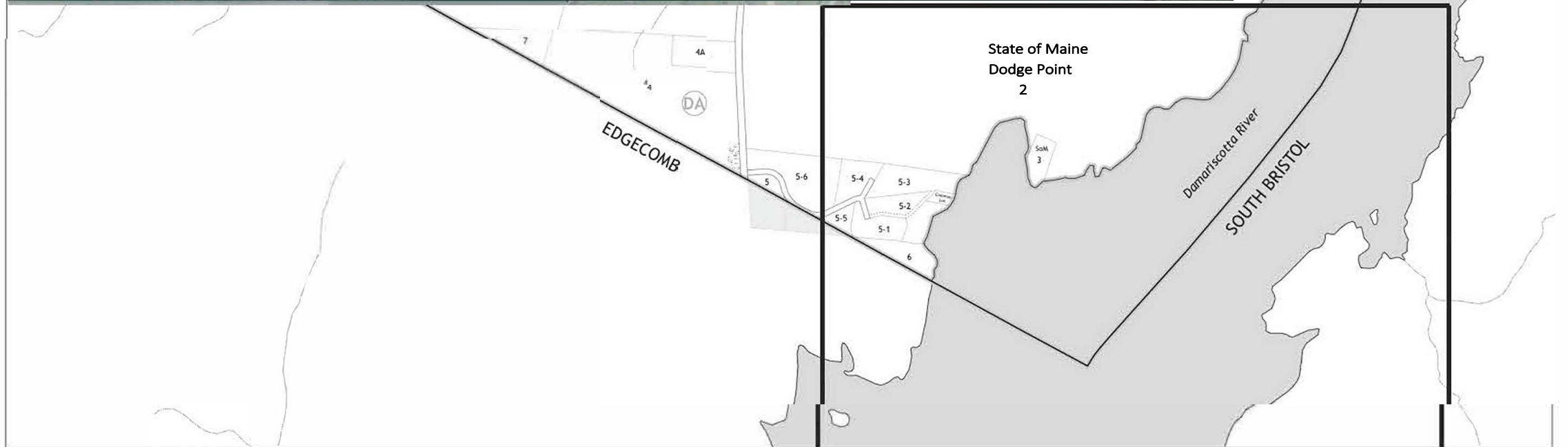
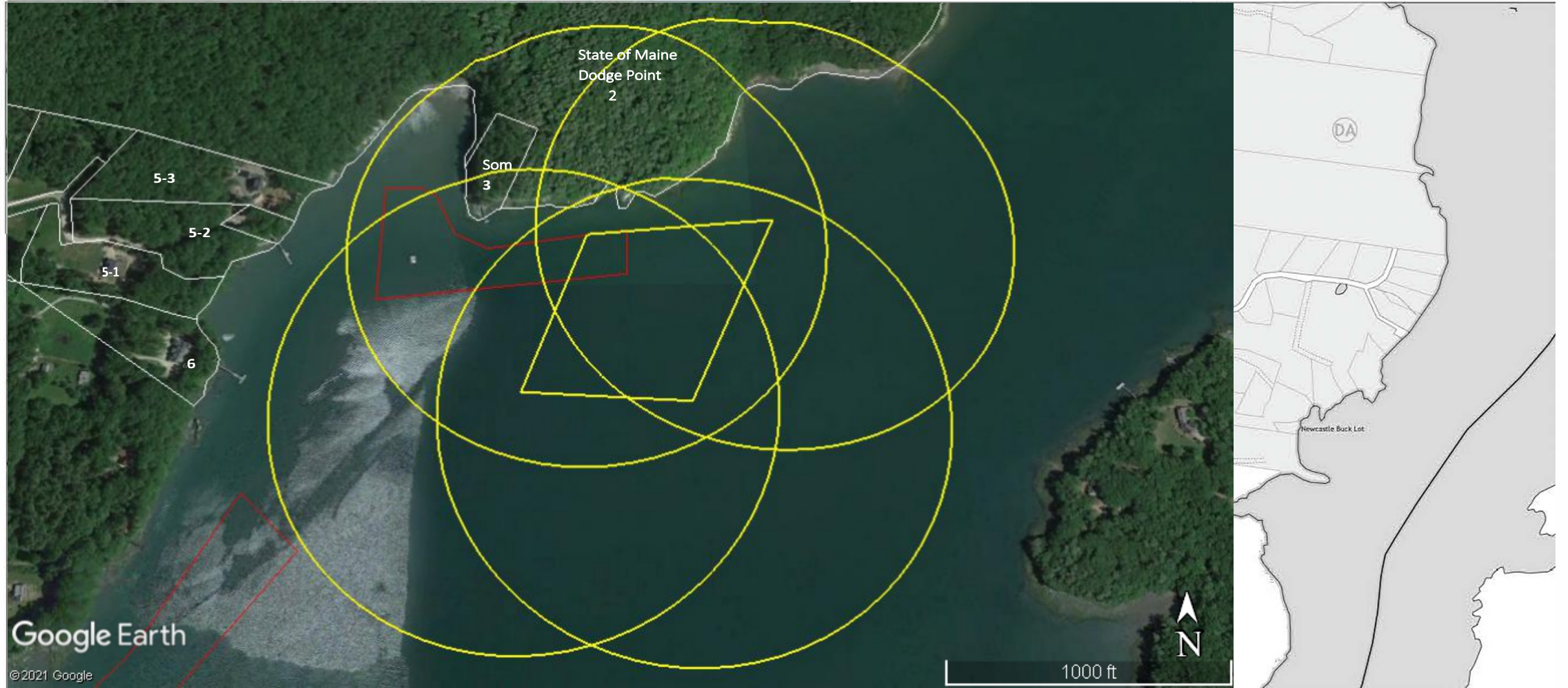
Property Map
Town of Newcastle
 Lincoln County, Maine
 June 1, 2016

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
- 5** Adjacent Map Number

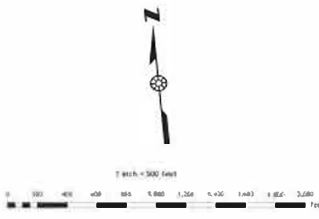
Land Use Zoning Districts

- 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.



Newcastle Comprehensive Plan
 853 Main Street, Newcastle, ME 03877
 Telephone: 603.886.1234
 www.townofnewcastle.org

APPENDIX 2: Riparian List

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.

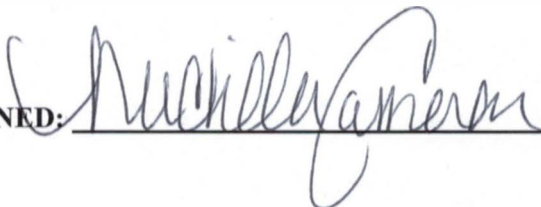
TOWN OF: Newcastle

MAP #	LOT #	Landowner name(s) and address(es)
1	2	State of Maine, Bureau of Taxation, 16 State House Station Maintenance and Operations, Augusta, ME 04333
1	3	State of Maine, Dept. of Conservation, 16 state House Station Maintenance and Operations, Augusta, ME 04333
		Per DMR (7.27.21): DACF Western Region Attn: Tim Post
		P.O. Box 327 Farmington, ME 04938

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Michelle Cameron 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:  DATE: 9/30/2020

Appendix 3



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,

A handwritten signature in cursive script that reads 'Nicole L. Doray'.

Nicole L. Doray
VP, Business Relationship Officer

APPENDIX 4: Corporate Applicant form Dodge Cove



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: Dodge Cove Marine Farms, LLC

2. Date of incorporation: November 27, 2007 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%
Chris Metrakos and Thierry Bedard are employees of our parent company Ontario Teachers' Pension Plan (OTPP). OTPP owns 100% of Atlantic Aqua Farms USA, Inc (AAFUSA), who owns 100% of Muscongus Bay Aquaculture (MBAq), who owns 100% of Dodge Cove Marine Farm (DCMF). Chris Metrakos and Thierry Bedard are officers of AAFUSA, MBAq and DCMF.		

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."

Name	Address	Lease Acronym	Acres
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM HI	2.0000
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM HI2	6.9500
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM HI5	3.5500
Dodge Cove Marine Farm, LLC	P.O. Box 204, Bremen, ME 04551	DAM NMR NML	0.0365
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM DP	6.5300
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM GS2	5.0000
Muscongus Bay Aquaculture, Inc.	P.O. Box 204, Bremen, ME 04551	DAM HI3	7.0000

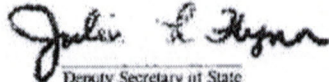
APPENDIX 5: Articles of Incorp. Dodge Cove

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)

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
TEL. (207) 624-7752**

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

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

Name

Address

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

Robert E. Stevens

(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)

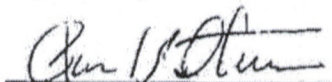
(Type or print name and capacity)

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

***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



APPENDIX 6: Letter of Support from MBAQ

Reliable producers of fast-growing quality shellfish seed

Hello,

Muscongus Bay Aquaculture (MBAQ) has been in business for over 20 years supplying half-shell oysters and high quality seed to other growers across the East Coast. In 2008 MBAQ acquired Maine's oldest oyster farm, Dodge Cove Marine Farm, and operate their leases with our highly experienced crew. As such we have no objection to the proposed lease by Dodge Cove Marine Farm which is situated on about an acre of our DAM DP lease.

Sincerely

A handwritten signature in black ink, appearing to read "AS", is written over a horizontal line.

Tonie Simmons, General Manager

Purveyor of the Damariscotta River Wawenauk Oyster™

P.O. Box 158 • Bremen, Maine 04551-0158 • Hatchery (207) 529-4100 • Fax (207) 529-4104



June 16, 2021

Department of Marine Resources
State of Maine
21 State House Station
Augusta, ME 04333-0021

To Whom It May Concern,

We write this letter to you in support of recent applications submitted by Muscongus Bay Aquaculture, Inc. (MBAq) and Dodge Cove Marine Farms, LLC (DCMF).

In December 2020 Atlantic Aqua Farms USA, Inc. based in Eliot, Maine acquired the 100% of the shares of Muscongus Bay Aquaculture, Inc. which also owns 100% of the membership in Dodge Cove Marine Farms, LLC. Atlantic Aqua Farms USA, Inc. is part of the Atlantic Aqua Farms Group of Companies that is owned by the Ontario Teachers' Pension Plan (OTPP) based in Toronto, Ontario, Canada. The Ontario Teachers' Pension Plan acquired the Atlantic Aqua Farms Group of Companies in November 2017. The acquisition was, and remains today, the pension funds sole investment in seafood. The group includes operating companies Atlantic Aqua Farms USA, Inc., a shellfish sales and distribution facility located in Eliot, Maine and Atlantic Aqua Farms Ltd., a mussel and oyster farmer and processor located in Prince Edward Island, Canada. The acquisition of Muscongus Bay Aquaculture, Inc. and its subsidiary Dodge Cove Marine Farms, LLC are the groups first that involves aquaculture leases in the United States of America and the State of Maine. In total, the group of companies holds 31.07 acres of water via the Department of Marine Resources which are located on the Damariscotta River (MBAq 18.53 acres and DCMF 12.54 acres).

OTPP is a corporation without share capital (i.e. there are no owners at all); therefore there are no individuals related to the organization that own aquaculture lease acreage in the State of Maine.

If you have any further questions, feel free to contact myself (902) 629-4439 / jeff.macpherson@atlanticquafarms.com or Jeff Auger (207) 475-5767 / jeff.auger@atlanticquafarms.com.

Yours truly,

Jeff MacPherson
Chief Financial Officer