

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Travis Nickerson		
Contact Person			
Address	421 Cobbs Bridge Road		
City	New Gloucester		
State, Zip	Maine 04260		
County	Cumberland County		
Telephone	207 245 2055		
Email	D33pOceanblue777@outlook.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: 12/17/2020	Draft Application Submitted: 2-12-2021	Scoping Session: May 30, 2021
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card Final Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card		

Note: The email address you list here will be the primary means by which we will contact you. Please provide an email address that is checked regularly. If you do not use email, please leave this blank.

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Yarmouth
Waterbody	Casco Bay
General Description (e.g. south of B Island)	Blaney Point
Lease Information	
Total acreage requested (100-acre maximum)	2.8
Lease term requested (20-year maximum)	20
Type of culture (check all that apply)	<input checked="" type="checkbox"/> Bottom (no gear) <input type="checkbox"/> Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

3. GROWING AREA DESIGNATION

Directions: Information for growing area designations can be found here:

<https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

Growing Area Designation (e.g. WL):	WI
Growing Area Section (e.g. "A1"):	CA3

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 scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern oyster <i>Crassostrea virginica</i>	My LPA TNC119 TNC219 TNC319 TNC419	80,000 oysters
2.	Muscongus Bay Aquaculture Inc 24 Seal Ledge Lane Bremen ME	
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 your 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

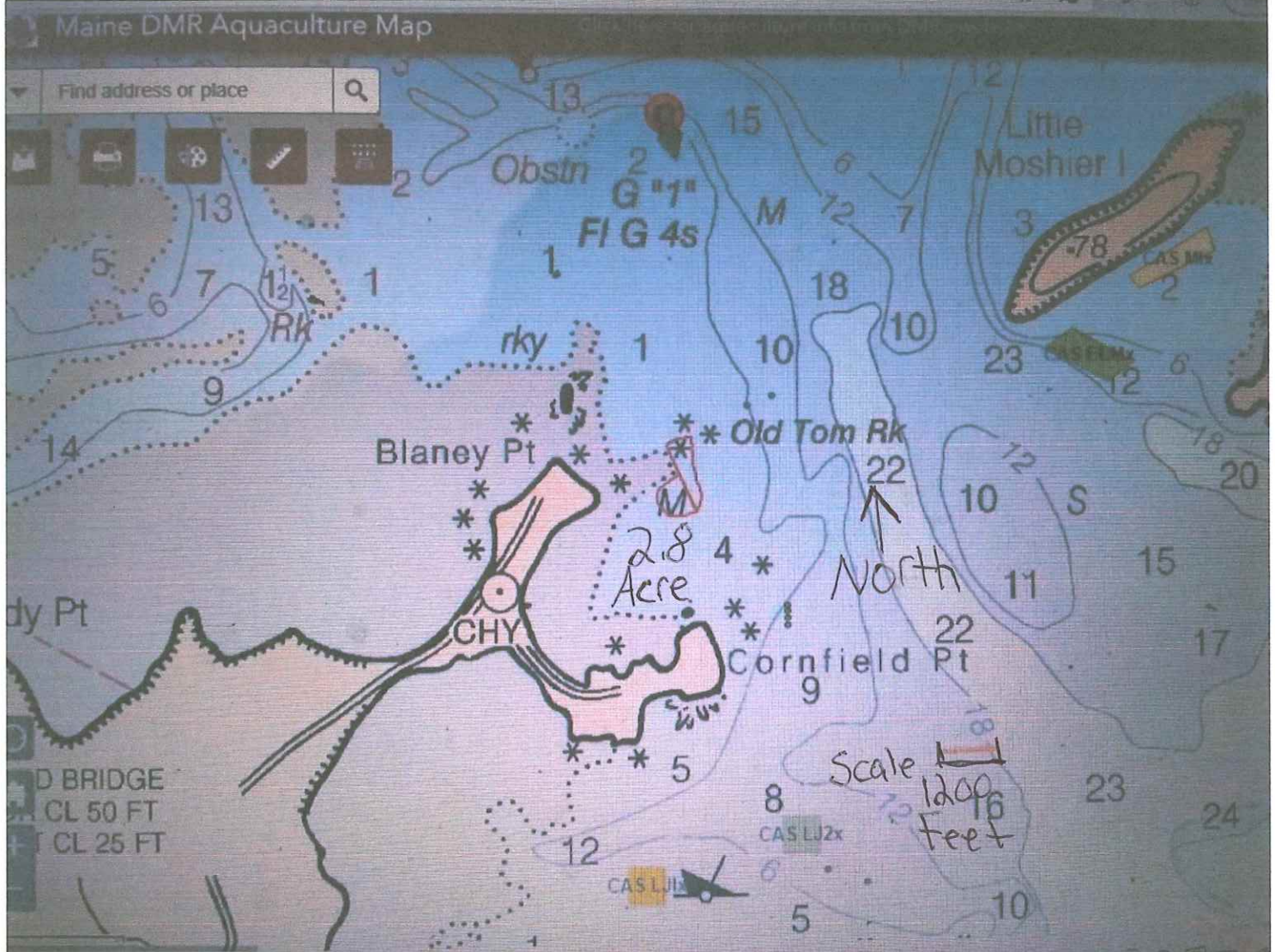
6. BOUNDARY DRAWING

Note: Please label as: 'Boundary Drawing'.

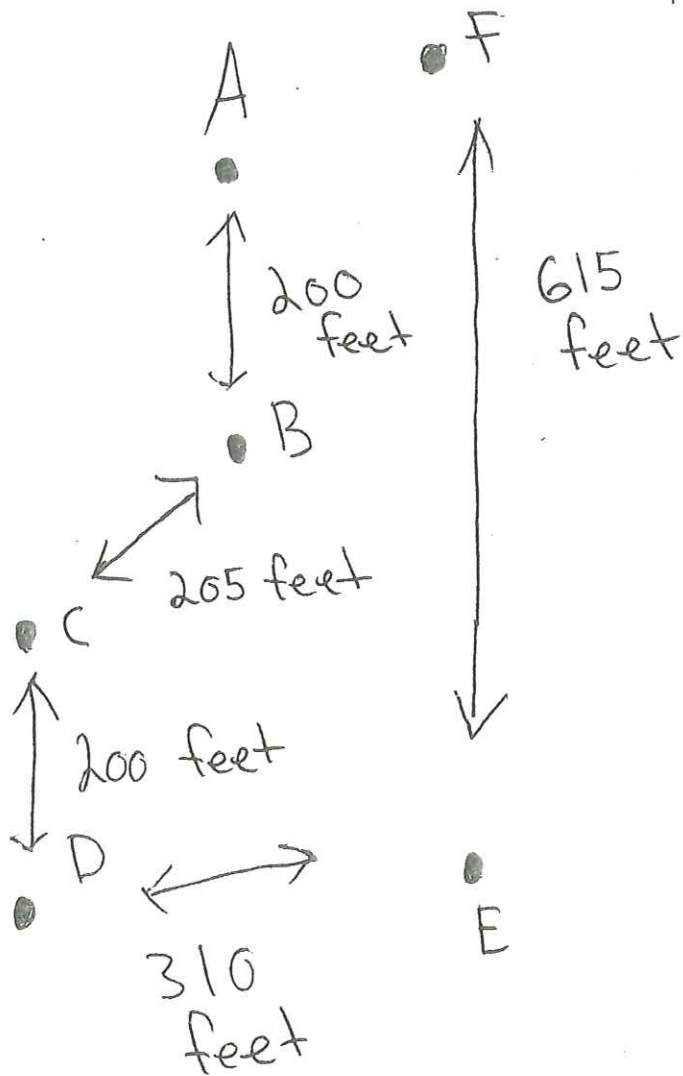
Directions: Depict the boundaries of the proposed lease site. Provide a drawing with all corners, directions, and distances labeled. Provide coordinates for each corner as follows:

- 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.



Boundary Drawing



A. -70.123403

43.777761

B. -70.123081

43.777172

C. -70.123789

43.776816

D. -70.123574

43.776366

E. -70.122587

43.776397

F. -70.122738

43.777993

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.
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 (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



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.

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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.

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D. Gear Color

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

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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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).

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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.

In the Summer months I will take Seed from my LPAs to finish growing on the bottom of Site. I will Seed the area once or twice a year

B. Please explain your proposed tending/maintenance activities.

I will check water quality annually with help from Sea Grant

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

I will be in view of Site multiple times a week and will observe the bottom at least once a week in the Summer/Spring/fall

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

Diving, raking, dragging five to six foot drag, by four to five feet across

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

I will always be on site during harvesting.

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.

No Gear
Oyster Seed will not be moved during
winter

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.

No predator control

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?

A 14 foot Skiff will be used to observe and check site. It will be on site often in Spring, Summer, fall. A 26 foot ~~boat~~ boat will be used to drag once a year

- 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?

not applicable

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

The boats are small ~~and~~ and the larger boat would only be on site once a year.

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.

None

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

None

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.

Four LPA's growing oysters
TNIC119, TNIC219, TNIC319, TNIC419

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.

No, I will keep all of my LPA's
because I will use them to grow seed for
Seeding this site.

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?

At low tide the shallowest is approximately 3 feet and deepest 13 feet.

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

At hightide the shallowest depth is approximately 7 feet and deepest is 20 feet

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

1-2 knots West to East

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.)?

Mud bottom with a ledge, top of ledge
Rocky gravel mix

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

A rocky ledge with a steep drop off to
a muddy bottom

3. Describe marine organisms by species or common names. Based on your personal observations or other sources of information, are these species abundant, common, or rare?

Green crabs seem to be
Common

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.

No eelgrass just mud and rocks

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

Rocky, Residential

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.

W. Perry

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 c) frequency and d) proximity to the lease site for each existing use.

1. Commercial Fishing

None

2. Recreational Fishing

None

3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)

955 yards away from Cousins Island channel at closest point.

4. Ingress and egress (i.e. coming and going) of shorefront property owners within 1,000 feet of the proposal (e.g. docks, moorings, landing boats on shore, etc.)

Mr. Ken French is the only property ~~that~~ he has a shore and dock however the dock is over 1,000 feet.

5. Other uses (kayaking, swimming, etc.)

In my 15 years of lobstering within eye ~~view~~ view the only time I have observed some kayaking was in the summer months June, July, or August. I have only seen 2 kayakers this year, ~~who~~ who were going to see their daughters oyster farm. I would guess approximately 0-3 kayakers a year.

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 only shore line is Mr. Ken French shore line, his dock is slightly over 1,000 feet.

- 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.

Harvesting oysters by dragging or diving or any means. And dragging in general.

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?

Boat

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

No effect

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)
60	3	Cousin Maney's LLC, 403 Sea Meadows, Y. Me 04096 " " 540 Margville Centre Dr. St. Louis, MO 63141
60	2-A	Scott & Renee Bowie 369 Sea Meadows, Yarmouth Me 04096
60	2	William & Shirley Hedfron 92 Cornfield Point, Yarmouth Me 04096
60	2-2	Selcuk Karamanoglu 90 Cornfield Pt. Yarmouth Me 04096

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Jennifer S. Doten, 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 S. Doten DATE: 4/2/2021

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.

I have completed the "Shared Waters" course by Sea Grant and other Scientist that teaches aquaculture safety and growing. I have 4 LPA's and have lobster fished most of my life. The Shared waters certificate is attached.

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.

Please see note from bank attached

B. Cost Estimates

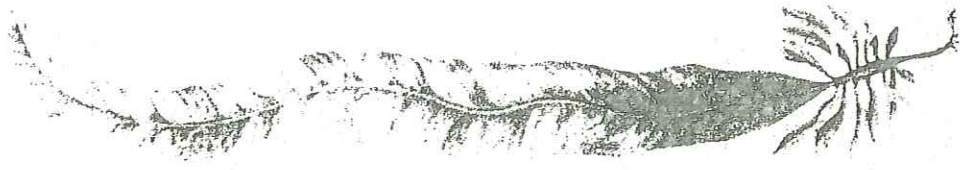
Please provide cost estimates of the proposed aquaculture activities.

I already have 4 LPA's to transfer seed from for this bottom lease. The ~~only~~ Only cost would be fees from DMR.



Certificate of Completion

Aquaculture in Shared Waters



This is to certify that

Travis Nickerson

has completed the training program in shellfish and sea vegetable farming

April 8, 2020

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February 6, 2021

To Whom it May Concern,

Please note that TRAVIS M NICKERSON has a valid checking account with Camden National Bank and is in good standing as of February 6, 2021.

Regards,

John Slattery

Relationship Banker, Auburn, ME

207-344-6850

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17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input checked="" type="checkbox"/>	No gear/structure, no discharge	\$500.00
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input type="checkbox"/>	>400 square feet of gear/structure, no discharge	\$5,000.00*
<input type="checkbox"/>	Gear/Structure, discharge	\$25,000.00

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

I, (printed name of applicant) Travis Nickerson 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.

[Signature]
Applicant Signature

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

8/11/2021
Date

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

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

Applicant Signature

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

Date

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: Travis Nickerson

Title (if corporate applicant): _____

Signature: [Signature] Date: 8/11/2021

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: _____

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.