

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

| | | | |
|---------------------|---|---|------------------------------|
| Applicant | Morning Star Fisheries LLC | | |
| Contact Person | Jodi Brewer | | |
| Address | P.O. Box 558 | | |
| City | Southport | | |
| State, Zip | ME | | |
| County | 04576 | | |
| Telephone | (207) 315-0024 | | |
| Email | jodi_1117@yahoo.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: 04/01/2021 | Draft Application Submitted: 6/28/2021 | Scoping Session: 8/5/2021 |

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 | Southport |
| Waterbody | Sheepscott River |
| General Description (e.g. south of B Island) | West of Boston Island |
| Lease Information | |
| Total acreage requested (100-acre maximum) | 4.5 |
| 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"): | 21-F |
| Pollution Area Section (e.g. "B.2". or "none"): | NONE |
| Water Quality Classification (e.g. approved, restricted, etc.): | WN |

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, juveniles, and/or smolts | Maximum number (or biomass) of organisms you anticipate on the site at any given time |
|---|---|---|
| 1. Sugar Kelp (<i>saccharina latissima</i>) | Ocean Approved 89 Industrial Park Road Saco, ME 04072 (207) 409-6485 | 8700 Feet combined |
| 2. Strap Kelp (<i>saccharina angustissima</i>) | Ocean Approved 89 Industrial Park Road Saco, ME 04072 (207) 409-6485 | 8700 fett combined |
| 3. Horsetail Kelp (<i>laminaria digitata</i>) | Ocean Approved 89 Industrial Park Road Saco, ME 04072 (207) 409-6485 | 8700 fett combined |
| 4. Winged Kelp (<i>alaria esculenta</i>) | Ocean Approved 89 Industrial Park Road Saco, ME 04072 (207) 409-6485 | 8700 feet combined |
| 5. | | |

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

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

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

5. VICINITY MAP

Note: Please label as: 'Vicinity Map'.

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

The map needs to display the following:

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

The map shows the existing expiring lease with the new proposed lease. The new proposed lease is shifted 100' to the East.

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.

Mooring System:

There will be a total of 18 mooring setups on the site. Each set up will consist of one 400 lb pyramid anchor, 7 feet of 1 1/4" chain, 3/4" poly rope, 7 feet of 3/8" chain with a white 12.7" X 29" Polyform LD-3 Bouy. The connections between the mooring, chain and rope will be made using a 2" shackle. The longline will be tied into the chain at the 7 feet just above the shackle. The moorings will remain on site year round.

Longline:

The longline will be a 7/16" rope that will be run 1450 feet between the moorings and tied in at a depth of 7 feet. The longline will be removed after harvest in the spring and put back on site in the fall during seeding.

Depth Control/ Dropper Buoys

A dropper buoys will be placed every 100' when seeded then added to be every 25' as the kelp grows. The dropper buoys will be placed to keep the longline between 4' to 7' feet below the surface. The depth will depend on the time of the grow season.

The dropper buoy is made up of an 8' piece of 3/4" conduit with a lobster buoy tied in 1' down. A 9 foot piece of 3/8' rope is run through the center of the conduit and tied into the longline.

Side Moorings:

The side moorings are the same set up as the Mooring System. The side moorings are used to help the farm maintain separation between the longlines. A separate 7/16" rope will be tied into the longline running across the farm (east/west) and tied into the side moorings.

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 |
|--|---------------------------------|---|--|---|
| 7/16" Longline | 6 lines 1450' feet long | Fall Through Spring | 6 Longlines | Kelp |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

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. |
| N/A |
| 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. |
| N/A |

D. Gear Color

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

The color of the gear located on site is white poly balls to mark the moorings and lobster buoys colored with red, green, blue, purple and yellow. The lobster buoys are only used during the winter grow season.

E. Equipment Layout

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

F. Marking

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

☒ Yes ☐ No

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

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

8. PRODUCTION ACTIVITIES

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

A. Please explain your proposed seeding activities. What months will seeding occur and how often will you be onsite to seed during this time.

Seeding of the site will take place starting at the end of October through December depending on when seed stock will be available. Seeding of the site will take place for a total of 12 days during that timeframe.

B. Please explain your proposed tending/maintenance activities.

Mooring inspections take place before the fall seeding by a diver. If maintenance is needed it is done before seeding with the use of a 39 foot lobster boat. Weekly farm checks take place during the winter grow season, weather permitting. Farm checks consist of checking the lines visually to make sure they are not crossing and pulling some lines to the surface to check for chaffing.

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

At least every week during grow season, weather permitting. And after a storm to check the lines.

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

Harvest is done using a 39 foot lobster boat and 19 foot carolina skiff. It consist of pulling one line at a time to the surface, running the line from bow to stern across the boat and cutting the kelp off the line and into bags using a knife.

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

The length of harvest time will depend of the amount of growth each year. Harvest takes place between April and May. Harvest at the most will take place over 14 days during that period.

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.

The longline and dropper/lobster bouys will be removed from the site in the off season. The moorings and poly balls will remain on site year round. The gear removed from the site will be stored on land during the summer.

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.

N/A

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?

The boats that are used are a 39 foot lobster boat and a 19 foot carolina skiff. The boats will be used during fall seeding, weekly farm checks and spring harvest.

- 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?

N/A

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

The noise level will be reduced by conducting activities on the farm during the daytime hours.

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.

N/A

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

Operations will only take place after daylight hours if a catastrophic event occurs on the site.

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.

There is a current experimental 3 year lease SHE Blx.

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.

There is a current experimental 3 year lease SHE Blx that will be expiring.

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?

Low tide depth range between 30-47 feet.

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

High tide depth ranges between 38-55 feet.

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

The current speed ranges from 2 to 2.5 knots and has a north/south flow.

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.)?

The bottom consists of mud and mud sand mixture.

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

The bottom is relatively flat with a gradual decrease in elevation.

| |
|---|
| <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>The area commonly has lobster and crab, more so during the summer months.</p> |
| <p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p> |
| <p>N/A</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>N/A</p> |
| <p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p> |
| <p>The surrounding shoreline is rocky & the upland is mostly wooded with seasonal residences.</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

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|---|
| 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 |
| The area has existing commercial lobster fishing from June to October, more frequently during the months of August, September & beginning of October. The lobstering takes place around and inside the site location. |
| 2. Recreational Fishing |
| Recreational fishing takes place around and inside the site during July, August & Septemeber. Recreational fishing increases during the weekend timeframe. |
| 3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water). |
| The western edge of the site is located 265 feet east of the red nun marking Hardning Ledge and runing along the same north/south path as the ledge which marks the east side of the channel. |
| 4. Riparian Ingress/Egress |
| Will not interfere. The closet dock is located on the East side of Boston Island and is 1650 feet away over land. The closest shoreline is the West side of Boston Island and is 725' away. There are no docks or moorings located on the west side of Boston Island. |
| 5. Other uses (kayaking, swimming, etc.): |
| There is very little kayaking and swimming located in the site. |

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| B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease. |
| There are no private docks, moorings or other access points located within 1,000 feet of the site. |

| |
|---|
| <p>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.</p> |
| <p>N/A</p> |

13. EXCLUSIVE USE

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|---|
| <p>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.</p> |
| <p>I would request that lobster fishing be restricted from mid October to the end of May while the longlines are in the water to minimize the risk for gear entanglement. I would also request that commercial dragging be prohibited year round. The recreational boating season takes place during the summer months when the farm is not being used for kelp growth therefor it would not be restricted.</p> |

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?

Access to the site will be done Cozy Harbor, Southport.

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

It will not affect the riparian ingress and egress.

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE **CERTIFIED**

On this list, please show the current landowners' names and mailing addresses as listed in the municipal tax records for all riparian shorefront parcels within 1,000 feet of the proposed lease site along with the map and lot number for each parcel. **It is the applicant's responsibility to assemble the information for the Town Clerk to certify.** The Town Clerk *only* certifies that the information is correct according to the Town's records. Once you have completed the form, ask the Town Clerk to complete the certification section below. If the parcels are within more than one municipality, provide a separate, certified riparian list for each municipality.

TOWN OF: Southport

| MAP # | LOT # | Landowner name(s) and address(es) |
|-------|-------|---|
| 26 | 1 | Jeffrey & Garrett Conover 1126 Neptune Pl. Annapolis, MD 21409-4700 |
| 26 | 2 | Sharon Siefken 3904 Ehtan Ln. Williamsburg, VA 23188-3921 |
| 26 | 3 | Sharon Siefken 3904 Ehtan Ln. Williamsburg, VA 23188-3921 |
| 26 | 4 | Jeffrey & Garrett Conover 1126 Neptune Pl. Annapolis, MD 21409-4700 |
| 26 | 5 | Ann Burdet 6 Albert St. Waltham, MA 02453 |
| 26 | 6 | Howard & Mary Evelyn Friant c/o Botson Island LLC. 14 Pamela Ln. Raymond, NH 03077-1548 |

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

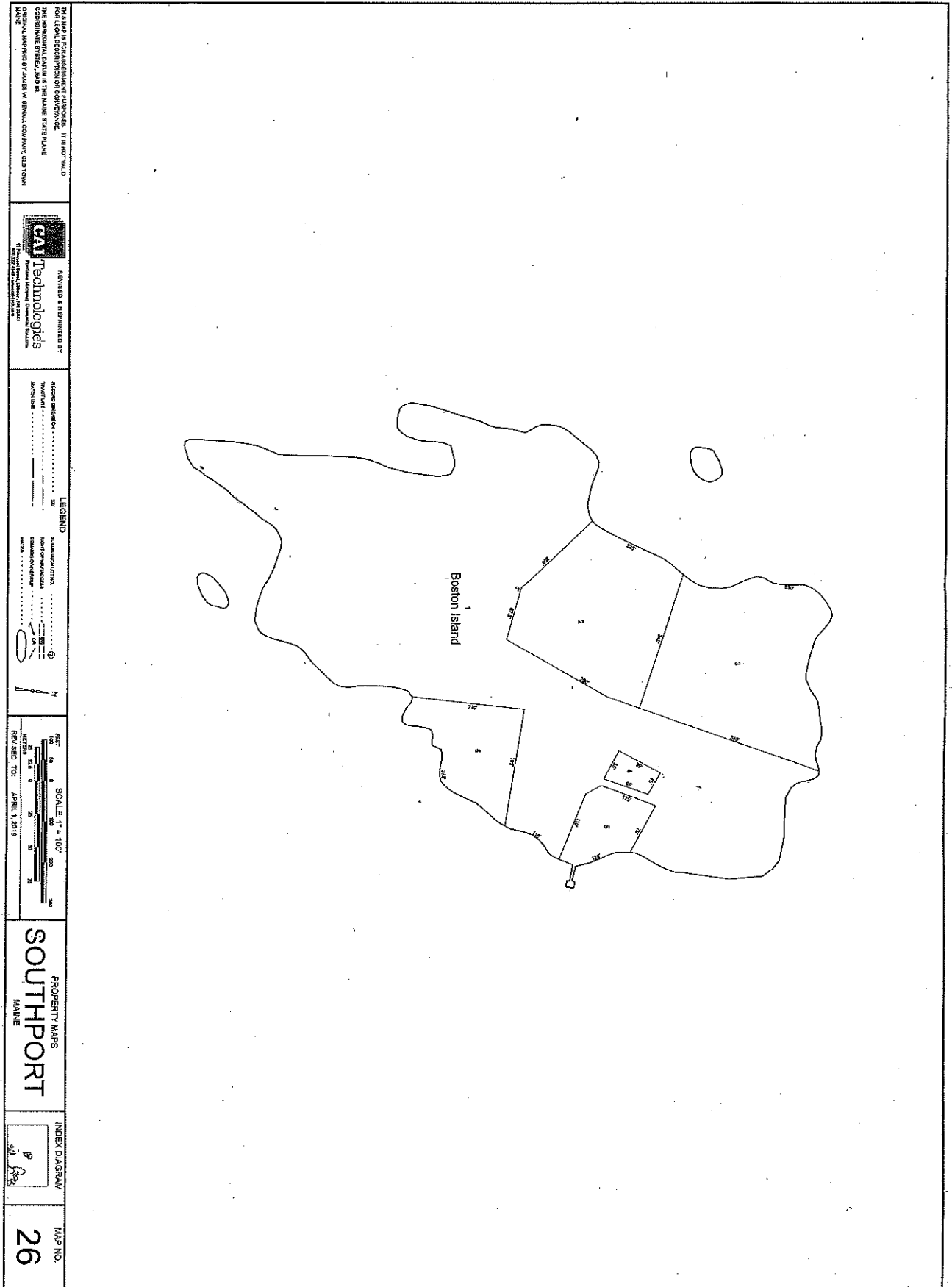
I, Donna M. Climo, Town Clerk for the Town of Southport certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

SIGNED: Donna M. Climo DATE: 10/14/2021

October 14, 2021

Attest: True Copy of Southport Tax Map 26

Donna M. Climo
Donna M. Climo, Southport Town Clerk



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.

The owners of Morning Star Fisheries have been kelp farming for 4 years. The first year with 4 LPA's and three years with experimental leases in the same location.

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.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Because this lease is going in place of an expiring 3 year experimental lease the infrastructure is already in place so there is no need to purchase more. The proposed activities will financially consist of general operating expenses in the amount of \$2,000.00 per season.

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 checked="" 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) Jodi M. Brewer 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.

Jodi M. Brewer
Applicant Signature

9/23/21
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: Jodi M. Brewer

Title (if corporate applicant): Owner

Signature: Jodi M. Brewer Date: 9/23/21

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(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.

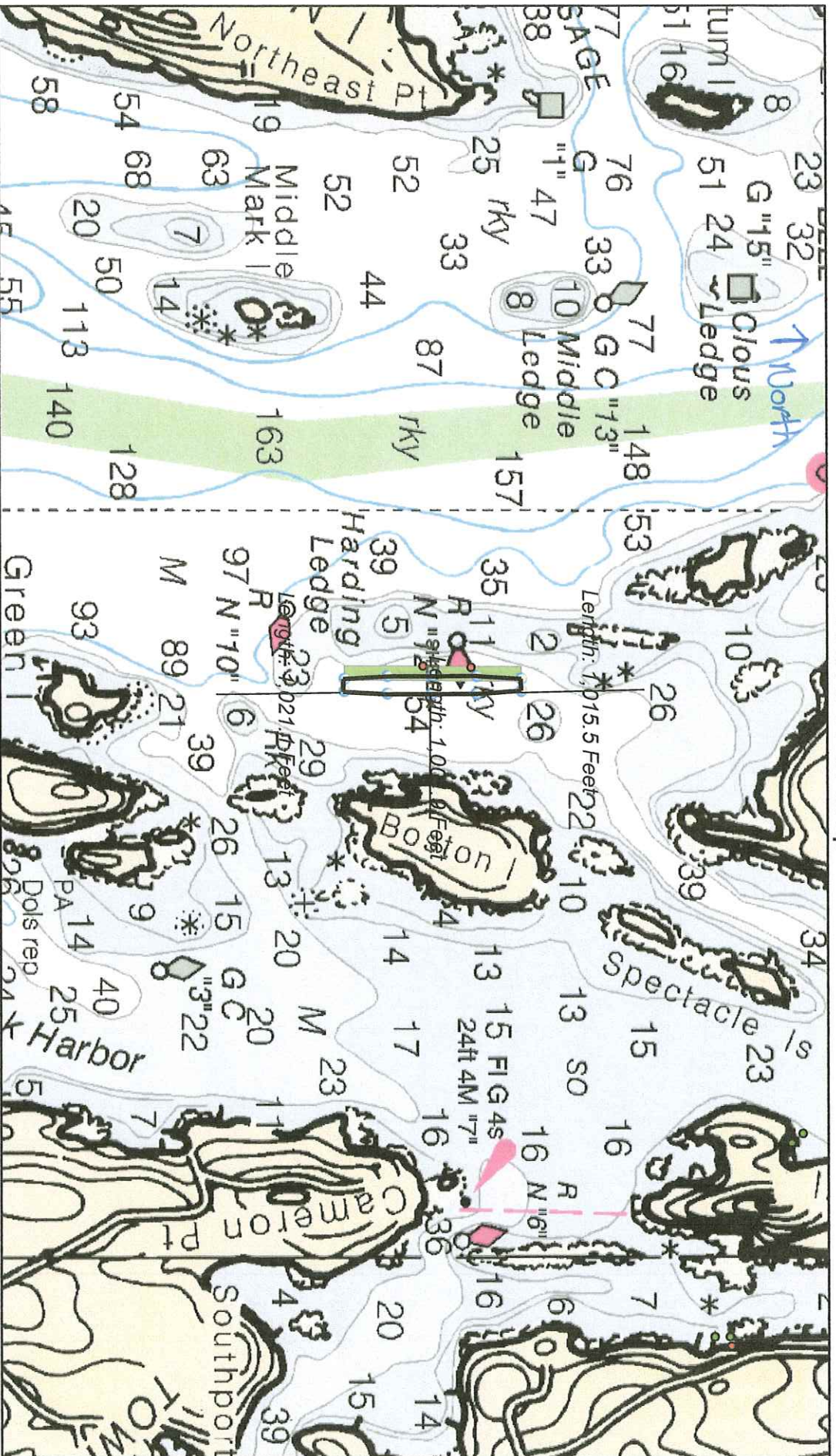
| |
|---|
| Does the municipality, where the proposed site is located, have a shellfish conservation program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|---|

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

Boston Island - Site Coordinates

| Site Name | Latitude | Longitude | | | | |
|-----------------------|-----------|------------|--|--|--|--|
| NW Corner | 43.852788 | -69.684598 | | | | |
| NE Corner | 43.852788 | -69.684218 | | | | |
| SW Corner | 43.848808 | -69.684598 | | | | |
| SE Corner | 43.848808 | -69.684219 | | | | |
| NW Side Mooring | 43.851787 | -69.684682 | | | | |
| W Center Side Mooring | 43.850784 | -69.684682 | | | | |
| SW Side Mooring | 43.849783 | -69.684682 | | | | |
| NE Side Mooring | 43.851787 | -69.684136 | | | | |
| E Center Side Mooring | 43.850784 | -69.684136 | | | | |
| SE Side Mooring | 43.849783 | -69.684136 | | | | |
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ArcGIS Web Map



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Lines

CSV Layer

Override 1 CSV Layer

| | |
|---|--------|
| Override 2 Limited Purpose Aquaculture (LPA) Licenses | Active |
|---|--------|

● Active

- Terminated

Active or Pending Aquaculture Leases

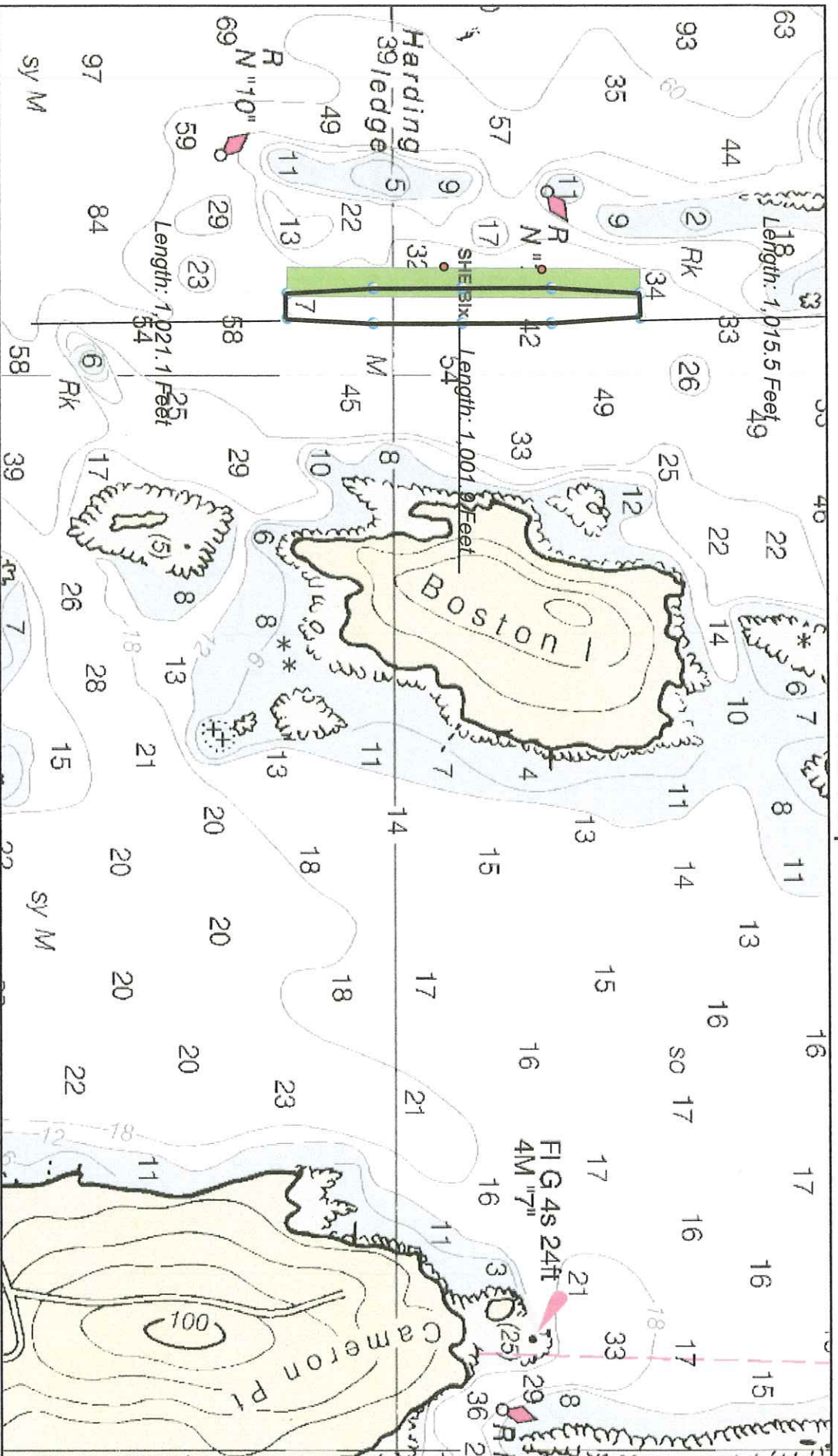
| | | | |
|---|------|------|--------|
| 0 | 0.17 | 0.35 | 0.7 km |
|---|------|------|--------|

NOAA Office of Coast Survey, Esri, NASA, NGA, USGS, FEMA, Esri
Community Maps Contributors, Esri Canada, Esri, HERE, Garmin, SafeGraph,

Eslri, NASA, NGA, USGS, FEMA | Eslri Canada, Eslri HERE, Garmin, SafeGraph, INCREMENT P, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA | NOAA Office of Coast Survey | MainedMDR, MaineGeolibary | MainedMDR, Maine Geolibary

Web AppBuilder for ArcGIS

ArcGIS Web Map



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Lines CSV Layer

Override 1 CSV Layer

Override 2 Limited Purpose Aquaculture (LPA) Licenses NOAA Nautical Chart

Terminated

Red: Band_1

Active or Pending Aquaculture Leases

Active

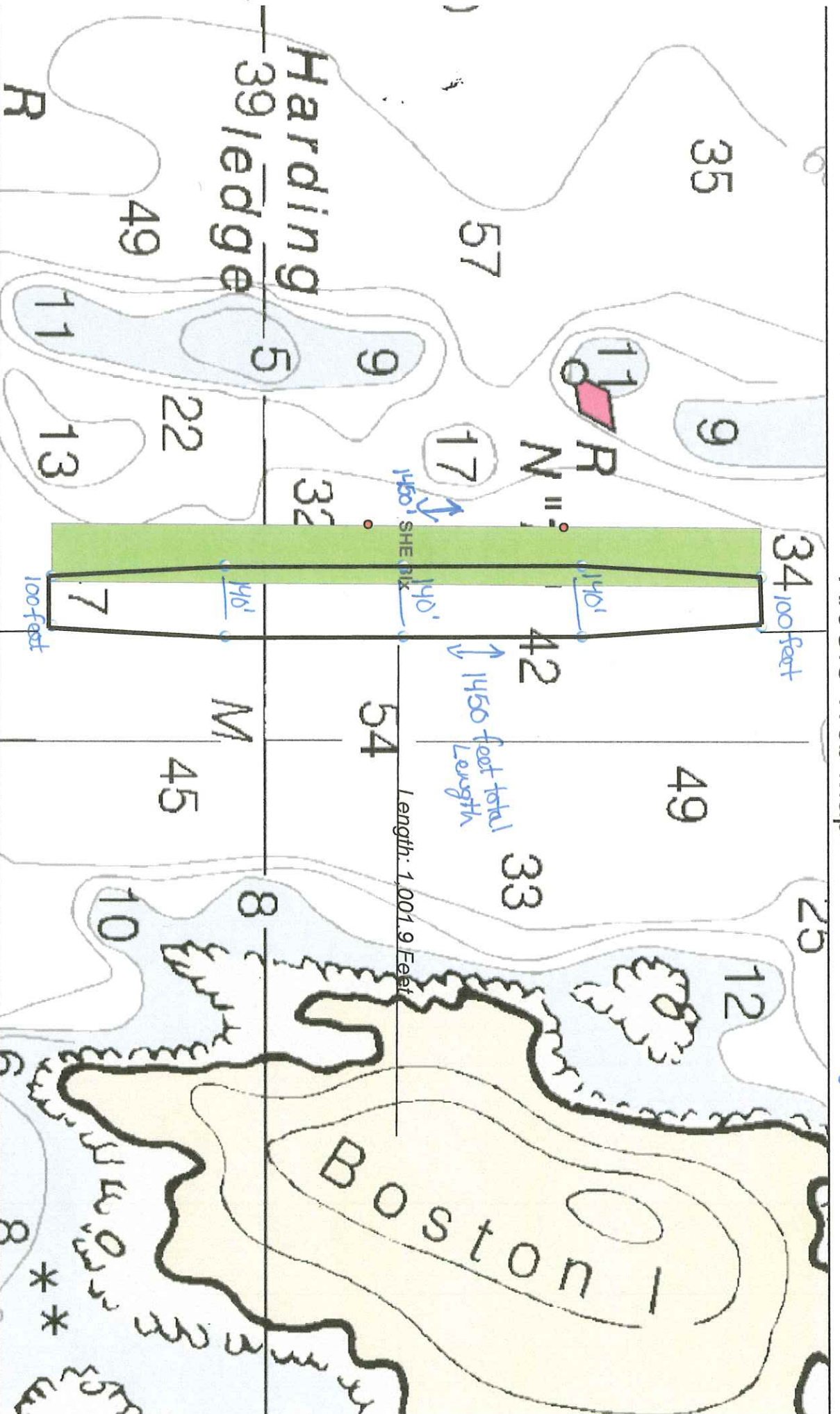
NOAA Office of Coast Survey, Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA

1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

Web AppBuilder for ArcGIS

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, BuildingFootprintsUSA, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA | NOAA Office of Coast Survey | MaineDMR, MaineGeolibary | MaineDMR,

11/10/2014



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es CSV Layer

— Override 1 CSV Layer

— Override 2 Limited Purpose Aquaculture (LPA) Licenses NOAA Nautical Chart

• Terminated

Active or Pending Aquaculture Leases

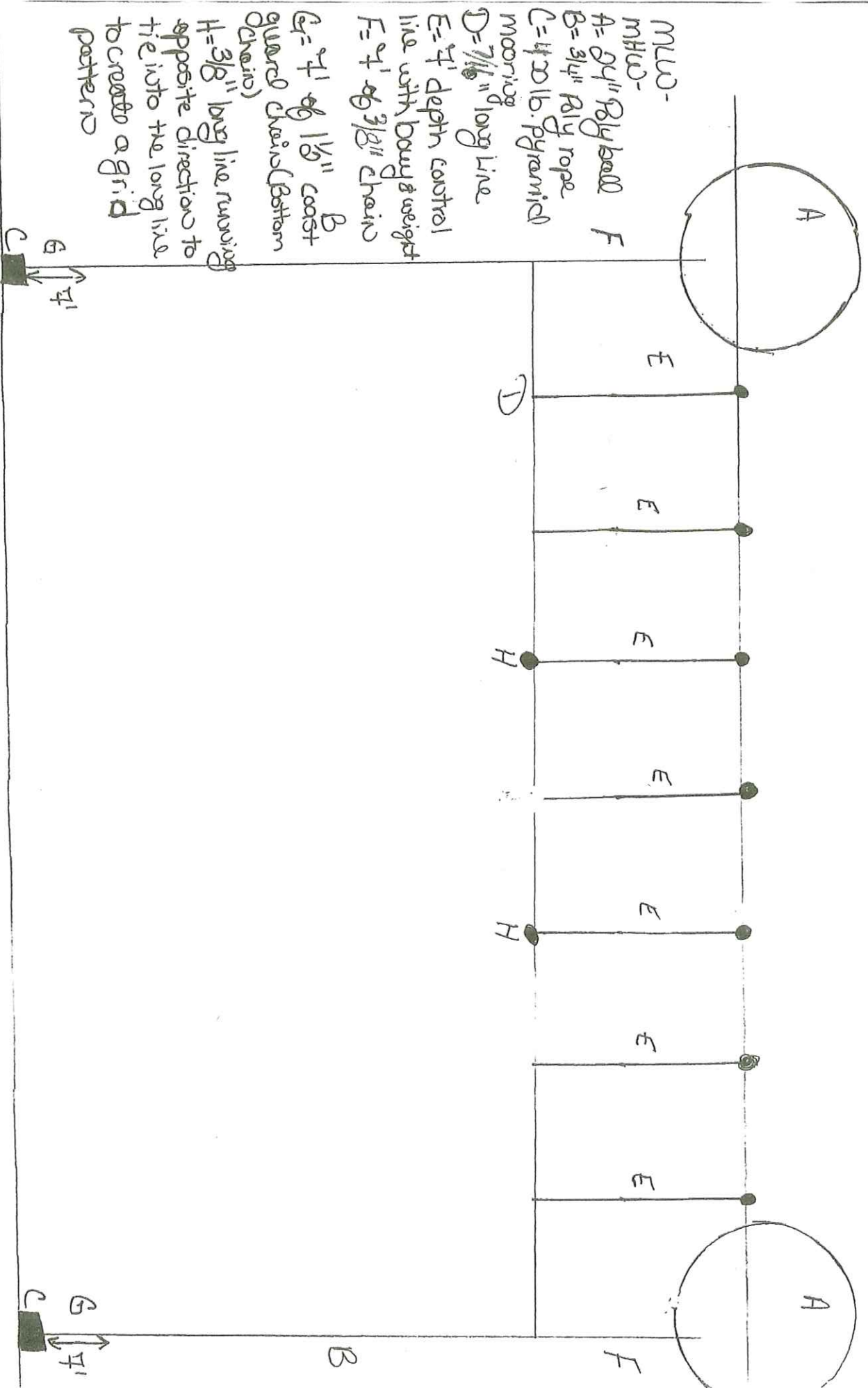
Active

Red: Band_1

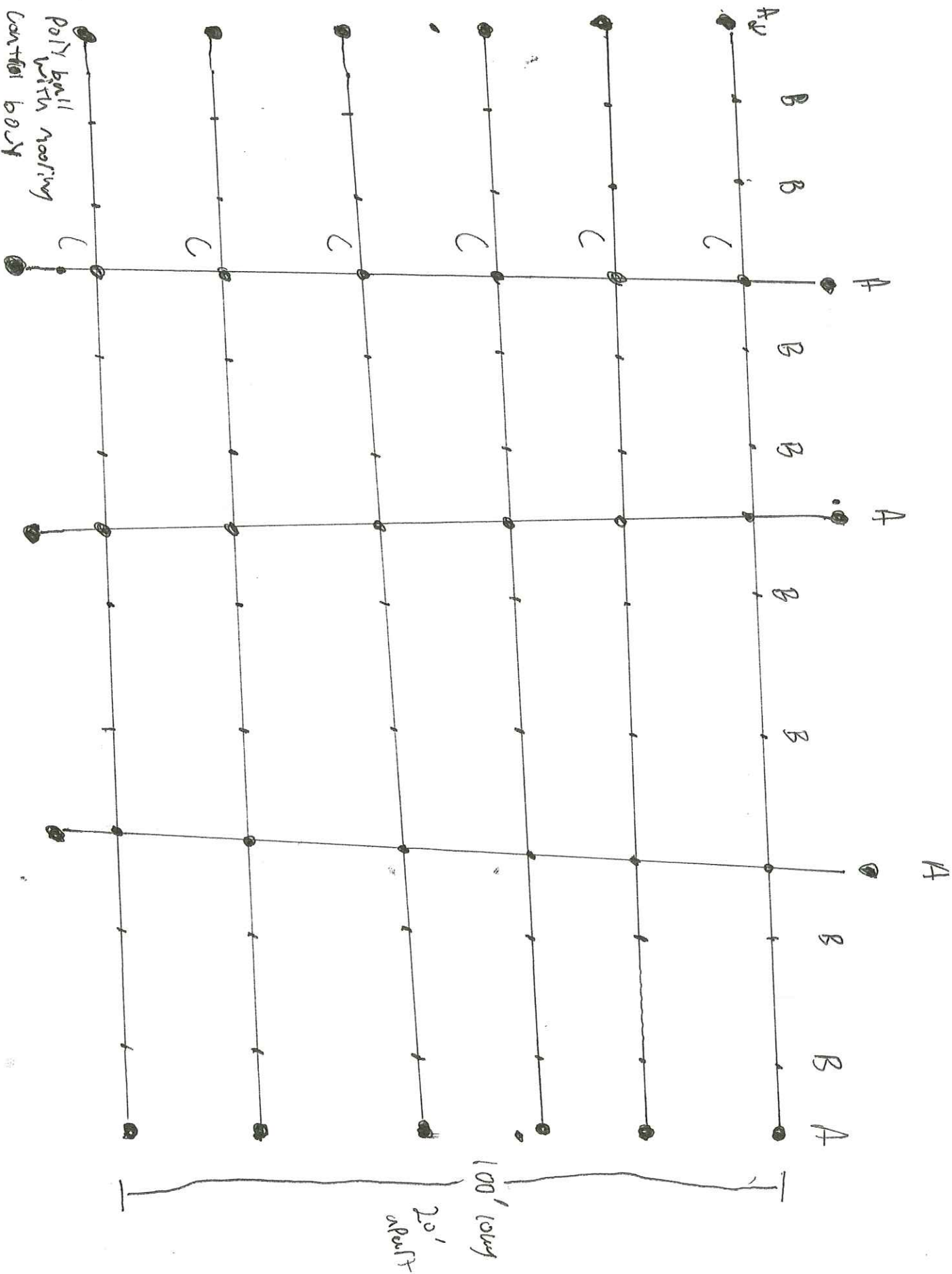
1:4,514
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.17 km

NOAA Office of Coast Survey. Sources: Esri, Airbus DS, USGS, NGA, NCGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasys, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. Esri Community Maps Contributors, BuildingFootprintsUSA, Esri Canada.

Cross Section View



A - 24" poly ball with mooring
 B - Depth control buoy
 C - 7/16" long line
 E-1450' long





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: Morning Star Fisheries LLC

2. Date of incorporation: 02/24/2017 State of incorporation: ME

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

| Name | Address | Title |
|-----------------------|----------------------------------|-----------------|
| Alexander C. Hutchins | P.O. Box 558 Southport, ME 04576 | President/Owner |
| Jodi M. Brewer | P.O. Box 558 Southport, ME 04576 | Secretary/Owner |
| | | |
| | | |

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

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

| Name | Address |
|-----------------------|----------------------------------|
| Alexander C. Hutchins | P.O. Box 558 Southport, ME 04576 |
| Jodi M. Brewer | P.O. Box 558 Southport, ME 04576 |
| | |
| | |

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. Jodi M. Brewer 2 Experimental Leases Approved

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 |
|-----------------------|----------------------------------|---------------------------|
| Alexander C. Hutchins | P.O. Box 558 Southport, ME 04576 | 60% |
| Jodi M. Brewer | P.O. Box 558 Southport, ME 04576 | 40% |
| | | |
| | | |

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 based on the percentage of owned stock listed in question 6. If none, write, "None."

| Name | Address | Lease Acronym | Acreage |
|----------------|----------------------------------|---------------|---------|
| Jodi M. Brewer | P.O. Box 558 Southport, ME 04576 | SHE Blx | 3.98 |
| Jodi M. Brewer | P.O. Box 558 Southport, ME 04576 | SHE EHx | 0.98 |
| | | | |
| | | | |

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

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20174140DC Pages 2
Fee Paid \$ 175
DCN 2170622270015 DLLC
-----FILED-----
02/24/2017


Deputy Secretary of State

A True Copy When Attested By Signature


Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

Morning Star Fisheries, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

☒
☐

Date of this filing; or

Later effective date (specified here): _____

THIRD: Designation as a low profit LLC (Check only if applicable):

☐

This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:

- A. The company intends to qualify as a low-profit limited liability company;
- B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
- C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
- D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional LLC (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)

FIFTH:

The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

☐

Commercial Registered Agent

CRA Public Number: _____

(Name of commercial registered agent)

☒

Noncommercial Registered Agent

Jodi M. Brewer

(Name of noncommercial registered agent)

P.O. Box 558 Southport, ME 04576

(physical location, not P.O. Box – street, city, state and zip code)

(mailing address if different from above)

SIXTH:

Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH:

Other matters the members determine to include are set forth in the attached Exhibit _____, and made a part hereof.

****Authorized person(s)**

Dated 2-21-17


(Signature of authorized person)

Alexander C. Hutchins

(Type or print name of authorized person)


(Signature of authorized person)

Jodi M. Brewer

(Type or print name of authorized person)

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

**Pursuant to 31 MRSA §1676.1.A, Certificate of Formation MUST be signed by at least one 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