

Received: 4.21.22

Revised: 6.20.22

Complete: 7.22.22

## EXPERIMENTAL LEASE APPLICATION

### 1. APPLICANT CONTACT INFORMATION

Applicant	Dirigo Marine Resources, LLC.
Contact Person	Gregory Foote
Address	485 Mitchell Rd
City	Cape Elizabeth
State, Zip	ME
County	Cumberland
Telephone	207-200-1092
Email	gfoote@dirigomarine.com
Payment Type	<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 checked regularly. If you do not use email, please leave this blank.*

### 2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Yarmouth, ME and Freeport, ME
Waterbody	Casco Bay
General Description (e.g. south of B Island)	NE of Moshier Island and just South of Crab Ledge.
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	3.9 acre lease and 3 year term.
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) <input type="checkbox"/> Net Pen (finfish)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Note:** If you selected yes, you need to complete the steps outlined in the section titled: “17. Landowner/Municipal Permission Requirements”.

### 3. 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”):	NA

**Note:** If you are proposing to grow molluscan shellfish in waters classified as anything other than open/approved, you will need to contact the Bureau of Public Health to discuss you plans at the following email: [DMRPublicHealthDiv@maine.gov](mailto:DMRPublicHealthDiv@maine.gov)

### 4. GENERAL LEASE INFORMATION

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

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Sugar Kelp Saccharina Latissima	Summit Point LLC. 1 Shady Lane Falmouth, ME 04105	15,000lbs
2. Skinny Kelp Saccharina Lattissima Forma Angustissima	Summit Point LLC. 1 Shady Lane Falmouth, ME 04105	15,000lbs
3. Alaria Kelp Alaria esculenta	Summit Point LLC. 1 Shady Lane Falmouth, ME 04105	15,000 lbs.
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](mailto: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](mailto:DMRPublicHealthDiv@maine.gov)

## 5. VICINITY MAP

**Note:** You may embed the maps within the document, or attach the maps to the end of your application. If you attach the maps, please label them according to the instructions provided below. If you attach the map, please label it: ‘Vicinity Map’.

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

The map needs to display the following:

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

**The Vicinity Map is included as Exhibit 1.**

## 6. BOUNDARY DRAWING

**Note:** If you attach a drawing, please label it ‘Boundary Drawing’.

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

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

**The Boundary Drawing is included as Exhibit 2.**

## 7. RESEARCH PROGRAM AND OPERATIONS

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

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

*Please note:*

*a) Product grown on experimental leases for scientific research cannot be sold. Results of scientific research are not kept confidential.*

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

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

Experimental Lease to determine the viability of growing various species of kelp and identify possible markets for kelp products.

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

Kelp is grown on horizontal long lines submerged 8' below the ocean's surface.

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

Installing moorings happens in Nov, seeding lines commences immediately after moorings are installed. Kelp grows throughout the winter and lines are tended weekly. Harvesting occurs in the spring between April and May. When harvesting is complete all lines are pulled and stored ashore. Mooring blocks remain in water year round.

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

Seeding takes place over a week in the fall, during which time we are onsite daily. Likewise, harvesting takes place over an additional 2 weeks in the spring. During harvest we are onsite daily.

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

Once kelp is seeded, weekly visits will inspect the kelp lines for growth, the mooring for movement and the connections for wear and tear.

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

Grown out kelp lines are hauled aboard my lobster boat while cutting the kelp fronds into bags on deck. These bags are brought in to a wharf to transfer to buyer.

**H.** Describe any overwintering or “off season” plans for the site. For example, will you remove gear from the site and/or deploy gear in different areas within the proposed site? Please include where gear or product will be located if moved from the site.

During the off-season, all gear will be removed from the site and stored ashore with the exception of the mooring blocks and marking buoys. All 28 mooring blocks will remain on the bottom throughout the year. Mooring blocks will be marked with individual small hardshell marking buoys as requested by local lobstermen.

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

The only machinery used is a lobster boat and associated hauler. This will be used when harvesting the kelp for 2 weeks in the spring.

**J.** Please provide details on any predator control techniques you plan to employ.

No predator control necessary.

**K.** Suspended culture gear can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. In order to comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that applications for the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the proposed site. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Submerging suspended gear and associated product at a depth sufficient to deter roosting for two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- The site is proposed for the culture of seed only
- The site is proposed for the culture of adductor-only scallops (i.e. no other shellfish species would be grown on the site)
- Proposed gear would always be suspended below the surface of the water at a depth sufficient to deter roosting (i.e. as is common for scallop lantern nets)

N/A

**8. EXISTING USES**

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

<b>A.</b> 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.
<b>1. Commercial Fishing</b>
There is lobster fishing in the area during the inshore season (June-Nov.) They set traps in this area and fish it through the summer hauling through 2-3 times/week. There is no commercial fishing activity on or near the proposed lease site during the active kelp growing season (Nov-May).
<b>2. Recreational Fishing</b>
I have not observed recreational fishing near or on the proposed lease site.
<b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</b>
There is no boat traffic in this area because of the proximity to two ledges and an island. No boat traffic in winter.
<b>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.)</b>
There are docks on Moshier Island about 1200' away from the proposed lease site that are in the water from May-October and are accessed 2-3 times/week by shorefront property owners during the summer season.
<b>5. Other uses (kayaking, swimming, etc.)</b>
None observed.

<b>B.</b> Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from proposed lease.
No, although there are several docks ~1,200 feet away and moorings along the Moshier Island shoreline.

C. Are there public beaches, parks, or docking facilities within 1,000 feet of the proposed lease site. If yes, please describe and include approximate distances from proposed lease.

No

D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 1,000 feet of your proposed lease site? If yes, please list their acronyms below.

Current and pending aquaculture leases and active LPA licenses may be found here:  
<https://www.maine.gov/dmr/aquaculture/leases/index.html>

Yes, this lease would replace the LPA's currently held by Capt. Jake Forgit and allow Dirigo Marine Resources, LLC. to continue to grow additional kelp on the site. There is another lease, "CAS CB" to the Northwest of the proposed lease site.

## 9. CURRENT OPERATIONS

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

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

Dirigo Marine Resources, LLC. currently has a 3 acre experimental lease for Oysters in Recompense Cove. "CAS Rx"

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

The LPA's: JFOR321, JFOR221, and JFOR121 are currently held by Capt. Jake Forgit. Exhibit 3 is a letter from Jake Forgit indicating he will relinquish his LPAs if this application is granted. There are no other plans for additional leases at this time.



## 10. EXCLUSIVE USE

If your lease is granted, what activities would you request be excluded from occurring within the boundaries of the lease site? In your answer please address applicable commercial and recreational fishing, boating activities, and other activities you listed in the 'Existing Uses' section of this application.

None.

## 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?

22-24 ft @ MLW

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

30-32 ft @ MHW

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

Max observed is 0.8 knots on both tides. Ebb tides come from between the two ledges immediately to the North and West. Flood tides come from the deep water beyond Moshier Island and up between the two ledges adjacent to the site.

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

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

Sticky mud on bottom with occasional small rocks.

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

Bottom is generally flat and smooth.

**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?

I have not observed any marine species on the proposed lease site.

<p><b>4.</b> Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>No</p>
<p><b>5.</b> Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.</p>
<p>None observed in the summer (July) of 2021.</p>
<p><b>6.</b> Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>Rocky shoreline, with forested island typical of Casco Bay. There are several seasonal camps on the island. None are open during kelp season.</p>

<p><b>E.</b> 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>
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**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](mailto:John.Perry@maine.gov), phone: 207-287-5254) prior to application submission.

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

Yes  No

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

## 12. STRUCTURES (if applicable)

If your operations require the use of cages, nets, ropes, trays, or any object (structure) other than the organism to be grown directly on the bottom or buoys to mark the corners of the lease site, you must submit an **Overhead View** and **Cross-Section View** of your gear plans. It is important to note that, unlike Limited Purpose Aquaculture (LPA) Licenses, experimental and standard leases require that all gear, including moorings, must be located within the proposed lease boundaries.

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

**A) Overhead View** (please label this “Overhead View”): **See Exhibit 4**

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

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

**B) Cross-Section View** (please label this “Cross Section View”): **See Exhibit 5**

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

- The sea bottom
- Profile of gear in cross-section as it will be deployed
- Label gear with dimensions and materials
- Show mooring gear with mooring type, scope, hardware, and line type and size
- Water depth at mean high and mean low water

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

## C) Gear Description

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

<b>Specific Gear Type</b> <i>(e.g. soft mesh bag)</i>	<b>Dimensions</b> <i>(e.g. 16"x20"x2")</i>	<b>Time of year gear will be deployed</b> <i>(e.g. Spring, Winter, etc.)</i>	<b>Maximum amount of this gear type that will be deployed on the site</b> <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	<b>Species that will be grown using this gear type</b>
Corner Buoys	8.6"x19"	November 1- June 1	4	Sugar Kelp Skinny Kelp
Mooring Buoys	13.5"x29"	November 1- June 1	28	Sugar Kelp Skinny Kelp
Long Line w/float lines	560' longline with 8' float lines	November 1- June 1	14	Sugar Kelp Skinny Kelp
Mooring Line	7/8"xVarious	November 1- June 1	28	Sugar Kelp Skinny Kelp
Mooring Block	2'x2'x2'	Year-Round	28	Sugar Kelp Skinny Kelp

Lobster-style buoys (5" x 11") or LD Hardshell (6.5" x 14") intermediate buoys November 1 - June 1 126 Sugar Kelp Skinny Kelp

**D) Gear Drawing** (please label this "Gear Drawing").

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

**3. MARKING**

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease.

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: 1<sup>st</sup> Coast Guard District, Aids to Navigation Office.

## 14. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If your lease is within 1,000ft of shorefront land (**which extends to mean low water or 1,650 ft. from shore, whichever is less, according to NOAA charts**), 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. Refer to the riparian determination guidance document to ensure all riparian landowners are included:  
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

*Note:* When the application and riparian list are both ready to be submitted, you may choose to email a copy of the riparian list and proposed lease coordinates to [DMRAquaculture@maine.gov](mailto:DMRAquaculture@maine.gov) for staff to verify that all required parcels are included on the list *before* having it certified by the municipality. DMR will not verify a riparian list multiple times, so please ensure there will be no additional changes to the application before emailing the riparian list for verification.

3.If any portion of the site is intertidal you need to complete the steps outlined in “17. Landowner/Municipal Permission Requirements”.

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

Yes     No

**Note:** If you selected yes, you will need to complete the landowner permission requirements included in “17. Landowner/Municipal Permission Requirements” of this application.

**C.** How will you access the proposed site?

I will access the proposed lease site by boat. I have two boats currently moored in the Haraseeket River in Freeport, ME

**RIPARIAN LANDOWNER LIST**

*THIS LIST MUST BE **CERTIFIED** BY THE TOWN CLERK*

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

**TOWN OF:** \_\_\_\_\_

MAP #	LOT #	Landowner name(s) and address(es)
		<b><u>None</u></b>

**Please use additional sheets if necessary and attach hereto.**

**CERTIFICATION**

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

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

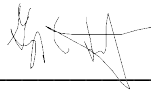
### 15. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input 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 feet of structure.

I, (printed name of applicant) Gregory Foote have read DMR Aquaculture Regulations 2.64(12)(B)) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.



6/20/2022

**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 2.64(10)(D) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.

**Applicant Signature**

**Date**

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



## 16. APPLICANT SIGNATURE PAGE

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

Printed name: Gregory Foote

Title (if corporate applicant): Owner

Signature:  Date: 6/20/22

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

### Note:

- All applicants must sign and date this page. Please use the space below, if additional signatures are required.
- Corporate applicants, please be sure to include the title (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

## 17. LANDOWNER/MUNCIPAL PERMISSION REQUIREMENTS *(if applicable)*

### **PART I: The use of private property to access your site.**

Pursuant to 2.64(C)(6) if you are using private property to access the proposed lease site, you need to submit written permission from the property owner with your application. It is your responsibility to obtain written permission. Please note that the Department does not provide forms for landowner or municipal permission. **If any portion of your site is also intertidal you will need to complete the steps outlined in Part II, below.**

### **PART II: If any portion of the site is intertidal you need to complete the following steps:**

#### **Step I: Obtain written permission from all intertidal landowners.**

Pursuant to 2.64(C)(6) the Department requires *written permission of every owner of intertidal land in, on, or over which the experimental 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.

1. Does the municipality, where the proposed site is located, have a shellfish conservation program?  Yes  No

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

## APPLICATION SUBMISSION CHECKLIST

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

### I. Content

- \_\_\_\_\_ **Check** for non-refundable application fee (\$100.00), payable to *Treasurer State of Maine*.
- \_\_\_\_\_ **One (1) Vicinity map** with required items shown
- \_\_\_\_\_ **One (1) Boundary drawing** with required items shown
- \_\_\_\_\_ **One (1) Overhead view** depicting layout of gear from overhead
- \_\_\_\_\_ **One (1) Cross section view** depicting gear & moorings from the side
- \_\_\_\_\_ **Tax map**
- \_\_\_\_\_ **Riparian list**, certified (*if applicable*)
- \_\_\_\_\_ **Written permission** from riparian landowners, if their property will be used to access the site (*if applicable*).
- \_\_\_\_\_ **Corporate applicant information document** and articles of incorporation or documentation of partnership (*if applicable*)

#### **If the proposed lease site is above mean low water:**

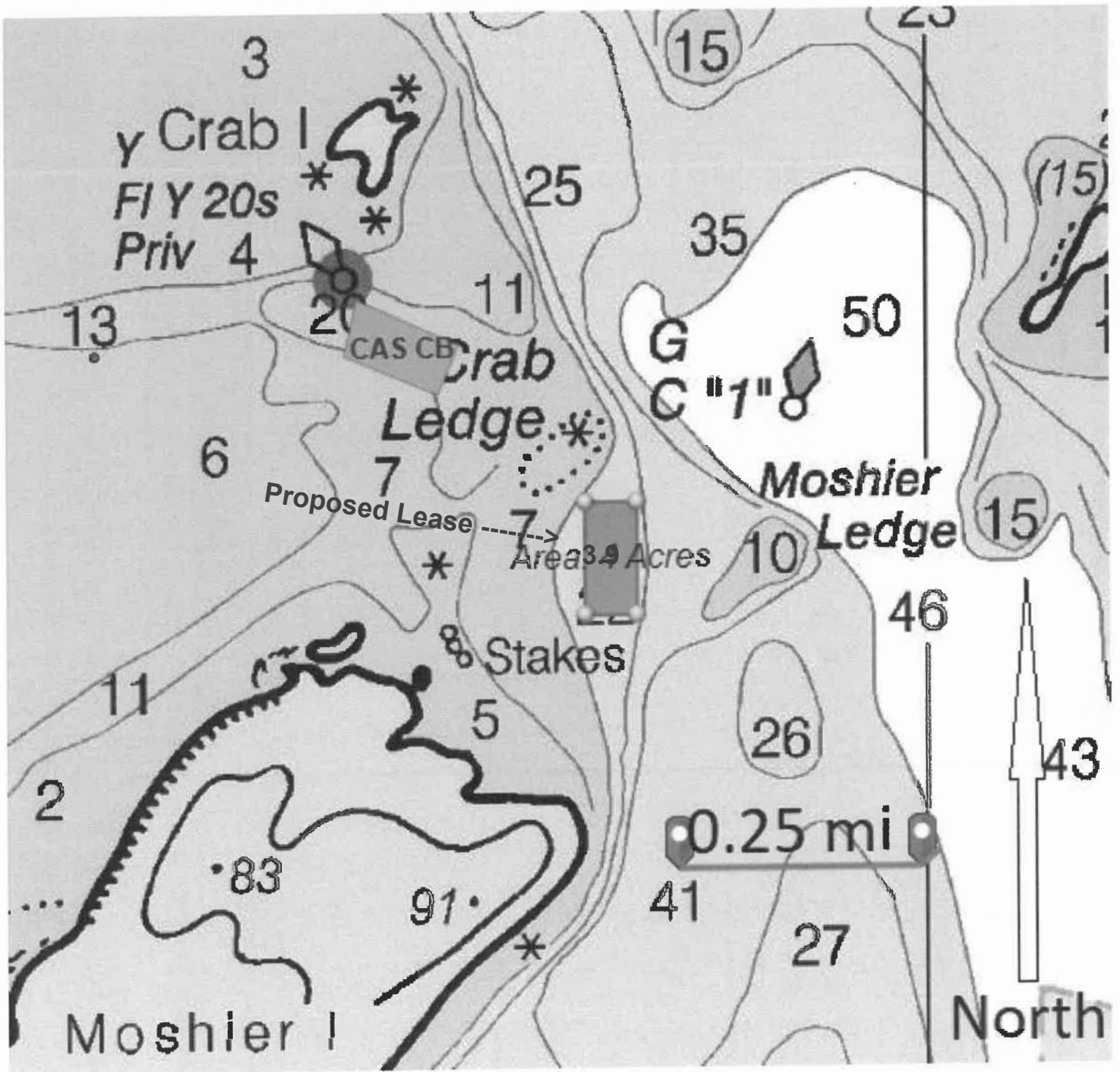
- \_\_\_\_\_ **Written permission** from all riparian landowners of the intertidal land on which the lease is proposed.

#### **If the proposed lease site is above mean low water and the municipality has a shellfish conservation program:**

- \_\_\_\_\_ **Written permission** from all riparian landowners of the intertidal land on which the lease is proposed; and
- \_\_\_\_\_ **Consent** from the municipal officers.

### II. Formatting

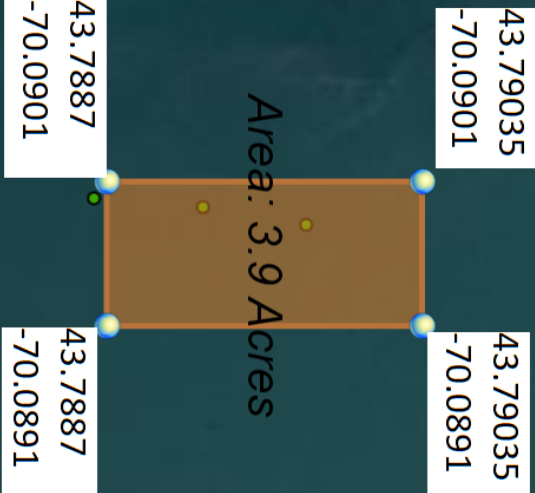
- \_\_\_\_\_ All pages (including attachments) are numbered sequentially
- \_\_\_\_\_ All attachments are clearly labeled and legible
- \_\_\_\_\_ Drawings and maps are legible, labeled properly, and include all required elements
- \_\_\_\_\_ All questions have been answered and signature pages signed



**Exhibit 1: VICINITY MAP**

# Exhibit 2: BOUNDARY DRAWING

Datum: WGS84



Moshier Island

## **Exhibit 3**

Jake Forgit  
Long Con AF  
42 Alba Street  
Portland, Maine

To whom it may concern,

I, Jake Forgit, owner/operator of Long Con Aquaculture Farms and license holder of JFOR121, JFOR221 and JFOR331 agree to relinquish ownership of my leases in the event that Dirigo Marine Resources is awarded an experimental lease that would encompass my existing sites.

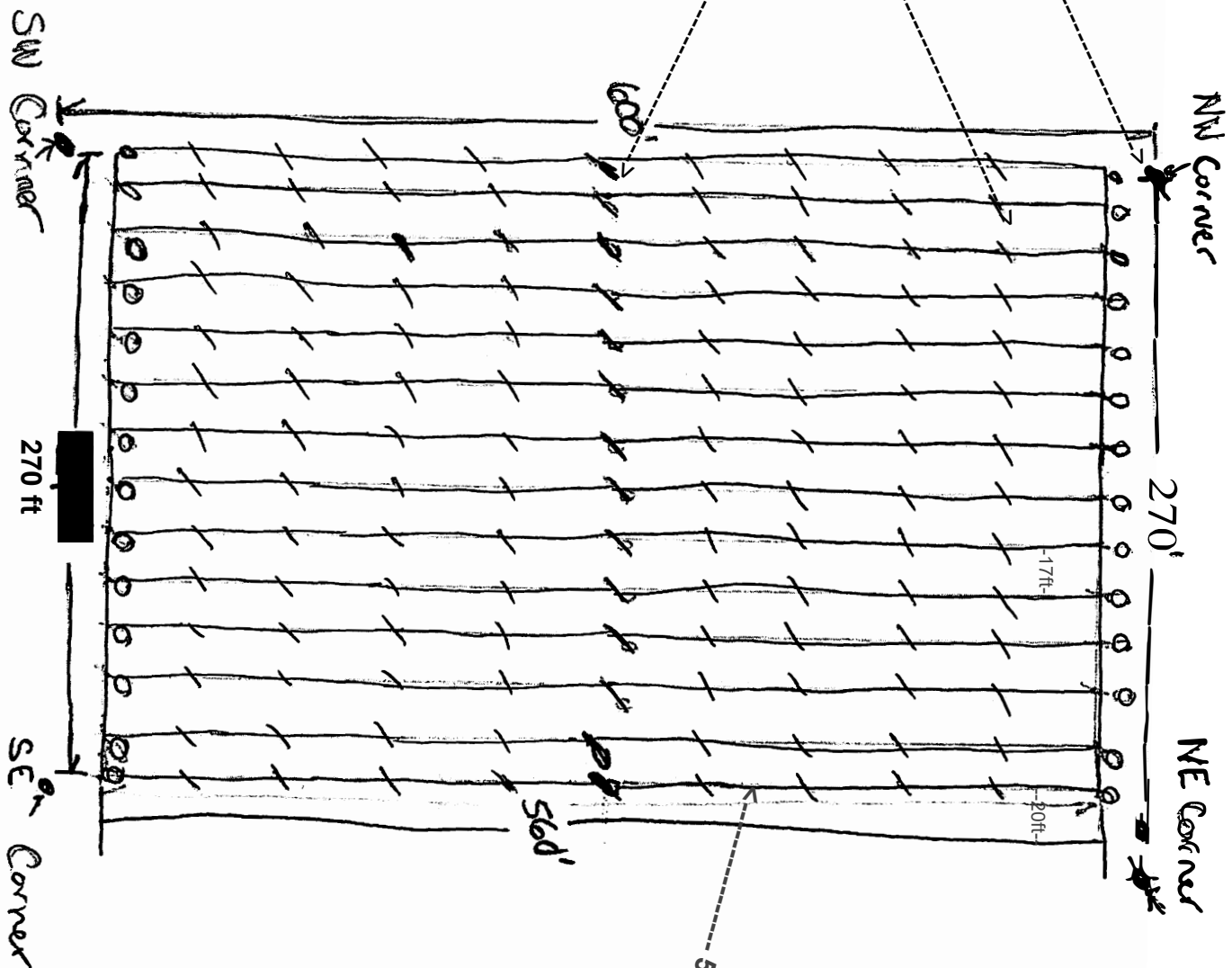
Best Regards,

Jake Forgit  
(207) 939- 5849  
longconaf@gmail.com

OVERHEAD VIEW

Legend

- Corner Buoy
- Mooring Buoy
- Lobster Buoy or hard shell buoy attached to longline via line + PVC

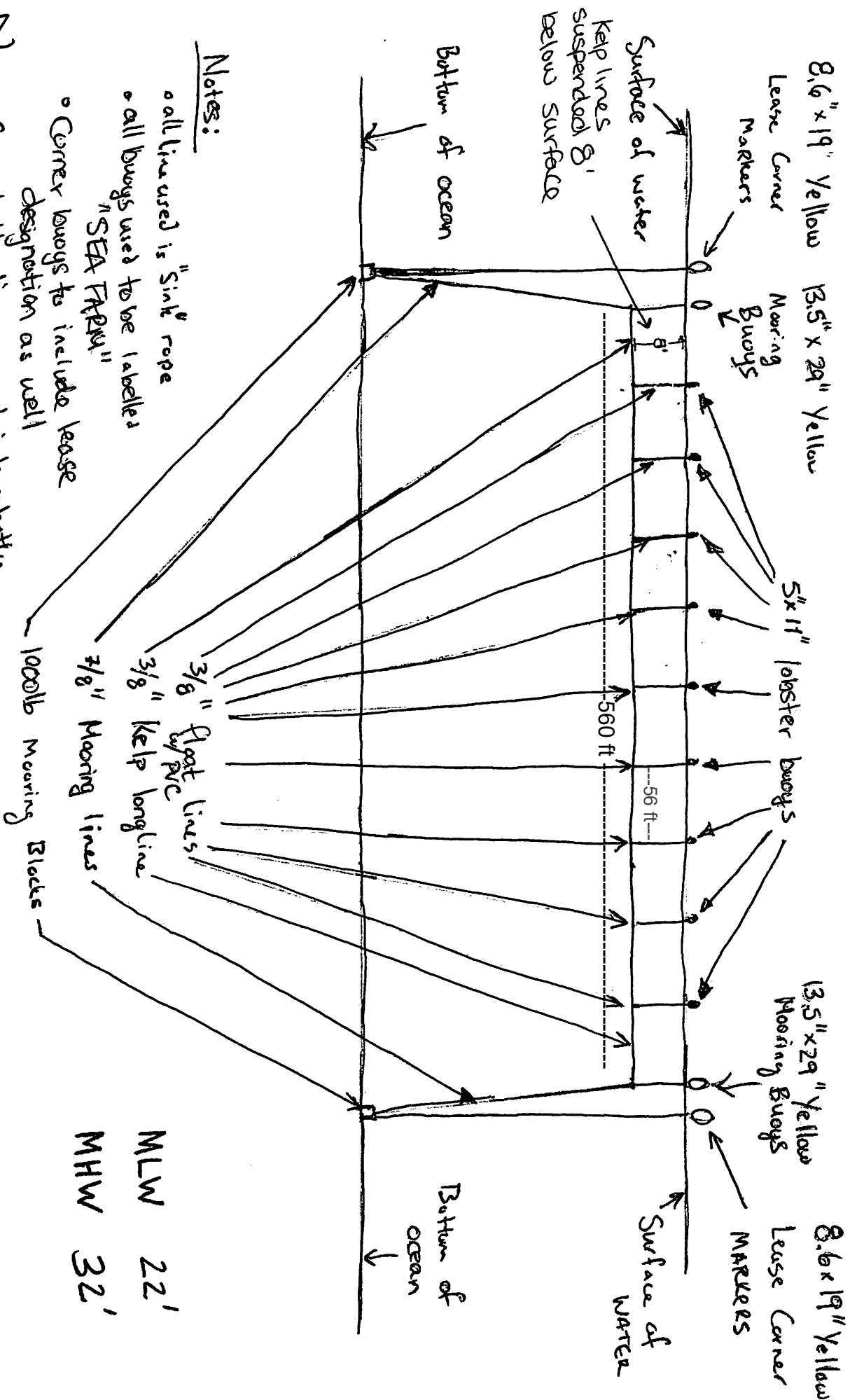


Note: 17 foot spacing between longlines and 20 foot spacing between longlines and lease boundary is proposed.

Note: A total of 126 lobster buoys or hard shell intermediate buoys (9 per longline) are proposed.

560' longline

**Exhibit 5**      **Cross Section View**



Notes:

- o all line used is "Sink" rope
- o all buoys used to be labelled "SEA TRAP"
- o Corner buoys to include lease designation as well
- o Each kelp line moored independently as above

MLW 22'  
MHW 32'

-56' between intermediate lobster or hard shell buoys

22





**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: Dirigo MARINE Resources LLC.  
 2. Date of incorporation: 7/10/17 State of incorporation: MAINE

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

Name	Address	Title
Gregory Foote	485 Mitchell Rd, Cape Elizabeth, ME	Owner

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

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

Name	Address

**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
N/A		

**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
Gregory FORTÉ	485 Mitchell Rd. Cape Elizabeth, ME	CAS RCX	2.99

**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. 20180180DC Pages 2  
Fee Paid \$ 175  
DCN 2172001600041 DLLC  
FILED  
07/10/2017

*Jule R. Dupra*  
Deputy Secretary of State

A True Copy When Attested By Signature

*Jule R. Dupra*  
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:

Dirigo Marine Resources, 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

Susan Hasson

(Name of noncommercial registered agent)

22 Free Street, Suite 301, Portland, Maine 04106

(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 6/7/2017



(Signature of authorized person)

Gregory C. Foote

(Type or print name of authorized person)

(Signature of authorized person)

(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