

STANDARD LEASE APPLICATION: NON-DISCHARGE**1. APPLICANT CONTACT INFORMATION**

Applicant	Pemaquid Mussel Farms, LLC		
Contact Person	Carter Newell		
Address	P.O. Box 1255		
City	Damariscotta		
State, Zip	Maine 04543		
County	Lincoln		
Telephone	2075573887		
Email	musselandoysters@gmail.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: March 9, 2020	Draft Application Submitted: April 4, 2020	Scoping Session: November 19, 2020

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	Bar Harbor, Maine
Waterbody	Frenchman's Bay
General Description (e.g. south of B Island)	Mt. Desert Narrows, east of Googins Ledge
Lease Information	
Total acreage requested (100-acre maximum)	32 acres (includes existing 8 acre site)
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"):	47
Pollution Area Section (e.g. "B.2". or "none"):	none
Water Quality Classification (e.g. approved, restricted, etc.):	approved

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

4. SPECIES INFORMATION

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

Name of species to be cultivated (include both common and 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. Blue mussel, Mytilus edulis	using local spat collected on ropes at the site	full capacity 1.5 million pounds
2.		
3.		
4.		
5.		

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

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

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

5. VICINITY MAP

Note: 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.

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 <i>(e.g. soft mesh bag)</i>	Dimensions <i>(e.g. 16"x20"x2")</i>	Time of year gear will be deployed <i>(e.g. Spring, Winter, etc.)</i>	Maximum amount of this gear type that will be deployed on the site <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	Species that will be grown using this gear type
Mussel rafts	50x40 feet	year round	Maximum 32 rafts, typical 24	blue mussels
pegged mussel ropes 1/2 or 5/8 inch diameter	45 feet long with 40 x 9 inch pegs and weight cases	year round	450 ropes per raft	blue mussels
6 inch stretched mesh predator nets with 4 x 75 lb cannon ball weights	50x60 feet or 50x50 feet 4 cannon balls per net	year round	4 nets per raft	blue mussels
lease mooring buoys	0.9 cu meter mooring buoys (yellow or gray)	year round	for every 8 raft array, there are 14 buoys	blue mussels
raft buoys	1.2 cu meter mooring buoys (yellow or gray)	year round	6 on each raft, on the raft when at the surface and in the water when raft is submerged	blue mussels

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.
no support structures on site site is serviced and harvesting done periodically by two 60 foot steel vessels, Mumbles and the Thunder Bay, and a 20 foot skiff
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.
no storage of oil, gas or hazardous material on the site

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
The mooring buoys and submersible raft floats are yellow. The rafts are wood on top for the timbers and the floats on the rafts are black, the steel members are gray. After comments from the scoping session, we have agreed to paint the raft buoys (6 per raft) gray, and to get all new buoys in the gray color.

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).

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.

We hang coiled pegged ropes from the mussel rafts in late June and the mussel seed settles on the ropes. In the fall we remove starfish from the ropes and uncoil them to their full length of 45 feet where the mussels grow to market size in 1 1/2 to 2 years

B. Please explain your proposed tending/maintenance activities.

We power wash the 50x50 or 50x60 foot predator nets periodically (i.e. every 3-6 months) to remove algae, hydroids, and mussel seed which may have settled on the nets. We harvest mussels off the site 2-3 days a week. We also periodically visit the site to do maintenance on moorings, the rafts, and the predator nets.

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

From later March until December, we are at the site usually 2-4 days a week. We sink the submersible mussel rafts in December and they are below the surface about 12 feet with only the 6 surface floats on each raft and the mooring buoys at the surface. The rafts are raised in the spring and periodically when needed by adding air to hoses at the surface using an air compressor on the barge, or if just a small amount of air is needed, from scuba tanks on a skiff.

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

We harvest using the 60 foot barge Mumbles by lowering a basket and bringing up two ropes at a time, stripping the mussels into the basket and getting 2-6 ropes worth and then we dump into bulk bags. After harvesting, we hold 1 bulk bag at a time over our processing line which declumps, grades and debysses the mussels and then we purge bins of clean mussels before icing them and tanking them to shore at the Lamoine State Park Ramp. Any small seed mussels graded out during the processing are seeded back onto ropes with biodegradable cotton.

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

We are currently harvesting 2 days a week but may increase to 3 to 4 as we get more rafts. We only harvest from our rafts on our site EASTGL in Frenchman's Bay or, during the winter, at our site in South Bristol, DAMCC2. We currently have 6 submersible rafts at EAST GL, 2 floating ones for seed collection in the summer, and 2 floating ones at DAMCC2.

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.

Our vessels are at the site from April to January typically, and then moved to our South Bristol site for winter harvesting. Our 2 40x40 foot floating rafts collect seed from May until November, and then are removed from the site from December through April and tied on the beach at the Bar Harbor airport ramp (per permission from the manager)

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.

The predator nets are hung year-round around the mussel rafts, tied to the top of the raft floats and timbers, and with 4 cannon ball weights (2 on each end, 2 in the middle). When we harvest, the nets are untied from the overlapping corners and opened up, and then closed again at the end. Approximately 2-3 times per year, each net is hauled, mended, and powerwashed to clean the mesh and hung back again. Starfish control is merely airdrying the seed ropes overnight, or hand picking off the starfish.

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?

60 foot mussel barge Mumbles, 60 foot service vessel Thunder Bay (both steel), and 20 foot seaway skiff. Mumbles 2-3 days a week harvesting and maintenance, Thunder Bay 2 to 3 days a week maintenance. Skiff periodically for site inspection (1 day a week typical)

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?

The processing is done using the vessel engine and hydraulic pumps and motors, and processing usually takes 3-4 hours maximum on harvest days. Power washer is also hydraulic and occurs when the nets are cleaned typically 5-6 hours on a maintenance day. We also have an air compressor on Mumbles which is used to raise the rafts in the spring by pumping water out of the floats but this only takes about 1-2 hours and less than 1 day a week. We spend about 30 days powerwashing nets (2 to 3 per day) either at the site or on our mooring in Lamoine when it is too windy. The harvesting/processing involves a crane, basket, declumpers, brush machines, conveyors, water pumps, a debysser, conveyor belts and graders and these operate either at our site when its not too windy for about 6 hours twice a week, or back on the mooring in Lamoine.

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

We use main vessel engines to power our cranes, equipment, and machinery and only operate when necessary. These are quieter than deck motors. We have Cowl silencers on our mufflers to reduce engine noise.

D. Provide the number, type (whether fixtures are shielded), wattage and location of lights, other than those used for navigation or marking, that will be used at the proposed lease site.

no lights other than what is required by the Coast Guard

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

We don't ever operate at night. We have to be able to see lobster buoys when we steam the boat so we don't run them over. On a handful of occasions, the Thunder Bay might tie up the rafts for the night to watch the sunset and sunrise.

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.

We currently have 6 submersible rafts (5 are 40x50 feet, 1 is 40x40 feet with about 400 ropes per raft growing mussels on the EASTGL 8 acre site and we have 2 floating 40x40 rafts we use mainly for seed collection. The submersible rafts are on a mooring grid in a 2x3 array with 14 x 1 ton sea anchors and mooring balls on grid points

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

We would like to take our existing 8 acre site and roll it into the new 24 acre site making the total site area 32 acres (a big rectangle)
If granted, the new 32 acre site will replace the current 8 acre site.
If it is not granted, we want to keep the existing 8 acre site where we current farm mussels. This site expires in 2026 and its acronym is EASTGL

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?

80-100 feet across the site

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

90 to 110 feet across the site

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

25-35 cm per second, flowing mostly east to west

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 is primarily soft mud.

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

The bottom is flat.

<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>underwater video and tows at the site have shown primarily starfish, green crabs and rock crabs as abundant under the mussel rafts. On the mussel ropes we get sea cucumbers, polychaete worms, nudibranchs, hydroids, sea anemones, barnacles and kelp. In the water column we see mackerel from May to October feeding on the predator net shrimp.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>We just see resident mackerel and an occasional lumpfish</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>the water is too deep for submerged aquatic vegetation (too dark). We have made tows in the area and there is no eelgrass or kelp or rockweed living on the bottom</p>
<p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>There is a rocky shoreline on either side of the farm thousands of feet away</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

<p>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.</p>
<p>1. Commercial Fishing</p>
<p>There is not significant lobster fishing in the area. It is more toward Googins' Ledge, along the shore in Lamoine, and along the shore in Bar Harbor. We saw a total of two crab traps at the site last summer fished by Dick Herrick the Lamoine harbormaster. There is no mussel dragging there (100 feet of water, soft mud), no scallop dragging. The only scallop dragging we have seen is in the shallower rocky bottom near Lamoine Beach.</p>
<p>2. Recreational Fishing</p>
<p>There is not recreational fishing there. We do see some duck hunters in the winter, from later November until mid-January, by G In 2020 we did see some people fishing mackerel near the rafts where there is a resident population now from May to October</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water).</p>
<p>We are out of the main channel so we don't see anybody except lobster boats going to the south and north of us, or a few kayakers in the summer wondering what we are doing out there.</p>
<p>4. Riparian Ingress/Egress</p>
<p>we are over 1000 feet from any property owners</p>
<p>5. Other uses (kayaking, swimming, etc.):</p>
<p>see above</p>

<p>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.</p>
<p>no</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.

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.

no dragging

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?

Lamoine state park (we get a vehicle permit every year)

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: _____

MAP #	LOT #	Landowner name(s) and address(es)

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. 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 farms manager and operator, Carter Newell, has 40 years of experience in all aspects of mussel aquaculture, 34 years as a boat captain, and 36 years as a commercial diver. Pemaquid Mussel Farms has been operating mussel farms since 2009 and sold over 1.7 million pounds of mussels to date. They just completed a \$1.5 million capitalization plan based on submersible rafts, processing equipment on Mumbles, and a plant in Bucksport creating 6 jobs. Resume attached. Farms operators also include commercial fishermen.

16. FINANCIAL CAPABILITY

A. Financial Capability

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

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

See letter from Camden National Bank, CEI

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Each raft with nets, ropes and moorings and seeded costs \$100,000. The full build out of the farm will require \$2.5 million in capital. This builds on the investment of \$1.5 million completed in 2019. We expect to add two rafts in 2021 (\$200,000) and then 4 per year from 2022-2025 for a total of 24 rafts and a total investment of \$1.8 million, about the size of a medium sized hardware store.

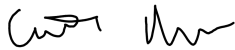
17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

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

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

I, (*printed name of applicant*) Carter Newell 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.



Jan 29, 2021

Applicant Signature

Date

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

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

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

Applicant Signature

Date

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

18. APPLICANT SIGNATURE PAGE

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

Printed name: Carter Newell

Title (if corporate applicant): Pemaquid Mussel Farms, LLC

Signature:  Date: Jan 29, 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.

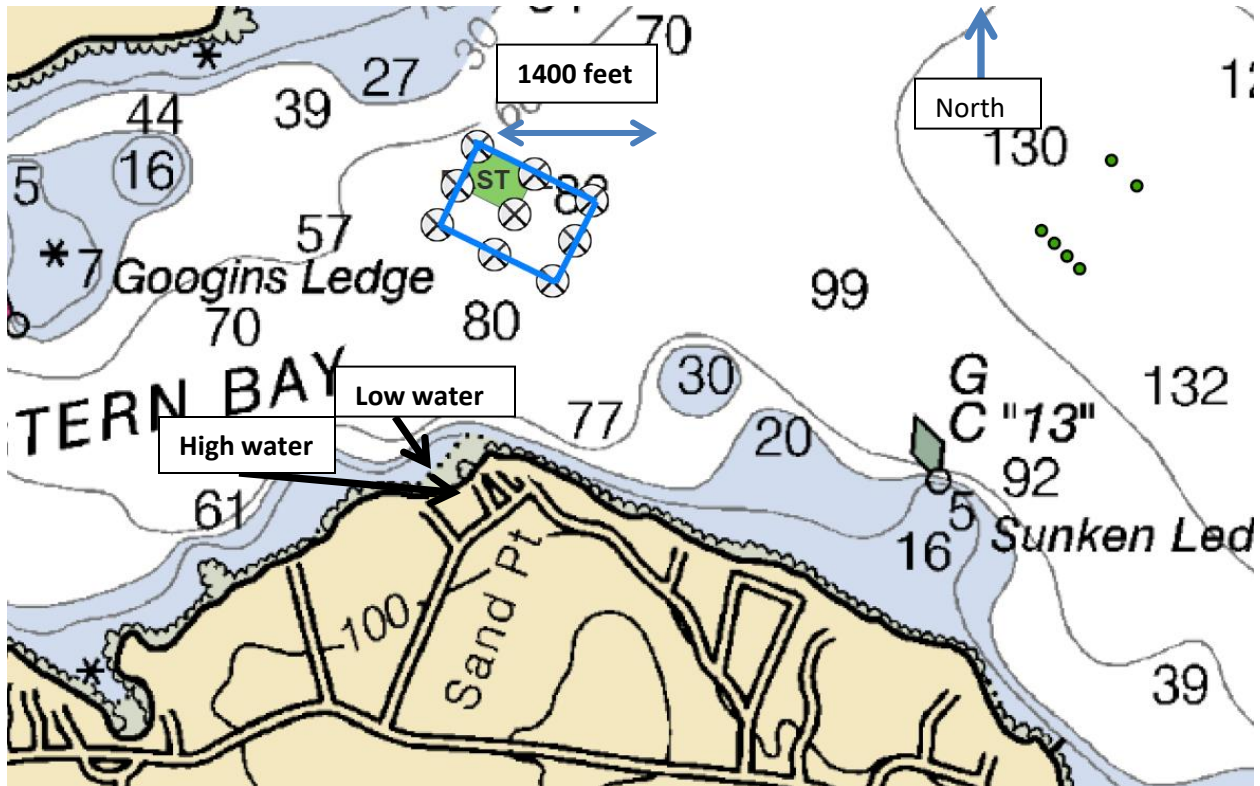
It is your responsibility to contact the municipality and determine if they have a shellfish conservation program. Best practices would include discussing your plans with shellfish committee members, but only the consent of municipal officers is required.

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.

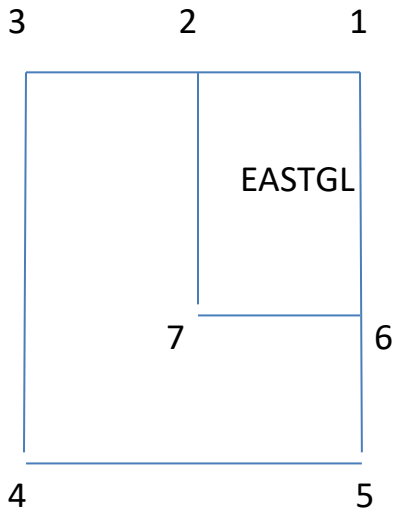
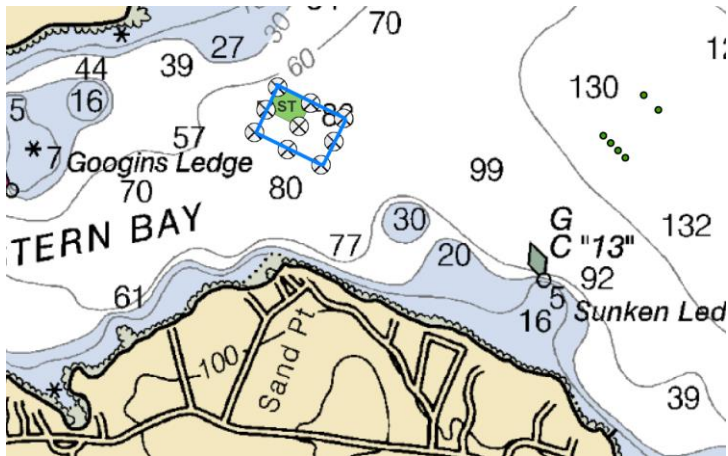
Pemaquid Mussel Farms Lease Application

Vicinity Map



Boundary Drawing

Map of 32 acre site (including the 8 acre mussel raft site EASTGL for Pemaquid Mussel Farms. NW corner is 3200 feet from shore in Lamoine, Maine, SE corner is 4100 feet from shore in Bar Harbor, Maine. Chart uses North American Datum of 1983 from DMR web site



Location of numbers depicting boundaries of the 32 acre site:

1. 44.4489354 N 68.269755 W
3. 44.446546 N 68.2714 W
4. 44.444853 N 68.266587 W
5. 44.447296 N 68.264881 W

Entire 32 acre site in application:

Directions and distances from numbers

1 to 5 1400 feet Southeast direction

5 to 4 980 feet Southwest direction

4 to 3 1400 feet Northwest direction

3 to 1 980 feet Northeast direction

Existing EASTGL site

Location of numbers depicting boundaries of existing site

2. 44.447719 N 68.270592 W

6. 44.448116 N 68.267349 W

7. 44.446898 N 68.268207 W

1 to 6 700 feet Southeast direction

6 to 7 490 feet Southwest direction

7 to 2 700 feet Northwest direction

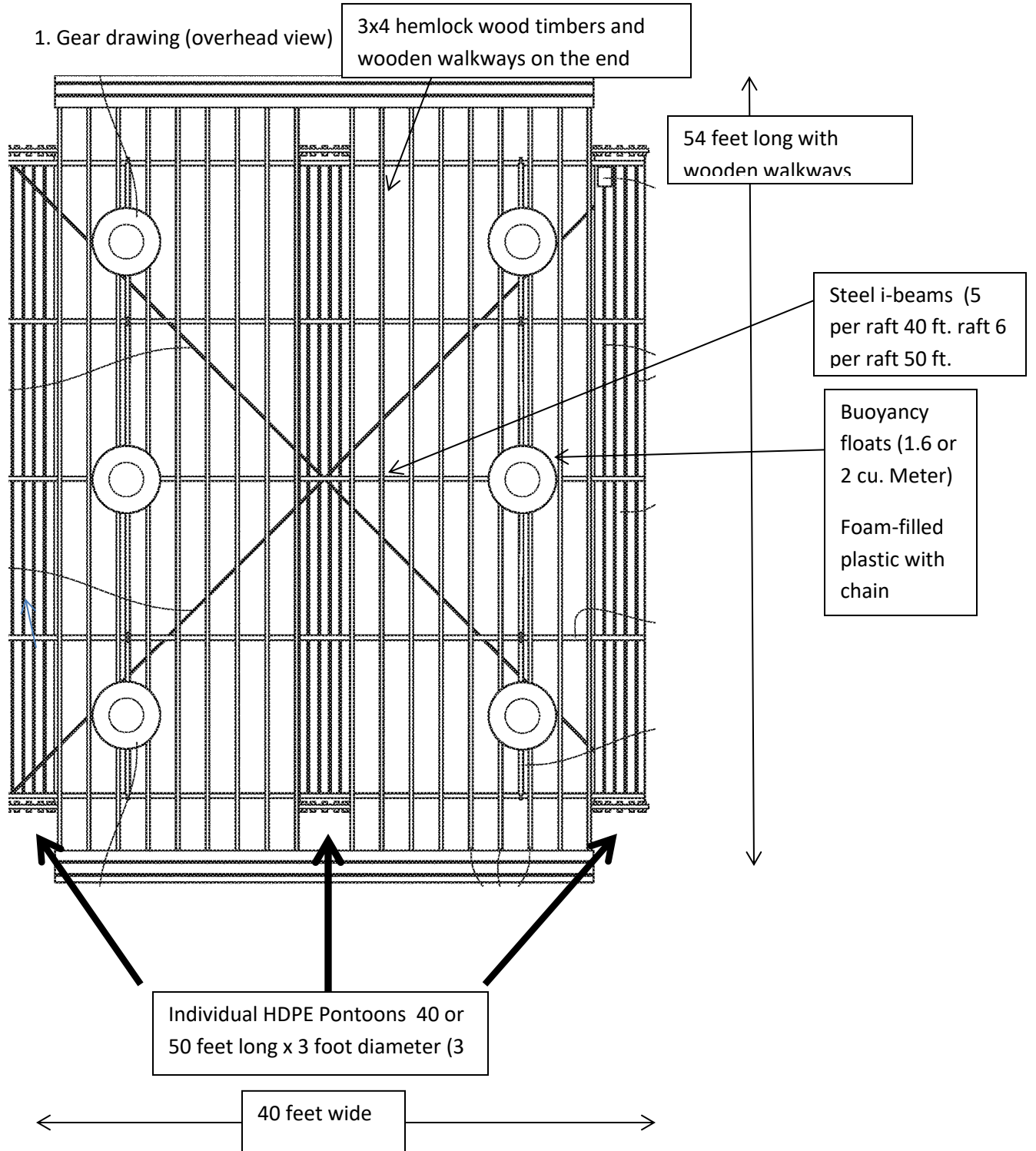
2 to 1 490 feet Northeast direction

Pemaquid Mussel Farms Lease Application

Site Development

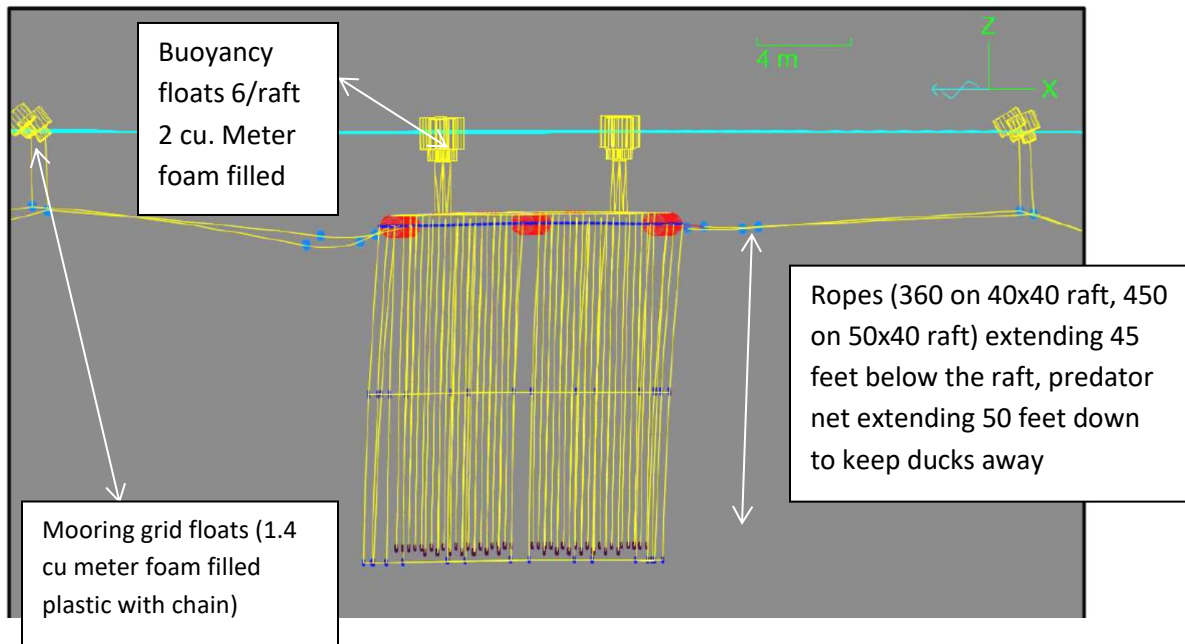
A. Site information Single raft

1. Gear drawing (overhead view)



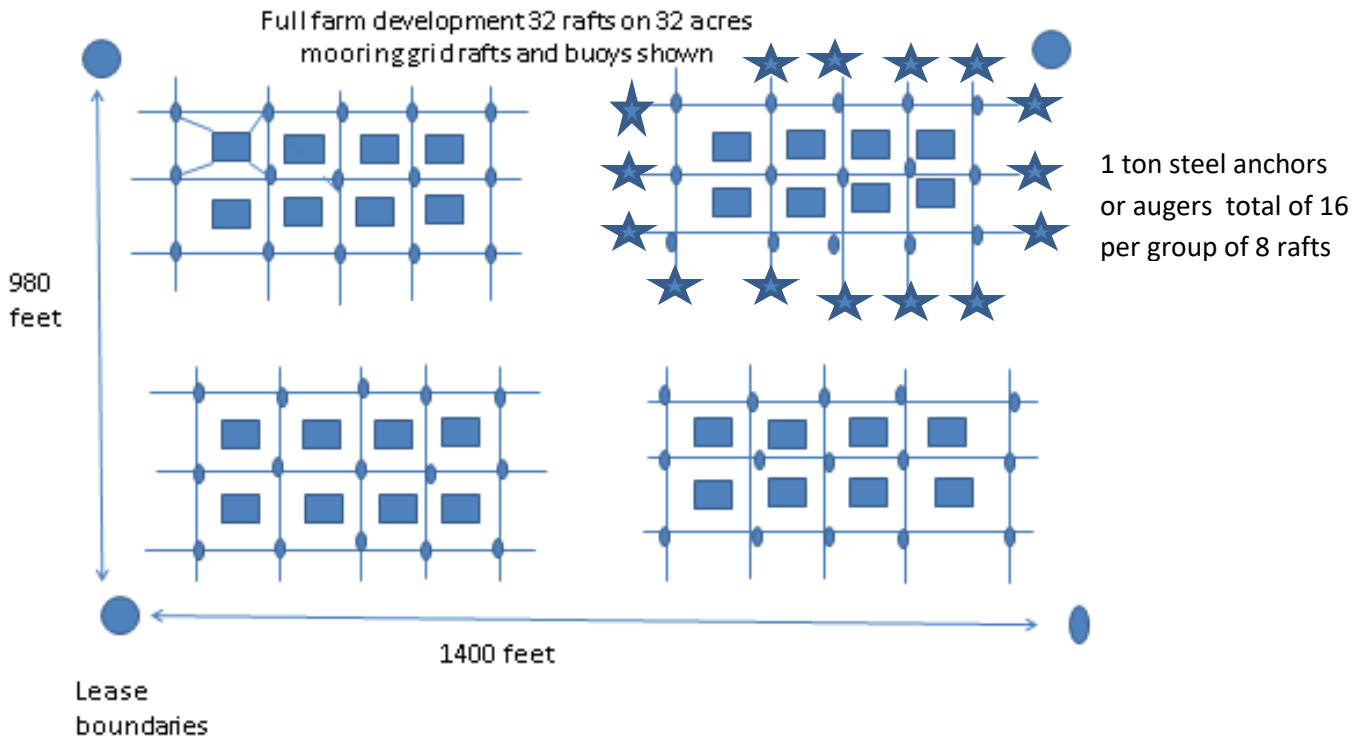
Pemaquid Mussel Farms Lease Application

Single raft sunk for the winter



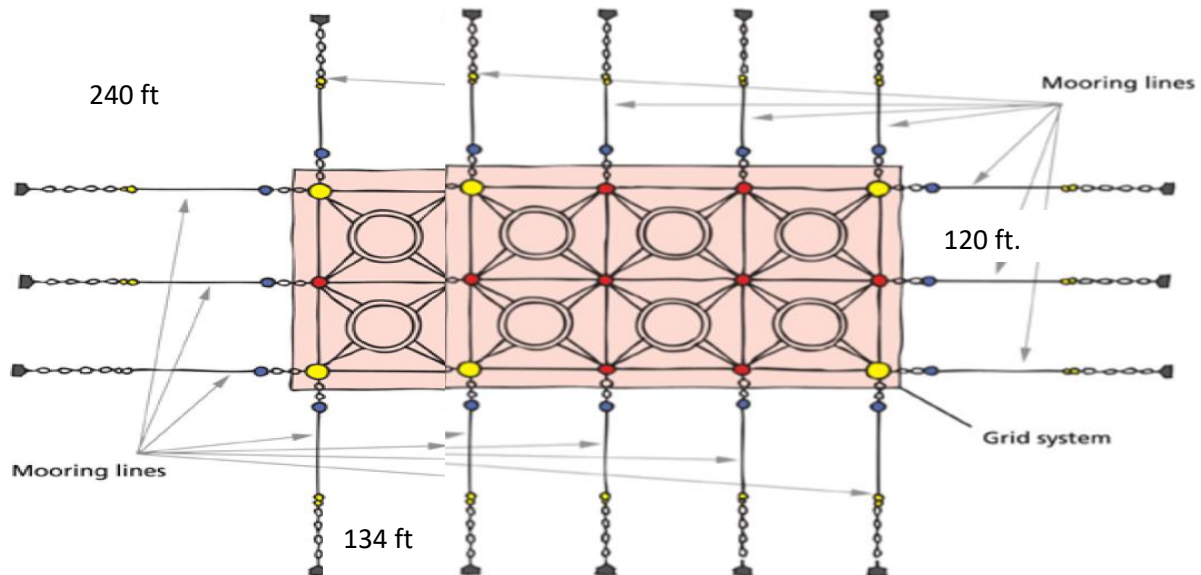
B. Maximum structure and mooring system

1. Overhead view 32 acre site . The entire site includes 4 grids of 8 rafts each, or 32 rafts total.



Pemaquid Mussel Farms Lease Application

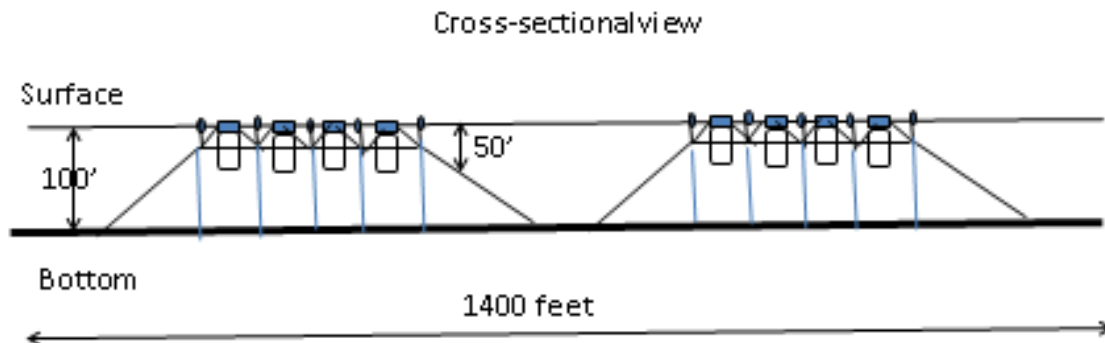
Overhead view of each 8 raft grid taking up 8 acres each (detail)



There are 8 rafts in a grid shown above: each grid junction with a buoy designated by a circle, 16 x 1 ton steel plow anchors, 240 feet of 1 ½ inch polysteel rope (rated at 40 tons), 1 inch steel rings in the junctions, 12 x 1.4 cubic meter surface floats with reflectors, and on each anchor has 60 feet of 1 ¼ inch chain. The entire 32 acre lease site has 64 anchors. The intermediate lines in the grid system between junction rings are 134 feet along the long axis of the farm and 120 feet side to side.

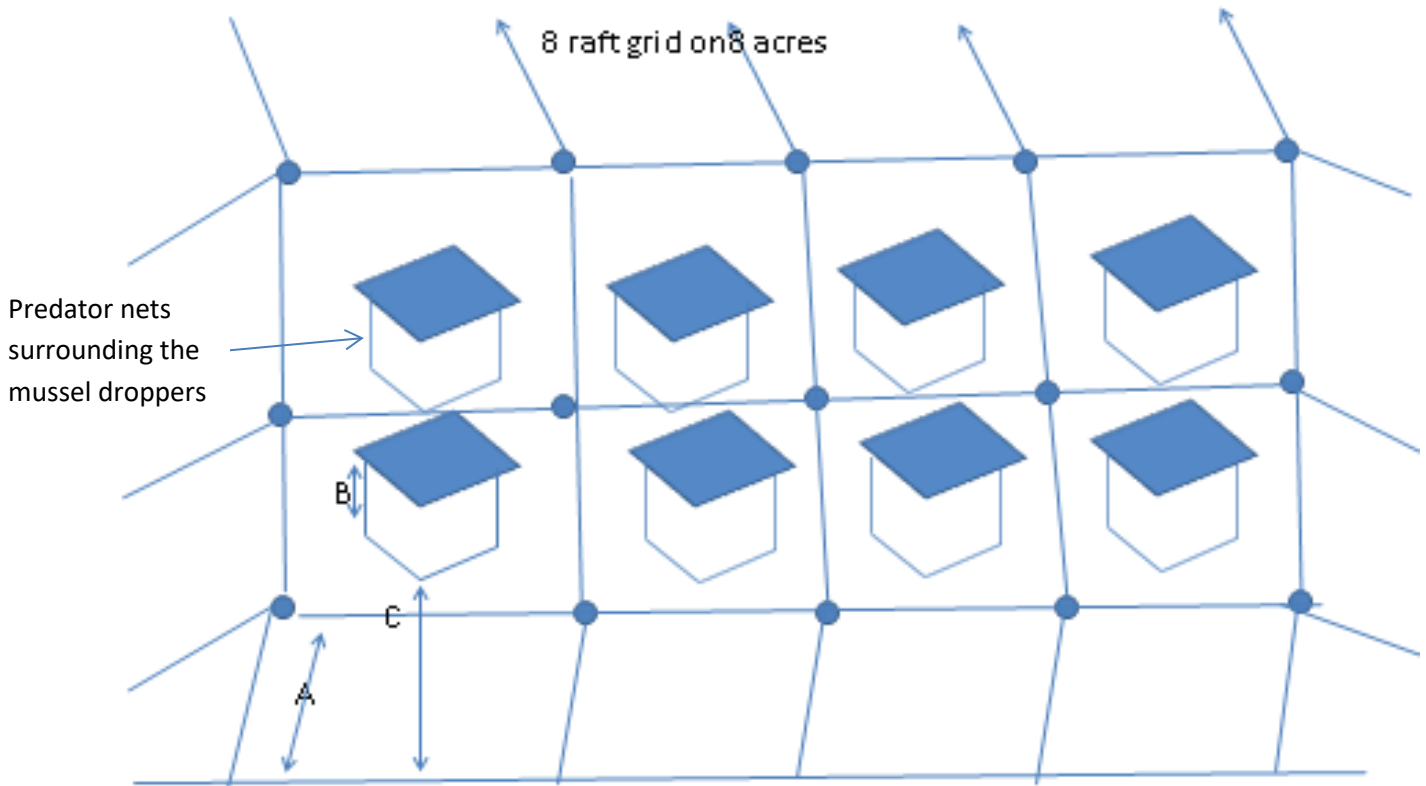
B.2 . Cross-sectional view

This shows the entire farm from the side with the rafts at the surface.



Pemaquid Mussel Farms Lease Application

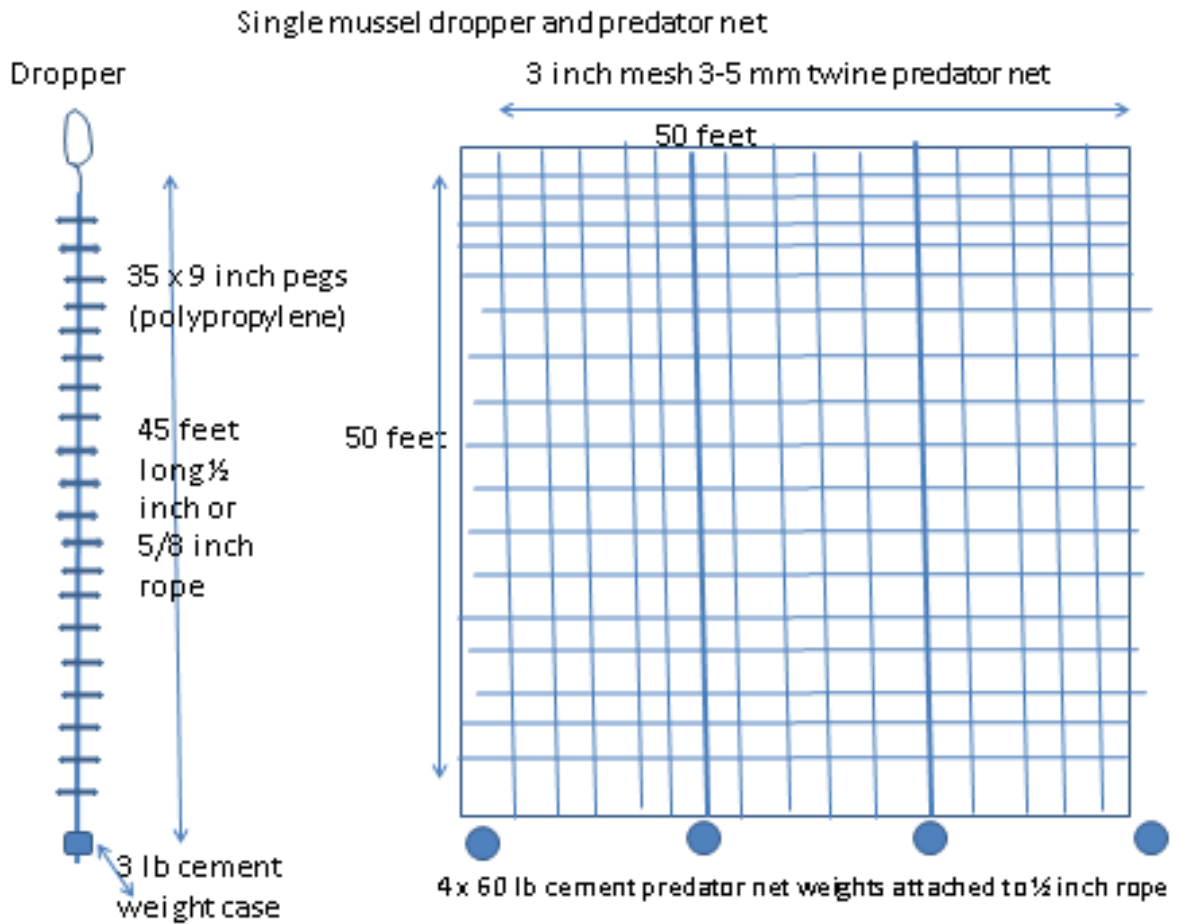
B 2. Cross-sectional view (showing a 8 raft array with anchors buoys and depths).



A. Distance from anchor to mooring grid buoy 240 feet

B. Distance from water surface to bottom of ropes and predator nets: 50 feet

C. Distance from bottom of mussel ropes and predator nets to seabed: 50 feet Water depth 100 feet



Predator nets are hung along the outside edges of the rafts to keep diving ducks away. The ropes hang down 45 feet and the nets hang down 50 feet to protect the mussels from the ducks. The top of the net is tied to the raft structure so birds can't swim in.

ITEM E: Equipment and Layout



1000 feet from the south of EASTGL. All 6 submerisble rafts floating for harvest and maintenance.



800 feet from the west southwest of EASTGL. 4 of the rafts are submerged and two are floating.

DOMESTIC
LIMITED LIABILITY COMPANY

STATE OF MAINE

ARTICLES OF ORGANIZATION

Filing Fee \$175.00

File No. 20081511DC Pages 3

Fee Paid \$ 175

DCN 2073311900018 LTLC

FILED

11/13/2007

Julie L. Flynn
Deputy Secretary of State

A True Copy When Attested By Signature
Julie L. Flynn
Deputy Secretary of State

Pursuant to 31 MRSA §622, the undersigned executes and delivers the following Articles of Organization:

FIRST: The name of the limited liability company is

Pemaquid Mussel Farms, L.L.C.

(The name must contain one of the following "Limited Liability Company", "L.L.C." or "LLC" - see 31 MRSA §603-A 1)

SECOND: (Check only if applicable)

This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services.

(Type of professional services)

THIRD: The name of its Registered Agent, an individual Maine resident or a foreign or domestic business entity** or nonprofit corporation authorized to do business or carry on activities in Maine, and the address of the registered office shall be:

Hylie A. West, Attorney at Law

(Name)

15 Belvedere Road, Damariscotta, Maine 04543

(Physical location - street (not P.O. Box) city, state and zip code)

P.O. Box 1419, Damariscotta, Maine 04543

(Mailing address if different from above)

FOURTH: (Check one box only)

- A. The management of the company is vested in a member or members.
- B. 1. The management of the company is vested in a manager or managers. The minimum number shall be 1 managers and the maximum number shall be 3 managers.
- 2. If the initial managers have been selected, the name and business, residence or mailing address of each manager is

<u>Name</u>	<u>Address</u>
Carter Newell	7 Creek Lane, Damariscotta, ME 04543
Joseph P. Larrabee	573 Swanville Road, Frankfort, ME 04438
Peter Fischer	256 Lower Round Pond Rd, Bristol, ME 04539

Names and addresses of additional managers are attached as Exhibit _____ and made a part hereof

FIFTH: Other provisions of these Articles, if any, that the members determine to include are set forth in the attached Exhibit _____ and made a part hereof.

Organizer(s) ***

Dated 11-9-07

Carter Newell
(Signature)

Joseph P. Larrabee
(Signature)

Peter Fischer
(Signature)

Carter Newell
(Type or print name)

Joseph P. Larrabee
(Type or print name)

Peter Fischer
(Type or print name)

For Organizer(s) which are Entities

Name of Entity _____

By _____ (Authorized signature) _____ (Type or print name and capacity)

Name of Entity _____

By _____ (Authorized signature) _____ (Type or print name and capacity)

Name of Entity _____

By _____ (Authorized signature) _____ (Type or print name and capacity)

Acceptance of Appointment of Registered Agent

The undersigned hereby accepts the appointment as registered agent for the above-named limited liability company.

Registered Agent

Dated 11-9-07

[Handwritten signature] (Signature)

Hyle A West (Type or print name)

For Registered Agent which is an Entity

Name of Business Entity* or Nonprofit Corporation

By (Authorized signature)

(Type or print name and capacity)

Note. If the registered agent does not sign, Form MLLC-18 (31 MRSA §607 2) must accompany this document

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

**Business entity is defined as a business corporation, a limited partnership or a limited liability company

***Articles MUST be signed by:

- (1) all organizers OR
(2) any duly authorized person

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453

Please remit your payment made payable to the Maine Secretary of State

Submit completed form to

Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101

Telephone Inquiries. (207) 624-7752

Email Inquiries CEC.Corporations@Maine.gov



Capital for Opportunity and Change

May 11, 2020

Amanda Ellis, Aquaculture Hearings Officer
Erin Wilkinson, Aquaculture Hearings Officer
Maine Department of Marine Resources
21 State House Station
Augusta, Maine 04333-0021

Dear Amanda and Erin,

On behalf of CEI, I am writing to express our support for Pemaquid Mussel Farms, LLC lease expansion in Frenchman's Bay.

Coastal Enterprises, Inc. (CEI) is a statewide Community Development Financial Institution. CEI provides financing, development support and policy initiatives for small, micro and medium enterprises, value-added natural resources of farms, fish and forests, community facilities such as health and childcare, and affordable housing.

Pemaquid Mussel Farms, LLC is a valued customer of CEI whom we have been supporting for several years through our Fisheries and Aquaculture Program, Business Counseling efforts as well as financing and accessing capital. Pemaquid Mussel Farms, LLC is the best in the business here in Maine and the is a company in good standing financially and has the resources and expertise to farm mussels on an expansion of their site.

Thank you

Sincerely

A handwritten signature in black ink that reads "Hugh Cowperthwaite". The signature is written in a cursive style.

Hugh Cowperthwaite
Senior Program Director, Fisheries and Aquaculture



May 12, 2020

Maine Department of Marine Resources
32 Blossom Ln
Augusta, ME 04330

Re: Pemaquid Mussel Farms, LLC

To Whom It May Concern:

This letter confirms that Pemaquid Mussel Farms, LLC of 7 Creek Lane, Damariscotta, Maine 04543 is a customer in good standing of Camden National Bank. Our records state that Carter Newell is the Managing Member of this company. Pemaquid Mussel Farms, LLC has been a client at this bank for the past 12 years. Over this period of time, Carter Newell has handled all accounts satisfactorily.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chad Place", with a long horizontal stroke extending to the right.

Chad Place
Vice President

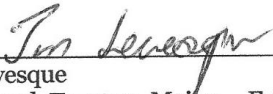
<mailto:DMRAquaculture@maine.gov>

re: Pemaquid Mussel Farms Lease Application for 32 acres east of Googin's Ledge, Bar Harbor

Dear DMR,

Tim Levesque acknowledges that he is the current co-owner of the 8 acre mussel farm EASTGL with Pemaquid Mussel Farms. Tim is also a shareholder with Pemaquid Mussel Farms, LLC, owning approximately 18% of the company. He also acknowledges in this letter that if the new lease site is granted to Pemaquid Mussel Farms, EASTGL will no longer exist and the new site will be wholly in the name of Pemaquid Mussel Farms.

I have read and understand this letter and agree to the terms and conditions.



Tim Levesque
Farm Road, Trenton, Maine Feb 23, 2021

Letter received from Maine DMR Feb 11, 2021.

- EAST GL is currently held by Pemaquid Mussel Farms and Tim Levesque. However, only Pemaquid Mussel Farms is applying for an area that would encompass that site. If the site is granted, Tim Levesque would not be a lease holder. Please provide a signed letter from Mr. Levesque, which notes he understands that if the site were granted, EAST GL would no longer exist, and only Pemaquid Mussel Farms would be the holder of the new site. If you intend for Mr. Levesque to be a co-lease holder (should the proposal be granted) he needs to be listed as an applicant.



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: Pemaquid Mussel Farms, LLC

2. Date of incorporation: 11/13/2007 State of incorporation: Maine

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

Name	Address	Title
Carter Newell	36 Pond Street, Bucksport, Maine	managing member
Peter Fischer	256 Lower Round Pond Road, Bristol, Me. 04539	managing member

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

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

Name	Address
Carter Newell	36 Pond Street, Bucksport, Me. 04416 managing member
Peter Fischer	256 Lower Round Pond Road, Bristol, Me. 04539 managing member
note: with an LLC the managing members run the company, there is no board of directors. All the shareholders are listed in question 6 below, pages 5 and 6.	

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. see attached sheet , page 6 at the bottom. Peter Fischer at Maine Fresh Seafarms currently has an experimental lease applying for 10-year

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
see attached sheet		
Carter Newell	36 Pond Street Bucksport, Me 04416	23.10 includes 1/3 of Pemaquid Oyster Co. shares
Peter Fischer	256 Lower Round Pond Road, Round Bristol, Me 04539	18.16
Tim Levesque	46 Farm Road, Trenton, Me. 04605	17.79

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

7. List the names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person. If none, write, “None.”

Name	Address	Lease Acronym	Acreage
see attached sheet			
Carter Newell	36 Pond Street, Bucksport, Me. 04416	DAMGL1,DAMGL2 DAMGL3,DAMGL4	7.29 acres
Peter Fischer	256 Lower Round Pond Road, Round Bristol, Me 04539	DAMCC2, DAMCC3X	13.7 acres
Tim Levesque	86 Farm Road, Trenton, Me. 04605	EASTGL	4 acres

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

8. Has the corporation or any officer, director, member, or shareholder listed in item 5 above ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal?

Yes No

If you selected “yes”, please provide details.

B. Partnership Applicant

Note: You must attach a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership to your application.

1. Name of Partnership: _____

2. Date of formation: _____ State of partnership: _____

3. List the names, addresses, and ownership shares of all partners:

Name	Address	Ownership Shares

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

4. Has the partnership, or any partner 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.

5. List the names and addresses of any partner 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.

Name	Address	Lease Acronym	Acreage

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

6. Has the partnership or any partner been arrested, indicted or convicted of or adjudicated to be responsible for any violation of marine resources or environmental protection law, whether State or Federal?

Yes No

If you selected "yes", please provide details.

Corporate application attached pages
3/29/21

Pemaquid Mussel Farms LLC
PO Box 1255
Damariscotta, ME 04543
EIN# 26-1885673

Question #6.

Owners of Pemaquid Mussel Farms, home addresses, % ownership

Carter Newell
36 Pond Street
Bucksport, ME 04416
20.09% owner

Peter Fischer
Damariscove Seafood LLC
256 Lower Round Pond Road
Bristol, ME 04539
18.16% owner
Peter is the only member of Damariscove

Tim Levesque
84 Farm Road
Trenton, ME 04605
17.79% owner

Jeremy Wintersteen
Muscongus Bay Holding Company LLC
58 Third Street
Newport, RI 02840
13.17% owner
Jeremy is the sole member of Muscongus Bay Holdings

Leissa Long
P O Box 324
Hancock, ME 04640
9.22% owner

Pemaquid Oyster Company Inc
P O Box 302
Waldoboro, ME 04572
9.03% owner

Corporate application question 6 (cont.)

There are three partners in POC. See next three names.

Jeffrey Michael McKeen
P O Box 158
Bristol, ME 04539
33 1/3 % owner Pemaquid Oyster Co.
Christopher Davis
P O Box 302
Waldoboro, ME 04572
33 1/3% owner Pemaquid Oyster Co.

Carter Newell
(see above)
33 1/3% owner Pemaquid Oyster Co.

Gregory Allen Thompson
32 Keller Road
Waldo, ME 04915
8.85% owner

Warren Valdmanis
29 Bowdoin Street
Portland, ME 04102
3.69% owner

Corporate application Question 5

Shareholder	Lease	Status
Tim Levesque	EastGL	Active
Carter Newell	DAMGL	Active
Peter Fischer	DAMCC	Active
Pemaquid Mussel Farms	PEN St. Helena Island	Lease site terminated in 2020

Corporate application question 7

Leases by shareholders

Pemaquid Mussel Farms and Tim Levesque currently have 8 acres of lease site EASTGL
Pemaquid Mussel Farms total 4 acres , Tim Levesque total 4 acres

Carter Newell owns 1/3 of Pemaquid Oyster Company at it has

DAMGL1 1.83 acres

DAMGL2 1.83 acres

DAMGL3 10.14 acres

DAMGL4 8.08 acres

Carter Newell total 7.29 acres

Peter Fischer has

100% Damariscove Seafood 11.99 acres DAMCC2

50% Maine Fresh Seafarms 3.62 acres DAMCC3X

Peter Fischer total 13.7 acres

DOMESTIC
LIMITED LIABILITY COMPANY

STATE OF MAINE

ARTICLES OF ORGANIZATION

Filing Fee \$175.00

File No. 20081511DC Pages 3

Fee Paid \$ 175

DCN 2073311900018 LTLC

FILED

11/13/2007

Julie L. Flynn
Deputy Secretary of State

A True Copy When Attested By Signature
Julie L. Flynn
Deputy Secretary of State

Pursuant to 31 MRSA §622, the undersigned executes and delivers the following Articles of Organization:

FIRST: The name of the limited liability company is

Pemaquid Mussel Farms, L.L.C.

(The name must contain one of the following "Limited Liability Company", "L.L.C." or "LLC" - see 31 MRSA §603-A 1)

SECOND: (Check only if applicable)

This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services.

(Type of professional services)

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Hylie A. West, Attorney at Law

(Name)

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(Physical location - street (not P O Box) city, state and zip code)

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1 managers and the maximum number shall be 3 managers

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Joseph P. Larrabee	573 Swanville Road, Frankfort, ME 04438
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Organizer(s) ***

Dated 11-9-07

Carter Newell
(Signature)

Carter Newell
(Type or print name)

Joseph P. Larrabee
(Signature)

Joseph P. Larrabee
(Type or print name)

Peter Fischer
(Signature)

Peter Fischer
(Type or print name)

For Organizer(s) which are Entities

Name of Entity _____

By _____
(Authorized signature) (Type or print name and capacity)

Name of Entity _____

By _____
(Authorized signature) (Type or print name and capacity)

Name of Entity _____

By _____
(Authorized signature) (Type or print name and capacity)

Acceptance of Appointment of Registered Agent

The undersigned hereby accepts the appointment as registered agent for the above-named limited liability company.

Registered Agent

Dated 11-9-07

H. A. West
(Signature)

Hylye A West
(Type or print name)

For Registered Agent which is an Entity

Name of Business Entity* or Nonprofit Corporation _____

By _____
(Authorized signature)

(Type or print name and capacity)

Note. If the registered agent does not sign, Form MLLC-18 (31 MRSA §607 2) must accompany this document

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 Augusta, ME 04333-0101
 Telephone Inquiries. (207) 624-7752

Email Inquiries CEC.Corporations@Maine.gov