

## STANDARD LEASE APPLICATION: NON-DISCHARGE

### 1. APPLICANT CONTACT INFORMATION

Application 2

Applicant	Clam Hunter Seafood, Inc.		
Contact Person(s)	Terry Watson and Sally Atwater		
Address	106 Clifford Road		
City	Phippsburg		
State, Zip	Maine, 04562		
County	Sagadahoc		
Telephone	(207) 751-2426		
Email	clamhunt@comcast.net		
Type of Application	<input checked="" type="checkbox"/> Draft Application <small>[submitted before scoping session session]</small>		<input type="checkbox"/> Final Application <small>[submitted after scoping session]</small>
Dates	Pre-Application Meeting: 12/21/21	Draft Application Submitted: 4/20/22	Scoping Session: 9/15/2022
Payment Type	Draft Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card		Final Application: <input checked="" type="checkbox"/> Check (included) <input type="checkbox"/> Credit Card

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

### 2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Phippsburg
Waterbody	Mill Pond
General Description (e.g. south of B Island)	West of Parker Head, Kennebec River
Lease Information	
Total acreage requested (100-acre maximum)	0.96 acre
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. 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):	WM
Growing Area Section (e.g. "A1"):	CA1

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](mailto:DMRPublicHealthDiv@maine.gov)

### 4. SPECIES INFORMATION

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

Name of species to be cultivated (include both common and scientific names):	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Eastern oyster, <i>Crassostrea virginica</i>	Muscongus Bay Aquaculture 24 Seal Ledge Lane Bremen, ME 04551  Mook Sea Farm 321 State Rte. 129 Walpole, ME 04573  Downeast Research Institute 39 Wildflower Lane Beals, ME 04611	1,000,000
2. Quahogs, <i>Mercenaria mercenaria</i>	Muscongus Bay Aquaculture 24 Seal Ledge Lane Bremen, ME 04551  Downeast Institute 39 Wildflower Lane Beals, ME 04611	1,000,000

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)

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## 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.

See attached "Boundary Drawing." All datum is NAD83/WGS84. Coordinate description included below.

**7. SITE DEVELOPMENT**

**Directions:** If your operations require the use of cages, nets, ropes, trays, or any object (structure) other than the organism to be grown directly on the bottom or buoys to mark the corners of the lease site, you must submit gear drawings and maximum structure schematics (information below). This section is intended to provide accurate plans depicting the physical structures to be placed in the proposed area. All dimensions need to be labeled with the appropriate units (i.e. 10ft, 10in). If you are proposing a bottom lease (no gear), please skip to question "F. Marking".

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

**A. Gear Information**

**Directions:** Include a drawing of an individual piece of gear for each of the gear type(s) you plan to use. Include units referenced (i.e. 10in, 10ft, etc.).

1. Gear Drawing: Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as "Gear Drawing". This view must show the following:
  - Length, width, and height of each gear type.
2. Gear Table: List and describe each individual gear type that you will use in the table below. (e.g. polar circles, marine algae longline, oyster cages, moorings, mooring lines, buoys, etc.).

Specific Gear Type (e.g. soft mesh bag)	Dimensions (e.g. 16"x20"x2")	Time of year gear will be deployed (e.g. Spring, Winter, etc.)	Maximum amount of this gear type that will be deployed on the site (i.e. 200 cages, 100 lantern nets, etc.)	Species that will be grown using this gear type
Floating bags	18" x 36" x 8"	Year-round	832 bags	Oysters, quahogs
Bottom bags	18" x 36" x 4"	Winter	832 bags	Oysters, quahogs
Oyster cages	36" x 40" x 20"	<del>Winter</del> Year round	416 cages	Oysters, quahogs
Floating rope	3/8"	Year-round	1,280 feet	Oysters, quahogs
Sinking rope	7/6"	Year-round	1,820 feet	Oysters, quahogs
75 lb. mushroom anchor	36" x 12"	Year-round	36 anchors	Oysters, quahogs
Lobster buoy	5" x 11"	Year-round	4	Oysters, quahogs
Net toggle	2.87" x 4.13"	Year-round	32	Oysters, quahogs

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**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 above, if there will be seasonal changes to gear layout (i.e. over wintering).

**C. On-Site Support Structures**

1. Describe structures such as barges, sheds, etc., to be located on-site. Provide a schematic and indicate the dimensions, including height above sea level, materials, etc.
N/A-- No structures will be located on the proposed lease site.

2. Describe the storage and use of oil, gasoline, or other hazardous materials on site. If petroleum products are to be stored on site, provide a spill prevention plan.
N/A- No oil, gasoline, or other hazardous materials will be stored on the proposed lease site.

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**D. Gear Color**

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

Floating bags, bottom bags, and oyster cages are black. Lobster buoys will be white or yellow. Toggles will be white or yellow.

**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.

See attached document titled "Equipment Layout."

**F. 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.

N/A

**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 ((617)-223-3293).

### 8. PRODUCTION ACTIVITIES

**Directions:** If you are cultivating more than one species, you will need to provide the following 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.**

Oysters: Seeding activities involve placing small seed into floating bags and oyster cages, which occurs in April-August depending on availability from hatcheries. Seeding may occur up to 7 days/week, 6 hours/day, and 21 days/year.

Quahogs: Seeding activities involve placing small seed into floating bags and oyster cages, which occurs in April-August depending on availability from hatcheries. Seeding may occur up to 7 days/week, 6 hours/day, and 21 days/year.

**B. Please explain your proposed tending/maintenance activities.**

Oysters: Tending/maintenance activities include checking lines and anchors, flipping bags and cages, removing biofouling, and sorting and grading product.

Quahogs: Tending/maintenance activities include checking lines and anchors, flipping bags and cages, removing biofouling, and sorting and grading product.

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

Oysters: Tending/maintenance activities occur year-round. Tending/maintenance activities may occur up to 7 days/week, 6 hours/day, and 200 days/year.

Quahogs: Tending/maintenance activities occur year-round. Tending/maintenance activities may occur up to 7 days/week, 6 hours/day, and 200 days/year.

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

Oysters: Harvest techniques include removing product from bags,

Quahogs: Harvest techniques include removing product from bags,

using a 15' pole.

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

Oysters: Harvesting activities may occur up to 7 days/week, 6 hours/day, and 150 days/year.

Quahogs: Harvesting activities may occur up to 7 days/week, 6 hours/day, and 150 days/year.

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.

Oysters: Floating bags may remain in the water year-round; however, some oysters may stay in bags with floats removed and sunk to bottom. Any floating bags removed from the site will be stored on private property. If a second standard lease site is approved in Spirit Pond, we may move oysters from that lease site into bottom bags at this location for the winter.

Quahogs: Floating bags may remain in the water year-round; however, some oysters may stay in bags with floats removed and sunk to bottom. Any floating bags removed from the site will be stored on private property. If a second standard lease site is approved in Spirit Pond, we may move oysters from that lease site into bottom bags at this location for the winter.

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

We may deploy up to (20) green crab traps within the boundaries of the proposed lease site.



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- I. 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)

In order to deter birds from roosting on floating bags and oyster cages, we plan to attach physical deterrents in the form of zip ties onto gear.

## 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?

We plan to use up to (2) skiffs (<18') equipped with oars, 3 HP electric motor, and/or up to a 25 HP motor. The skiffs may be on site up to 7 days a week, 6 hours/day, 250 days/year.

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

No power equipment, aside from the aforementioned boat motors, will be used on the site.

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

We intend to reduce noise levels from the boat by using a small, electric motor in addition to rowing the skiff. The 25 HP motor (or less) is consistent with other maritime uses in Phippsburg, plus we would likely go slow when leaving and returning to the shore and operate during daylight hours.

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

We do not propose the use of lights at this proposed lease site.

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

We do not intend to work beyond daylight hours.

**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 have been growing oysters in Phippsburg on LPAs and one experimental lease (MOR SPx, CWAT 117, CWAT 317, SATW117, SATW317). TWAT 122, TWAT 222

**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.**

If this lease were to be granted, we would relinquish SATW117 and SATW317 which are located within the boundaries of this proposed lease

**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?**

The approximate depth at mean low water is 4 to 6 feet.

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

The approximate depth at mean high water is 12 to 20 feet.

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

The approximate current speed is 1-2 knots and the direction during the ebb is south and flow is north.

**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 characteristic is sand.

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

The bottom topography is flat.

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

Green crabs (common), hermit crabs (common), and shrimp (rare).

4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.

Yes, shellfish may be located in the intertidal areas approximately 200' west, 400' north, and 50' east of the proposed lease site, but have not been observed within the proposed lease boundaries.

5. Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.

No eelgrass has been observed within the proposed lease area and we have been observing this area all months for several years, in addition to being familiar with this area for decades.

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

The shoreline is rocky with a mix of forest and residential.

E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?

Yes  No

**Note:** The location of Essential Habitats in the State of Maine, along with information on how projects within these areas are reviewed, can be found here: <https://www.maine.gov/ifw/fish-wildlife/wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html>

*If a project is located within an Essential Habitat*, applicants are strongly encouraged to contact the MDIFW Environmental Review Coordinator ([John.Perry@maine.gov](mailto:John.Perry@maine.gov), phone: 207-287-5254) prior to application submission.

**12. EXISTING USES**

A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.

**1. Commercial Fishing**

Aquaculture- We currently operate on LPAs ~~and an experimental lease~~ within the proposed boundaries of the lease site year-round (except when icing conditions occur) on a regular basis.

**2. Recreational Fishing**

Striper fishing has been observed in the Spring-Fall, largely outside but nearby boundaries of the proposed lease site (within 500').

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

Due to shallow depth and presence of an old mill dam, the area does not have a navigable channel. Kayaks and canoes, as well as some small skiffs for recreational fishing have been observed, most often at high tide.

**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.)**

We have observed one old float on the east shore (approximately 400' east of lease boundary) and one float on the west shore that is regularly put in from spring through fall (approximately 250' west of lease).

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

Kayaking and canoeing have been observed occasionally in the summer months nearby (within 100 feet) and along and outside of the proposed lease boundaries.

**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.**

No, there are no private docks, moorings, or other access point observed within 1,000 feet of the proposed lease site.

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

No, there are no private docks, moorings, or other access points within 1,000 feet of the proposed lease site.

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, SATW117 and SATW317 are located within the boundaries of the proposed lease site.

**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.

All existing activities would be permitted to continue if this lease were granted, including recreational fishing, boating, kayaking, and canoeing. Shellfish harvesting (aside from our own harvest activities) would be excluded from occurring within the boundaries of the lease site.

### 14. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If your lease is within 1,000ft of shorefront land (**which extends to mean low water or 1,650 ft. from shore, whichever is less, 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 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?**

We will access the site through town-owned public property used for water access.

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

Proposed activities will not affect riparian ingress and egress.



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## 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.

We have been working in the Maine shellfish industry for 47 year and growing oyster for 5 years.

## 16. FINANCIAL CAPABILITY

### A. Financial Capability

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

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

See attached letter from a financial institution.

### B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

We estimate that the cost for proposed aquaculture activities is approximately \$25,000-\$35,000.

### 17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
<input type="checkbox"/>	No gear/structure, no discharge	\$500.00
<input type="checkbox"/>	No gear/structure, discharge	\$500.00
<input type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input 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) Clam Hunter Seafood  
TERRY L WATSON 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.

Terry L Watson - President  
 Applicant Signature  
 Note: Add title if signing on behalf of a corporate applicant.

4.19.2022  
 Date

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

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

\_\_\_\_\_  
 Applicant Signature  
 Note: Add title if signing on behalf of a corporate applicant.

\_\_\_\_\_  
 Date

**18. APPLICANT SIGNATURE PAGE**

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

Printed name: TERRY L WATSON

Title (if corporate applicant): President

Signature: Terry L Watson Date: 4.19.22

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(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.~~

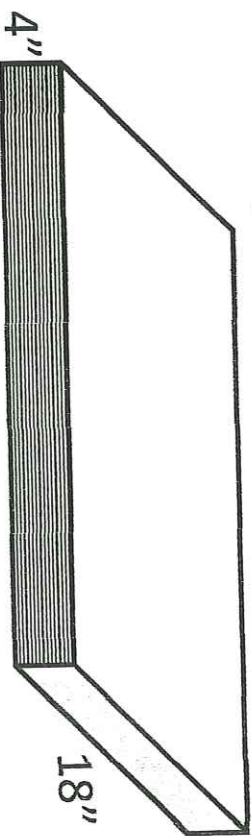
Does the municipality, where the proposed site is located, have a shellfish conservation program?  Yes  No

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

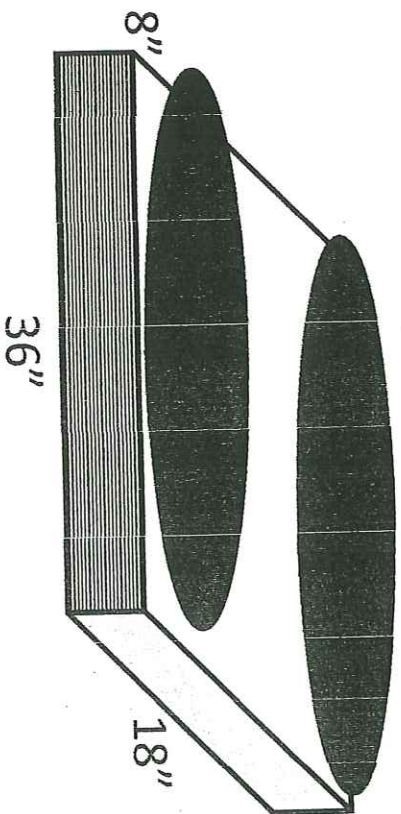
Gear Drawing: Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as "Gear Drawing". This view must show the following:

- Length, width, and height of each gear type.

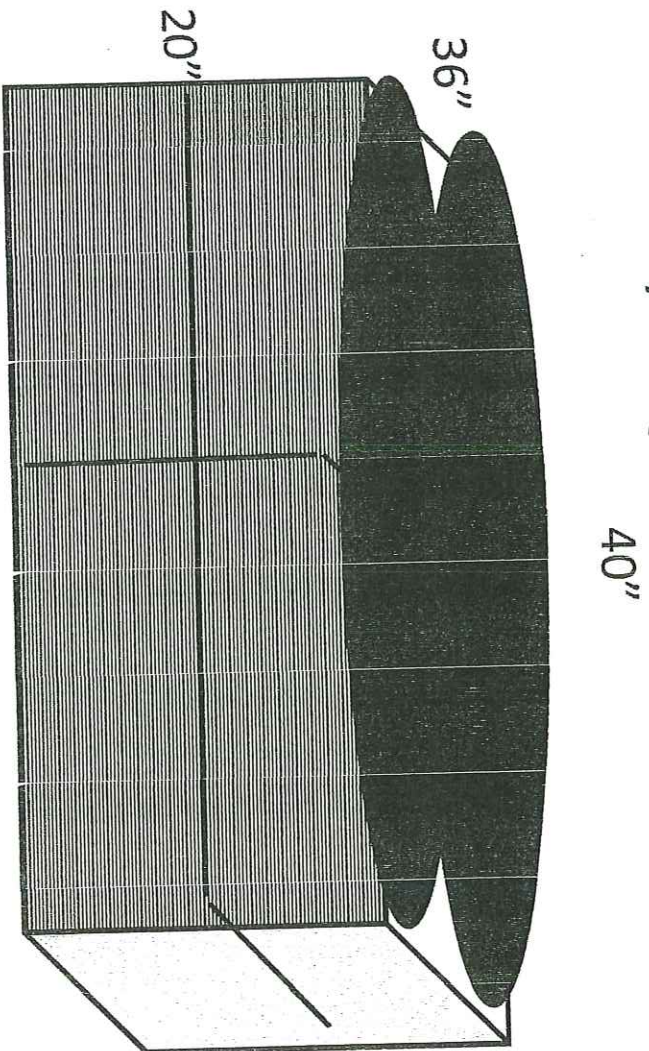
**Submerged ADPI Oyster Bags**



**Floating ADPI Oyster Bags**

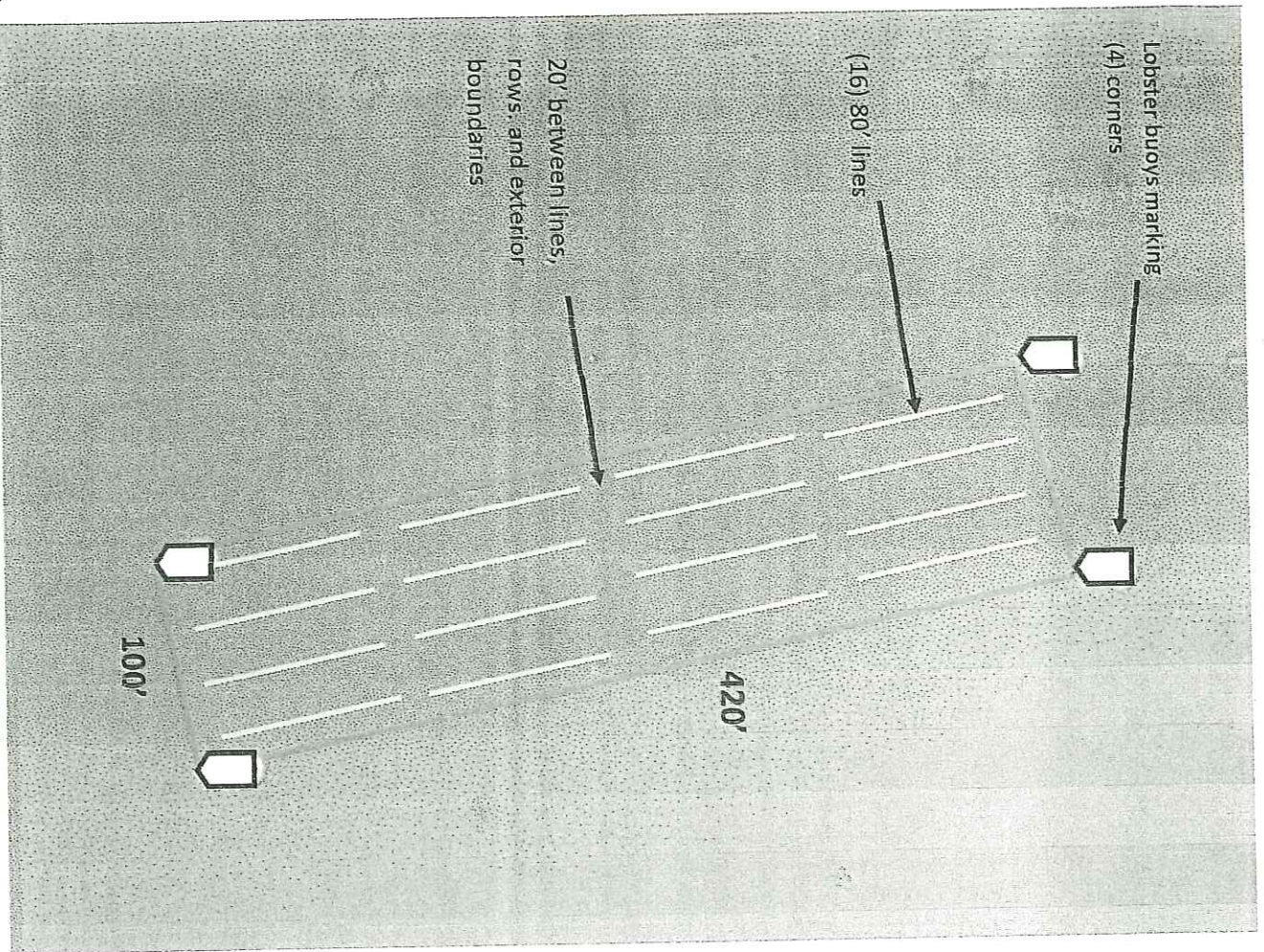


**Oyster Cages**



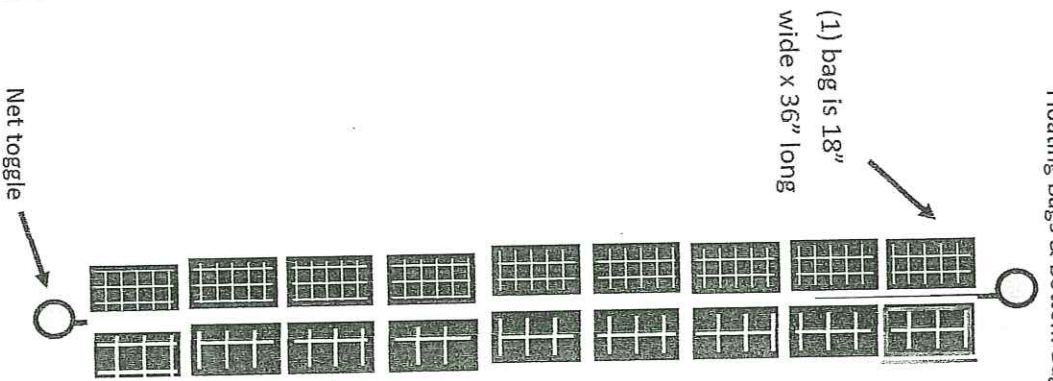
\*Gear not drawn to scale

# Overhead View

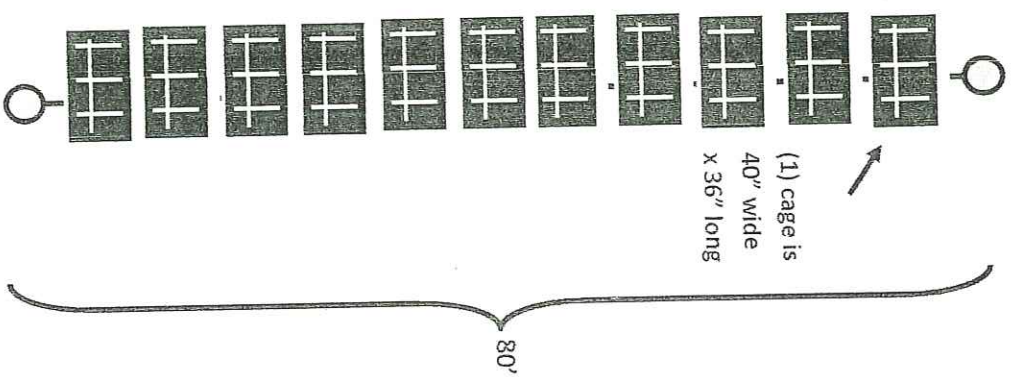


225

Floating Bags & Bottom Bags



Oyster Cages

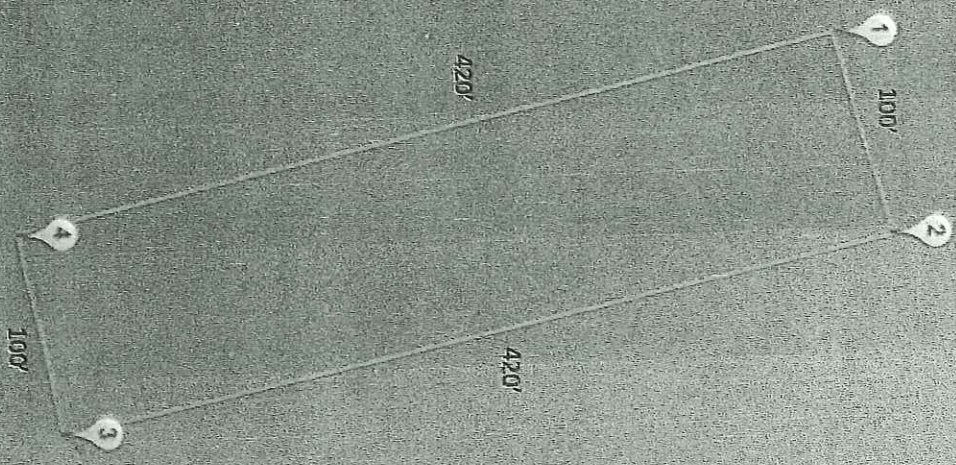


Maximum # of floating bags and bottom bags is 52 bags/line for a total of 832 bags. Maximum # of oyster cages is 26 cages/line for a total of 416 cages. (2) toggles per line for a total of 32 toggles. No spacing between gear on lines. 20' spacing between lines, rows, and the perimeter boundary. \*Gear not drawn to scale

# Boundary Drawing

9/2014

Google Earth



## Mill Pond

Phippsburg, Maine

All datum is NAD83/NAOS84

### Legend

- 1) 43.788246° -69.803404°, then 100' @ 74° to 2
- 2) 43.788308° -69.803030°, then 420' @ 159° to 3
- 3) 43.787171° -69.802710°, then 100' @ 258° to 4
- 4) 43.787117° -69.803082°, then 420' @ 348° to 1

300 ft








23

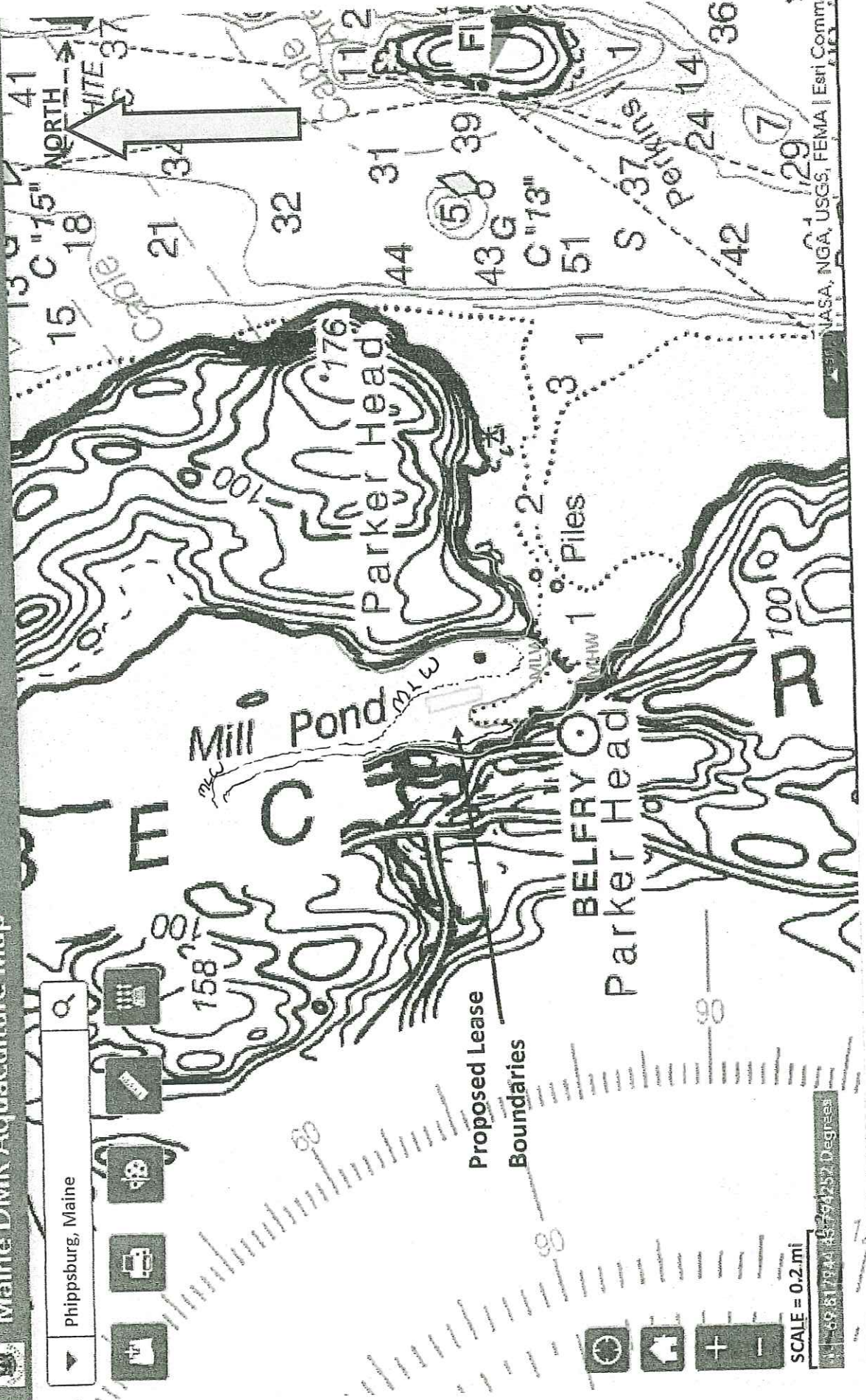
# Vicinity Map

Click here for aquaculture info from DMR's website

## Maine DMR Aquaculture Map

Phippsburg, Maine



SCALE = 0.2 mi

42° 51' 17.94" N 70° 54' 25.2" W

NASA, NGA, USGS, FEMA | Esri Commu



25

Rendering

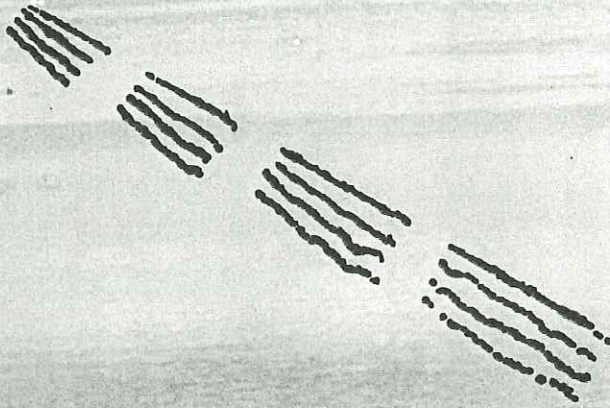


North ←

26

# Rendering

North  
↑





**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: Clam Hunter Seafood, Inc

2. Date of incorporation: May 7<sup>th</sup>, 2003 State of incorporation: Maine

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

Name	Address	Title
Terry Watson	106 Clifford Road Phippsburg, Maine 04562	Incorporator President
Sally Atwater	106 Clifford Road Phippsburg Maine 04562	Treasurer

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

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

Name	Address
Terry Watson	106 Clifford Road Phippsburg Maine 04562
Sally Atwater	106 Clifford Road Phippsburg Maine 04562

**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.

Terry Watson, granted experimental lease (MOR SPx)

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
Terry Watson	106 Clifford Road Phippsburg, Maine 04562	100 %

**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
Terry Watson	106 Clifford Road Phippsburg, Maine 04562	MOR SPx	0.52 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, based on their ownership shares from question 3.

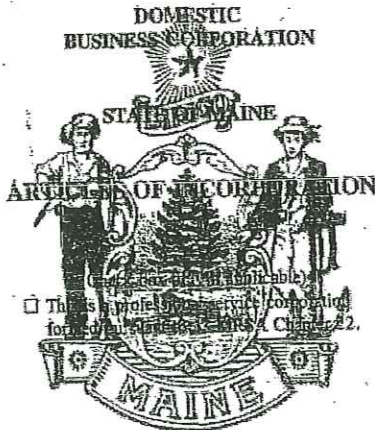
Name	Address	Lease Acronym	Acreage


**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.



Minimum fee \$105. (See §1403 sub-3(1) and 2)

File No. 20032089 D Pages 3  
 Fee Paid \$ 125  
 DCN 2031332251005 ARTI  
 FILED  
 05/08/2003

*Julie L. Flynn*  
 Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 13-A MRS-A §403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

FIRST: The name of the corporation is CLAM HUNTER SEAFOOD, INC  
and its principal business location in Maine is 106 Cliffords Rd. Phippsburg, ME 04562  
(physical location - street (not P.O. Box), city, state and zip code)

SECOND: The name of its Clerk, who must be a Maine resident, and the registered office shall be:  
Thomas W. Taverner  
(name)  
654 Boothbay Industrial Park, Boothbay, ME 04537  
(physical location - street (not P.O. Box), city, state and zip code)  
P.O. Box 340, Boothbay Harbor, ME 04538  
(mailing address if different from above)

THIS FORM MUST BE ACCOMPANIED BY FORM MBCA-18A (Acceptance of Appointment as Clerk §304.2-A).

THIRD: ("X" one box only)

A. 1. The number of directors constituting the initial board of directors of the corporation is \_\_\_\_\_ (See §703.1.A.)

2. If the initial directors have been selected, the names and addresses of the persons who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and shall qualify are:

NAME	ADDRESS

3. The board of directors  is  is not authorized to increase or decrease the number of directors.

4. If the board is so authorized, the minimum number, if any, shall be \_\_\_\_\_ directors. (See §703.1.A.) and the maximum number, if any, shall be \_\_\_\_\_ directors.

B. There shall be no directors initially; the shares of the corporation will not be sold to more than twenty (20) persons; the business of the corporation will be managed by the shareholders. (See §701.2.)

There shall be only one class of shares (title of class) common  
Par value of each share (if none, so state) none Number of shares authorized 1000

There shall be two or more classes of shares. The information required by §403 concerning each such class is set out in Exhibit      attached hereto and made a part hereof.

SUMMARY

The aggregate par value of all authorized shares (of all classes) having a par value is \$ 0

The total number of authorized shares (of all classes) without par value is 1000 shares

FIFTH: ("X" one box only) Meetings of the shareholders  may  may not be held outside of the State of Maine.

SIXTH: ("X" if applicable)  There are no preemptive rights.

SEVENTH: Other provisions of these articles, if any, including provisions for the regulation of the internal affairs of the corporation, are set out in Exhibit      attached hereto and made a part hereof.

INCORPORATORS

Terry L. Watson  
(signature)

Terry Watson  
(type of print name)

(signature)

(type of print name)

(signature)

(type of print name)

DATED May 7, 2003

Street 106 Clifford Road  
(residence address)

Phillipsburg, Maine 04562  
(city, state and zip code)

Street \_\_\_\_\_  
(residence address)

(city, state and zip code)

Street \_\_\_\_\_  
(residence address)

(city, state and zip code)

For Corporate Incorporators\*

Name of Corporate Incorporator \_\_\_\_\_

By \_\_\_\_\_  
(signature of officer)

(type of print name and capacity)

Street \_\_\_\_\_  
(principal business location)

(city, state and zip code)

\*Articles are to be executed as follows:  
If a corporation is an incorporator (§402), the name of the corporation should be typed and signed on its behalf by an officer of the corporation. The articles of incorporation must be accompanied by a certificate of an appropriate officer of the corporation, not the person signing the articles, certifying that the person executing the articles on behalf of the corporation was duly authorized to do so.

SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE,  
101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101  
TEL: (207) 287-4195

FORM NO: MBCA-6 Rev. 9/97





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DOMESTIC  
BUSINESS CORPORATION

STATE OF MAINE

ACCEPTANCE OF APPOINTMENT  
AS CLERK OF

CLAM HUNTER SEAFOOD, INC.  
(name of domestic business corporation)

Pursuant to 13-A MRSA §304.2-A, the undersigned hereby accepts the appointment as clerk for the above-named domestic business corporation.

CLERK

  
\_\_\_\_\_  
(signature)

DATED May 7, 2003

Thomas W. Tavenner  
(type or print name)

SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE,  
101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101  
TEL. (207) 624-7740

FORM NO. MBCA-18A Rev. 4/16/2001

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# Maine Secretary of State



## 2022 Annual Report Electronic Filing Acknowledgment

For Business Corporations on file as of December 31, 2021

**Charter Number:** 20032089 D  
**DCN Number:** 2220019044289  
**Legal Name:** CLAM HUNTER SEAFOOD, INC.

### Clerk's Name and Address:

THOMAS W. TAVENNER  
PO BOX 340  
BOOTHBAY HARBOR, ME 045380340

### Brief statement of the character of the business:

CLAM AND SEAFOOD SALES

### Name and Address of Officers:

TREASURER  
SALLY ATWATER  
106 CLIFFORD ROAD, PHIPPSBURG, ME 04562  
74 TAVENNER RD., BOOTHBAY, ME 04537

PRESIDENT  
TERRY L. WATSON  
106 CLIFFORD ROAD, PHIPPSBURG, ME 04562  
74 TAVENNER RD., BOOTHBAY, ME 04537

**Is this domestic corporation publicly held?** No

### Name and Address of Shareholders:

35

TERRY L. WATSON  
106 CLIFFORD ROAD, PHIPPSBURG, ME 04562  
74 TAVENNER RD., BOOTHBAY, ME 04537

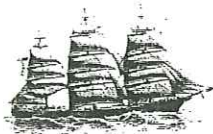
SALLY ATWATER  
106 CLIFFORD ROAD, PHIPPSBURG, ME 04562  
74 TAVENNER RD., BOOTHBAY, ME 04537

**Date of Filing:** March 30, 2022

**Name and Capacity of Authorizing Party:**

THOMAS W TAVENNER, CLERK

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Benj. F. Packard

# Bath Savings Institution

Since 1852

March 15, 2022

To Whom It May Concern,

As of today, March 15, 2022 Clam Hunter Seafood Inc. of 106 Clifford Rd Phippsburg Me 04562 signers Terry L. Watson and Sally S. Atwater have an open and active account with Bath Savings Institution.

If you have any questions or need further assistance please contact me at 207-442-7711. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Erica L. May". The signature is written in a cursive, flowing style.

Erica L. May

Assistant Branch Manager

Bath Office

**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:     Phippsburg    

MAP #	LOT #	Landowner name(s) and address(es)
11	40	
11	43	
11	44	
11	45	Town of Phippsburg 1042 Main Rd Phippsburg, ME 04562 ✓
11	46	
11	47	
11	49	Foster and Patricia Reed 71 Starbarrack Road Red Hook, NY 12571 ✓
11	52	Town of Phippsburg
11	53	James and Linda Princiotta P.O. Box 782 Bath, ME 04530 ✓
11	54	Cara Washburn and Stephen Kearns 167 Elm Street Somerville, MA 02144 ✓
11	66	

11	68	Gregory and Jane Ketchen <i>(only Jane)</i> 45 Chesapeake Bay Avenue Osterville, MA 02655	✓
11	69	Bruce Hendrickson and Stephanie Smith 341 Russell Street Carlisle, MA 01741	✓
11	70	Linwood and Deborah Stockwell P.O. Box 17 Phippsburg, ME 04562	✓
11	71	John and Kathy Settelen 59 Rock Ledge Drive Phippsburg, ME 04562	✓
11	72	Robert Lamere c/o Lamere Family Realty Trust 57 Rock Ledge Drive Phippsburg, ME 04562	✓
11	73		
10	16		

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

**CERTIFICATION**

I, Pauline Flemming <sup>Deputy</sup> Town Clerk for the Town of Phippsburg 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: Pauline J. Flemming DATE: March 18, 2022

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JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

## - RIPARIAN OWNERS 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: Phippsburg, ME

MAP #	LOT #	Landowner name(s) and address(es)
11	02	Town of Phippsburg 1042 Main Rd Phippsburg ME 04562
11	6	Dauphin, Maurice (JT) Dauphin Catherine (JT) 46 Youngs Lane Phippsburg ME 04562
11	9	Totman, William M. 6 Youngs Lane Phippsburg ME 04562
11	10	C.P.S. Club c/o Lloyd D. Lowell 2019 Prestancia Ln, Sun City Center FL 33673
11	12	Lewis, Graydon M. 567 Parker Head Rd Phippsburg ME 04562
11	56	Herczeg, Edward R (JT), Herczeg Donna P. (JT) 518 Parker Head Rd, Phippsburg ME 04562
11	62	Connolly, John J. (JT) Mackinnon, Darlene (JT) P.O. Box 336, Phippsburg ME 04562 0336
11	63	Mulrooney, John J. (JT) Mulrooney, Faith A. (JT) P.O. Box 45, Phippsburg, ME 04562 0045
11	64	Zahniser, Lisa A. TTEE (TC) Nordlund Jeffrey R TTEE (TC) c/o L A Zahniser Trust / J R Nordlund Trust U/A JK P.O. Box 237, Phippsburg, ME 04562 0237
11	65	Aslanian, Aram Parker (JT) Santi, Patricia (JT) P.O. Box 2 Phippsburg ME 04562 0002
11	67	Ketchen Gregory (JT) Ketchen, Jane S (JT) 45 Chesapeake Bay Ave, Oosterville, MA 02655

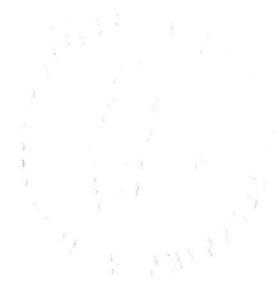
MAP #	LOT #	Landowner name(s) and address(es)
11	74	Pruzansky, Howard (JT) Pruzansky, Stephanie (JT) P.O. Box 27 Phippsburg ME 04562 0027
10	004-01	Ducharme, Marc L. (JT) Lake Rhonda (JT) 492 Parker Head Rd, Phippsburg ME 04562
<i>J.W.</i>		

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

**CERTIFICATION**

I, Lisa M. Wallace, Town Clerk for the Town of Phippsburg, 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: Lisa M. Wallace DATE: June 14, 2022





# Town of Phippsburg, Maine

### LEGEND

- Cemetery
- Edge of Road
- Stream
- Marsh
- Rocks
- Water
- Prussia
- Old Property Line
- Right of Way
- Road - Public Main.
- Road - Private Main.



## NOT FOR CONVEYANCE

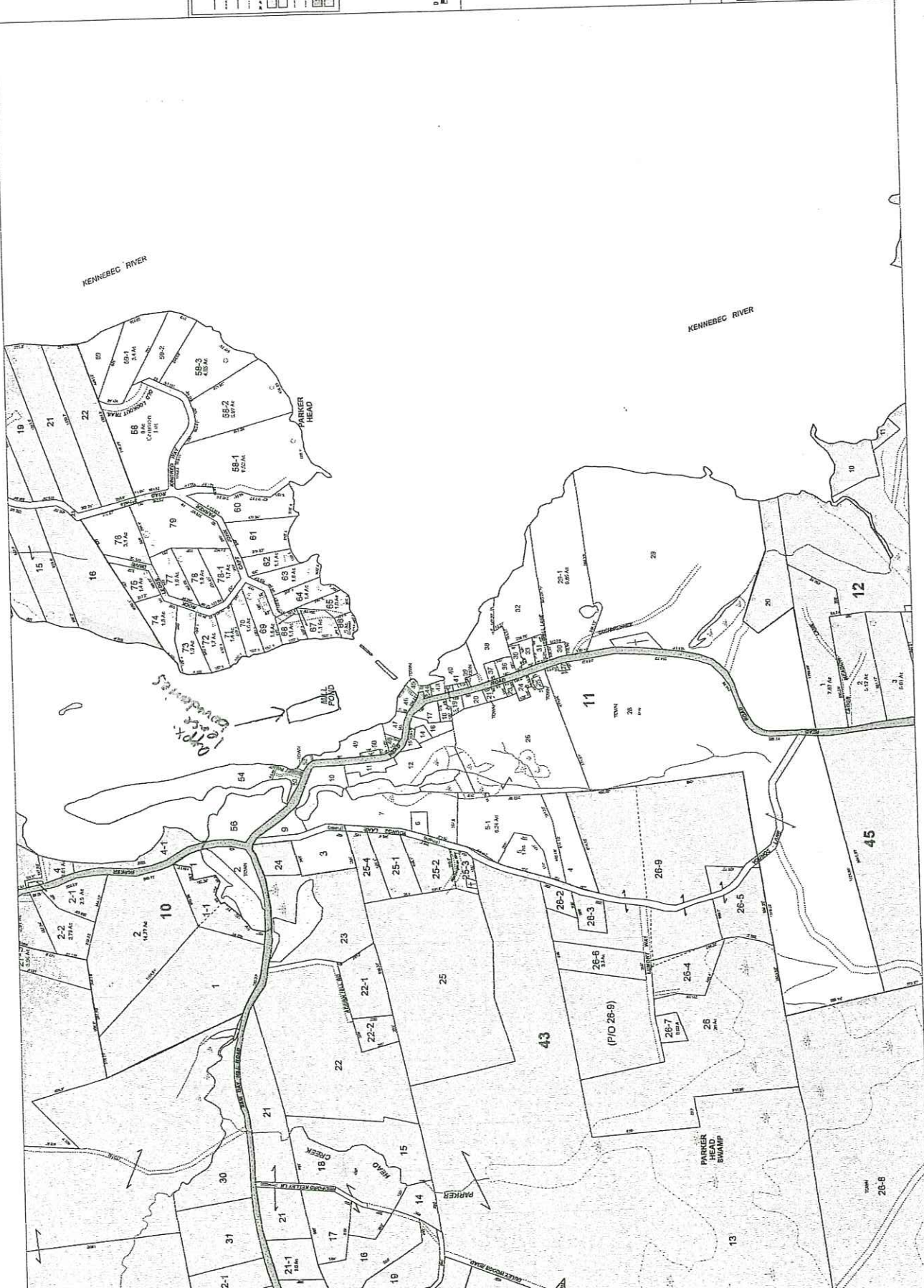
Map updated to: TY 2021  
By  
Eastern Mapping Service  
Newburgh, Maine  
207-234-2777

Map Prepared by:  
Eastern Mapping Service  
207-234-2777

Index Map



Tax Sheet  
**11**



40

# Town of Phippsburg, Maine

**LEGEND**

---	County
-----	Edge-Neel
-----	Streams
-----	Marsh
-----	Rocks
-----	Water
-----	Parcels
-----	Old Property Line
-----	Rights of Way
-----	Road - Public Maint.
-----	Road - Private Maint.

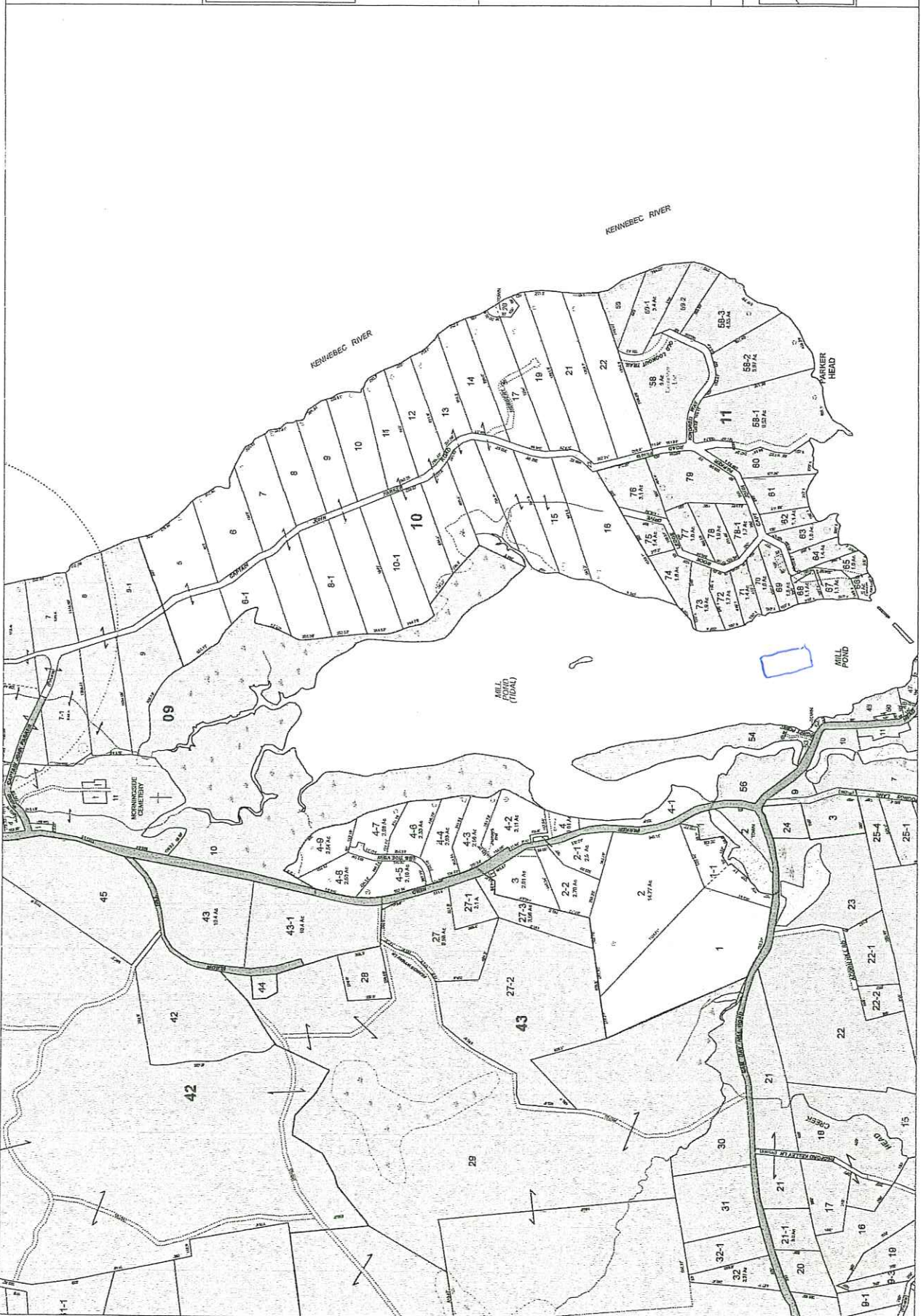


**NOT FOR CONVEYANCE**  
 Map updated to: TY 2021  
 By  
 Eastern Mapping Service  
 Newburgh, Maine  
 207-234-2777

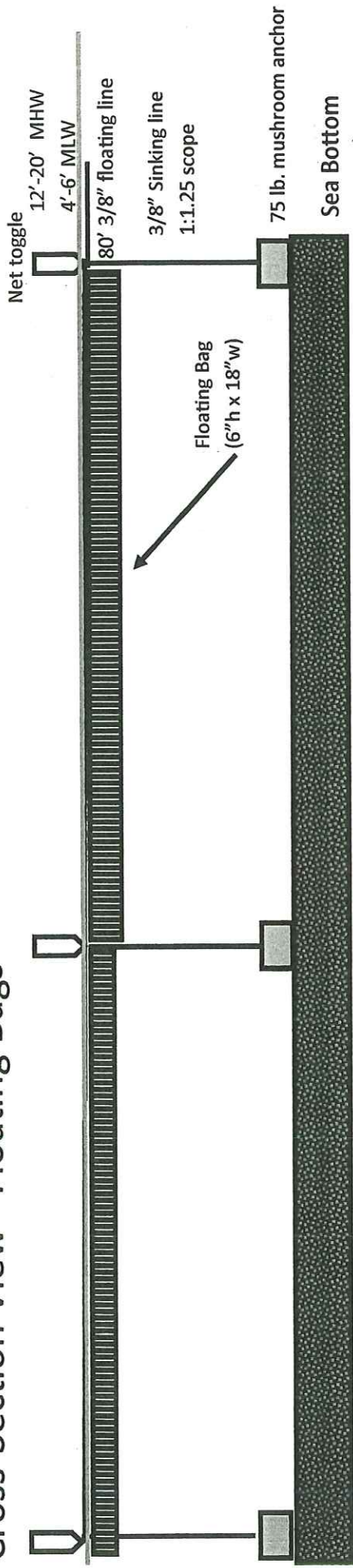
Map prepared by:  
 Eastern Mapping Service  
 207-234-2777

Index Map

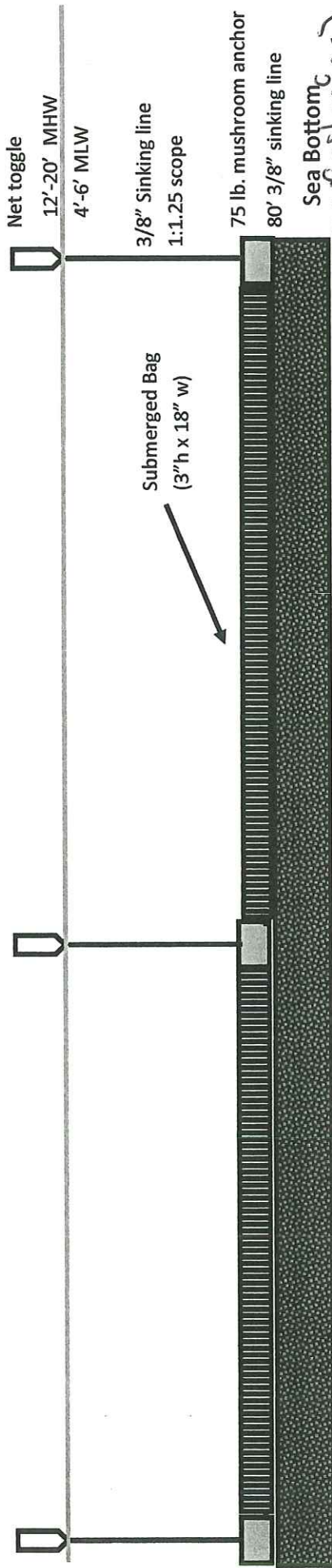
Tax Sheet  
**10**



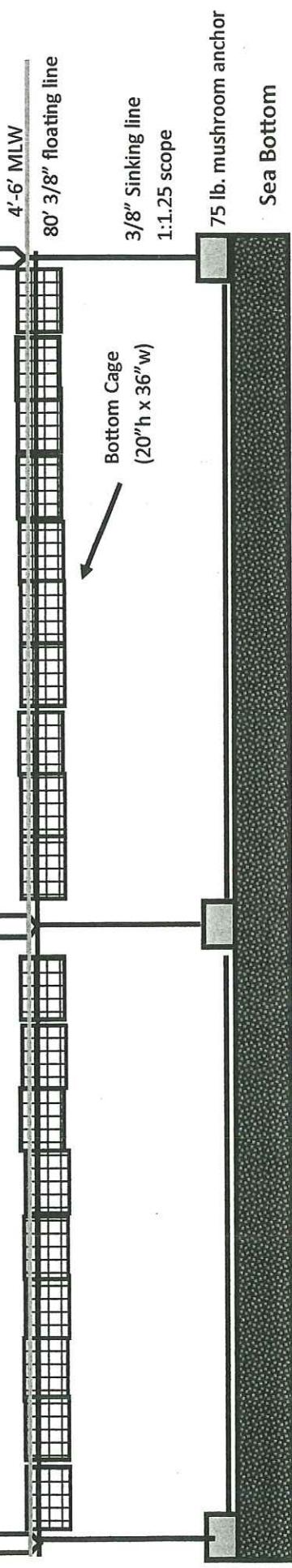
### Cross-Section View— Floating Bags



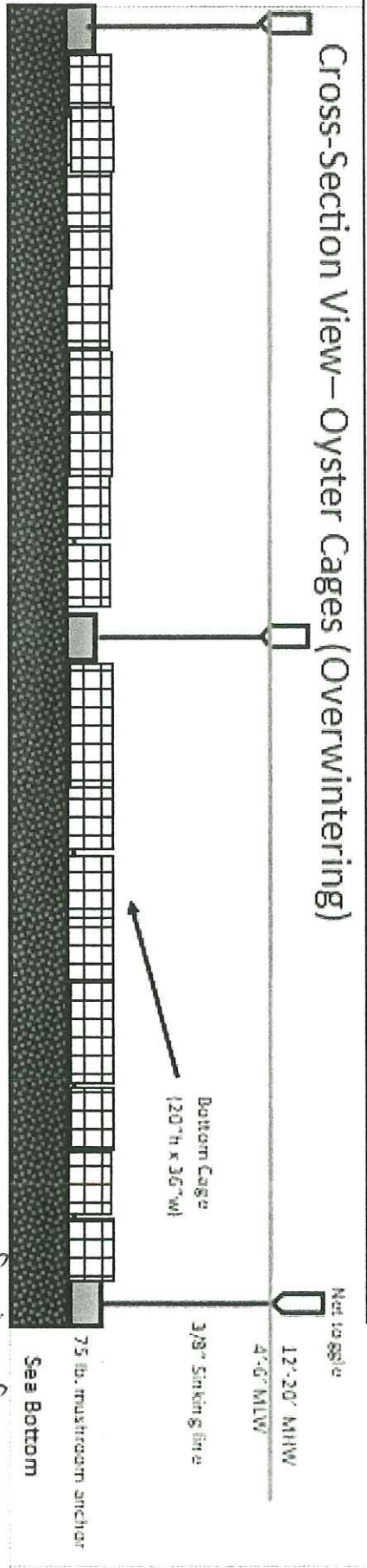
Cross-Section View— Floating Bags (Overwintering - Floats removed)



Cross-Section View— Oyster Cages (see next page for overwintering)



# Cross-Section View—Oyster Cages (Overwintering)



*Floating Cages sunk for overwintering*

Sea Bottom

75 lb. mushroom anchor

3/8" Sinkin line

4'-6" MLW

12'-20' MHW

Bottom Cage  
(20'H x 36"W)

Any Questions please  
Contact Terry Watson - 207-751-3072  
SALLY WATSON 207-751-2426  
Home + Shop 207-442-0395  
E mail clamhunt@comcast.net

Thanks