FA Received 8.29.22
Revised 12.1.22
Revised 1.10.23
Revised 3.13.23
Complete 4.3.23

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Thomas Henninger		
Contact Person	Heidi Henninger		
Addres	888 Princes Point Rd		
Cit	Yarmouth		
State, Zip	Maine 04906		
Count	USA		
Telephone	207 318 5617		
Emai	hlhenninger@me.com		
Type of Application	Draft Application [submitted before scoping session session]	X Final Application [submitted after scoping session]	
Date	Pre-Application Meeting: 1/5/22	Draft Application Submitted: 2/7/22 (revised 3/28/22)	Scoping Session: 6/22/22

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	
Tow	Yarmouth
Waterbody	Little John Island, Casco Bay
General Description	Norwest of the eastern end of Little John Island.
Lease Information	
Total acreage requested	6.37 acres
Lease term requested (20-year maximum)	20 year
Type of culture (check all that apply)	☐ Bottom (no gear) ☒ Suspended (gear in the water and/or on the bottom)
Is any portion of the proposed lease site above mean low	☐ Yes ☒ 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: *http://www.maine.gov/dmr/shellfish-sanitation- management/closures/index.html*

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

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. American Oyster Crassostrea virginica	Mook Sea Farm 321 ME RT 129 Walpole, Me 04573	1.5 million
2. American Oyster, Crassostrea Virginia	Muscongus Bay Aquaculture, 24 Seal Ledge Ln, Bremen, ME 04551	1.5 milion
3. Sea Scallop, Placopecton megellanicas	Thomas Henninger 888 Princes Point Rd, Yarmouth, ME 04096	1.5 milion
4. Hard Clam, Mercenaria mercenary	Muscongus Bay Aquaculture 24 Seal Ledge Ln, Bremen, ME 04551	1 million

B. Do you intend to possess, transport, or sell whole or roe-on scallops? ☐ Yes **X** 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:

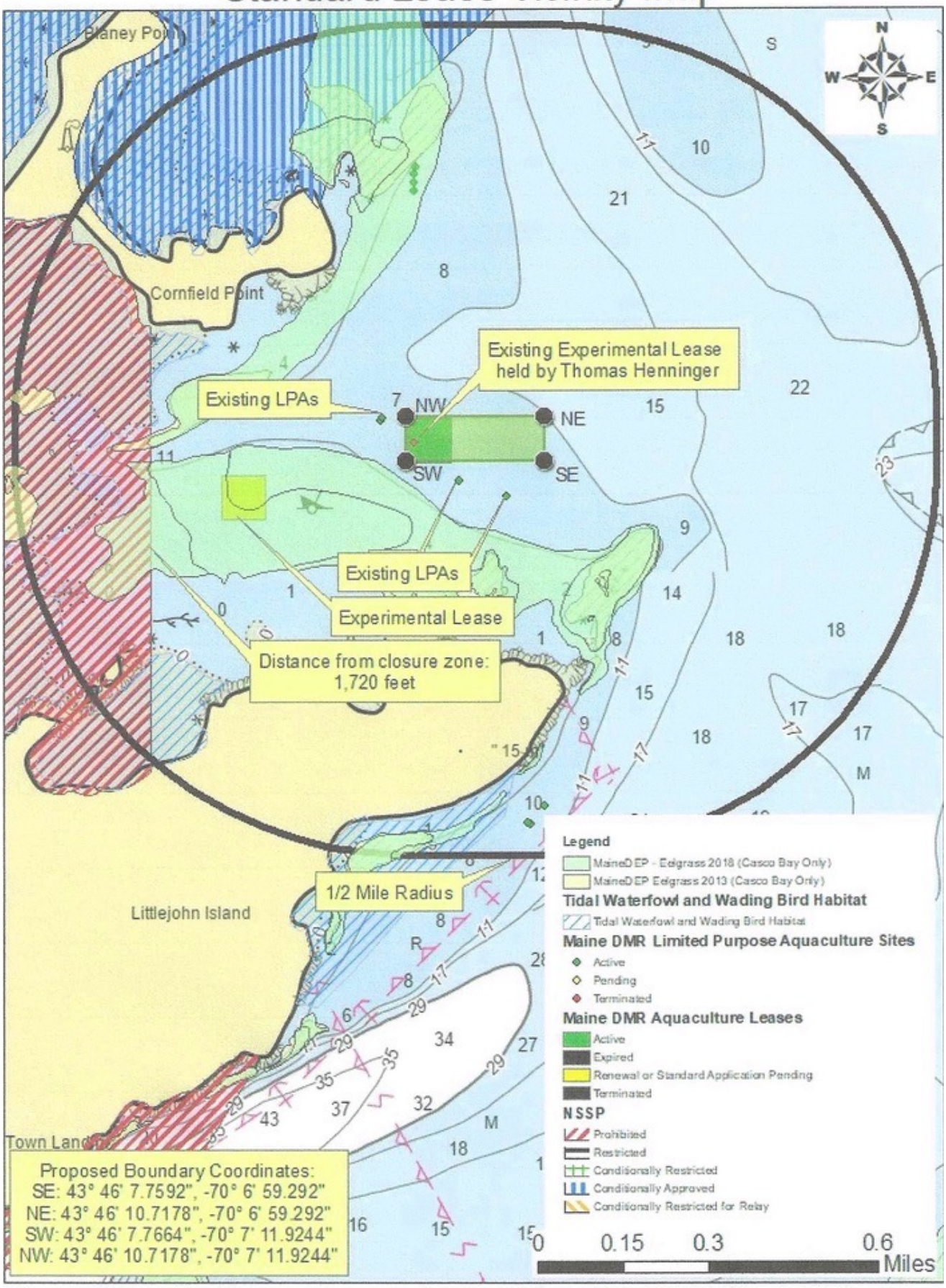
- The waters, shore lands, and lines of mean high and mean low water within the general area of the lease
- An arrow indicating true north
- A scale bar
- The approximate lease boundaries

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.

Thomas Henninger
Standard Lease Vicinity Map



Maine Coast Marine Maps
Map Author: Alicia Gaiero
March 7, 2021

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere
Lease Applicant: Thomas Henninger

Rev 05/20/2021

Thomas Henninger Standard Lease
Thomas Henninger Standard Lease near Little John Island
Boundary Drawing with tax map overlay.
6.4 Acres
MD PT NW
MD PT NE
MD PT SW
MD PT SE
<-300 feet->
<--925 feet-->
Proposed Boundary Coordinates:
SE: 43° 46' 7.7592", -70° 6' 59.292"
NE: 43° 46' 10.7178", -70° 6' 59.292"
SW: 43° 46' 7.7664", -70° 7' 11.9244"
NW: 43° 46' 10.7178", -70° 7' 11.9244"
N
Google Earth

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.

AGear 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: **[pages 11-20]**
    - 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	Dimensions	Time of year gear will be	Maximum amount of this gear type that will be deployed on the site *(i.e. 200*	Species that will be grown using this
OysterGro cages and floats	36" x60" x23"	Throughout the year	Up to 624 cages	Eastern Oyster/ scallop
OysterGro bags	19" x35" x3"	Inside cages (6 per cage), constant)	3744 bags	Eastern Oyster/ scallop
Lantern nets	36" X 20"	Throughout the year	Up to 624 nets	Scallops
Bottom cages	36" X 48" X 24"	November – April (some may remain on bottom yr round)	Up to 624 cages	Eastern Oyster / scallops
Bird Away Kite	274" fiberglass pole/22" kite	Random, July - October	2	
Utility Mooring Buoy (white) +250lb mushroom anchor	A-5 (27"x36"), 1/2"sinking line, 1/2" chain	Throughout the year	1	
Marker Buoys (yellow) "sea farm"	LD2: 11.5"x 24", 1/2" sinking line	Throughout the year	10	
Helical anchors	10" x 48"	Throughout the year	92	
Wet Storage Float/2000lb block, 1/2"top chain	33' x 16'/20' 1/2"top chain/24' 5/8"Botton chain	Throughout the year	1	
Floating Work float/4000lb mooring block, 1/2"chain	49"5"x 16, 16' of 1/2" chain	Throughout the year	1	
Tumbler/sorter (on work float)	Max height 6' x 28' x3'	June through October	1	
Buoys marking bottom cages, lantern nets, white	Hard plastic 7.25" x 22"	Throughout the year	Up to 624	

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. **[page 22]**
    - 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": **[pages 20, 23, 24 as labeled]**
    - 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.
16X49' floating work platform (wood with plastic floats, schematics on pages 17-19) may be on site; an additional 16'x24' wet storage float may be added (wood, wore mesh baskets, plastic floats) [see drawings pages 15,16]. Tumbler-sorter on work platform max height above sea level = 6' [page 19]. Note: If the work float moves off site, the work platform in the overhead drawing will be replaced by 6 strings of 12 cages, adding 72 cages (explaining the discrepancy between gear table max of 624 cages and overhead drawing showing 552 cages)

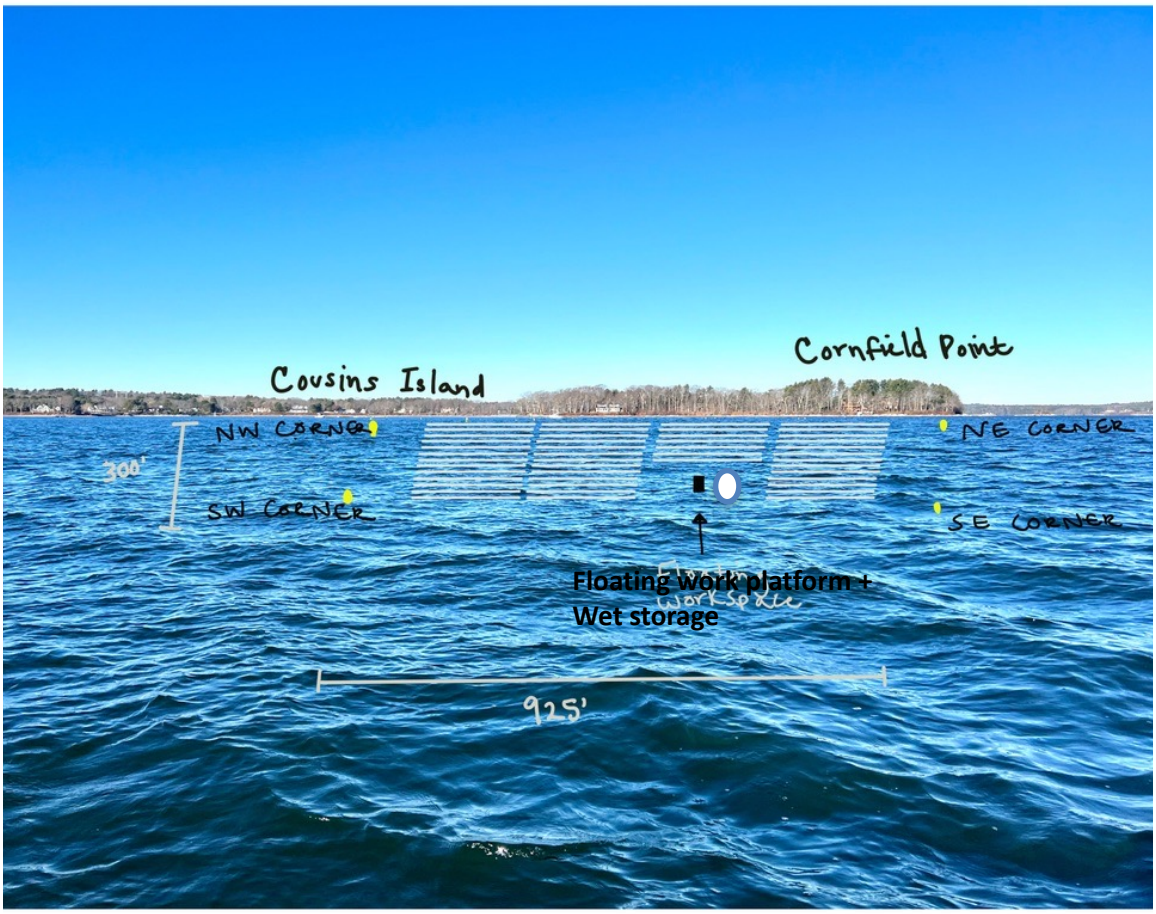
2. Describe the storage and use of oil, gasoline or other hazardous materials on this facility. If petroleum products are to be stored on site, provide a spill prevention plan.
There is no storage of gasoline on the site. The generator's feel tank will be filled from a tank on a boat. The only fuel on the site will be in the generator. No additional fuel is to be stored on the float. The generator is housed in a box with a tray beneath

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
The oyster gro floats are grey; cages are black wire. Perimeter buoys are yellow. Buoys that mark bottom cages and lantern nets are also yellow (see gear table). Utility mooring buoys are white.

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 also page 26 for second vantage point)



White lines represent lines of floating cages.
Viewpoint from 43.768708, -70.118769

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 X

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.
Oyster seeding depends on water temperature. 0.5" oysters will be placed in bags, 6 bags per cage and this may occur as early as July through October. Scallop seed will be placed in lantern nets (or in bags and cages) in April/May. Hard clams are seeded in the same manner as oysters, at the same time, in the same gear (in separate bags and cages). Seeding occurs sporadically 1-2 times per week as they become available.

B. Please explain your proposed tending/maintenance activities.
Cages are flipped once per week or less depending on the degree of bio-fouling. Lantern nets are raised by davit to be cleaned or exchanged for clean nets as often as Q 2-3 weeks as needed. Oyster and/or clam bags are removed from cages and taken to the work platform for tumbling and sorting. Tumbling and sorting and splitting of bags will occur as needed, weekdays

C. How frequently will you visit/tend the site for routine tending/maintenance (i.e. flipping cages, etc.)?
Aside from extreme weather events, the site will be tended 2-5 days/week throughout the majority of the growing season, June through November, less frequently during the winter.

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

Harvesting is done by removing oysters or clams from bags. Scallops are removed from lantern nets. All species may also be in Botton cages such that harvesting is by raising cages off the Botton and removing the oysters, scallops or clams. In the future, with the wet storage float operational, market ready oysters may be removed from cages, placed ins bags or baskets within the wet storage float. Harvesting occurs 1-2 days per week during the growing season and may be weekly over the winter.

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

Harvesting is ongoing throughout the entire season, April - November, and will co-occur with maintenance (tumbling and sorting). Over the winter, harvesting will occur by raising bottom cages off the bottom and removing oysters and/or scallops, approximately once weekly or every-other week.

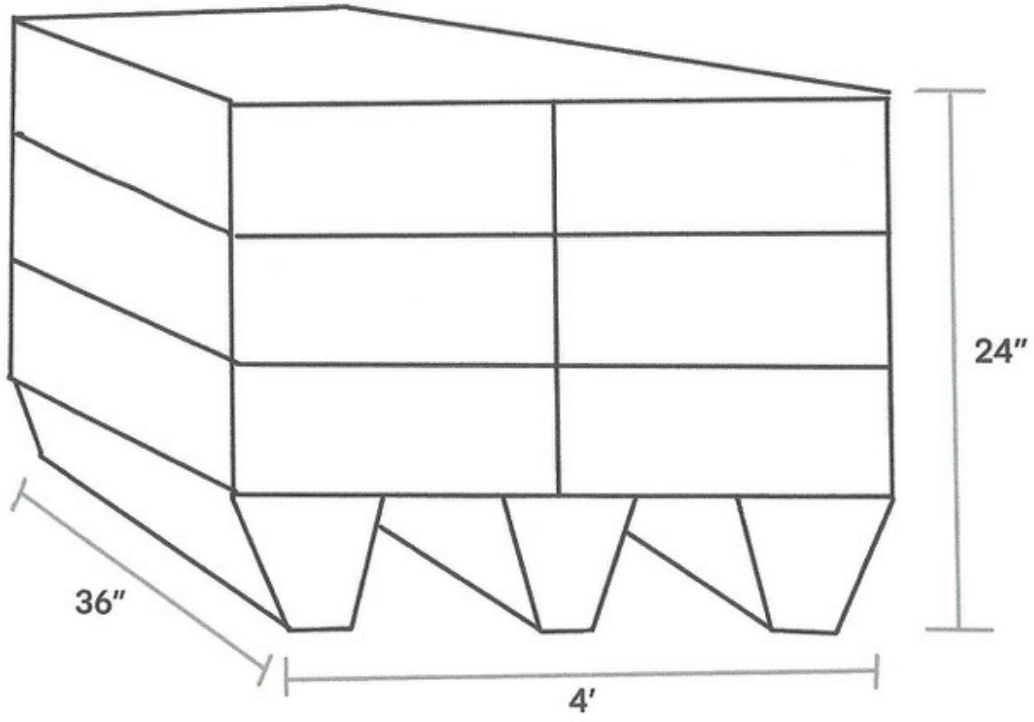
F. Will gear be on the site year-round? ☒ Yes ☐ No

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.

OysterGro cages are typically sunk to the bottom for overwintering [page 21]. Buoys will remain on the surface. If ice does not occur, up to 100% of cages may remain floating over the winter (based on the specific years's weather). Scallops are either transferred to Botton cages or may remain in floating lantern nets over the winter.

6 Bag Bottom Cage
Overwintering option

Not to scale

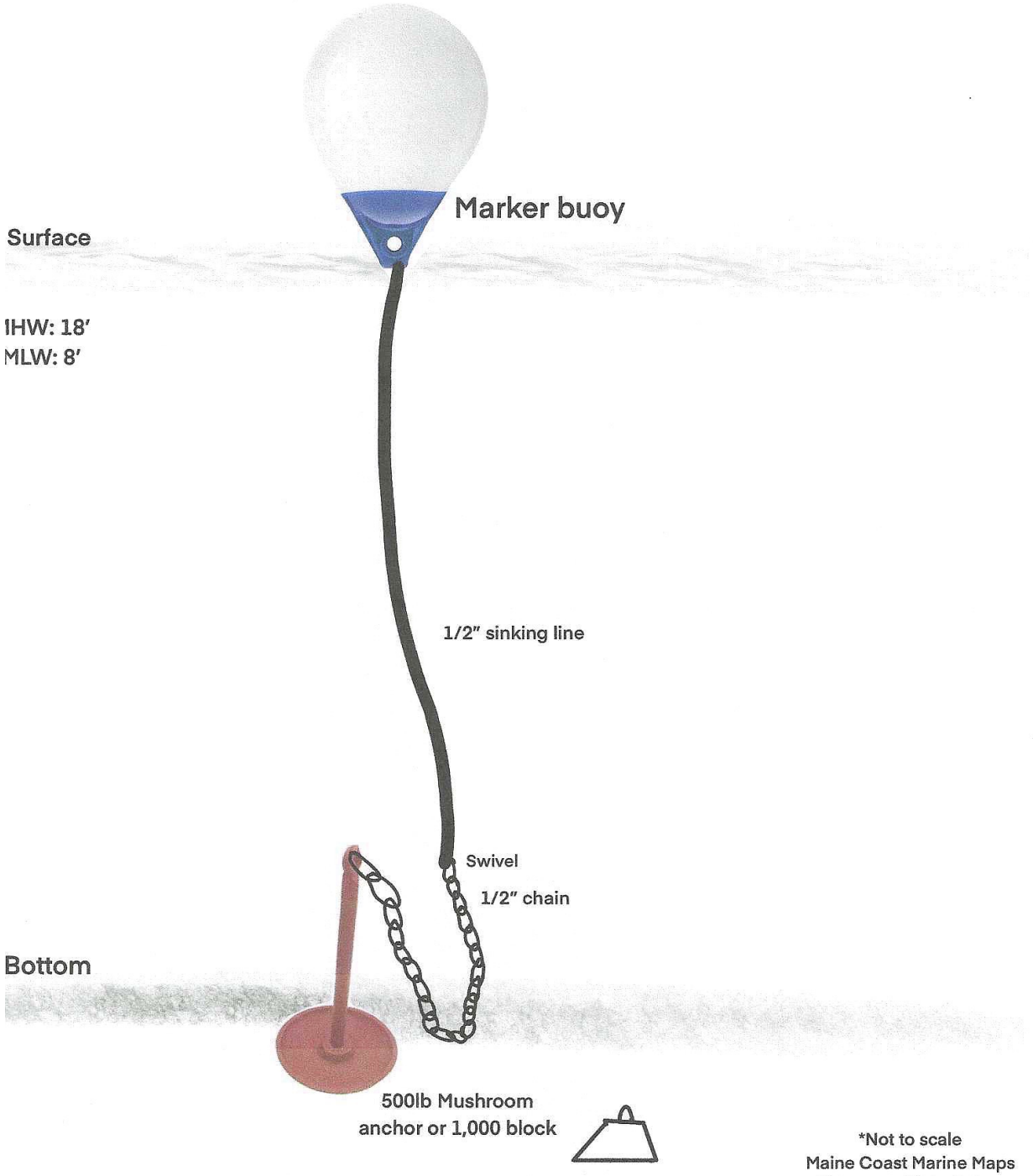


Maine Coast Maine Maps
Illustrator: Alicia Gaiero

Caption

Rev 05/20/2021

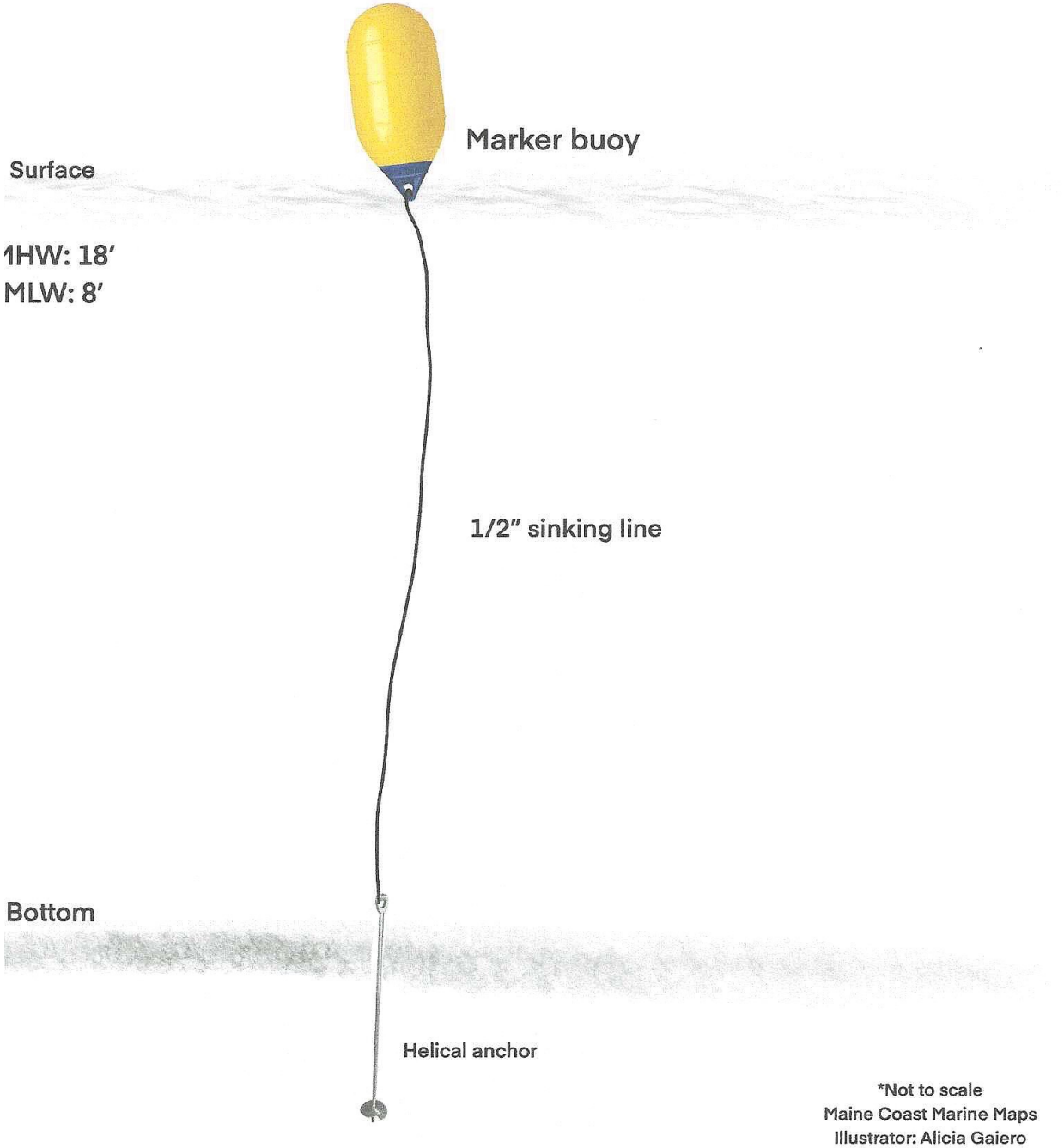
Utility Mooring Cross-Section View



Caption

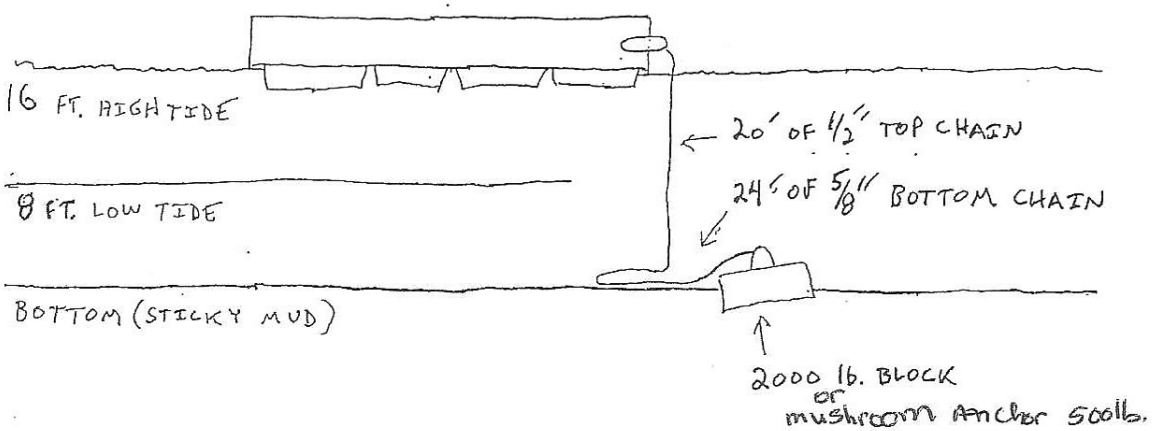
Rev 05/20/2021

Marker Buoy Cross-Section View

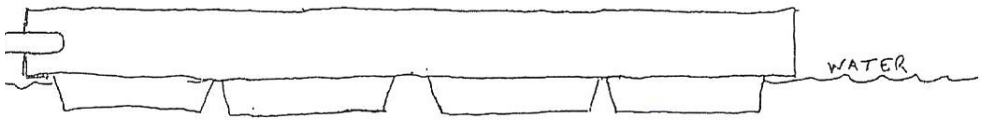


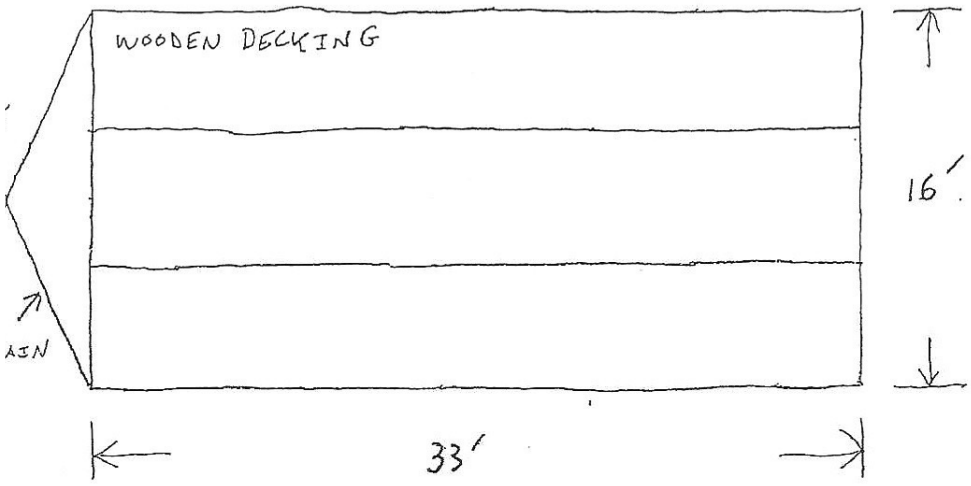
HENNINGER WET STORAGE FLOAT

NOT TO SCALE



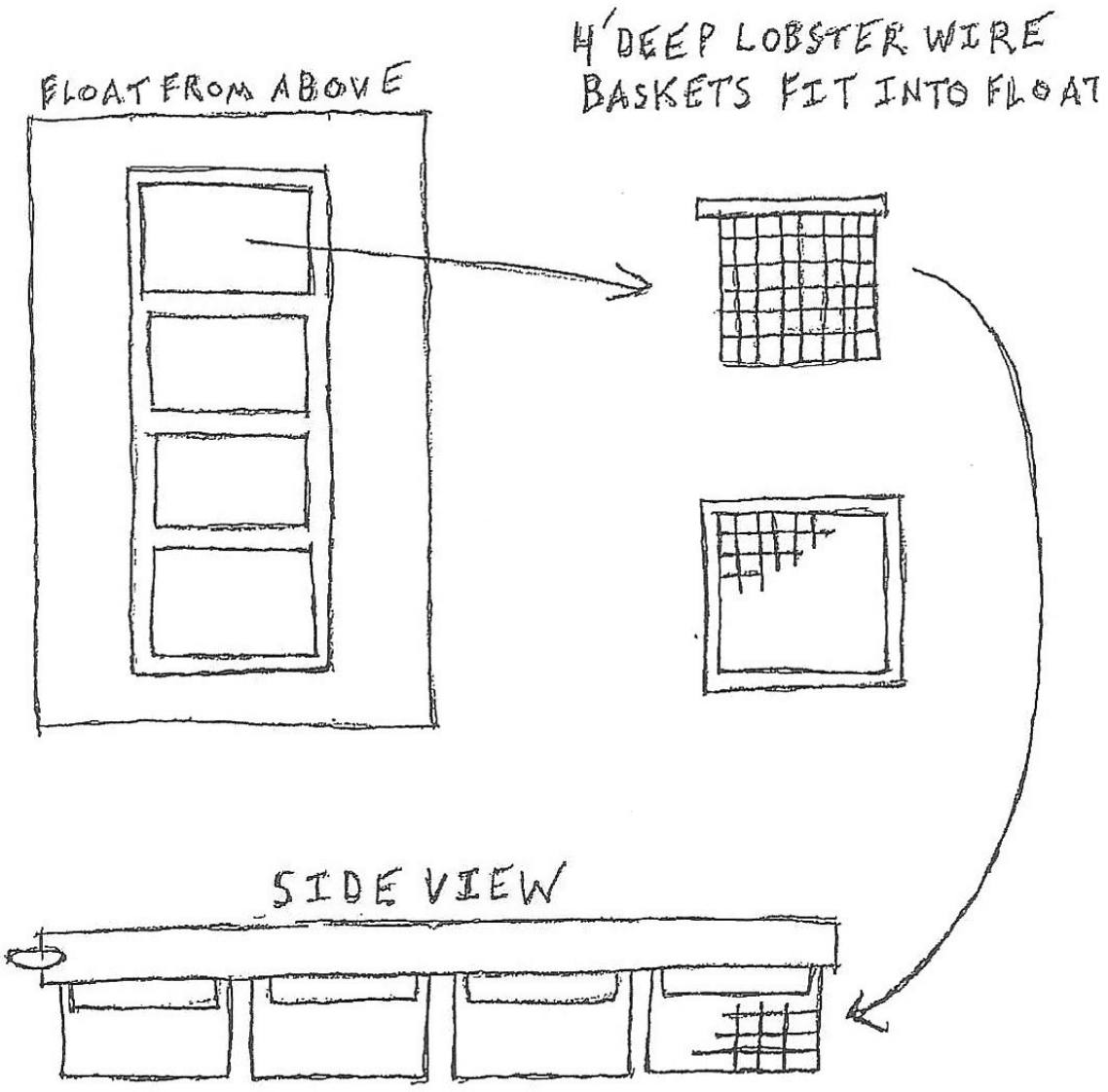
HENNINGER WET STORAGE FLOAT

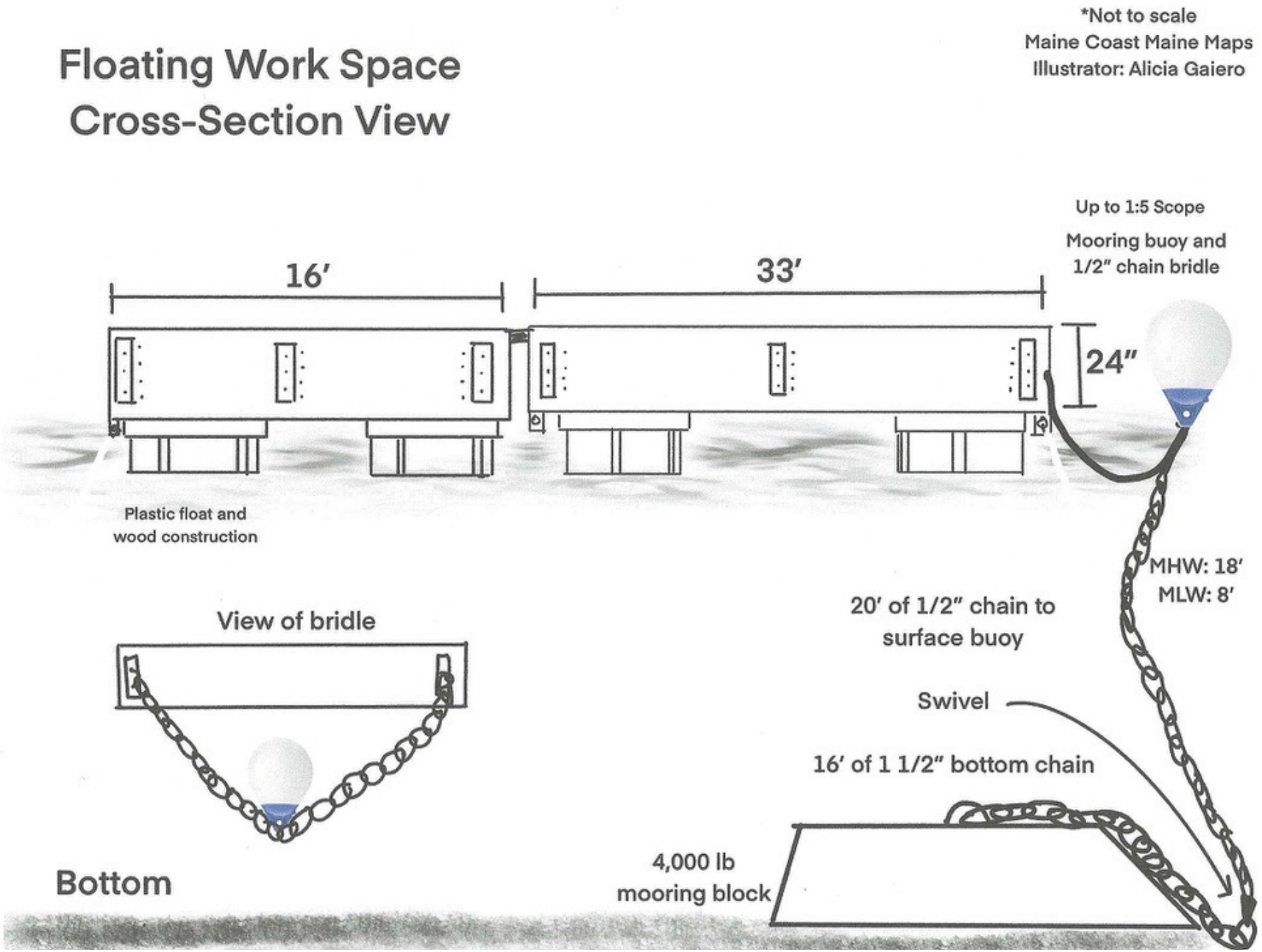




HENNINGER WET STORAGE FLOAT

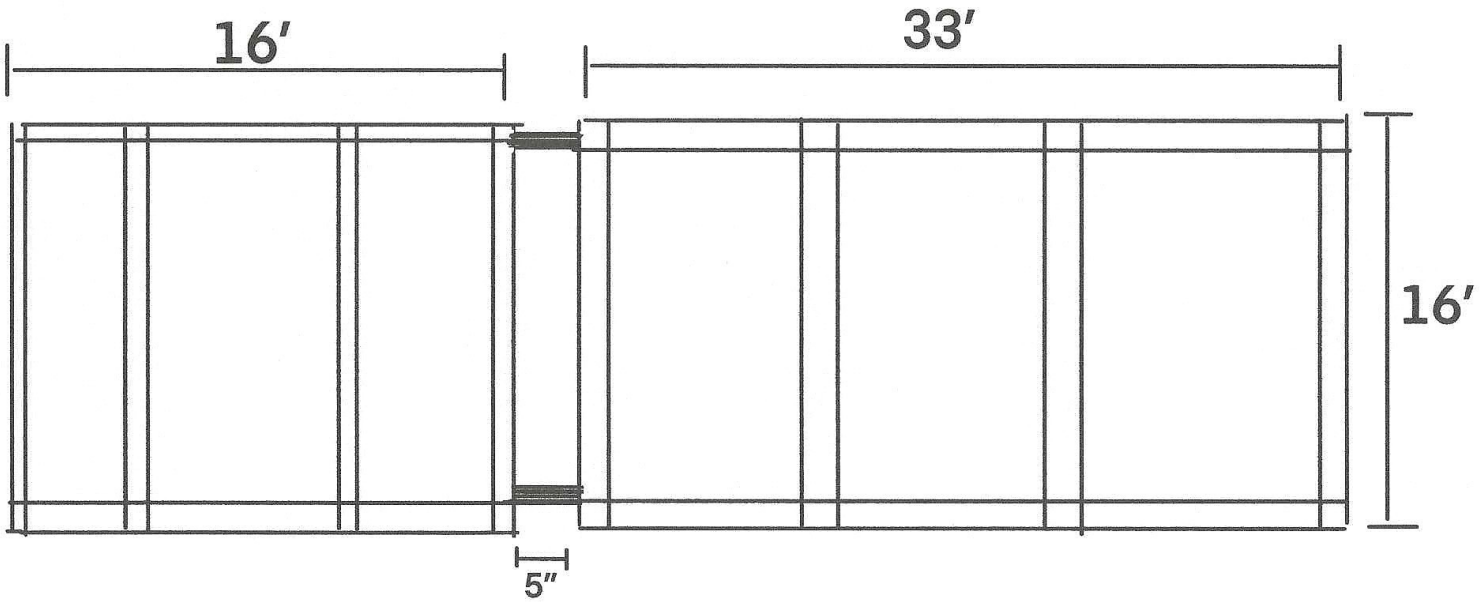
NOT TO SCALE




Floating Work Space
Cross-Section View
*Not to scale
Maine Coast Maine Maps
Illustrator: Alicia Gaiero
Up to 1:5 Scope
Mooring buoy and
1/2" chain bridle
16'
33'
24"
Plastic float and
wood construction
MHW: 18'
MLW: 8'
View of bridle
20' of 1/2" chain to
surface buoy
Swivel
16' of 1 1/2" bottom chain
4,000 lb
mooring block
Bottom

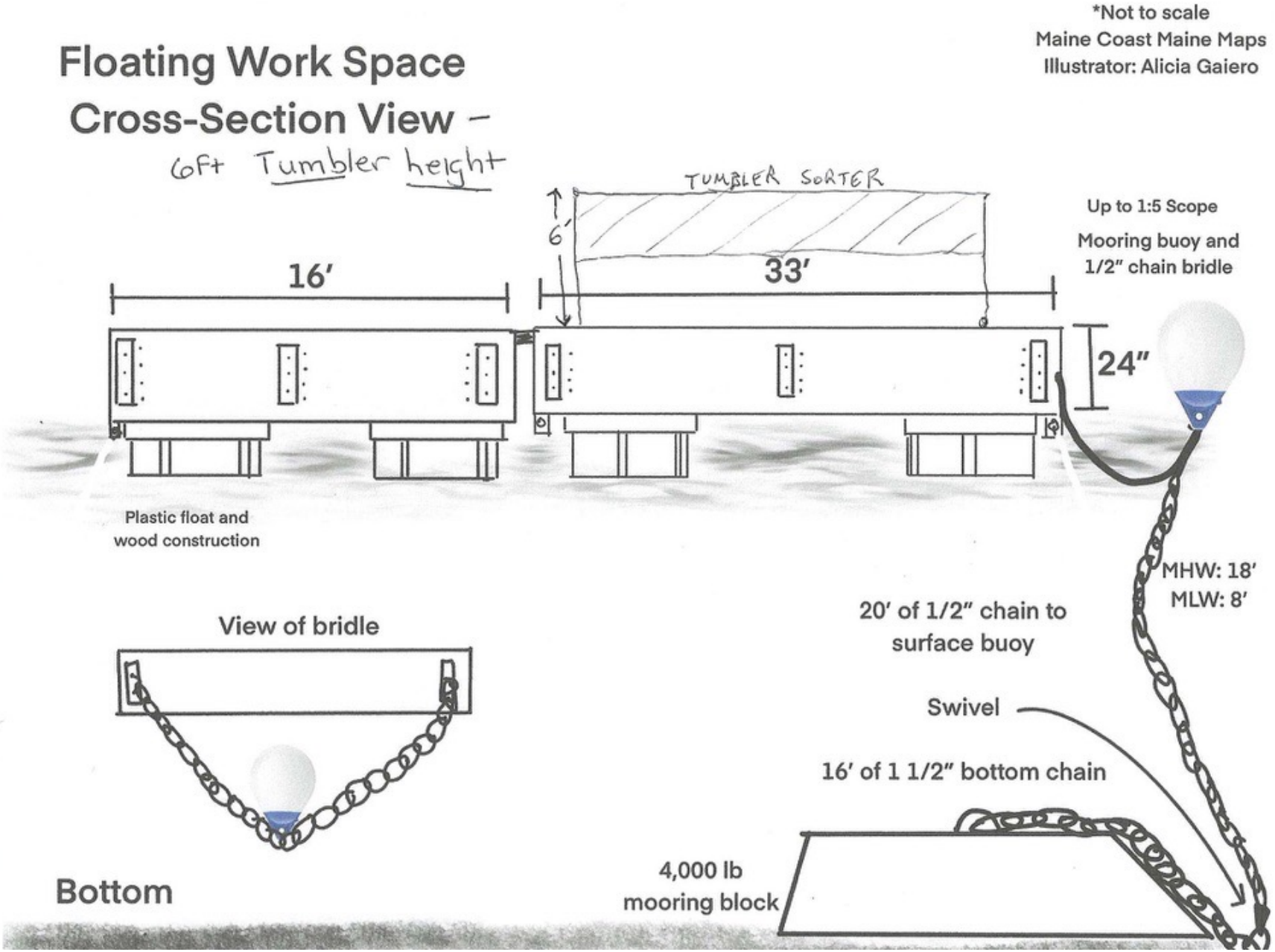
Caption

Floating Work Space
Overhead view



MHW: 18′
MLW: 8′

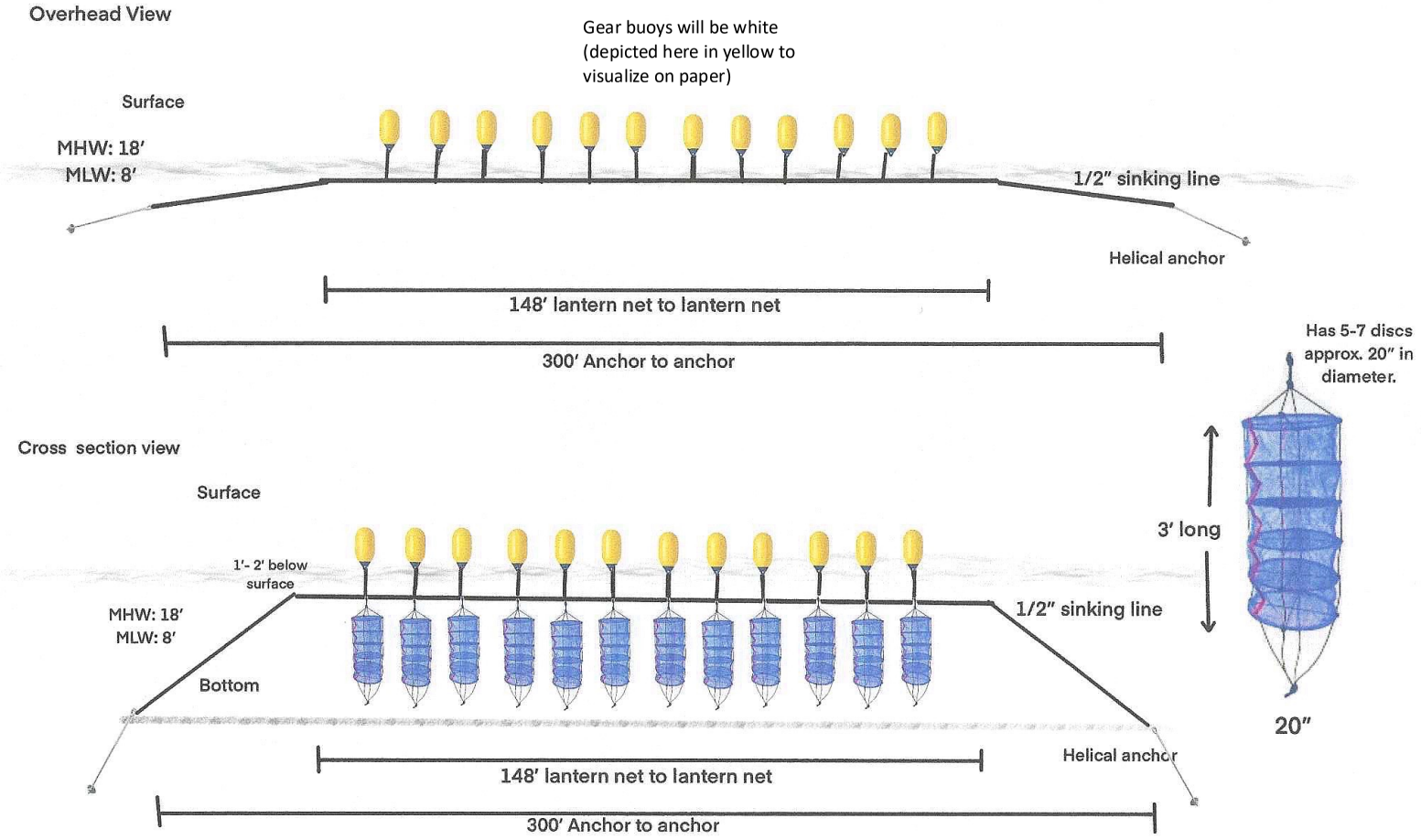
Maine Coast Marine Maps


*Not to scale
Maine Coast Maine Maps
Illustrator: Alicia Gaiero
Floating Work Space
Cross-Section View –
6ft Tumbler height
TUMBLER SORTER
6'
33'
16'
Up to 1:5 Scope
Mooring buoy and
1/2" chain bridle
24"
Plastic float and
wood construction
MHW: 18'
MLW: 8'
20' of 1/2" chain to
surface buoy
View of bridle
Swivel
16' of 1 1/2" bottom chain
4,000 lb
mooring block
Bottom

Caption

Lantern Net Line

*Not to scale



Maine Coast Marine Maps
Illustrator: Alicia Gaiero

Caption

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.

A "bird away" kite may be employed, produced by OysterGro. The OysterGro mesh bags within wire cages are predator proof.

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 phots 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 2 weeks before harvest, attaching physical detergents (i.e. zip ties) to gear…..

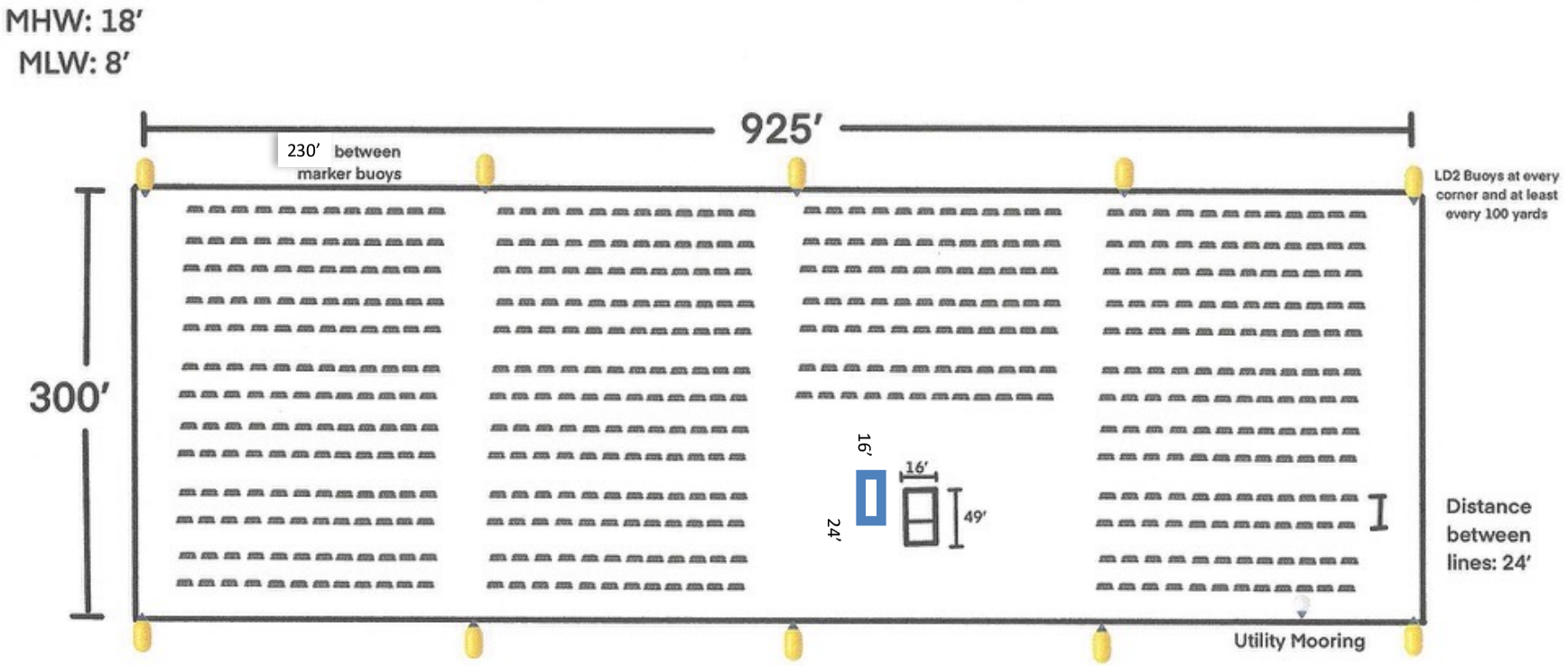
We will deploy a "bird away" kite from July through October, 1-2 randomly repositioned weekly within the lease site. This is shown to be effective at preventing roosting.

9. NOISE AND LIGHT

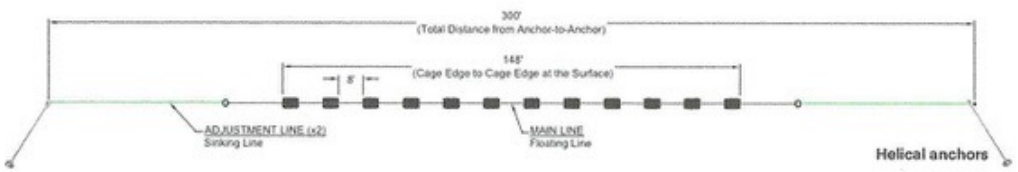
Directions: If a question does not pertain to your proposed operations, please write "**not applicable**" or "**N/A**."

A. What type of boats will be used on the site? When and how often will these vessels be on the site?

Thomas Henninger Standard Lease Overhead View



OysterGro® Line Configuration



Represents surface cage , bottom cage, lantern net or bird away device

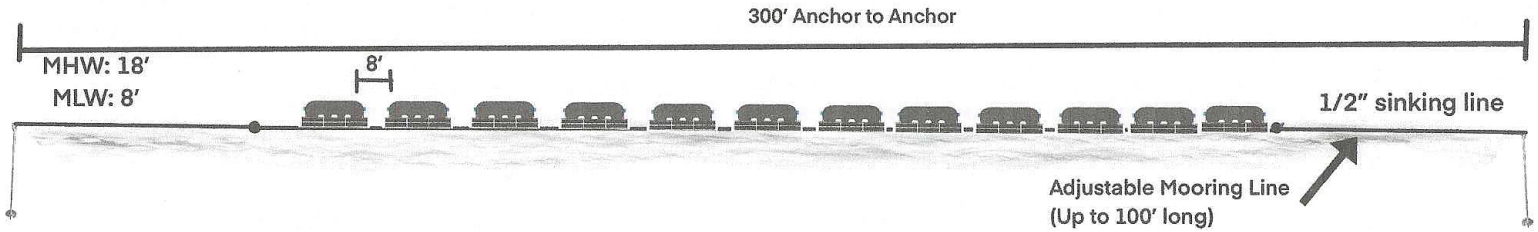
*Not to scale

Maine Coast Marine Maps

12 Cage Line

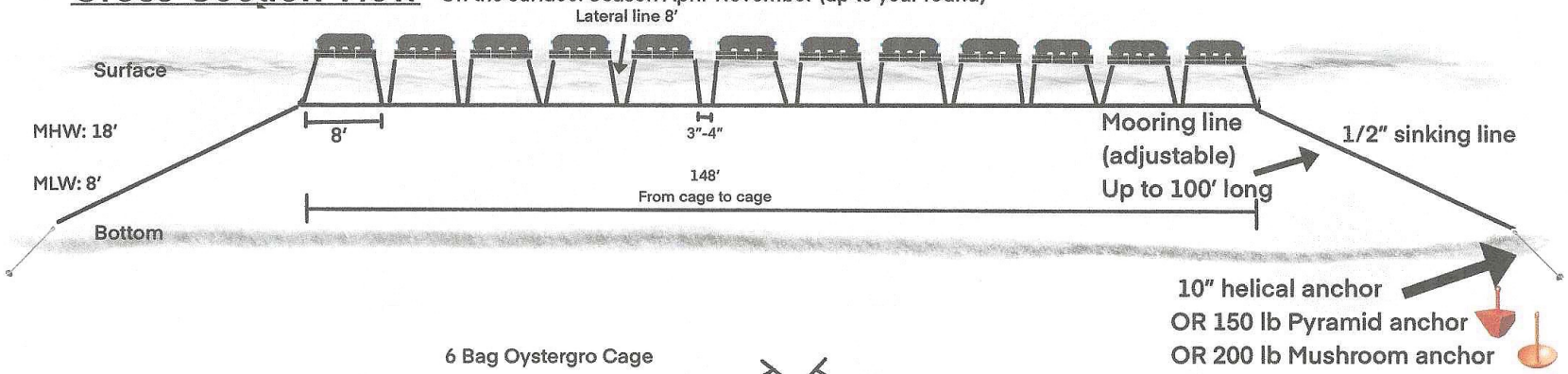
*Not to scale

Overhead view

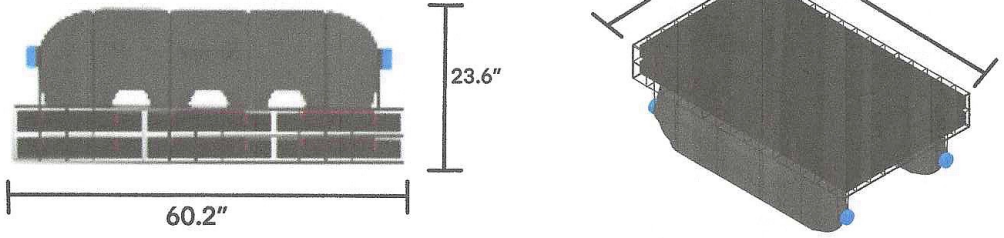


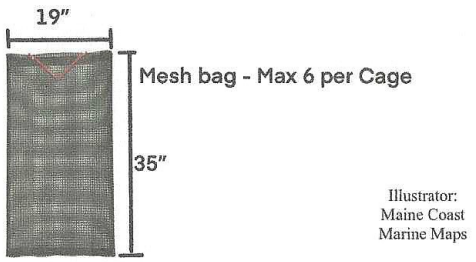
Cross-Section View

On the surface: Season April-November (up to year round)



6 Bag Oystergro Cage





Illustrator:
Maine Coast
Marine Maps

Alicia Caiero

Caption

Rev 05/20/2021

Rev 6/17/2020

Caption

Rev 05/20/2021

A 28 foot skiff (or smaller) with a 115 HP, 4 stroke (or smaller) engine will be on site 4 - 7 days per week during the growing season and approximately once weekly to every other week over the winter. We aim to utilize electric boat motors when possible

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?

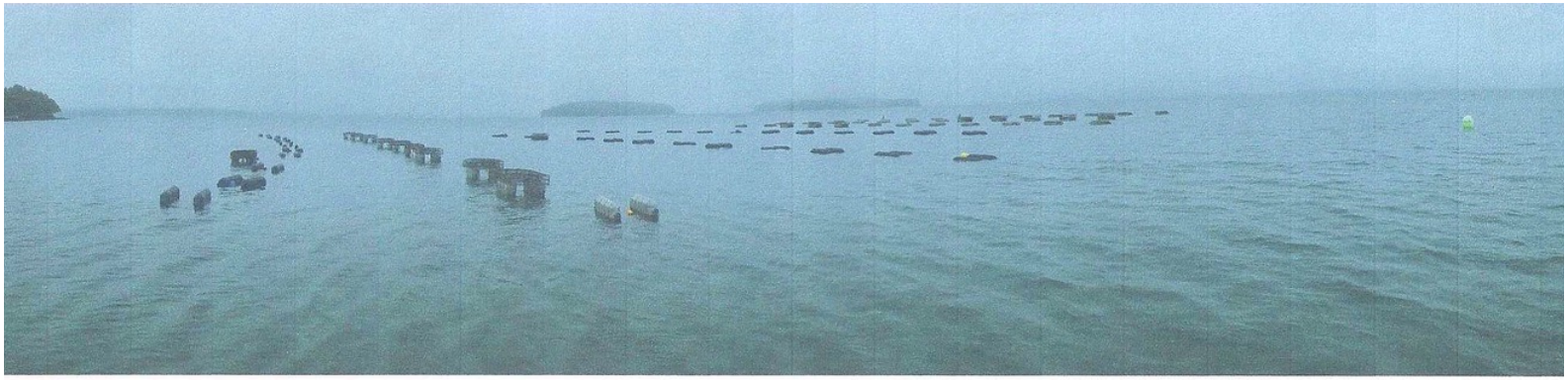
Tumbling and sorting is performed using a tumbler-sorter powered by a Honda EB 6500 generator. A wash down pump will be powered by either a 4 stroke gasoline engine or by a Honda WMP20 water pump. The tumbler-sorter may be used 1-5 days per week between 9:00am and 5:00 pm (May through October). Tumbling and sorting may occur continuously from 9am to 5 pm and can be up to 5 days/week but usually runs 4 - 5 hours 1-3 days/week. The wash down pump is used at the end of each work session up to 1 hour 5 days/week. No gasoline is stored on the site. Gas tanks for generators are filled from tanks on the boat.

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

We limit the boat engines on the lease to smaller, 4 stroke outboards which are quiet and efficient. We hope to gradually replace gasoline engines with electric boat motors as a means of addressing noise and further enhancing the sustainability of our operations. The tumbler-sorter is insulated with sound baffling materials. The generator operates partially covered by a sound-insulated box.

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.

Not applicable. In rare, emergent weather situations demanding work after dark, head lamps would be used for light



Panoramic view from 43.768432, -70.119902
Proposed gear orientation runs perpendicular to the existing view.
The proposed standard lease extends 625' beyond the last line of cages (far right) seen in this image.

E. Indicate under what circumstances you might work at your site beyond daylight hours.
If a major storm was approaching, in an emergent situation, we may need to be at the lease after dark, sinking cages to the bottom (using head lamps). Usually there is sufficient warning to accomplish work during 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 currently have an experimental lease within the area of the proposed lease (CAS LJ2x) and have 250,000 oysters currently in bags within cages. We had an LPA in the area prior to obtaining the experimental lease (2018). Thomas Henninger has 2 LPAs south of the bridge to Cousin's Island (THEN118, THEN418); Heidi Henninger has 2 LPAs adjacent (HHEN 319, 419). A standard lease was fully executed in Broad Cover (CAS BC3) as of 08/17/2022. We have LPAs for floating upwellers to upwell 1-2 mm oyster seed to the 1/2" size currently on the Cousin's River (HHEN119, HHEN520 and THEN522) and on the Royal River (HHEN119).

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.
The proposed lease will replace the current experimental lease at the same site (CAS LJ2x). The other projects will not be affected.

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?
8-12 feet

B. What are the approximate depths at mean high water?
16-20 feet

C. Provide the approximate current speed and direction during the ebb and flow.
North < --- > South at 0-2 knots

D. The following questions (D.1 through D.6) may be answered in writing or by submitting a video. If you plan to submit a video, please contact the Department prior to video collection.
1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?
Sticky mud
2. Describe the bottom topography (flat, steep rough, etc.).
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?
Abundant skeleton shrimp, ctenophores, sporadic mackerel, silversides.
4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.
No.
5. Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.
No eelgrass has been observed on the site. According to the DMR Eelgrass map there may be some eelgrass near the site 100 - 110 feet to the south of the site in 4 feet of water. See vicinity map for visual. Our family (Nathaniel and Heidi Henninger) dive on the site regularly including several times during 2021 both in the summer and winter months most recently May 2022 and November 2022
6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)
The shore is mixed upland forest on the Little John side and residential dwelling on the Cousin's Island side.

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

☐ Yes ☒ No

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

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

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 the activity occurs; c) frequency; and d) proximity to the lease site.

1. Commercial Fishing

No commercial fishing has been observed at the proposed lease site. There have been a small number of lobster pots observed in the surrounding area over the summers of 2017 -2021, none within the proposed lease site. In the summer 2022, Thomas Henninger observed 2-3 lobster pots 1000 feet to the east.

2. Recreational Fishing

No recreational fishing has been observed within the area of the proposed lease. Minimal recreational fishing has been observed in the area outside of the cove around the northeast point of Little John Island. One boat observed 1-2 times per month on the reef northeast end of Little John Island, 1500 ft southeast of the site (June through September)

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

Sporadic boating has been observed in the summer. Most boaters venture in to reach the few nearby properties. The closest navigable channel from the site at low tide is 1300 feet to the east (23' depth). Boats are mostly observed traveling south 1-2 x/day, southeast out of Yarmouth Harbor. They pass well to the east to avoid the reef off the NE tip of Little John. Can #1 is 1 mile from the proposed site.

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

The proposed lease site is sufficiently far from riparian landowner's docks that it will not affect ingress or egress

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

Kayaking and paddle-boarding traffic is light in this area. The closest kayakers have been observed is along the shore of LJ Island. They are welcome to paddle within the site.

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. The closest dock is over 1150 feet away.

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

D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 1000 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
HERR120, HERR220, AGAI121, AGAI221 There is an experimental lease at 980' to the southwest, CAS LJ1x

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.
We do not request that any activities be prohibited. Recreational boaters are welcome to approach and observe operations. Similarly, lobsterman are welcome to set their traps within the lease, taking care to avoid fouling of gear. Paddlers can easily navigate between cages and are encouraged to do so

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. 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 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 time, so please ensure there will be no additional changes to the application before mailing 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

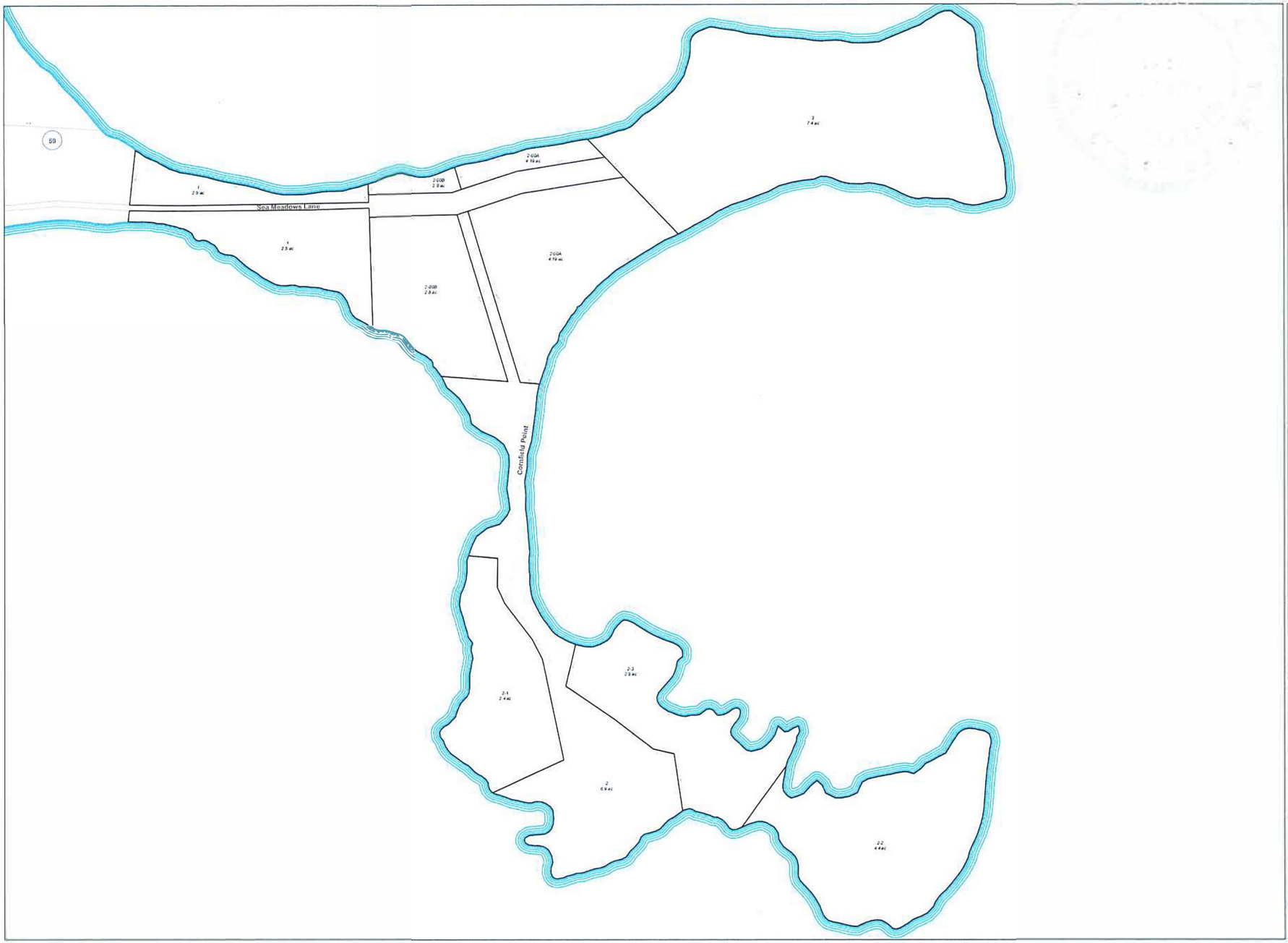
Note: If you selected yes, you will need to complete the landowner permission requirements included in "19. Landowner/Municipal Permission Requirements" of this application.

C. How will you access the proposed site?

Boats launch from either Madeleine Point in Yarmouth or from Sea Meadows Marina on the Cousins River, also Yarmouth

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

Our activities will not affect riparian ingress or egress.



Assessors Maps

Property Boundary

Paper Streets

Water Body

45 Map Number

Sample Property Label

Lot 3
Unit 31
1.2 Acres

0 100 200
1 inch = 100 feet

The Town of Yarmouth shall not be held liable for discrepancies in land conveyance based on the content of these maps. The maps are for assessing purposes only. Maps revised to 2021.

MAP 60

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE CERTIFIED

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

TOWN OF: Yarmouth

MAP #	LOT #	Landowner name(s) and address(es)
60	2-2	Karamanoglu Selcuk, 90 Cornfield Point Road, Yarmouth, ME 04096

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

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

SIGNED: Jennifer J Doten **DATE:** 1/3/2022

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.
Thomas Henninger started working in the oystering business at age 11. He has a degree in biology and a 100 ton Captain's license. He has twice attended the Aquaculture in Shared Waters (AQSW) course offered by SeaGrant and completed AQSW 2.0. Thomas posses an aquaculture license 9336, a shellfish dealer's license (ME 17617-SS), a sea scallop spat aquaculture license (19603). Each member of the Henninger family is a certified open ocean (or advanced open ocean) diver. As the owner of Madeleine Point Oyster Farms, Thomas has been selling market oysters since 2019. He has a standard lease at Broad Cove in Yarmouth, ME. He employs a full time farm manager, Ben Lord, who has over 7 years experience running oyster farms in Canada, Bar Harbor and Alabama.

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.
Our business account is at Bath Savings in Yarmouth, ME. Submitted is a letter of good standing. We also submitted letters from our funding partner, CEI. We have fully paid off our first loan from FAME; enclosed is a letter of debt repayment in full.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.
Most of the capital investment creating the infrastructure for the farm has been completed. The primary future costs are for the cages and bags (plus moorings, lines and anchors) needed to increase from our current capacity (up to $ 100,000). Our boat, trailer and engine are new so maintenance should be supported by selling product.

17. ESCROW ACCOUNT OR PERFORMANCE BOND

Check the category that describes your operation:

Check Here	Lease Category	Amount of Required Escrow or Performance Bond
☐	**No gear/structure, no discharge**	$500.00
☐	**No gear/structure, discharge**	$500.00
☐	**≤ 400 square feet of gear/structure, no discharge**	$1,500.00
☒	**>400 square feet of gear/structure, no discharge**	$5,000.00*
☐	**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*) Thomas Henninger 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.

X _____ 08/23/2022

Applicant Signature **Date**

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

11/28/2022 revised

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**

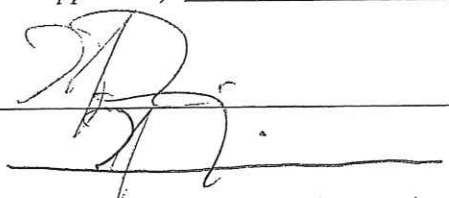
Note: Add title if signing on behalf of a corporate applicant.

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 Thomas Henninger Thomas Henninger

Title (*if corporate applicant*): N/A

Signature:  Date: 03/28/2022

8/23/2022 Final Application revised 4/28/202

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.

FINANCE AUTHORITY OF MAINE

February 23, 2022

SeaChange, LLC
Thomas Henninger
Heidi Henninger
492 W. Elm Street
Yarmouth, ME 04096

RE: Agricultural Marketing Loan Fund Loan

Dear Mr. Henninger and Dr. Henninger:

Our records show that your Agricultural Marketing Loan Fund loan has been paid in full. Attached are the following:

1) The original Promissory Note stamped *"PAID IN FULL"*.

2) A copy of the Discharge of Mortgage, which has been sent to the Cumberland County Registry of Deeds for filing. The original Discharge should be returned directly to you from the Registry.

3) A copy of the Satisfaction or Release of Mortgage, which has been sent (by email) to the National Vessel Documentation Center for filing.

4) A refund of final overpayment in the amount of $537.12.

Please take a few minutes to contact your insurance agent and request that the lien holder/mortgagee/loss payee be removed from the policy.

On behalf of the Agricultural Marketing Loan Fund, Department of Agriculture, Conservation and Forestry and Commissioner Amanda E. Beal, we want to thank you for your timely payment of this obligation.

Sincerely,

Laurie Garrison
Commercial Loan Assistant

/LG
Enclosures (3)

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CEI

November 8, 2022

To Whom it May Concern:

SeaChange LLC dba Madeline Point Oyster Farm, a Maine Limited Liability Company is a sole member LLC, and Thomas Henninger is the sole member.

Mr. Henninger is a current loan client of CEI and his accounts with CEI have been in good standing since 2019.

Respectfully Submitted,

Molly C. Gerencer
Loan and Investment Officer
molly.gerencer@ceimaine.org
207-800-7109

30 Federal Street Suite 100 Brunswick, ME 04011
207.504.5900 877.340.2649 *fax* 207.882.7308 www.ceimaine.org

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