

STANDARD LEASE APPLICATION: NON-DISCHARGE

1. APPLICANT CONTACT INFORMATION

Applicant	Keith Miller		
Contact Person	Keith Miller		
Address	11 Eagle Quarry Road		
City	Spruce Head		
State, Zip	Maine, 04859		
County	Knox		
Telephone	(207) 681-9308 (primary contact method)		
Email	n/a		
Type of Application	<input type="checkbox"/> Draft Application [submitted before scoping session session] <input checked="" type="checkbox"/> Final Application [submitted after scoping session]		
Dates	Pre-Application Meeting: May 2022	Draft Application Submitted: 6/9/2022	Scoping Session: 1/17/2023
Payment Type	Draft Application: <input checked="" type="checkbox"/> Check <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	St. George
Waterbody	Penobscot Bay
General Description (e.g. south of B Island)	Southeast of Elwell Island in Rackliff Bay
Lease Information	
Total acreage requested (100-acre maximum)	11 acres
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):	WV
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 or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Sugar Kelp (<i>Saccharina latissima</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed Primary Species to be grown (combined)
2. Skinny Kelp (<i>Saccharina angustissima</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)
3. Winged Kelp (<i>Alaria esculenta</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)
4. Horsetail / Fingered Kelp (<i>Laminaria digitata</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)
5. Shotgun Kelp (<i>Agarum cribosum</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)
6. Dulse (<i>Palmaria palmata</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)
7. Irish Moss (<i>Chondrus crispus</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)
8. Sea Lettuce (<i>Ulva lactuca</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	14,000 ft seed (combined)

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

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

5. VICINITY MAP

Note: Please label as: 'Vicinity Map'.

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

The map needs to display the following:

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

6. BOUNDARY DRAWING

Note: Please label as: 'Boundary Drawing'.

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

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

7. SITE DEVELOPMENT

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

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

A. Gear Information

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

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

Specific Gear Type <i>(e.g. soft mesh bag)</i>	Dimensions <i>(e.g. 16"x20"x2")</i>	Time of year gear will be deployed <i>(e.g. Spring, Winter, etc.)</i>	Maximum amount of this gear type that will be deployed on the site <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	Species that will be grown using this gear type
Marine Algae Culture lines	3/8" rope 1,000 ft long	October 1st - June 30th	14 culture lines	Marine Algae
Depth control buoys	Traditional lobster buoys	October 1st - June 30th	70 buoys	Marine Algae
Moorings buoys	Poly balls or GoDeep Buoys	October 1st - June 30th	32 buoys	Marine Algae
Moorings lines	3 strand nylon rope , 25ft	All year	32 lines	Marine Algae
Moorings Chain	25ft long sections	All year	32 each	Marine Algae
Lease corner markers	Low drag buoys	All year	4 buoys	Marine Algae

Moorings- on each end of the culture lines	1,000 lbs concrete blocks	All year	32 each	Marine Algae
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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 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 hazardous materials will be used on the site.

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
Mixed style and color lobster buoys will be used as depth control buoys across the farm. The site will be marked with the required yellow marker buoys at the lease corners and along the long-side of the farm. Orange or white poly balls will be used to mark moorings.

E. Equipment Layout

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

F. Marking

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? 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. Effective January 1, 2023, marker buoys need to be yellow and host reflective material. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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: 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 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.

Kelp seeding will take place between October 1st - December 31st (depending on seed availability) and will take roughly one week to complete.
In the future, red and green seaweed species would be deployed in late February, early March and could take 2-3 days to complete.

B. Please explain your proposed tending/maintenance activities.

Longlines will be monitored at a minimum of every two weeks and after any significant storm during the growing season. In the spring, (March & April) additional time at the site may be needed to monitor for fouling and to add counterweights to the culture lines, as needed.

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

Longlines will be monitored at a minimum of every two weeks and after any significant storm during the growing season. In the spring, (March & April) additional time (approximately 1-3 days/week) at the site may be needed to monitor for fouling and to add counterweights to the culture lines, as needed.

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

Harvesting will be done using my lobster boat. Longlines will be hauled using a winch mounted on deck and through a block hanging off a secured boom. Kelp will be cut by hand from the longline. Once the kelp is cut from the line it will be transferred by hand into harvest bags on the deck of the boat and then offloaded at the dock later that day.

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

I will be at the kelp farm on favorable weather days during the harvest season depending on market demand. Harvesting typically occurs between April and June. I estimate it could take 7-10 working days to harvest, depending on weather and kelp biomass. All species, current kelp and future reds and greens, will be harvested to completion between April and June.

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.

Only moorings and required lease markings will remain on the site year round. All culture lines and depth control buoys will be removed from the farm site once the kelp is cut from the line at harvest. The culture lines and depth control buoys will be brought to shore and stored for next season on my property.

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

No predator control techniques will be used on the proposed lease site.

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)

N/A

9. NOISE AND LIGHT

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

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

A lobster boat will be used to set and retrieve gear (moorings & longlines) and also used for harvesting operations. Skiffs will be used to seed the long lines in the fall and assist in tending the gear for detail oriented tasks.

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 powered equipment will be used on the site other than the pot hauler during setting of gear and harvest.

<p>C. Specify how you intend to reduce noise levels from the boats and other powered equipment.</p>
<p>All seeding, monitoring and harvesting operations are done by hand on the boats and require no powered equipment. There will be minimum engine noise that will not exceed what is typical for traditional lobster fishing operations in the area. All farm work occurs during the day so there will be no noise after dark.</p>

<p>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.</p>
<p>N/A</p>

<p>E. Indicate under what circumstances you might work at your site beyond daylight hours.</p>
<p>N/A</p>

10. CURRENT OPERATIONS

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

<p>A. Describe your existing aquaculture operations, including the acronyms of all active leases and/or licenses.</p>
<p>I currently hold 3 experimental leases: Pen RBx, PEN EIx, PEN Nix.</p>

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.

Experimental lease PEN RBx expired on 5/31/2022 and will be replaced with this standard lease application.

Experimental leases PEN Nix & PEN Eix expire on 5/31/23 and 6/19/23, respectively, and are all in the process of being converted to standard leases. I will continue to operate these leases if I am granted this standard 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?

17ft at the NW corner and 30ft at the SE corner

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

27ft at the NW corner and 40ft at the SE corner

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

1 knot running approx. south to 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.)?

Gravelly mud

2. Describe the bottom topography (flat, steep rough, etc.).
Flat bottom
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?
Small American lobster and crabs are common and typically seen in the summer months of July and August. These sightings are based on my observations over my 40+ years of fishing in this area.
4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.
No shellfish beds. No known fish migration routes.
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.
None known.
6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)
The uplands of Elwell island is evergreen forest with a rocky shoreline.

<p>E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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Note: The location of Essential Habitats in the State of Maine, along with information on how projects within these areas are reviewed, can be found here: <https://www.maine.gov/ifw/fish-wildlife/wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html>

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

12. EXISTING USES

<p>A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.</p>
<p>1. Commercial Fishing</p>
<p>No commercial fishing occurs when the farm will be active, October - June. Lobstering is common on and in the general vicinity of the site during July and August when the site won't be active and most gear is removed.</p>
<p>2. Recreational Fishing</p>
<p>No recreational fishing has been observed on or near the site at any time of year.</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</p>
<p>The site is not located near a navigable channel. During the winter there is no boating activity on or near the site. During July and August boats will be lobstering on or near the site.</p>
<p>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.)</p>
<p>I don't expect the proposed site to have any negative impact on the ingress or egress of shorefront property owners. Most property owners within 1,000' of the proposed site are residential and will not be present when the farm is in operation. There are no nearby moorings or docks.</p>
<p>5. Other uses (kayaking, swimming, etc.)</p>
<p>None known.</p>

B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.

No.

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 lease 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>

There are no aquaculture licences or aquaculture leases within 1,000' 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.

Exclusive use of the site would be requested from October 1st to June 30th. During this time period, all boats would be asked to transit around the lease area to maintain farm gear and safe navigation for all users. During the remainder of the year, I'd welcome fishing and boating on the site that doesn't interfere with the moorings.

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 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?

Access to the proposed lease site will be by boat, leaving from Wheeler’s Bay, Penobscot Bay.

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

There will be no direct affect on riparian ingress and egress. There will be navigable waterways around all sides of the proposed lease site.

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.

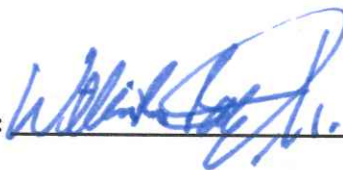
TOWN OF: St. George

MAP #	LOT #	Landowner name(s) and address(es)
226	002	Smith, Baxter A. & Melody G., Trustees 10023 Old Furnace Road Seaford, DE 19973
226	002-1ON	Smith, Baxter 10023 Old Furnace Road Seaford, DE 19973
226	002-ON	Brown, Florence 13 Sewall Lane Topsham, ME 04086
226	003	Hooper, Fiona Mary Baigrie P.O. Box 209 490 Port Clyde Road Tenants Harbor, ME 04860
230	57	Panzara, Michael A. & Emanuela Gussoni 73 Bacon Street Winchester, MA 01890

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, William P. Ruddy, Jr. ^{Deputy}, Town Clerk for the Town of St. George certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

SIGNED:  DATE: 6/17/23

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE CERTIFIED

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

TOWN OF:

MAP #	LOT #	Landowner name(s) and address(es)
226	2.477 AC 015-005	Baxter Smith (Summer Resident on Eagle Island) 10023 Old Furnace Rd. Seaford, DE 19973
226	11 AC 017-199	Fiona Mary Balgrie Hooper (Full Time Resident of Elwell Island) P.O. Box 209 490 Port Clyde Rd. Tenants Harbor, ME 04860
226	8.1 AC 017-200	Maine Coast Heritage Trust One Bowdoin Mill Island, Suite 201 Topsham, ME 04086
226	6.3 AC 017-201	Fiona Mary Balgrie Hooper (Full Time Resident of Elwell Island) P.O. Box 209 490 Port Clyde Rd. Tenants Harbor, ME 04860
226	0.66 AC 017-203	Fredrick J. Mazzone 80 Michigan Ave. Tenants Harbor ME 04860
230	1.816 AC 017-097	Michael A. Panzara & Emanuela Gussoni 73 Bacon St. Winchester, MA 01890

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, William Balgrie, Jr ^{Dept}, Town Clerk for the Town of St George certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

SIGNED:  DATE: 3/10/23

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.

I have been kelp farming for 5 years. Documentation of success is available using DMR's Landings program. I have participated in farmer training from both the Island Institute and Atlantic Sea Farms through their partner farmer program. I currently hold 3 experimental leases to farm kelp.

16. FINANCIAL CAPABILITY

A. Financial Capability

Please provide a letter from a financial institution indicating the applicant has an account in good standing.

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

I currently own all gear necessary for implementation of the proposed lease.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Roughly \$4,000.00 to maintain the cost of the ropes, buoys, and tending moorings per season. Vessels require an additional \$1,000.00 per season for maintenance and upkeep.

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) Kerth R. Miller 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.

Kerth R. Miller
Applicant Signature

6/7/23
Date

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

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

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

Applicant Signature
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: Keith R. Miller

Title (if corporate applicant): Owner

Signature: Keith R. Miller Date: 6/7/23

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/MUNICIPAL 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.

Figure 1: (Section 5) Vicinity Map

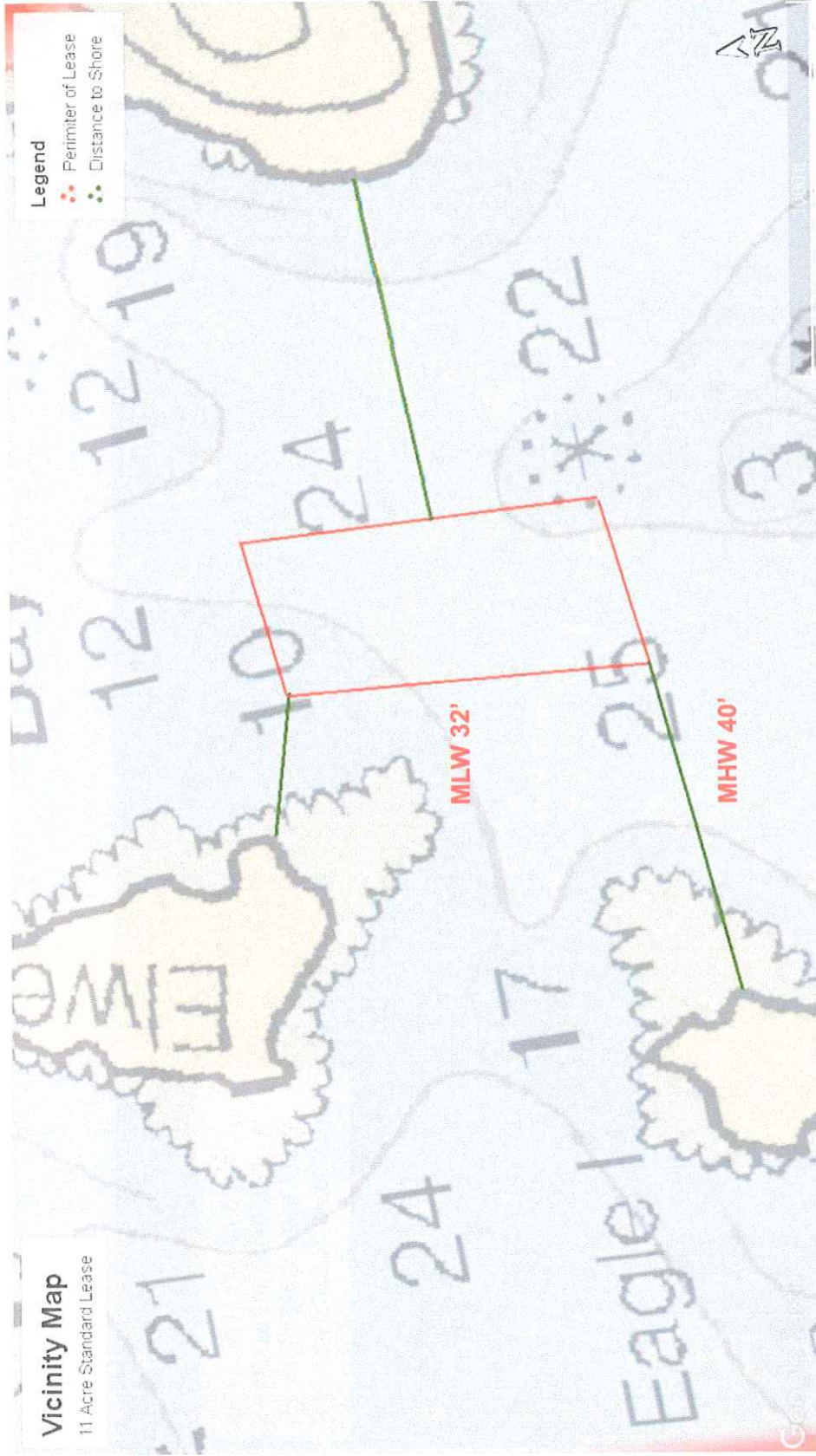


Figure 2: (Section 6) Boundary Drawing

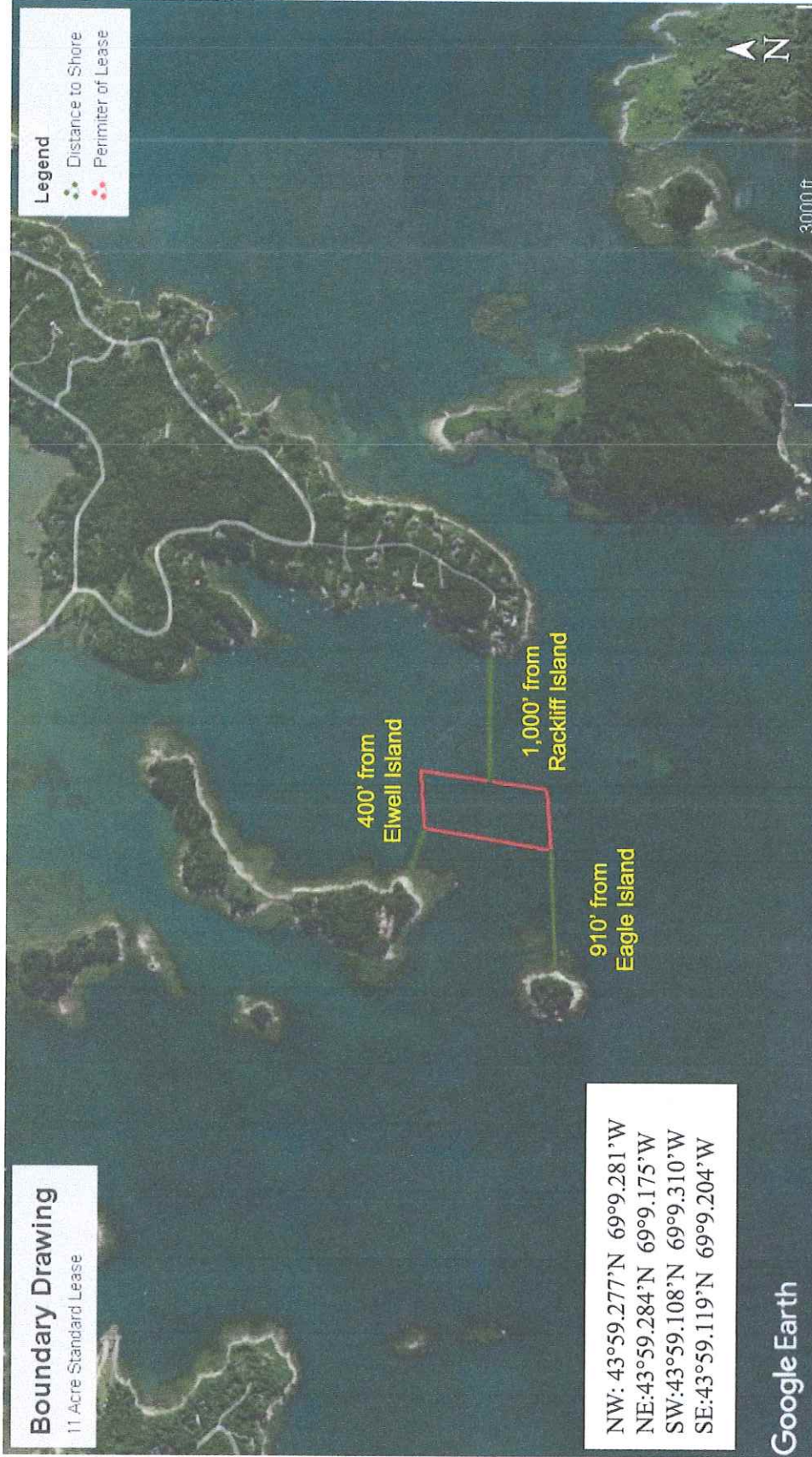


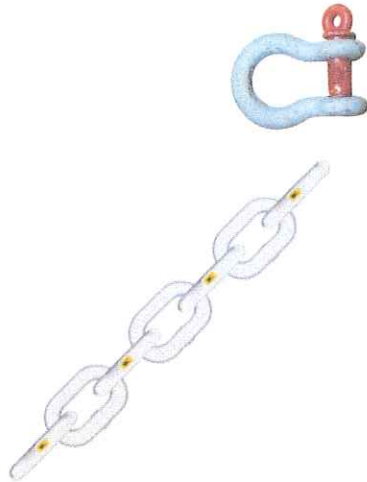
Figure 3: (Section 7.A.1.) Gear Drawing



Figure 3: (Section 7.A.1.) Gear Drawing



1,000 lbs Mooring blocks with staple



Mooring Chain & Shackle

Figure 4: (Section 7.B.1.) Overhead View

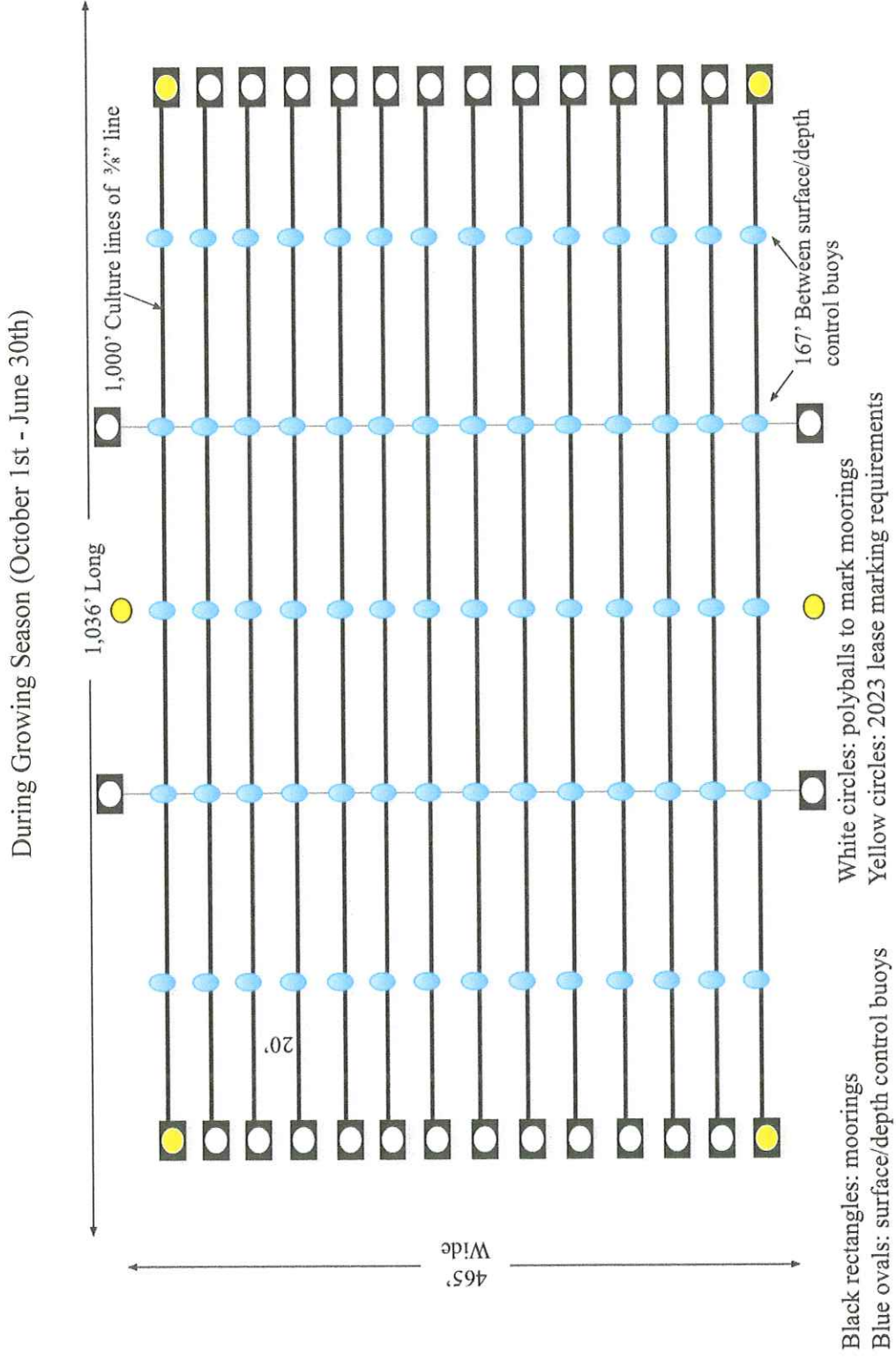


Figure 5: (Section 7.B.1.) Overhead View

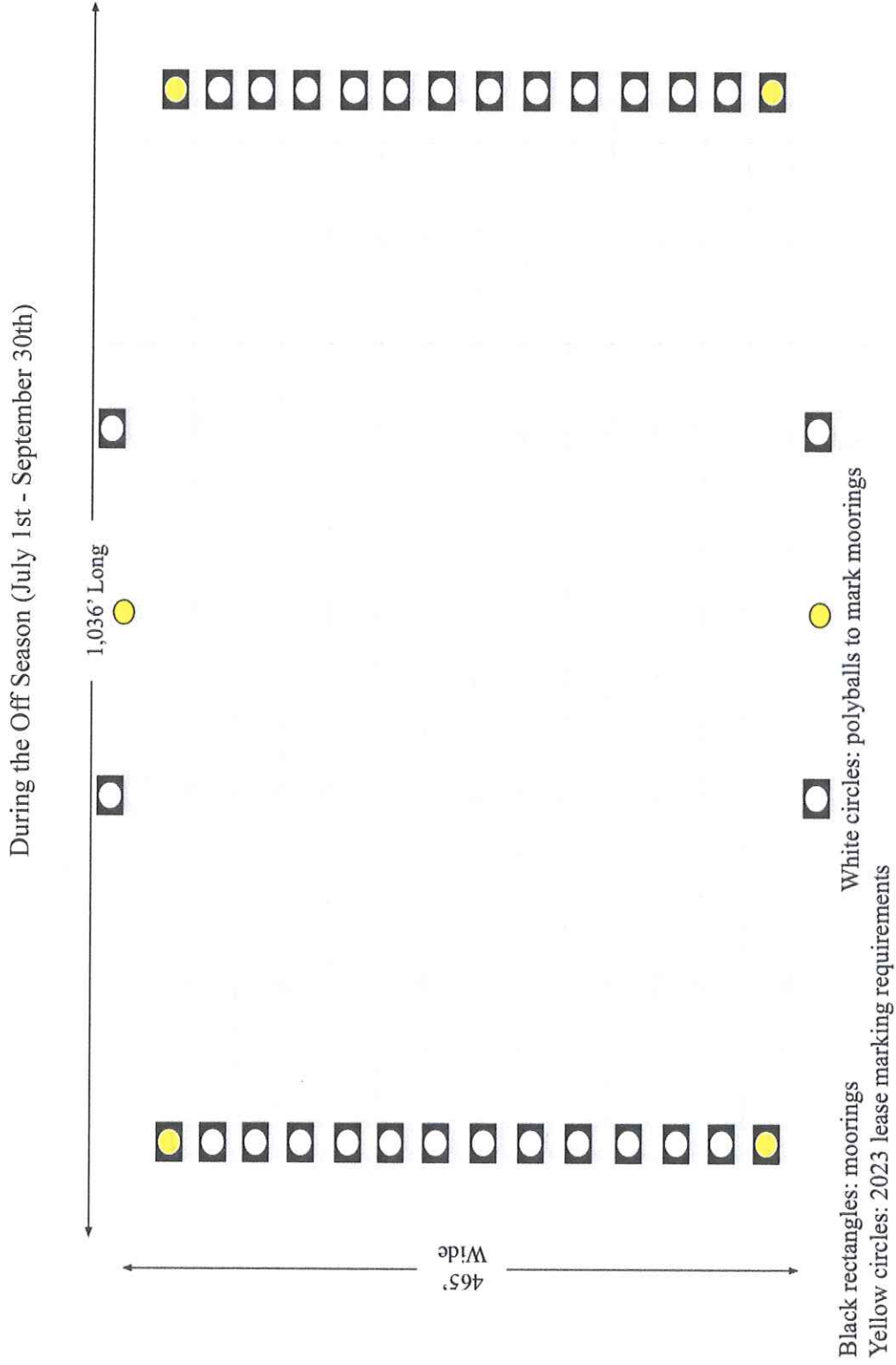


Figure 6: (Section 7.B.2.) Cross Section View

During Growing Season (October 1st - June 30th)

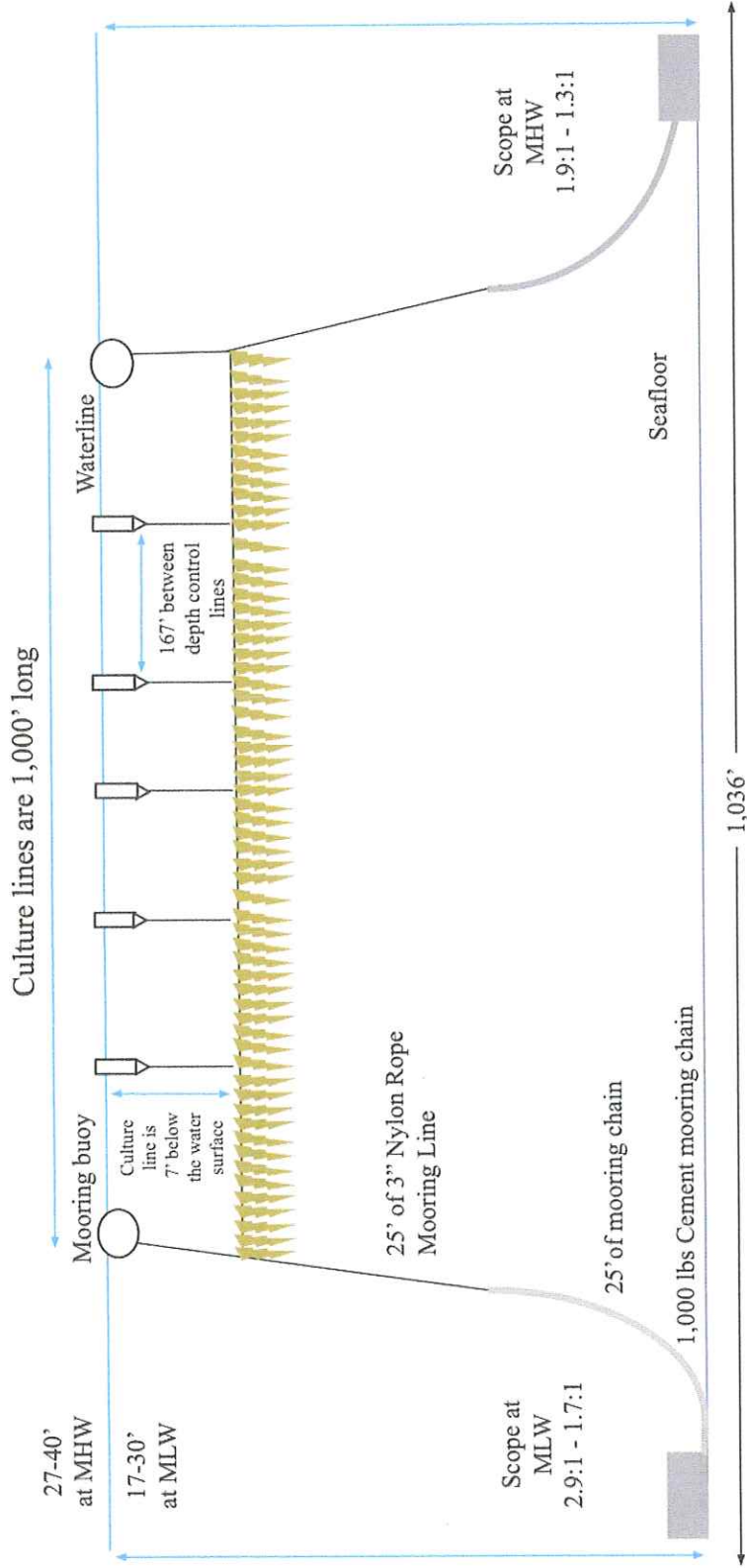


Figure 7: (Section 7.B.2.) Cross Section View

During the Off Season (July 1st - September 30th)

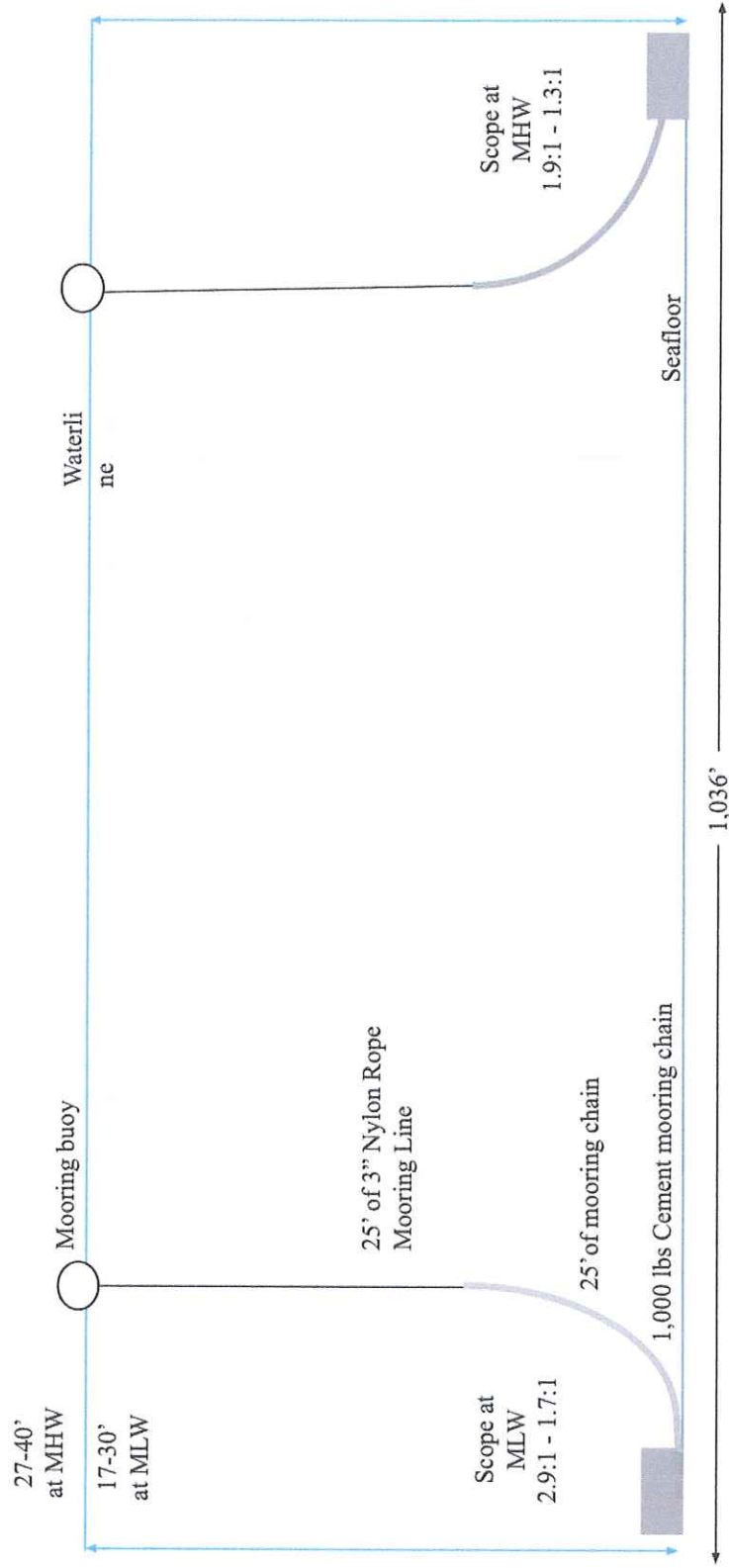


Figure 8: (Section 7.E.) Equipment Layout.

Vantage Point One: Looking SW towards Eagle Island, some white polyball mooring markers can be seen at the surface. An orange polyball also marks the lease boundary at the surface.

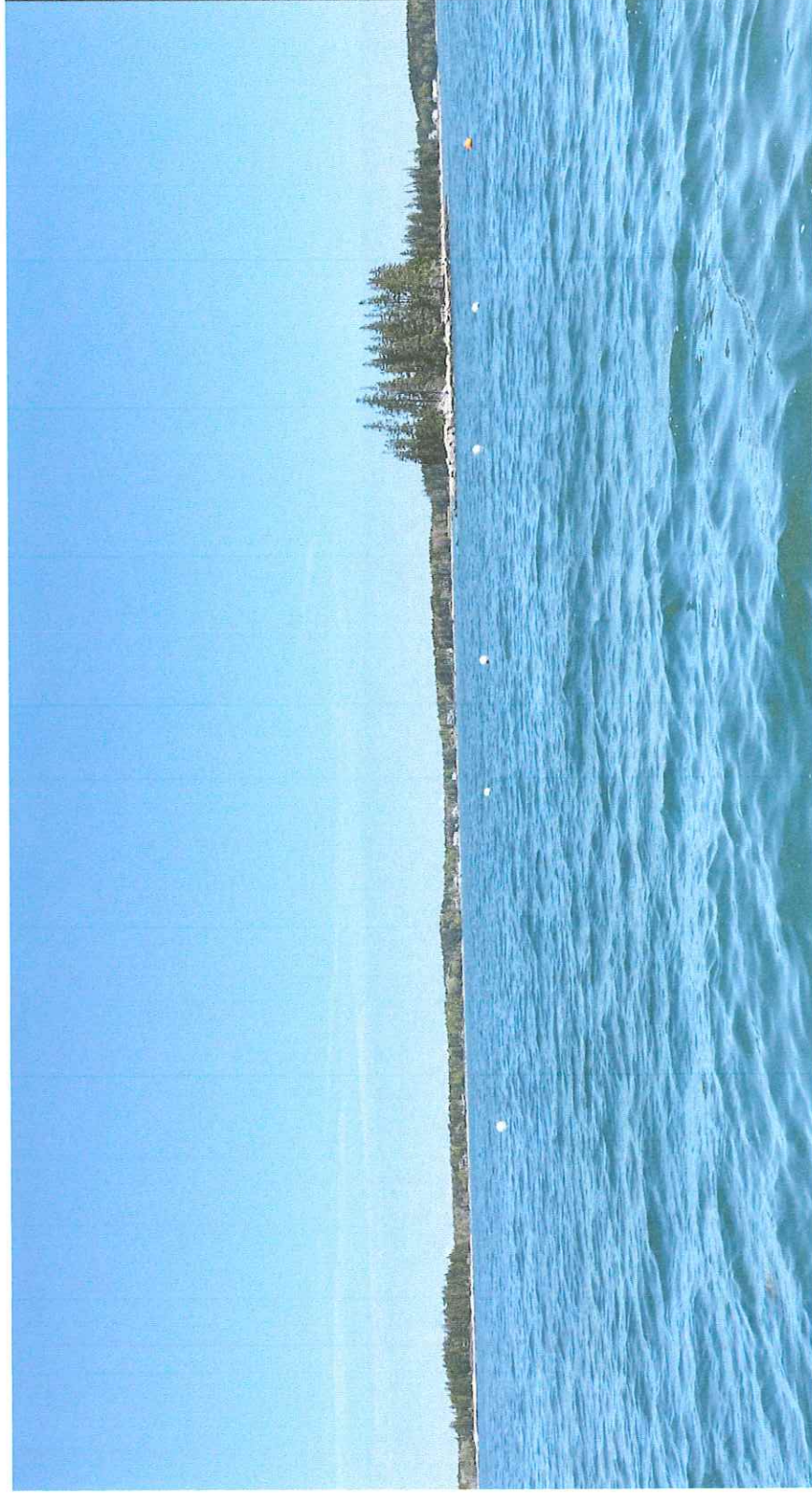


Figure 8: (Section 7.E.) Equipment Layout.
Vantage Point Two: Looking NW towards Elwell Island, some white and red polyballs can be seen marking moorings at the surface.

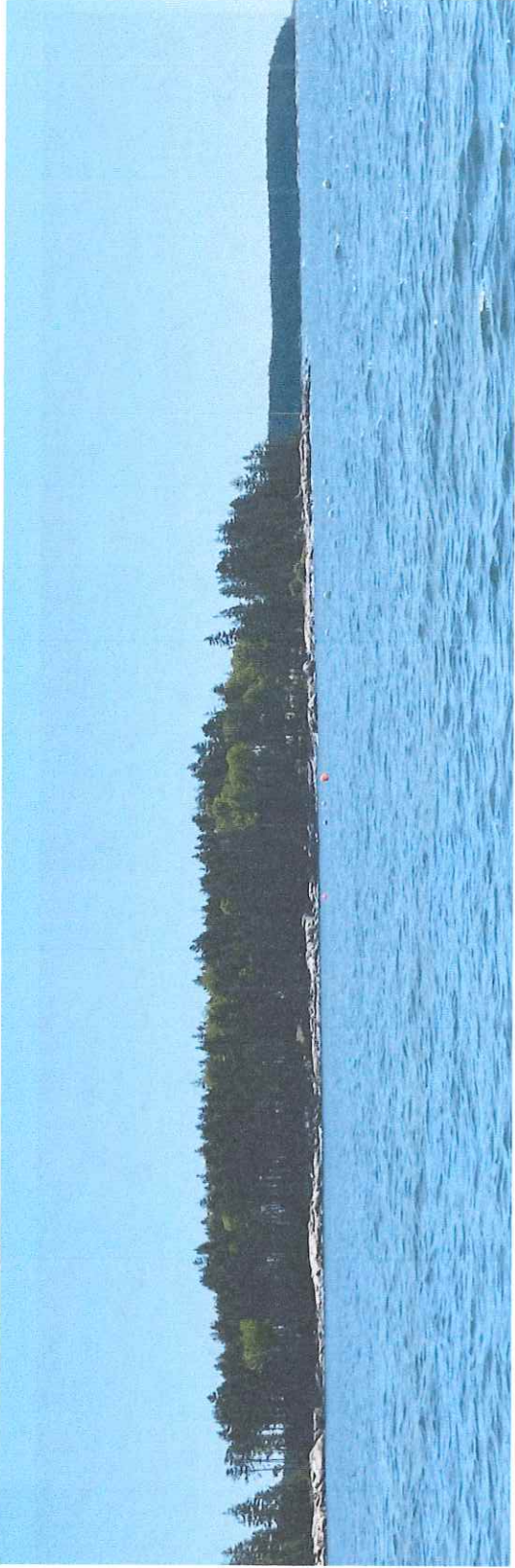


Figure 9: (Section 14.A.1.) Tax Map 226: Town of St. George

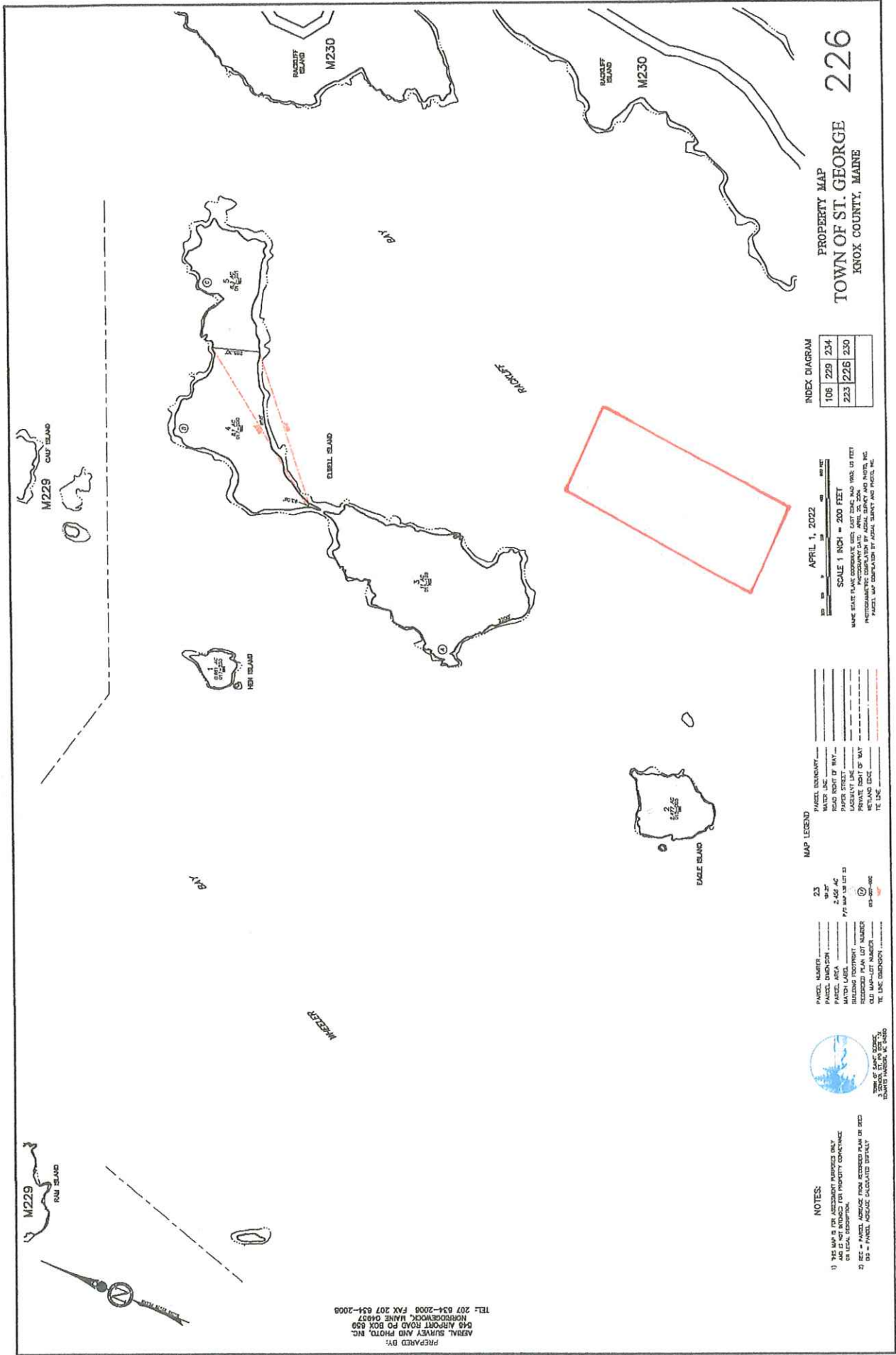
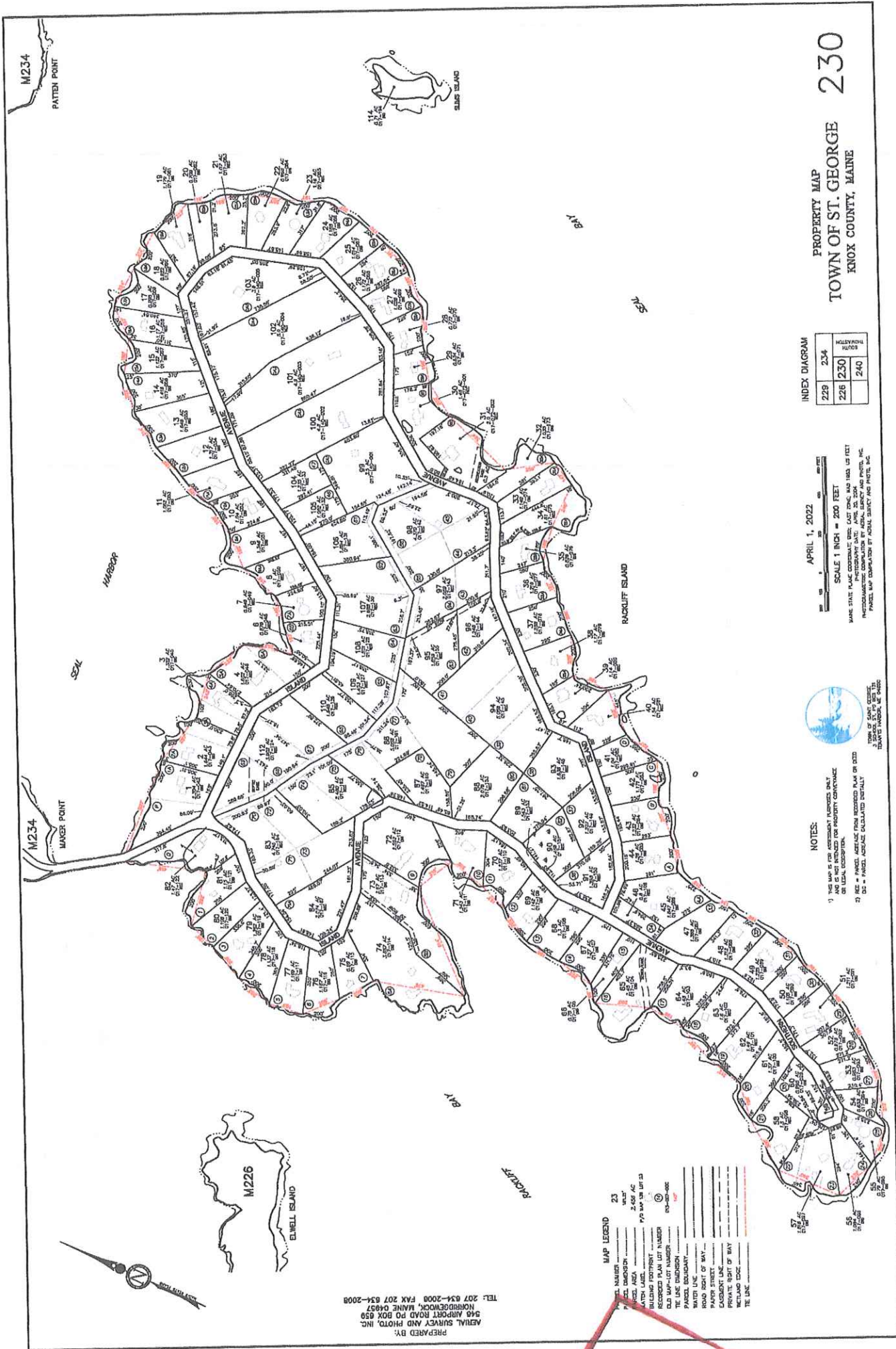


Figure 10: (Section 14.A.1.) Tax Map 230: Town of St. George





Experienced people. Exceptional service.

August 5, 2022

Department of Aquaculture,

This letter is to certify that Keith Miller is in good financial standing with Machias Savings Bank.

A handwritten signature in cursive script, appearing to read "Lisa Gundel", is written over a faint horizontal line.

Lisa Gundel

AVP/Branch Manager