

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

Applicant	Arnold Francis		
Contact Person	Arnold Francis		
Address	48 Francis Road		
City	Steuben		
State, Zip	Maine, 04680		
County	Washington		
Telephone	207-460-6267		
Email	franlobster@gmail.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application [submitted before scoping session session]		<input type="checkbox"/> Final Application [submitted after scoping session]
Dates	Pre-Application Meeting: 12/2/21	Draft Application Submitted: 12/17/21 2nd Draft: 2/9/22	Scoping Session:
Payment Type	Draft Application: <input type="checkbox"/> Check (included) <input checked="" type="checkbox"/> Credit Card		Final Application: <input 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	Steuben
Waterbody	Dyer Bay
General Description (e.g. south of B Island)	Smelt Brook- lobster pound
Lease Information	
Total acreage requested (100-acre maximum)	3.56 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Note:** If you selected yes, you need to complete the steps outlined in the section titled: "19. pg. 1 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):	EK
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](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>	Downeast Research Institute 39 Wildflower Lane Beals, ME 04611  Muscongus Bay Aquaculture 24 Seal Ledge Lane Bremen, ME 04551  Mook Sea Farm 321 State Rte. 129 Walpole, ME 04573	5,550,000

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)

## 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.

**BEGINNING** at the northwest corner, which is a point with the coordinates 44° 27' 38.38" 67° 53' 59.83" W (all datum is NAD83/WGS84), and following the courses and distances listed below between the northwest, northeast, southeast, southwest, and inner west corners, respectively;

<u>Corner</u>	<u>Latitude</u>	<u>Longitude</u>
NW	44° 27' 38.38" N	67° 53' 59.83" W then 231.11 feet at 92.48° True to
NE	44° 27' 38.25" N	67° 53' 56.65" W then 470.10 feet at 189.76° True to
INE	44° 27' 33.69" N	67° 53' 57.83" W then 26.16 feet at 218.12° True to
ISE	44° 27' 33.48" N	67° 53' 58.06" W then 274.14 feet at 187.16 True to
SE	44° 27' 30.80" N	67° 53' 58.58" W then 336.04 feet at 301.04° True to
SW	44° 27' 32.55" N	67° 54' 02.52" W then 260.86 feet at 41.10° True to
IW	44° 27' 34.47" N	67° 54' 00.12" W then 396.35 feet at 2.25° True NW

to the NW corner and point of beginning;

## 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	Species that will be grown using this gear type
Floating ADPI Oyster Bags	18" x 32" x 6"	Spring-Winter	5,550	American oysters, <i>Crassostrea virginica</i>
Submerged ADPI Oyster Bags	18" x 32" x 3"	Winter-Spring	5,550	American oysters, <i>Crassostrea virginica</i>
6-Bag Oyster Bottom Cages	45" x 40½" x 18"	Winter-Spring	3,973	American oysters, <i>Crassostrea virginica</i>
Floating Line	3/8"	Spring-Winter	15,000'	American oysters, <i>Crassostrea virginica</i>
Sinking Line	3/8"	Year-round	21,750'	American oysters, <i>Crassostrea virginica</i>
40 lb. concrete block anchor	24" x 24" x 16"	Year-round	450	American oysters, <i>Crassostrea virginica</i>
Lobster Buoy	5" x 11"	Year-round	450	American oysters, <i>Crassostrea virginica</i>

**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- I am not proposing the use of on-site support structures.
--

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- I will not store oil, gasoline, and other hazardous materials on-site.
---

**D. Gear Color**

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

Floating bags, submerged bags, and oyster bottom cages are all black in color. Buoys will be white, green, yellow, red, and blue. Floating and sinking lines will be blue or 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.

**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 will be seeded directly into floating bags in the months when oyster seed is or will be available for purchase from the hatcheries (April-October). The timing of seed availability varies, thus seeding activities could occur anywhere between 1-7 days per week. The total number of days that will be spent seeding oysters into bags is estimated to be 14, 8-12 hour work days annually.

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

Tending/maintenance activities include flipping, shaking, and removing biofouling from floating bags, in addition to regularly sorting oysters by size. Tending and maintenance activities also include checking lines and moorings, in addition to seasonal movement of gear between the bottom and surface.

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

Routine tending/maintenance may occur up to 7 days/week (up to 12 hours day) between April-December. During the overwintering period of January-March, tending/maintenance activities are expected to occur less frequently and require less time. Work may occur 4 days/week (up to 8 hours day) during this time period.

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

Harvesting techniques consist of moving oysters from floating and/or submerged bags and bottom cages into a harvest basket or fish tote for sorting and processing.

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

I will be on-site up to 7 days/week (up to 8 hours at a time) to harvest oysters from this site, except in the case of icing conditions which would likely occur during January-March. When icing occurs in the pound, I will not be actively harvesting from the site (0 days/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.

Oysters will remain on-site year-round. In the late fall (October-December), floating oyster bags will be converted to submerged oyster bags which will then be placed onto the bottom of the lease site or into 6-bag oyster bottom cages where they will remain until spring (April-May). Buoys will remain in the same position year-round. Floating lines and floating bags will be removed from the site and stored off-site on private property.

**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.

We plan to deploy (4) scare kites that are attached to posts on the shoreline around the proposed lease site in order to deter birds from roosting on floating gear. We will use commercially available equipment, such as the "Osprey Kite, 44" Wingspan" that is sold by BirdNest.Com. Dimensions of this product are 20"L x 44"W x 3.75"D.

pg. 8



## 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?

I will use (2) 16' skiffs with either 9.9 hp or 15 hp outboard motor on-site. These boats may be on-site up to 7 days/week until icing conditions occur (likely January-March).

**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?

I am not proposing to use powered equipment (e.g. generator, power washer, grading equipment, barges, etc.) except the referenced boats on the proposed lease site.

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

I intend to reduce noise levels from the boats through the selection of appropriate equipment that is consistent with historic uses of this site and other marine uses in the area.

**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 intend to place any fixed lights on-site, but may use up to (4) 300 lumen headlamps if work were to occur beyond daylight hours during the fall and winter months (October-March).

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

We may work at the site beyond daylight hours during the fall and winter months (October – March) when daylight hours are limited.

## 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.

I currently have (2) active experimental leases—DYER BP2x and DYER SBx. In addition to this standard lease application, I submitted a standard lease application in the same location as DYER BP2x.

**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.

I am applying for a standard lease at the same location as DYER SBx. DYER SBx would be relinquished if this lease were to be granted. In addition to this application, I have submitted a standard lease application in the same location as DYER BP2x (lobster pound east of Birch Point).

## 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 5 feet. The proposed site is located entirely within a tidal impoundment, thus depths are partially a function of tide gate management. If the gate were opened, a portion of the proposed lease site would drain and be above mean low water.

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

The approximate depth at mean high water is 12 feet.

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

The current speed is approximately 1 knot. Direction during ebb is to the west. Direction during flow is to the east.

**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 characteristics are sandy mud.

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

The bottom topography of this site is flat.

<p>3. Describe marine organisms by species or common names. Based on your personal observations or other sources of information, are these species abundant, common, or rare?</p>
<p>We occasionally observe periwinkles (common), blue mussels (rare), and green crabs (common) at this site.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>There are no shellfish beds or fish migrations routes at this location because it was formerly a lobster pound. Some clamming may occur in the surrounding area approximately &gt;50' South of the lobster pound, suggesting the presence of shellfish beds.</p>
<p>5. Describe the presence and extent of submerged aquatic vegetation, i.e. eelgrass, within the proposed lease area. Please include the date of this observation along with the method of observation. If submerged aquatic vegetation is observed, please also describe the abundance below and sketch the limits of the beds in the vicinity map.</p>
<p>Eelgrass is not present within the proposed lease area. The pound was drained in July 2019, at which point no eelgrass was visually observed. According to the Maine DMR Aquaculture Map, the nearest location that eelgrass was observed was approximately &gt;600' west of proposed lease site in 2010.</p>
<p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>The shoreline is sandy mud and ledge. Upland characteristics are forested with limited residential development.</p>

<p>E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
--

**Note:** The location of Essential Habitats in the State of Maine, along with information on how projects within these areas are reviewed, can be found here: <https://www.maine.gov/ifw/fish-wildlife/wildlife/endangered-threatened-species/essential-wildlife-habitat/index.html> pg. 12

**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. pg. 12

## 12. EXISTING USES

<b>A.</b> Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.
<b>1. Commercial Fishing</b>
Commercial fishing is not an existing use with the boundaries of the proposed lease because it is a privately-owned, former lobster pound. Occasional clamming may occur approximately 50' south of the lobster pound.
<b>2. Recreational Fishing</b>
Recreational fishing is not an existing use of the proposed area because it is a privately-owned, former lobster pound.
<b>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</b>
Boating is not an existing use of the proposed area because it is a privately-owned, former lobster pound. Access to the pound is blocked by a dam; however, the nearest navigable channel to the proposed site at low water is located approximately 700' SW.
<b>4. Ingress and egress (i.e. coming and going) of shorefront property owners within 1,000 feet of the proposal (e.g. docks, moorings, landing boats on shore, etc.)</b>
Shoreline property owners within 1,000' of the proposal do not enter the area, as it is privately-owned and the pound is blocked by a dam.
<b>5. Other uses (kayaking, swimming, etc.)</b>
No other uses exist in the area because it is a privately-owned, former lobster pound.

<b>B.</b> Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.
Yes, there are (2) private docks outside of the lobster pound, but within 1,000' of the proposed lease. They are located approximately 344' and 529' SE 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.

Yes, Maine Coastal Island NWR Tract 10a is approximately 900' SW of the lobster pound according to the Maine DMR Aquaculture Map.

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>

No, there are no LPA licenses or aquaculture leases within 1,000 feet of the proposed lease site aside from my own.

### 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.

Existing uses aside from my own aquaculture activities are non-existent due to the nature of the lease site as a privately-owned, former lobster pound, thus no additional uses would be permitted inside 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>
  
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?

I will access the proposed site by land that we own.

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

Riparian ingress and egress will remain the same.

**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: Steuben

MAP #	LOT #	Landowner name(s) and address(es)
7	9	Arnold Francis & Marion Alley 1 Francis Road, Steuben, ME 04680
7	4	Louis & Faith Libelo 9413 Bulls Run Parkway, Bethesda, MD 20817
7	21	Jay Russell + Dawn O'Connor 137 Allogusta Drive, Steuben, ME 04680
7	20	James A. Listowich P.O. Box 118, Kingfield, ME 04947
7	19	John Morgan 651 Beach Street, Goshen, CT 06756
7	18	Ellen Cutler 3108 Parker Avenue, Wheaton, MD 20902
7	17	Steven + Irene Farrar 182 Jinnie Brook Rd Richmond, VT 05477
7	16	Bruce Shaffner, Trustee 227 Tanbark Lane, Fort Lauderdale, FL 33312
7	15	Harold C. Gibbs 588 Kennebec Road, Hampden, ME 04444
7	5	Francis Family Realty, LLC 1 Francis Road, Steuben, ME 04680
6	22	Stephanie Tuck 22 Main Street, Fairfield, ME 04937
7	3	Petit Manan Wildlife Preserve  Milbridge, ME 04658

Please use additional sheets if necessary and attach hereto.



Scanned with CamScanner

pg. 16



**CERTIFICATION**

I, Julie A Gian, Town Clerk for the Town of Steuben 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: Julie A Gian DATE: 12/3/2021

 Scanned with CamScanner

Sent from my iPhone

Pg. 17

## 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 owned and operated a lobster pound and worked in the shellfish industry for over 35 years. I have been growing oysters for 2 years on LPAs and experimental leases, thus have accrued valuable experience cultivating and caring for aquatic species and the environment.

## 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 financial institution.

### B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

The proposed aquaculture activities will cost an estimated \$120,000.


### 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) Ronald Francis 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 12/16/21

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) N/A 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.

\_\_\_\_\_ N/A \_\_\_\_\_ N/A  
 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: Arnold Francis

Title (if corporate applicant): N/A

Signature: [Handwritten Signature] Date: 12/16/21

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: N/A

Title (if corporate applicant): N/A

Signature: N/A Date: N/A



pg. 20

**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.

RIPARIAN OWNER PERMISSION

To Whom it May Concern:

We, the undersigned, are co-owners of the riparian land immediately surrounding the lobster pound for which Arnold Francis is seeking a standard aquaculture lease. Enclosed riparian landowner list certified by the Town of Steuben confirms ownership. We jointly consent to the activities proposed for the lobster pound, specifically to experiment with growing oysters.

Arnold Francis



Marian Alby



MUNICIPAL CONSENT; TOWN OF STEUBEN

The undersigned Select men for the Town of Steuben hereby confirm that a duly noticed public meeting was conducted at which the selectmen consented by a majority vote to allow Arnold Francis to hold an aquaculture lease in the lobster pound in Smelt Brook on the southeast part of this land (map 7 lot 9) for the purpose of growing oysters. The vote was recorded and will appear in the minutes of the meeting.

Sign [Signature] Print Name Larry Brinkman

Sign [Signature] Print Name Eve M Parkin

Sign \_\_\_\_\_ Print Name \_\_\_\_\_



Sent from my iPhone

pg. 23



December 2, 2021

To whom it may concern:

Arnold G Francis of Steuben, Maine is a longtime customer of Camden National Bank and has always been in good standings. If you have any questions please reach out to me at 207-546-5826.

Sincerely,

Kathy Faulkner, Operations Specialist

Camden National Bank

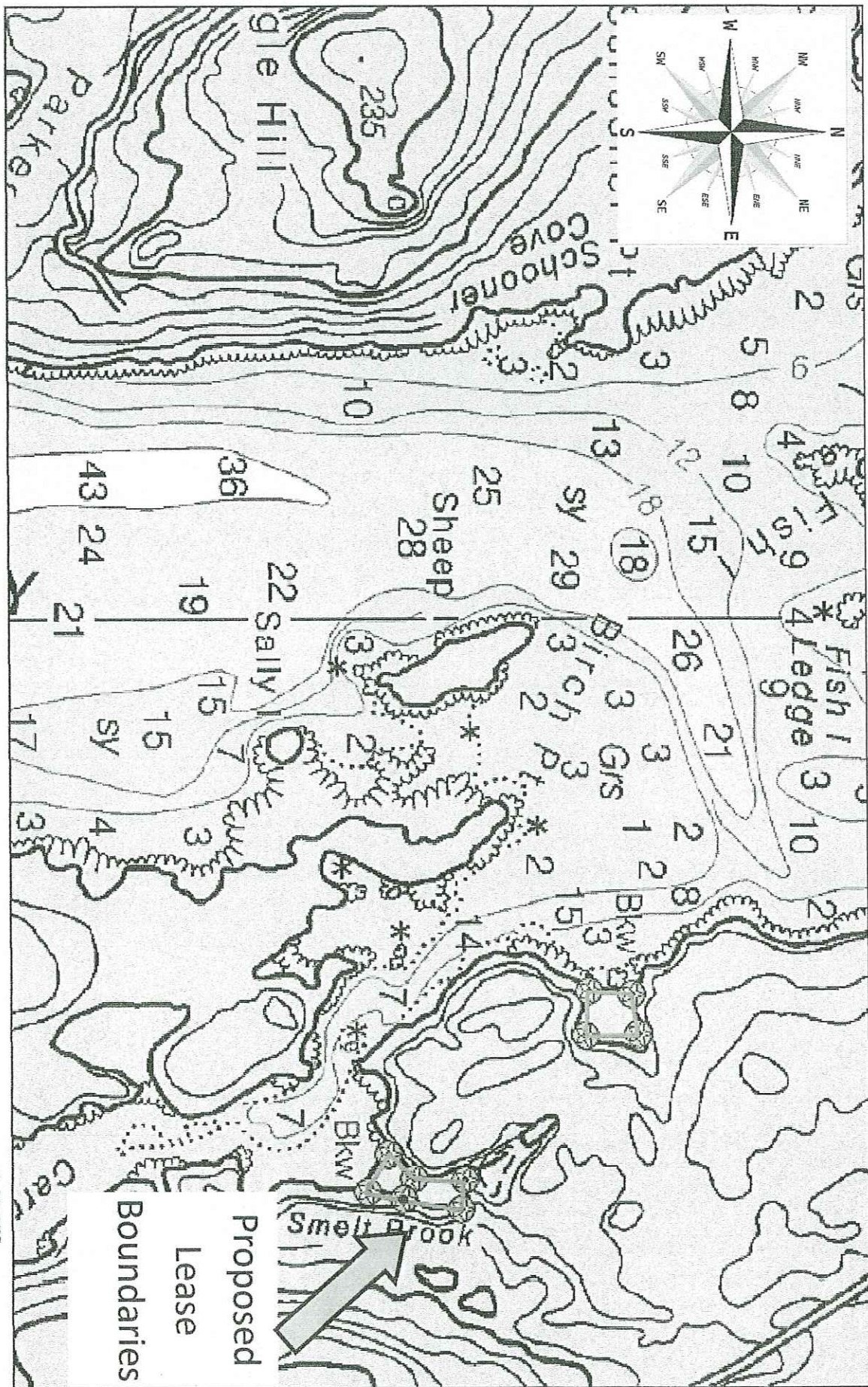
29 Main St, PO Box 40

Milbridge Me 04658

207-546-5826

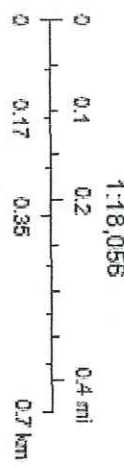


Vicinity Map



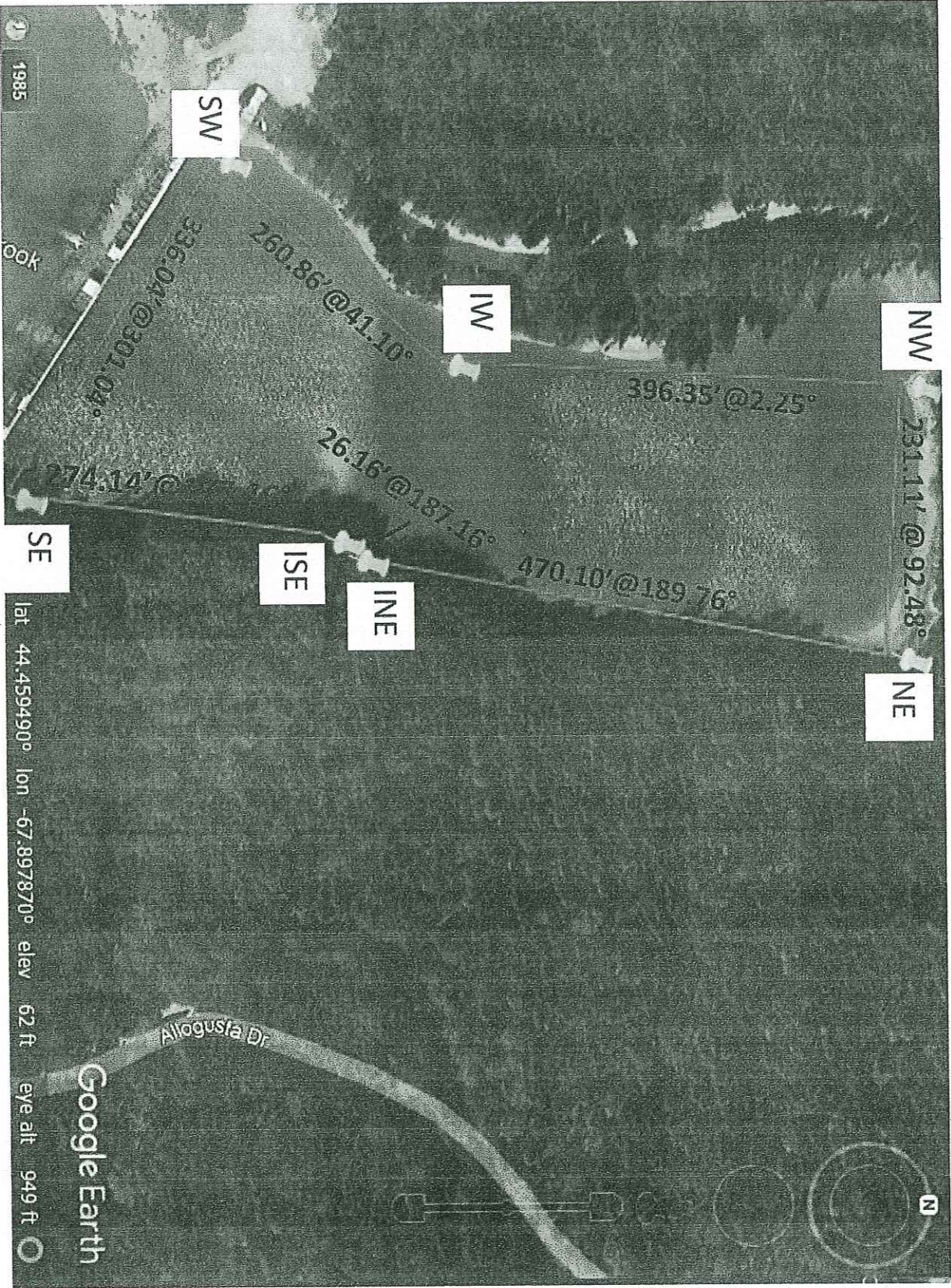
MLW

MHW



East, NASA, NOAA, USCS | East Community Maps Contour, Produced of New Brunswick, © OpenStreetMap, Microsoft, East Canada, East, HERE, Garmin, Satolight, INCREMENT P, MET/NASA, USCS, EPA, NPS, US Census Bureau, USCA, NADAN, Paris

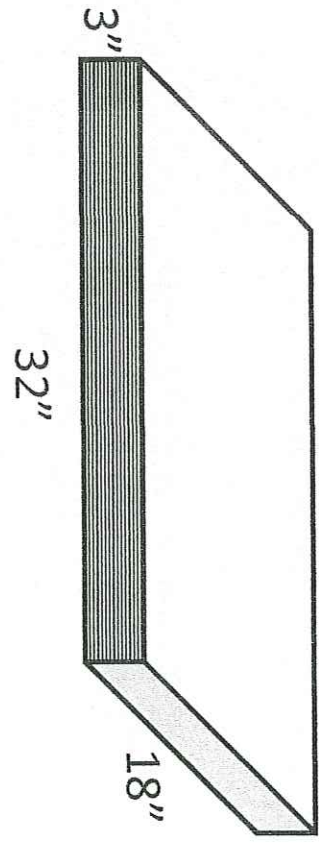
6. Boundary Drawing



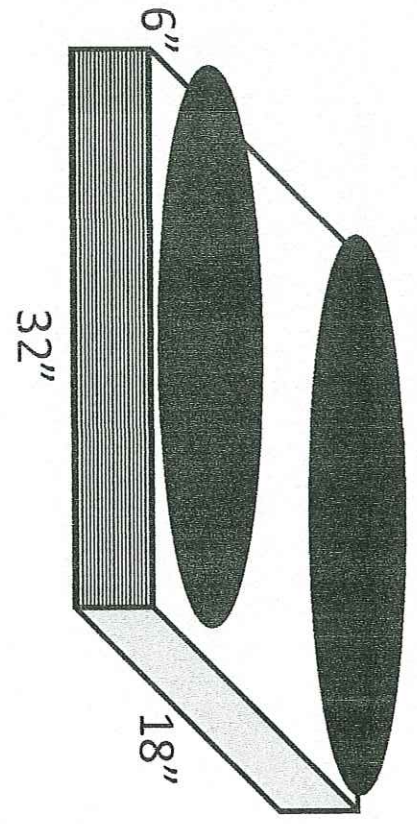
Gear Drawing: Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as "Gear Drawing". This view must show the following:

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

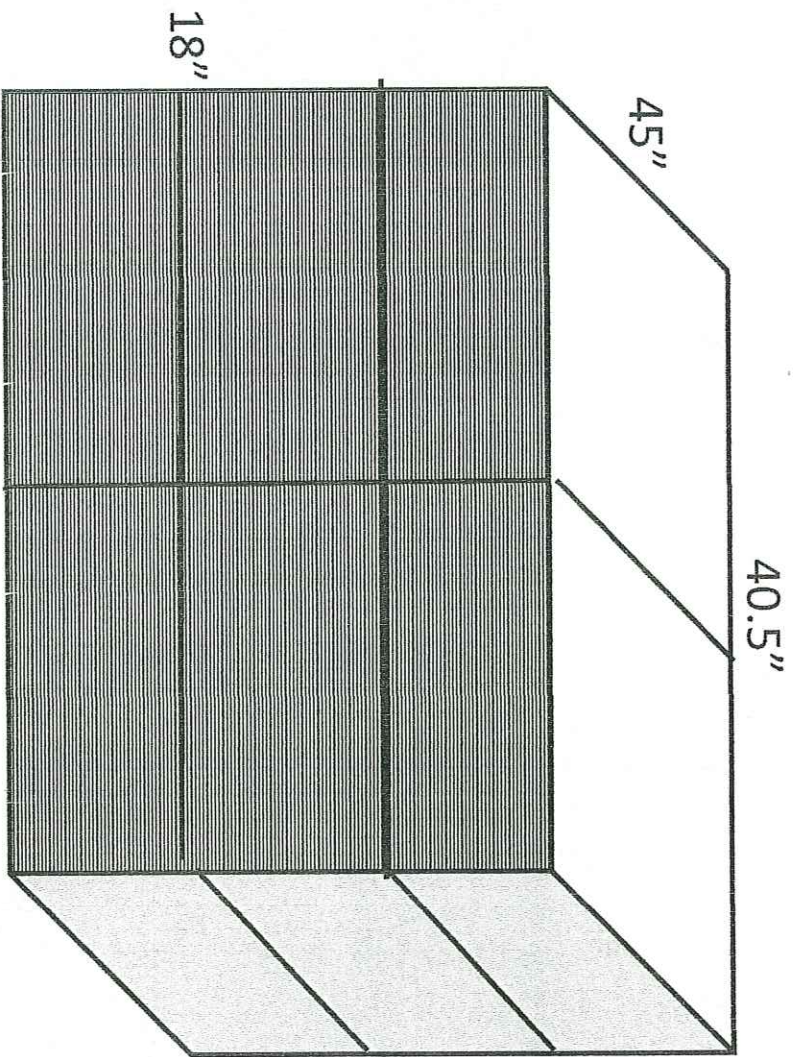
**Submerged ADPI Oyster Bags**



**Floating ADPI Oyster Bags**

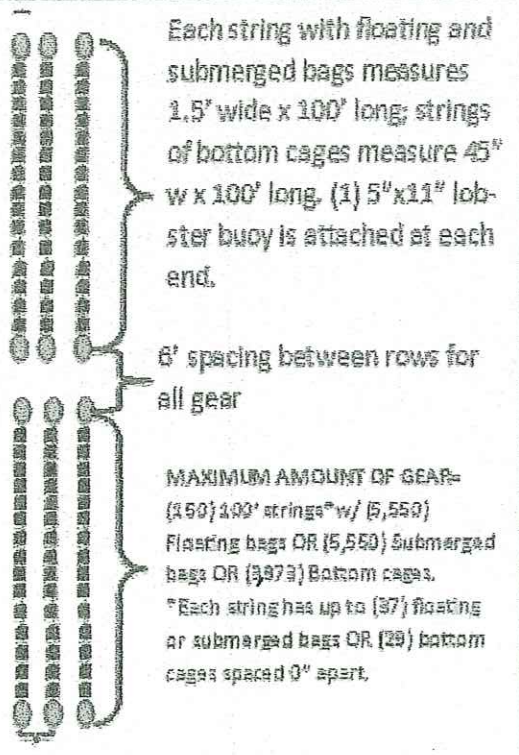


**6-Bag Oyster Bottom Cages**



\*Gear not drawn to scale

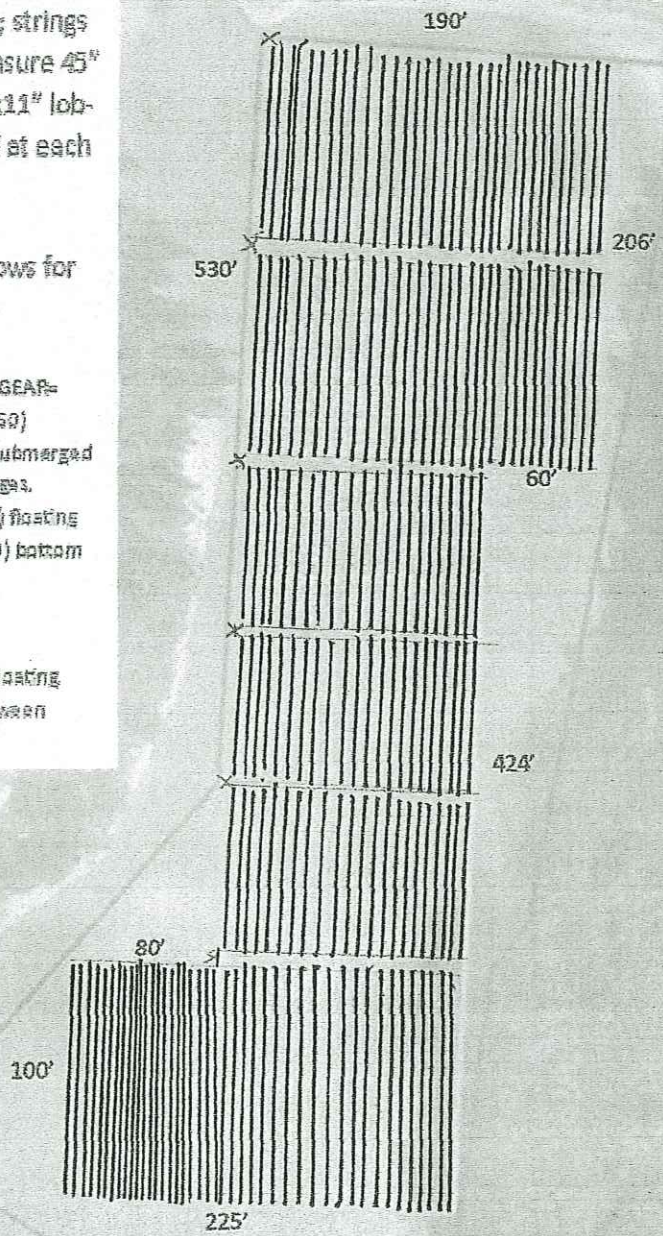
# Overhead View



6' spacing between rows for all gear

**MAXIMUM AMOUNT OF GEAR:**  
 (150) 100' strings w/ (5,550) Floating bags OR (5,550) Submerged bags OR (3873) Bottom cages.  
 \*Each string has up to (37) floating or submerged bags OR (29) bottom cages spaced 0' apart.

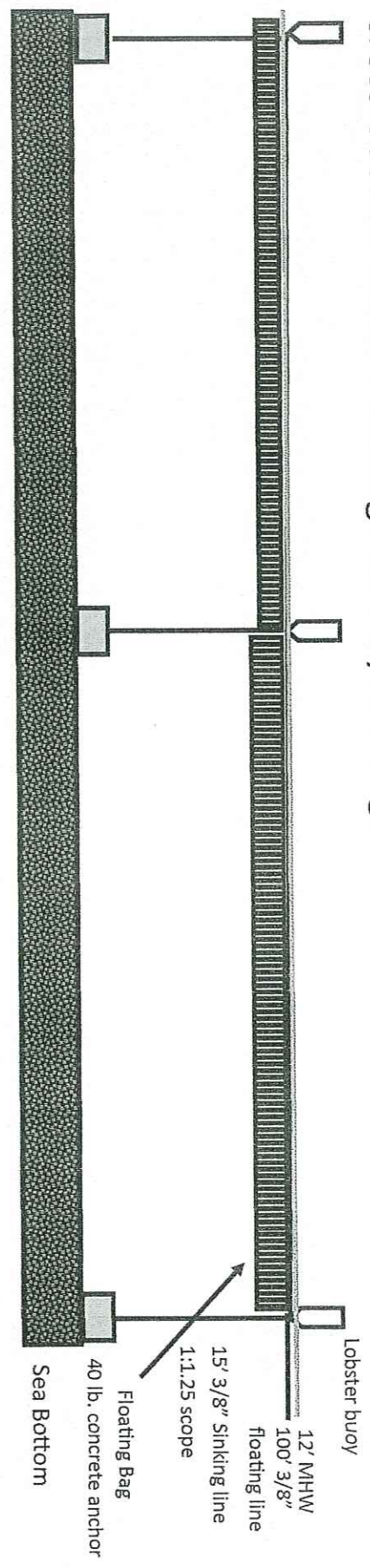
3' spacing between columns of strings when floating and submerged bags are used; 2' spacing between columns when bottom cages are used.



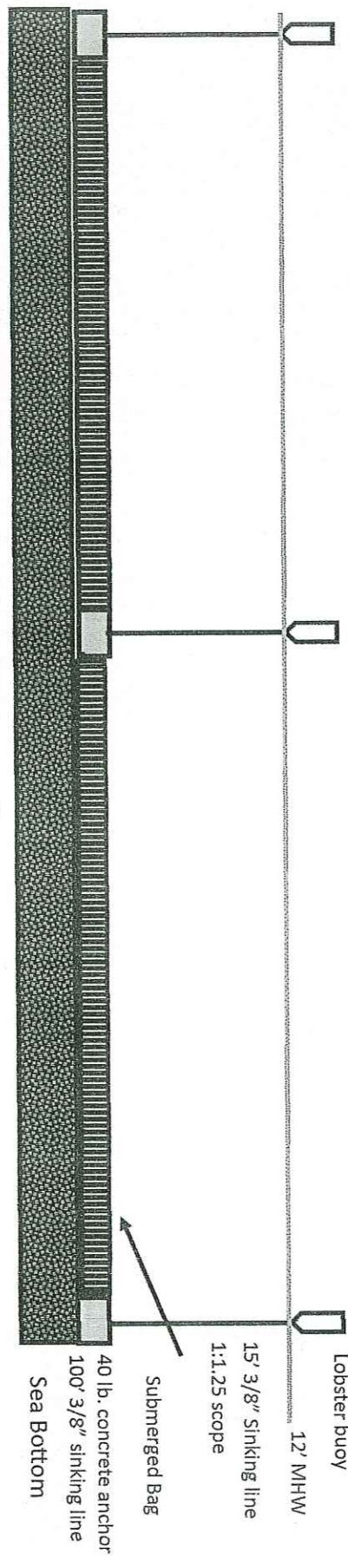
Smelt Brook

Imagery Date: 8/

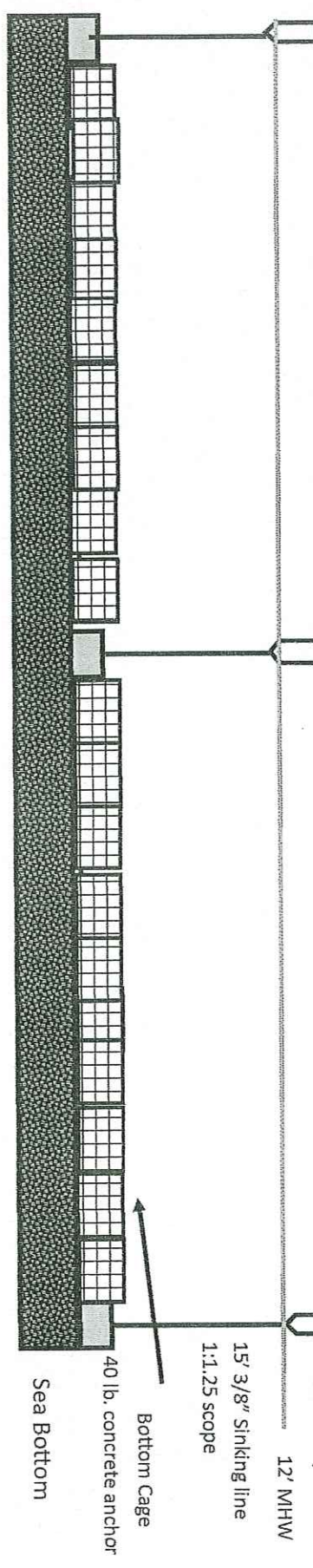
### Cross-Section View—Floating ADPI Oyster Bags



### Cross-Section View—Submerged ADPI Oyster Bags



### Cross-Section View—6-Bag Oyster Bottom Cages



North

TAX MAP: Town of Steuben



Tax Map 29

(East of Birch Pt.)  
Proposed  
Lease Site

Small Back  
Proposed Site

Carrying  
Place

Cove

26

27

Pigeon  
Hill  
Bay

M I L B R I D G E

LEGEND  
PARCEL NUMBERS  
ADVANCER MAP  
MATCH LINE

For Attention: Purposes  
Not to be used for comparison

PROPERTY MAP  
TOWN OF STEUBEN  
WASHINGTON COUNTY, MAINE  
JAMES W. SEWALL COMPANY  
SCALE 1 INCH = 4000 FEET

E. Equipment Layout



44.460733° -67.900206°



44.458788° -67.900297°

ACTION MINUTES  
SELECTMENS MEETING  
December 15, 2021

PRESENT: Larry Pinkham, Eve Parkin, Gus Francis, Pat Forst, Jim & Karen Majewski, Amy Hall, Pearl Pinkham, Joy Robinson & Julie Ginn.

Larry brought the meeting to order at 4:03 pm.

Eve motioned to approve the minutes from the December 1, 2021 meeting. Larry seconded the motion. Motion passed 2 – 0.

Eve motioned to approve the Accounts Payable and Payroll warrants. Seconded by Larry. Motion passed 2 – 0.

Karen Majewski asked the board what their original amount of ARPA funds the board had considered giving to the Library. Larry stated the original amount suggested was \$6,850.

Gus Francis was present to ask for municipal approval on 2 aquaculture lease sites in Dyer Bay/Carrying Place for growing oysters. This is part of the application process through DMR. The lease sites have previously been approved by the harbor master. Larry motioned to authorize the aquaculture lease sites. Motion seconded by Eve. Motion passed 2 – 0.

There were no bids received on the tax acquired property at 380 Pigeon Hill Road. Eve motioned to set a new minimum bid of \$15,000, with a bid due date of January 26. Motion passed 2 – 0.

Bids for the tax acquired property at #7 Rd were opened and read as follows:

Blake Alley - \$15,500                      Kathleen Darling \$16,002  
Aaron Jackson - \$16,500                Mike Colson - \$19,500  
David Gott & George Ashmore - \$16,111.13

Larry motioned to award the property to Mike Colson for \$19,500. Eve seconded the motion. Motion passed 2 – 0. 30 Days will be given to pay the property in full.

Lee Sherwood wrote to the town to request a temporary closure of the end of the Rogers Point Road at his cottage to allow for an old well to be filled in. Machinery would need to be in the road to do the work to fill in the well. The board agreed to the temporary closure. Patrick had already been to the location to mark it out so unaware motorists wouldn't drive over the damaged well. It appears that either vandals or a vehicle drove over the well cover and broke it causing debris to fall into the well. The well was old and no longer in use, so Mr. Sherwood was going to have it filled in.

The board authorized gift cards for town employees as well as postal staff and the guys on the trash truck. Total amount to be spent would be up to \$350.



The board declined the offer from RSU 24 to purchase unused outdoor tents.

Larry received quotes on replacing the generator at the town office and the one at the fire station, also for installing heat pumps at the town office and fire station. The total of all quotes was \$15,596.83. ARPA funds would be used for these projects. A decision will be tabled until Jim returns.

Eve motioned to purchase an industrial weed whacker, up to \$450, to be used on the sides of the roads. Larry seconded the motion. The motion passed with a 2 – 0 vote. Estimate received was \$430.07. Having this tool would make it quicker to clear the small growth from the sides of the road instead of using a chainsaw.

Amy Hall presented the board with an Animal Control report for the month of November.

Larry motioned to adjourn at 5:10 pm.

Minutes respectfully submitted by Julie Ginn.

  
James Kovacs

  
Eve Parkin

  
Larry Pinkham