

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

Applicant	Maude Robin McCoy & James W. Balano, III		
Contact Person	James W. Balano, III		
Address	P. O. Box 139		
City	Spruce Head		
State, Zip	Maine 04859		
County	Knox		
Telephone	(207)594-4600 H or (207)232-5192 C		
Email	jamesbalano@yahoo.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: 01/07/22	Draft Application Submitted: 02/28/22	Scoping Session:
Payment Type	Draft Application: <input checked="" type="checkbox"/> Check (included) <input 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	Spruce Head, Town of St. George, Knox County
Waterbody	Harrington Cove, Wheeler's Bay
General Description (e.g. south of B Island)	Inlet/cove in the shape of a snail at the northernmost extremity of the north side of Harrington Cove. See Lat/Lon coordinates on boundary map.
Lease Information	
Total acreage requested (100-acre maximum)	1.98 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. Landowner/Municipal Permission Requirements".

2. PROPOSED LEASE SITE INFORMATION BIRD DETERRENTS

The proposed lease site is for the culture of oyster seed in suspended bags for the months of July through November each year after which the seed is dispersed for overwintering and grow-out on the bottom of LPA's MMCC – (5,6,7 & 8) – 21 where it will remain until time of harvest. All harvesting will be conducted from these 4 LPA's where we practice bottom culture only which is not subject to pollution by birds.

The purpose of the proposed lease site is to allow oyster seed to achieve a size that is less vulnerable to predation prior to dispersal on the bottom.

There will be no harvesting of oysters destined for human consumption from the suspended gear in the proposed lease site.

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"):	CA1

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

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. Crassostrea Virginica, American Oyster, Virginia Oyster, 2. Eastern Oyster.	Muscongus Bay Aquaculture, 25 Seal Ledge Lane, Bremen ME 04551	270,000
2.		
3.		
4.		
5.		

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

If you answered "yes" please contact the Bureau of Public Health to discuss 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.

N

5. VICINITY MAP

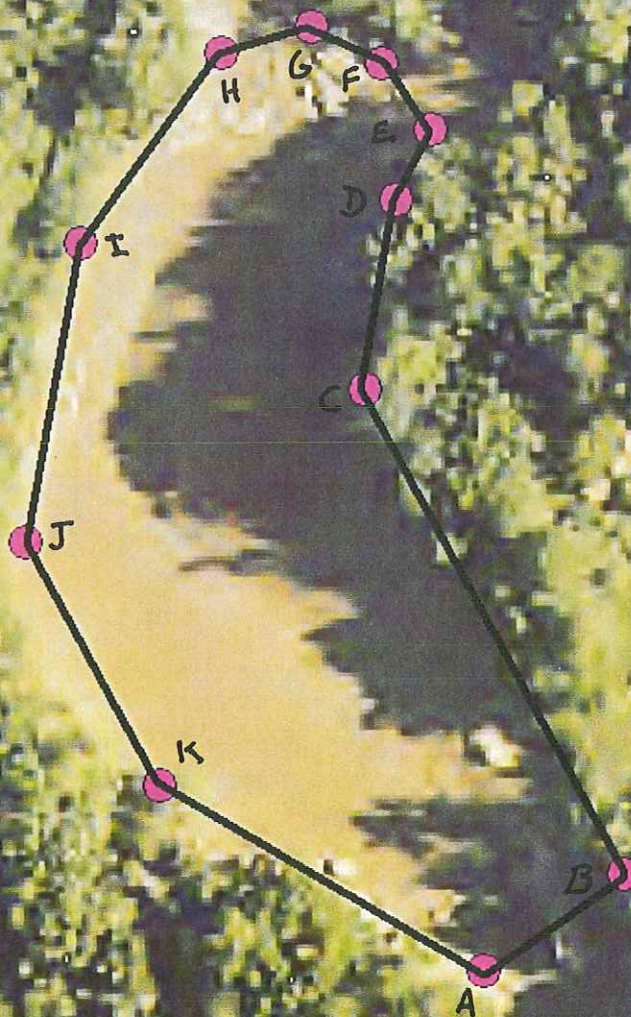




6. BOUNDARY DRAWING

DATUM NAD83/WGS84

- A. 44.006227N/69.164517W
Then 91.78' at 55.94T to
- B. 44.006368N/69.164228W
Then 292.49' at 331.93T to
- C. 44.007076N/69.164751W
Then 103.13' at 9.54T to
- D. 44.007355N/69.164686W
Then 41.41' at 27.23T to
- E. 44.007456N/69.164614W
Then 44.35' at 324.46T to
- F. 44.007555N/69.164712W
Then 42.60' at 296.42T to
- G. 44.007607N/69.164857W
Then 50.10' at 253.95T to
- H. 44.007569N/69.165040W
Then 127.04' at 217.36T to
- I. 44.007292N/69.165333W
Then 161.94' at 191.05T to
- J. 44.006856N/69.165451W
Then 148.14' at 150.88T to
- K. 44.006501N/69.165177W
Then 200.33' at 119.91T to
- A.



ADDENDUM TO 6. BOUNDARY DRAWING

Beginning at the corner designated "A" with coordinates 44.006227 deg. N, 69.164517 deg. W (all datum is NAD83/WGS84), and following the courses and distances listed below between corners designated A, B, C, D, E, F, G, H, I, J, and K, respectively;

<u>Corner</u>	<u>Latitude</u>	<u>Longitude</u>
A	44.006227 deg. N	69.164517 deg. W then 91.78 feet at 55.94 deg. True to
B	44.006368 deg. N	69.164228 deg. W then 292.49 feet at 331.93 deg. True to
C	44.007076 deg. N	69.164751 deg. W then 103.13 feet at 9.54 deg. True to
D	44.007355 deg. N	69.164686 deg. W then 41.41 feet at 27.23 deg. True to
E	44.007456 deg. N	69.164614 deg. W then 44.35 feet at 324.46 deg. True to
F	44.007555 deg. N	69.164712 deg. W then 42.60 feet at 296.42 deg. True to
G	44.007607 deg. N	69.164857 deg. W then 50.10 feet at 253.95 deg. True to
H	44.007569 deg. N	69.165040 deg. W then 127.04 feet at 217.36 deg. True to
I	44.007292 deg. N	69.165333 deg. W then 161.94 feet at 191.05 deg. True to
J	44.006856 deg. N	69.165451 deg. W then 148.14 feet at 150.88 deg. True to
K	44.006501 deg. N	69.165177 deg. W then 200.33 feet at 119.91 deg. True to

To the "A" corner and point of beginning.

One tract containing **1.98 acres** located in the Town of St. George, Knox County, Maine northwest of Harrington Cove, Wheeler Bay.

7. SITE DEVELOPMENT

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

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

A. Gear Information

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

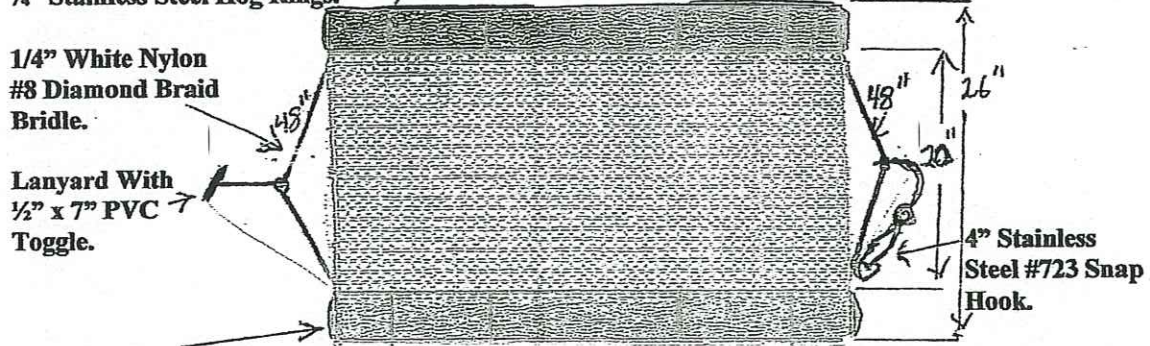
1. **Gear Drawing:** Please include the following for each gear type that will hold organisms to be cultured (e.g. polar circles, marine algae longlines, oyster cages) and label as “Gear Drawing”. This view must show the following:
 - Length, width, and height of each gear type.
2. **Gear Table:** List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

Specific Gear Type (e.g. soft mesh bag)	Dimensions (e.g. 16"x20"x2")	Time of year gear will be deployed (e.g. Spring, Winter, etc.)	Maximum amount of this gear type that will be deployed on the site (i.e. 200 cages, 100 lantern nets, etc.)	Species that will be grown using this gear type
"Go-Deep" Mesh Bag Cages	26"x36"x4"	Apr. 1 thru Dec. 15	270	Am. Oysters
"Go-Deep GDI 32" Poly Floats	3"x36"	"	540 (2 per bag)	"
White Nylon Cod-End Rings	3" Diameter	"	20	"
#723 Stainless Steel Snap Hooks	4" Long Overall	"	540 (2 per bag)	"
Site Marker Buoys	24"	"	9 (! Per bag in center) with site labelling information	"
White PVC Pipe with End Caps	3"x10'	"	10	"
#8 Diamond Braid Nylon Sink Rope	1/4"	"	4000 feet	"

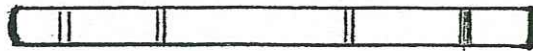
"Hi-Liner" Yellow Poly Float Rope	3/8"	"	1520 feet	"
"Hi-Liner" White Poly Sink Rope	5/16"	"	120 feet	"

7. A. 1. Gear Drawing

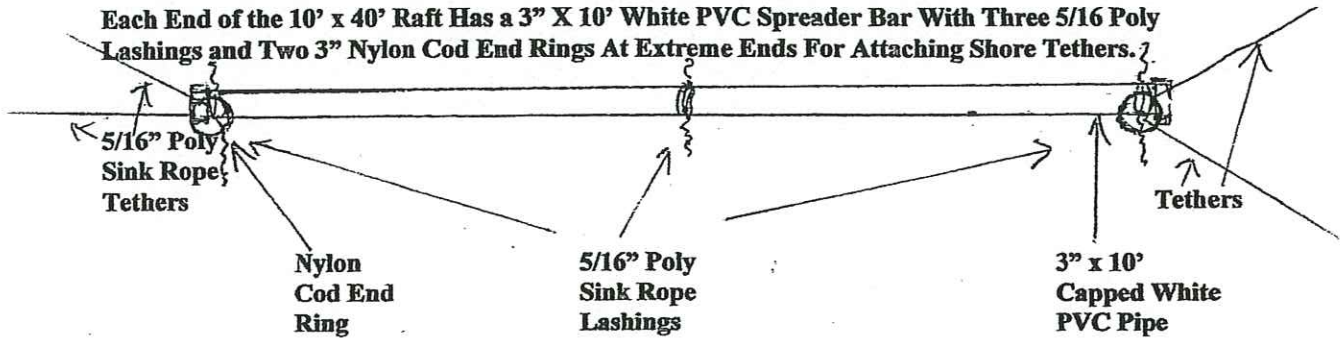
Oyster Bags Are 26" Wide (Including Floats) By 36" Long By 4" Deep And Made of Black Polyethylene. Mesh Size Varies From 4mm to 18mm. Each End of the Bag Has A 1/4" #8 Diamond Braid Nylon Bridle 48" Long and A Lanyard With Either 1/2" x 7" PVC Toggles or #723 Stainless Steel Snap Hooks. 15 Pairs (30 Bags) Per 10'x40' Raft. Bags Are Black Plastic And Assembled Using 3/4" Stainless Steel Hog Rings.



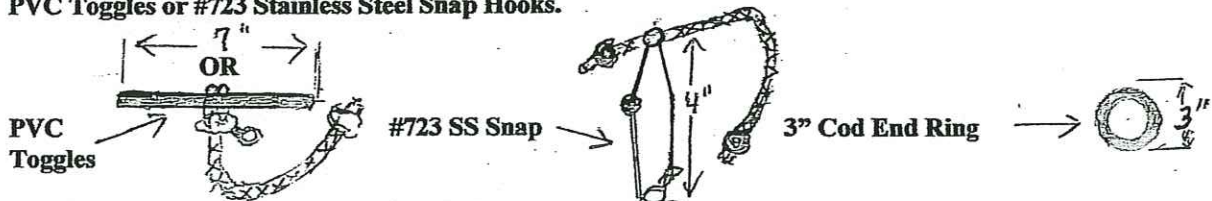
Each Bag Has Two 4" x 36" "GO-DEEP GDI 32" Polyethylene Floats Fastened By 24" Heavy Duty Black Nylon Cable Ties. Bag Opening Sealed By 6" Black Nylon Cable Ties.



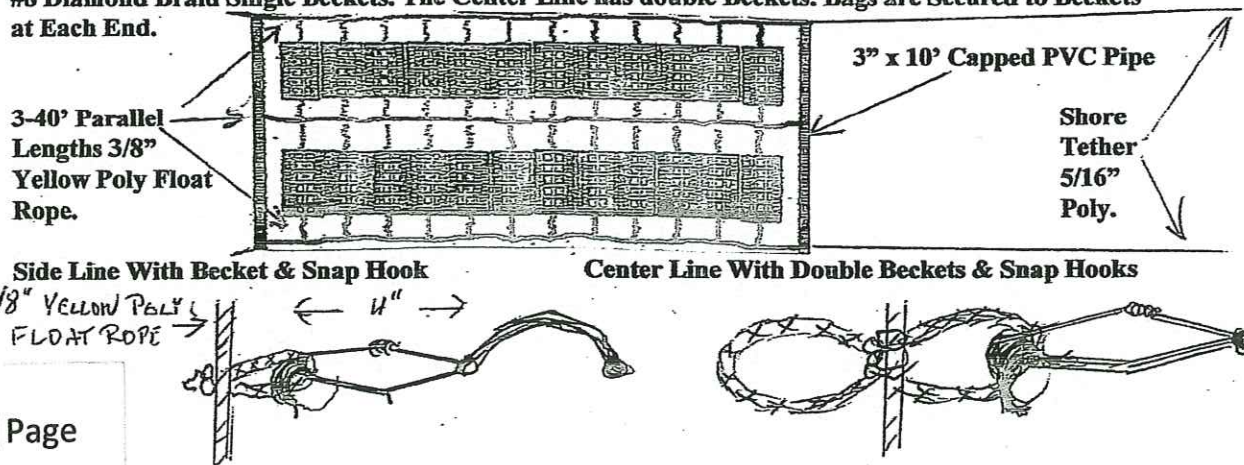
Each End of the 10' x 40' Raft Has a 3" X 10' White PVC Spreader Bar With Three 5/16 Poly Lashings and Two 3" Nylon Cod End Rings At Extreme Ends For Attaching Shore Tethers.



Each End of the Bag Has A 1/4" #8 Diamond Braid Nylon Bridle and Lanyard With Either 1/2" x 7" PVC Toggles or #723 Stainless Steel Snap Hooks.



The Proposed Site Will Have 9 Rafts (30 Bags Each In Two Rows of 15 Bags) - 270 Bags Total. There are 3 Parallel 3/8" Yellow Poly Float Ropes 40' Long. Two sidelines have 15 evenly spaced 1/4" White #8 Diamond Braid Single Beckets. The Center Line has double Beckets. Bags are Secured to Beckets at Each End.



**7. SITE DEVELOPMENT
7.A.1 GEAR DRAWING (PHOTO)**



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).

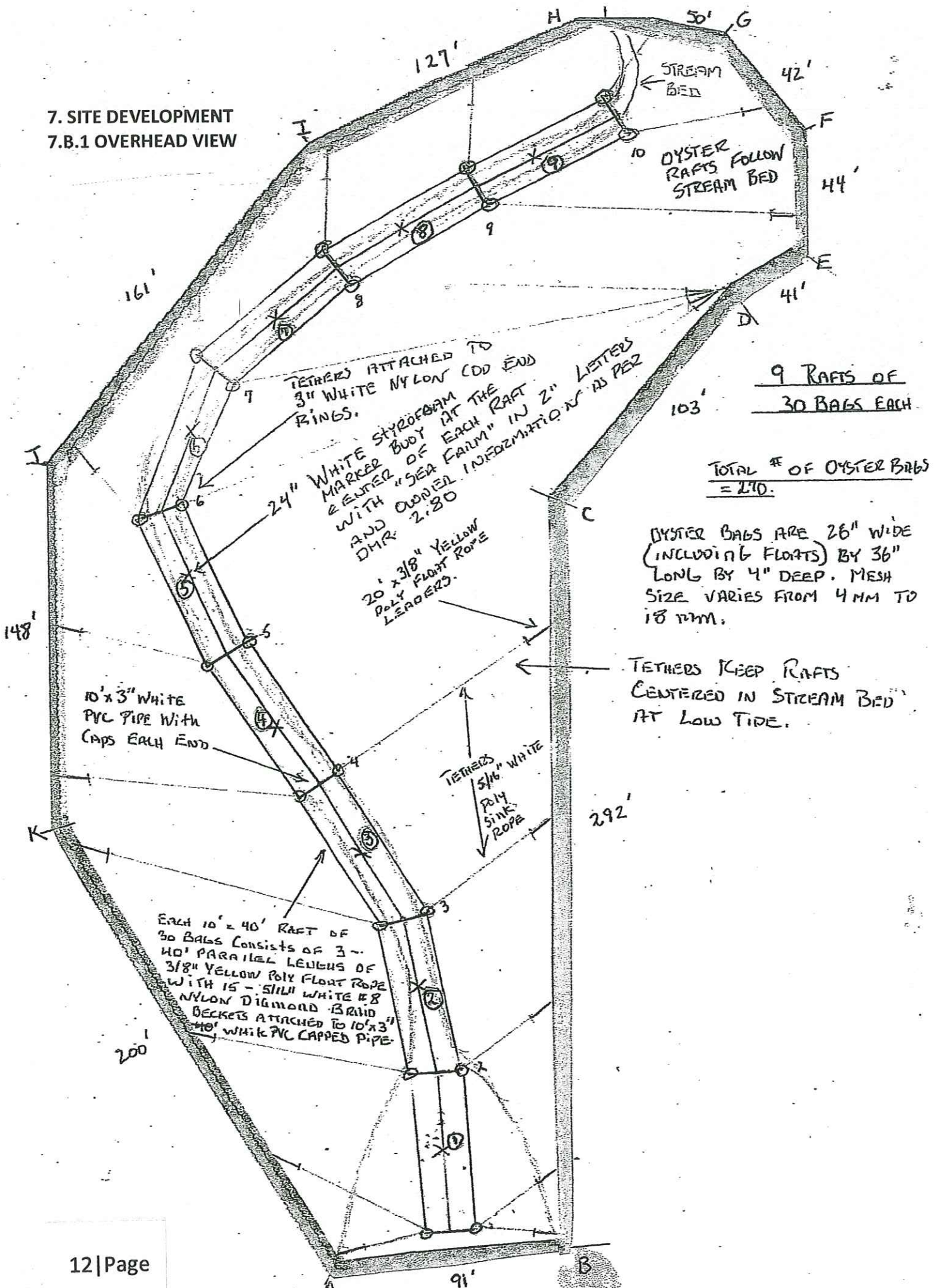
Note: Please include an additional Cross Section View, depicting the elements listed above, if there will be seasonal changes to gear layout (i.e. over wintering).

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.
Ramp & Float. On Lot 233-057 on west side of cove owned by co-applicant Maude Robin McCoy. Concrete footing for ramp approximately 6 feet above mean high water. Attached photo and drawing. This is the only physical structure on the cove.

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.
There are no petroleum products stored on site other than a one gallon can of Trufuel gasoline kept on board a 14 foot Carolina Skiff moored to above float. This is for a 2.5 HP four stroke gasoline outboard which is not used on site as it is necessary to row in order to clear mooring tethers. Outboard is used only outside of the cove. We use less than 5 gallons of gasoline in an entire year. There are no other hazardous materials used including bottom paint for the skiff. There are no pesticides or lawn chemicals used upland.

7. SITE DEVELOPMENT
7.B.1 OVERHEAD VIEW



9 RAFTS OF
30 BAGS EACH

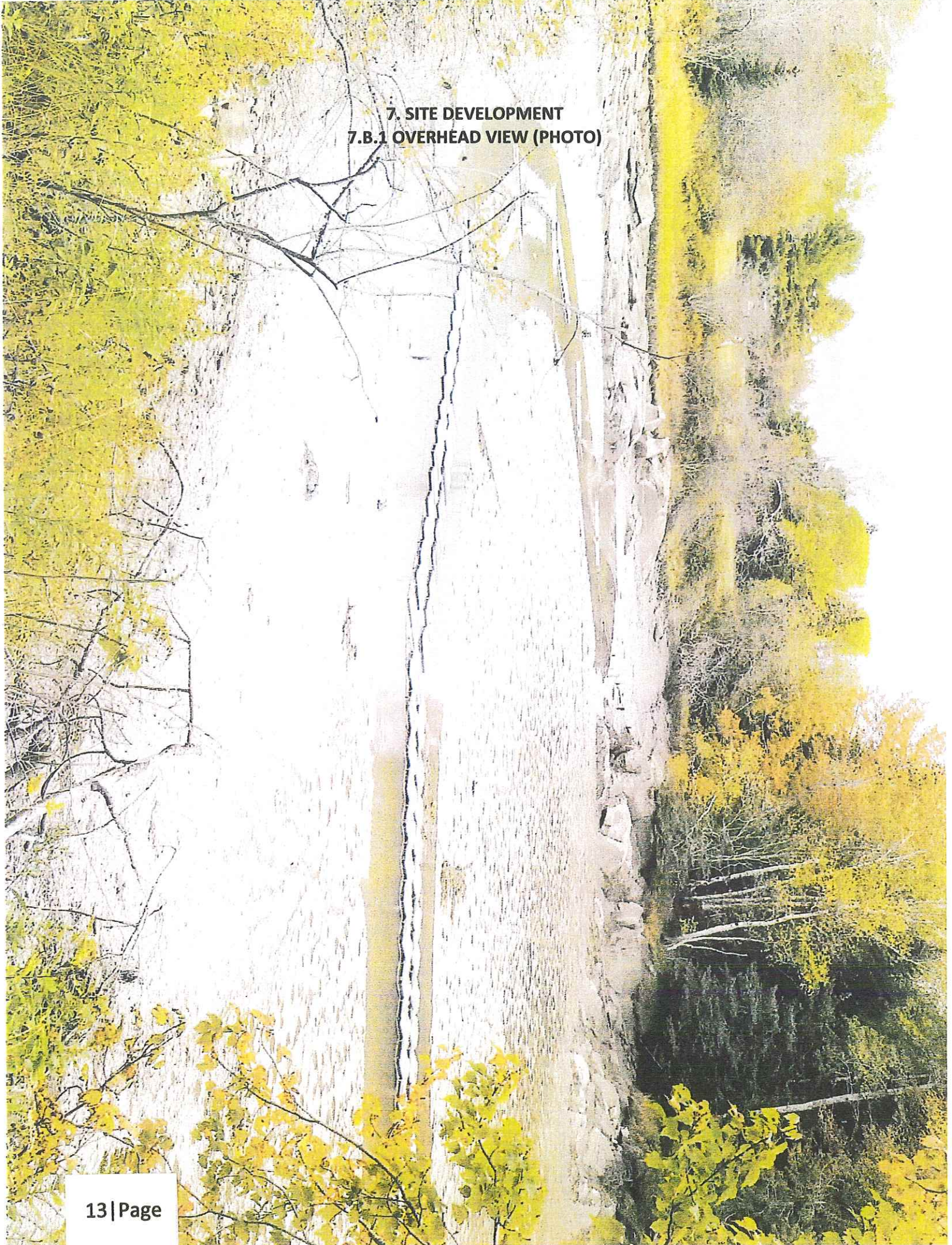
TOTAL # OF OYSTER BAGS
= 270.

OYSTER BAGS ARE 26" WIDE
(INCLUDING FLOATS) BY 36"
LONG BY 4" DEEP. MESH
SIZE VARIES FROM 4MM TO
18 MM.

TETHERS KEEP RAFTS
CENTERED IN STREAM BED
AT LOW TIDE.

EACH 10' x 40' RAFT OF
30 BAGS CONSISTS OF 3
40' PARALLEL LENGTHS OF
3/8" YELLOW POLY FLOAT ROPE
WITH 15 - 5/16" WHITE #8
NYLON DIAMOND BRAND
BECKERS ATTACHED TO 10' x 3"
40' WHITE PVC CAPPED PIPE.

7. SITE DEVELOPMENT
7.B.1 OVERHEAD VIEW (PHOTO)



7. SITE DEVELOPMENT

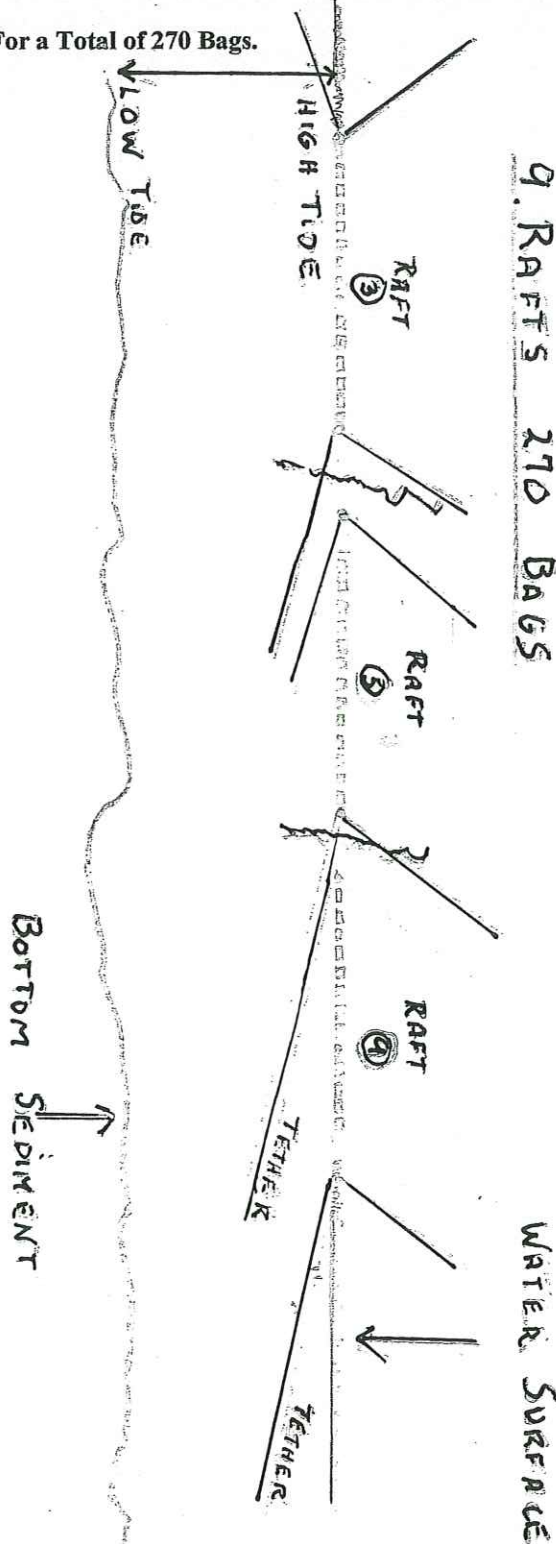
7.B.2 CROSS-SECTION VIEW (a)

Note: All Gear/Structures Will Be Removed From Lease Site December 15th Through March 31st

MLW Is 0'. Site Is Intertidal. MHW Is @ 8.5'. Bottom Is Soft Mud. Site Follows Channel Of A Stream Bed.

Each 10' x 40' Raft of 30 Bags Consists of Three 40' Parallel Lengths of 3/8" Poly Float Rope With 30 Beckets Each of 5/16" #8 Diamond Braid Nylon. Raft Tethered To Shore From Each Corner With 5/16" Poly Sink Rope with 20' 3/8" Yellow Poly Float Rope Leaders With Eye Splice In One End.

This Site Has 9 Rafts For a Total of 270 Bags.



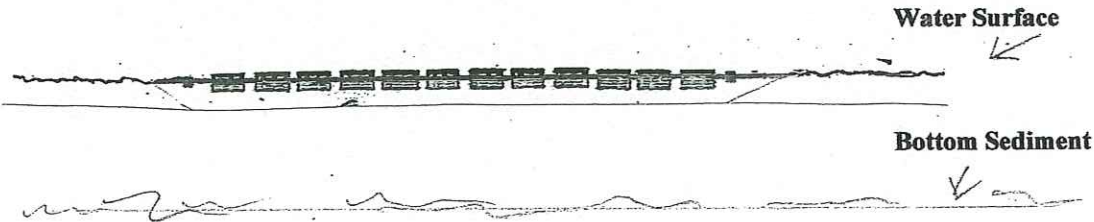
7. SITE DEVELOPMENT

7.B.2 CROSS-SECTION VIEW (b)

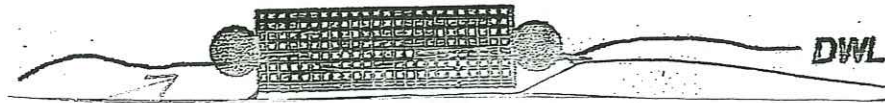
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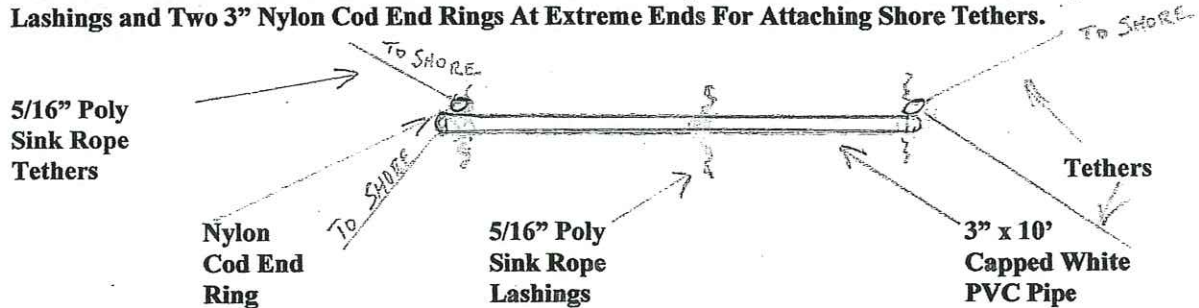


Oyster Bags Are 26" Wide (Including Floats) By 36" Long By 4" Deep. Mesh Size Varies From 4mm to 18mm. Each End of the Bag Has A 1/4" #8 Diamond Braid Nylon Bridle and Lanyard With Either 1/2" x 7" PVC Toggles or #723 Stainless Steel Snap Hooks. 15 Pairs (30 Bags) Per 10'x40' Raft. Bags Are Black Plastic And Assembled Using 3/4" Stainless Steel Hog Rings.

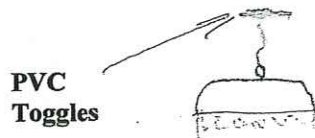


Each Bag Has Two 4" x 36" "GO-DEEP GDI 32" Polyethylene Floats Fastened By 24" Heavy Duty Black Nylon Cable Ties. Bag Opening Sealed By 6" Black Nylon Cable Ties.

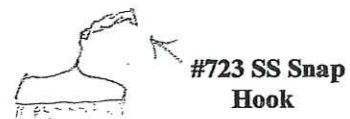
Each End of the 10' x 40' Raft Has a 3" X 10' White PVC Spreader Bars With Three 5/16 Poly Lashings and Two 3" Nylon Cod End Rings At Extreme Ends For Attaching Shore Tethers.



Each End of the Bag Has A 1/4" #8 Diamond Braid Nylon Bridle and Lanyard With Either 1/2" x 7" PVC Toggles or #723 Stainless Steel Snap Hooks.

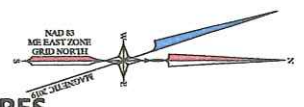


OR



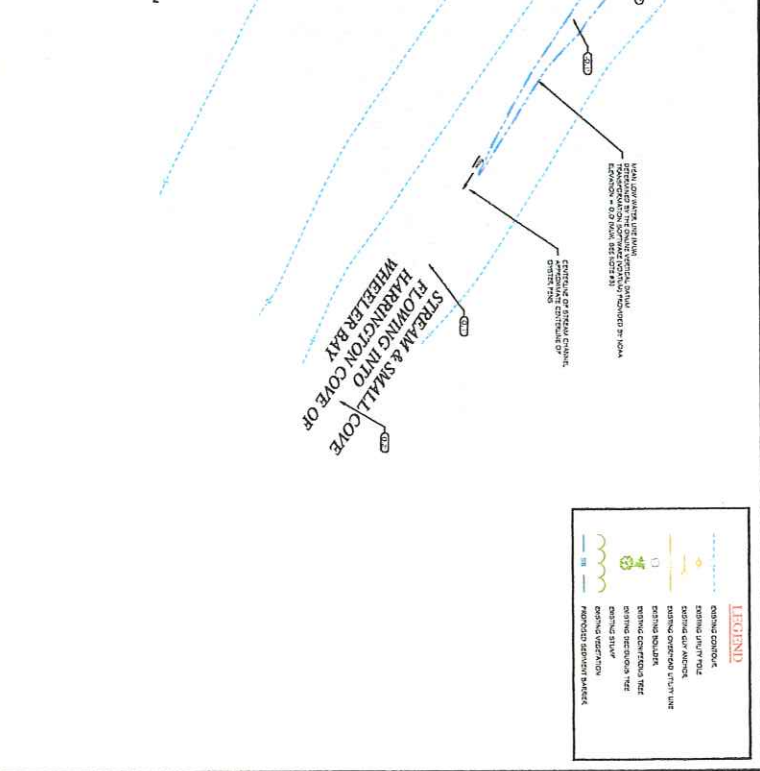
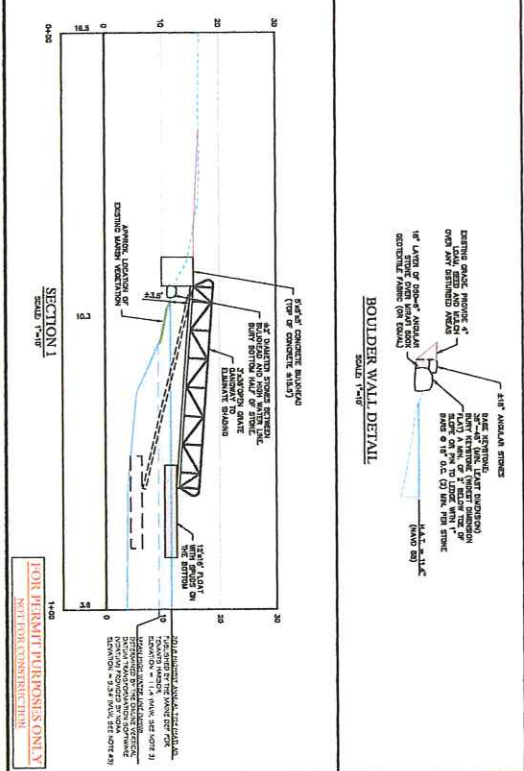
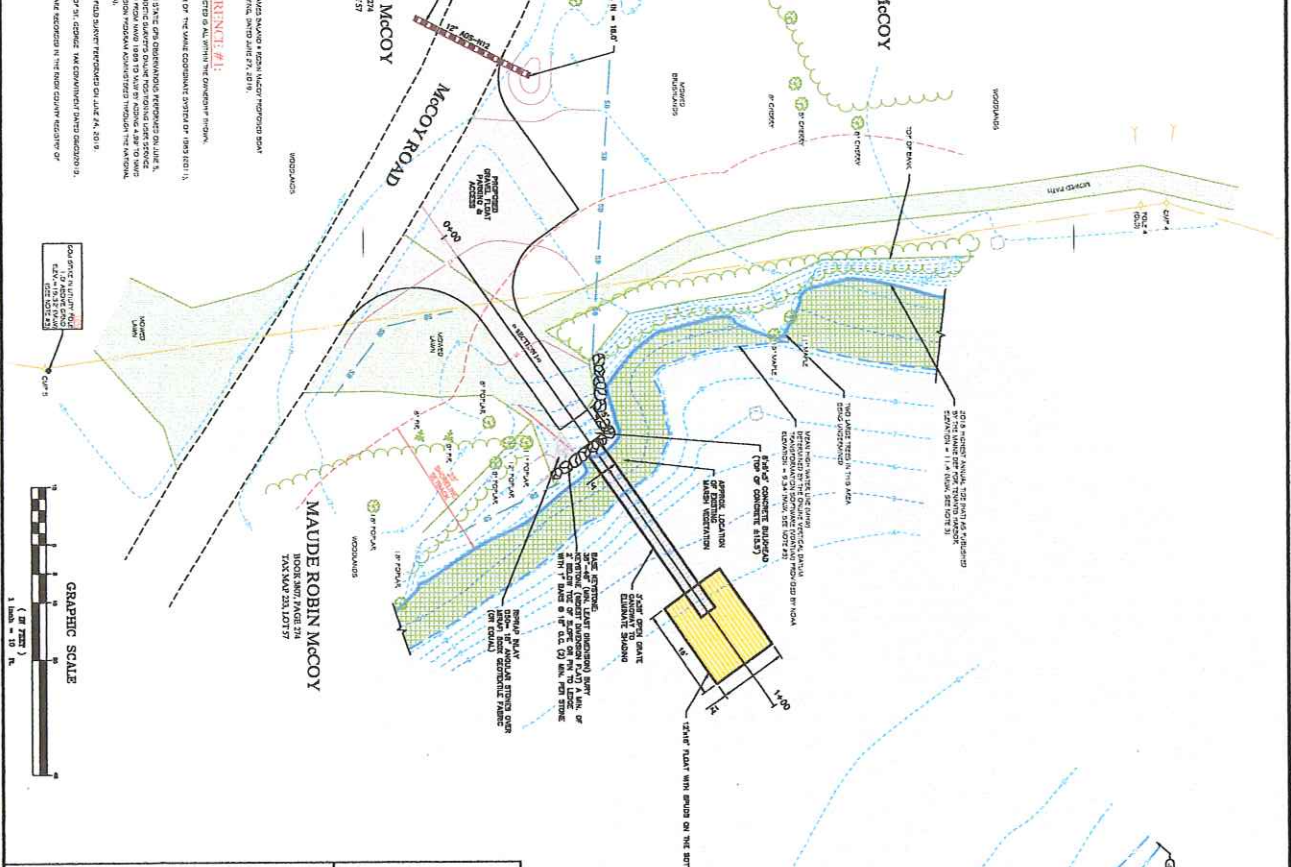
7. SITE DEVELOPMENT/ONSITE SUPPORT STRUCTURES
7.C.1 RAMP AND FLOAT (PHOTO)





7. SITE DEVELOPMENT/ONSITE SUPPORT STRUCTURES

7.C.1 RAMP AND FLOAT (DRAWING)



	Gartley & Dorsky ENGINEERING SURVEYING 59 Union Street, Unit 1, P.O. Box 1051, Camden, ME 04810-1051 Tel: 207-236-0565 Fax: 207-236-9588 E-mail: info@gd-engineers.com 165 Main Street 2nd Fl. Portland, Maine 04103 Tel: 207-761-5456	CLIENT PROJECT: MAUDE ROBIN McCOY PROPOSED BOAT RAMP	SHEET TITLE: SITE PLAN	LOCATION: 43 MCOY ROAD	SCALE: 1"=10'	DRAWN BY: LP/JAM	CHECKED BY: WEG	DATE: FEBRUARY 14, 2020	NO.	REVISIONS	DATE
		TOWN: ST. GEORGE	COUNTY: KNOX	STATE: MAINE	NO.	REVISIONS	DATE				

D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
PVC 3" x 10' spreader bars are white. Polypropylene mesh bags/cages and floats are black. A0 poly marker buoys are orange or white. Poly float rope is yellow' and #8 Diamond braid tether lines are white.

E. Equipment Layout

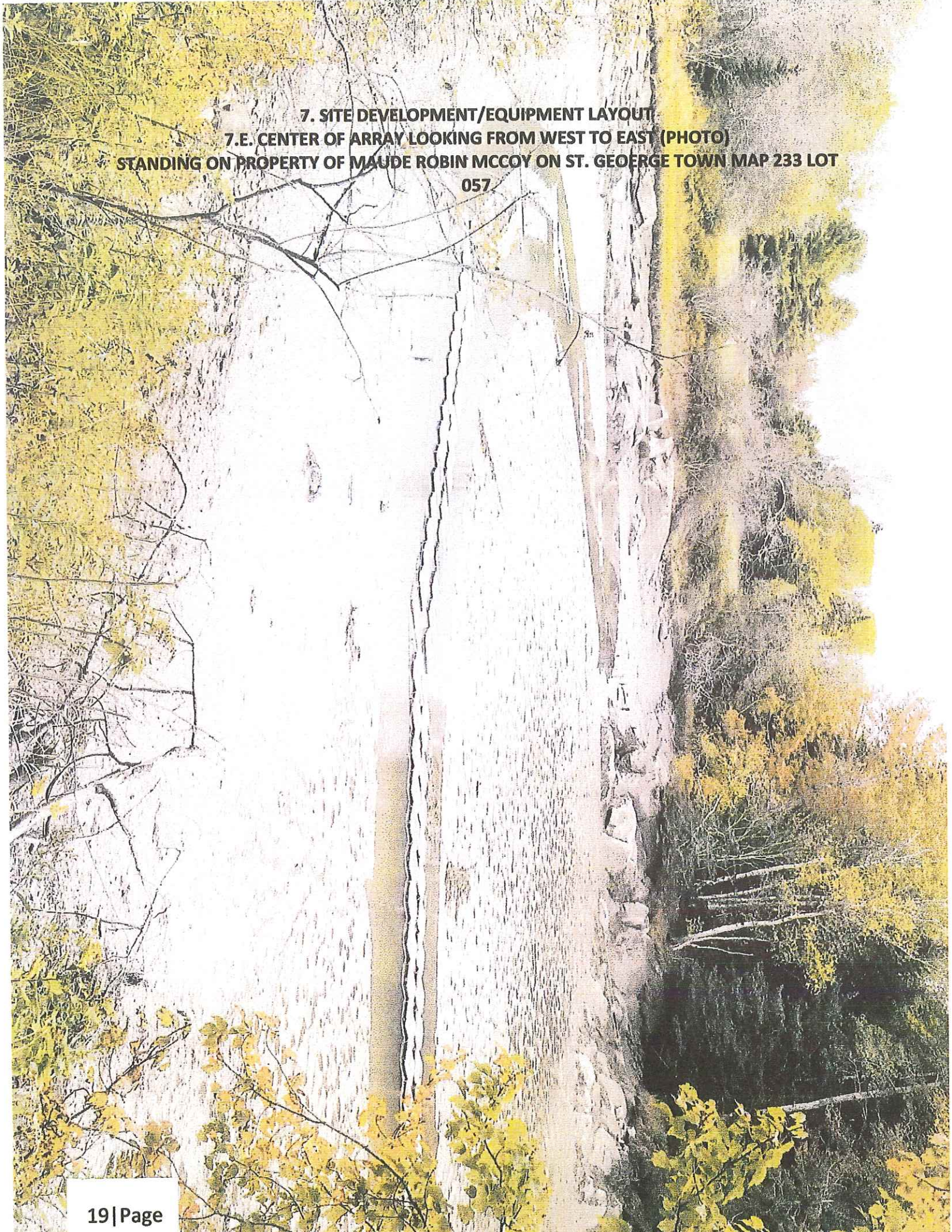
Provide schematic or photographic renderings of the generalized layout of the equipment as depicted from two vantage points on the water. Provide the locations of the two vantage points.

F. Marking

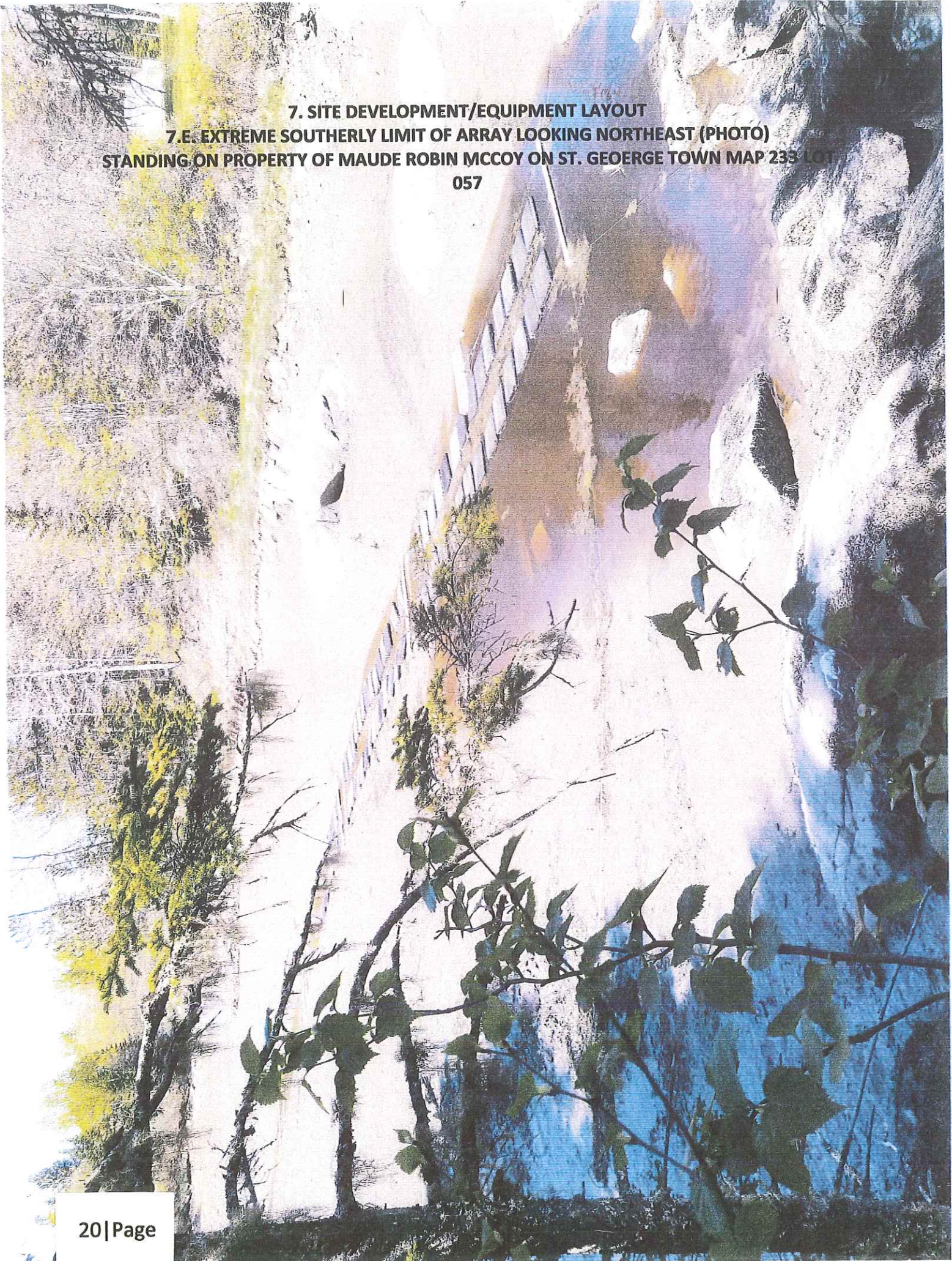
Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered no, explain why and suggest alternate markings.

Note: If a lease is granted, you will also be required to mark the site in accordance with appropriate US Coast Guard Regulations. If you have questions about US Coast Guard Regulations contact: 1st Coast Guard District, Aids to Navigation Office ((617)-223-3293).

**7. SITE DEVELOPMENT/EQUIPMENT LAYOUT
7.E. CENTER OF ARRAY LOOKING FROM WEST TO EAST (PHOTO)
STANDING ON PROPERTY OF MAUDE ROBIN MCCOY ON ST. GEORGE TOWN MAP 233 LOT
057**



7. SITE DEVELOPMENT/EQUIPMENT LAYOUT
7.E. EXTREME SOUTHERLY LIMIT OF ARRAY LOOKING NORTHEAST (PHOTO)
STANDING ON PROPERTY OF MAUDE ROBIN MCCOY ON ST. GEORGE TOWN MAP 233 LOT
057



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.

Only one species (American Oysters) will be cultivated. 9-13mm seed is received from Muscongus Bay Aquaculture some time in the first two weeks of July and immediately placed in floating bags with bag density not exceeding 1000 juveniles per bag. Floating arrays will be tethered in place no earlier than April 1st. In 2021 we placed 105,000 juveniles in 210 bags within 24 hours of receipt. In 2022 we will do the same with 150,000 juveniles in 270 bags. Bags will be shaken and flipped weekly until Thanksgiving at which time the juveniles will be dispersed on the bottom in LPA's MMCC – (5,6,7 & 8) – 21 for overwintering and grow-out. All gear will be out of the water by December 15th.

B. Please explain your proposed tending/maintenance activities.

Tending and maintenance will take place from April 1st until December 15th. The site will be devoid of any equipment during the remainder of each year. For proper tending and maintenance, the bags should be shaken and flipped weekly and seaweed cleared from the arrays to maintain proper water circulation around bags. Bags may also require shaking and flipping after heavy rain to free them of mud and silt.

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

Site will be visited for tending/maintenance no less than weekly from April 1st until December 15th.

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

The only harvesting taking place within this site will be during the month of November when juveniles are emptied from the bags into bushel baskets and then dispersed outside the site in LPA's MMCC - (5,6,7 & 8) – 21. Harvesting in LPA's MMCC – (5,6,7 & 8) – 21 are with hand held oyster rakes by wading at low tide.

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

Moving juveniles from this site to the overwintering/grow-out site during the month of November entails approximately 7 four-hour days working the high tides each day for a 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.

We do not conduct any overwintering or "off season" activities in the site. The site is devoid of all equipment/gear from December 15th until April 1st each year/season. All float bags, spreader bars, buoys, bag lines, and tether lines are stored upland and away from the shore line on St. George property Map 233-057 belonging to co-applicant Maude Robin McCoy.

N/A. No predator control techniques are employed on this site.

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?

One 14 foot Carolina Skiff is used on site with oars as the means of propulsion.

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?

N/A. None.

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

N/A. No power equipment used on site.

<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. No lighting.</p>

<p>E. Indicate under what circumstances you might work at your site beyond daylight hours.</p>
<p>N/A. Never.</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>Experimental lease PEN WBx expires March 31st 2022. It is this lease with the exact same layout, configuration, coordinates and dimensions that we now seek to convert to the standard lease of this application. Experimental lease PEN Rix expires in April 2022 and we do not wish to use this site in the future. All gear/equipment will be removed with \$5,000 bond remaining active until that time. Overwintering/grow-out areas are LPA’s MMCC – (5,6,7 & 8) – 21 which we will renew annually.</p>

<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.</p>
<p>This standard lease application is to convert experimental lease PEN WBx to a standard lease. LPA’s MMCC – (5,6,7 & 8) – 21 will be renewed annually as overwintering/grow-out sites. Experimental lease PEN Rix will be relinquished and all gear /equipment will be removed.</p>

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?
Site is intertidal with a depth of 0.0 feet at mean low water.

B. What are the approximate depths at mean high water?
Approximate maximum depth at mean high water is 8.62 feet.

C. Provide the approximate current speed and direction during the ebb and flow.
At point of maximum ebb/flow the current speed is approximately 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.)?
Soft mud, ledges, boulders and some coarse gravel.
2. Describe the bottom topography (flat, steep rough, etc.).
A meandering channel of water bisects the center of the subtidal cove with mostly soft smooth mud sloping from the edges of the cove gently toward the stream bed ranging from a high-water depth of 0.0 feet to a depth of approximately 8.62 feet in the channel.

<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>Green crabs are abundant. Smelt and elver migrate seasonally in small numbers up the channel and into a stream at the head of the cove. Pogey (Menhaden) are sometimes present in fairly dense schools at the entrance to the cove during the summer months and there are occasionally a very few striped bass. Juvenile lobster, cod, hake, cusk and pollock shelter in an old collapsed granite dam at the mouth of the cove.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>Green crabs have decimated former beds of softshell clams and mussels. These are virtually extinct. There are a few little necks/quahogs. Otherwise, the only significant shellfish bed is what we have seeded just outside the mouth of the cove in LPA's MMCC – (5,6,7 & 8) – 21. Fish migration routes are the small number of smelt and elver that annually enter the fresh water stream at the head of the cove.</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>Based on historical eel grass data collected in 2005, the nearest documented eelgrass bed was more than 700 feet to the south of the proposed lease. Because the cove is intertidal and mostly soft mud, there is limited aquatic growth other than patches of marsh grass around the perimeter. There is some ordinary rockweed/seaweed attached to some of the rocks, boulders and ledges.</p>
<p>6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)</p>
<p>The shoreline of the small cove is comprised of rocks and sections of marsh grass. Houses and a mixed forest are located on the surrounding uplands. A single house, with a set of stairs leading from the uplands to the shoreline, is located immediately east of the proposed lease. Per the experimental site report (PEN WBx), "the use of this stairway should not be impeded by the proposed lease."</p>

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

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

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

12. EXISTING USES

<p>A. Describe the existing uses of the proposed area in questions A.1 through A.5 below. Please include the a) type b) time of year c) frequency and d) proximity to the lease site for each existing use.</p>
<p>1. Commercial Fishing</p> <p>According to the Town of St. George Harbormaster, commercial fishing within the area of the proposed lease is "non-existent".</p>
<p>2. Recreational Fishing</p> <p>According to the Town of St. George Harbormaster, recreational fishing within the area of the proposed lease is "non-existent".</p>
<p>3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)</p> <p>Boating activities within the area of the proposed lease is limited to a few kayakers at higher tides. At lower tidal stages, navigation is not supported by width and depth of the channel. The nearest navigable channel is over 500 feet to the south at low water. According to the Town of St. George Harbormaster, the proposed activities do not interfere with boating or navigation.</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>There are no docks, moorings, boat landings or shore facilities within 1,000 feet of the proposed area for which ingress and egress is limited in any way. The sole structure is the ramp and float associated with the oyster growing operation. The float grounds out and sits on the mud during 50% of the tidal cycle.</p>
<p>5. Other uses (kayaking, swimming, etc.)</p> <p>Our neighbors, children and grand-children are the only people who swim and kayak at higher stages of the tide in the area of the proposed lease.</p>
<p>B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.</p> <p>Approximately 500 feet due south of the proposed lease is a private dock that serves 5 lobster boats. Another private dock at about 900 feet to the southwest serves another 10 lobster boats. Moorings for about 18 boats are anywhere from 1,000 to 1,500 feet southwest of the proposed lease.</p>

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

Other than the two privately owned lobster wharfs mentioned in "B.", there are no public beaches, parks, docking facilities or federally, state, or municipally conserved lands within 1,000 feet of the proposed lease site.

D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 1,000 feet of your proposed lease site? If yes, please list their acronyms below.

Current and pending aquaculture leases and active LPA licenses may be found here:
<https://www.maine.gov/dmr/aquaculture/leases/index.html>

There are 4 LPA's within 1,000 feet of the proposed lease site. They are licensed to co-applicant on this application, Maude Robin McCoy. LPA acronyms are MMCC – (5,6,7 & 8) – 2021.

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.

If this lease is granted, there are no activities we would request be excluded from occurring within the boundaries of the lease site that were listed in the 'Existing Uses' section of this application.

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?

Proposed site will be accessed via a ramp and float on property bordering said site owned by co-applicant Maude Robin McCoy on Town of St. George tax map 233-057. See attached letter of permission to co-applicant James W. Balano, III.
Attached deeds and surveys show that all of the riparian land bordering the proposed lease area is owned by one person – co-applicant Maude Robin McCoy.

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

No proposed activities will affect riparian ingress and egress as outlined on **Page 14, 12. Existing Uses 4. Ingress and Egress.**

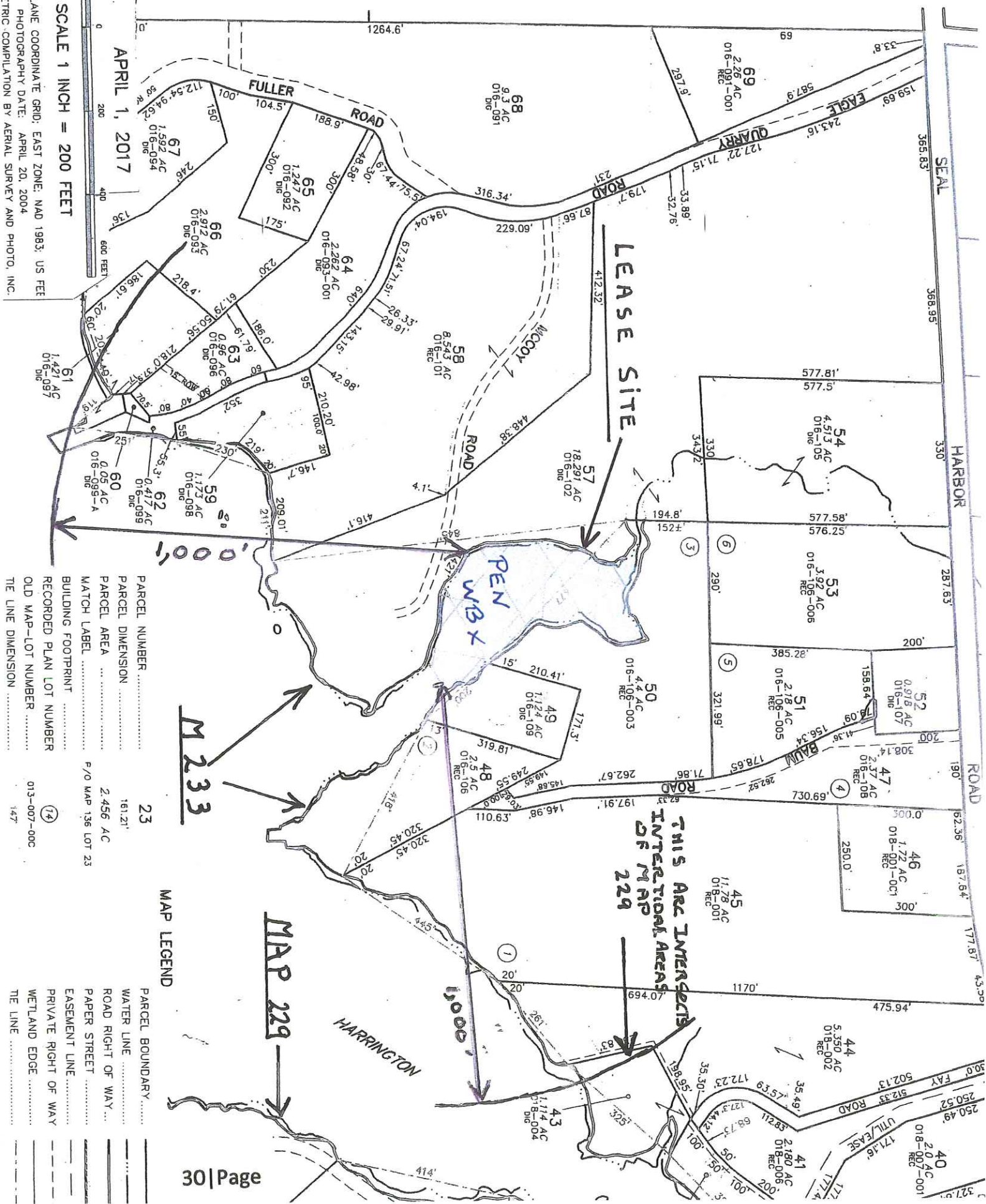
M232

(8)

MAINE STATE PLANE COORDINATE GRID: EAST ZONE, NAD 1983, US FEE
 PHOTOGRAPHY DATE: APRIL 20, 2004
 PHOTOGRAMMETRIC COMPILATION BY AERIAL SURVEY AND PHOTO, INC.

SCALE 1 INCH = 200 FEET

APRIL 1, 2017



PARCEL NUMBER 23

PARCEL DIMENSION 161.21'

PARCEL AREA 2.456 AC

MATCH LABEL F/O MAP 136 LOT 23

BUILDING FOOTPRINT (14)

RECORDED PLAN LOT NUMBER 013-007-000

OLD MAP-LOT NUMBER 147

MAP LEGEND

PARCEL BOUNDARY

WATER LINE

ROAD RIGHT OF WAY

PAPER STREET

EASEMENT LINE

PRIVATE RIGHT OF WAY

WETLAND EDGE

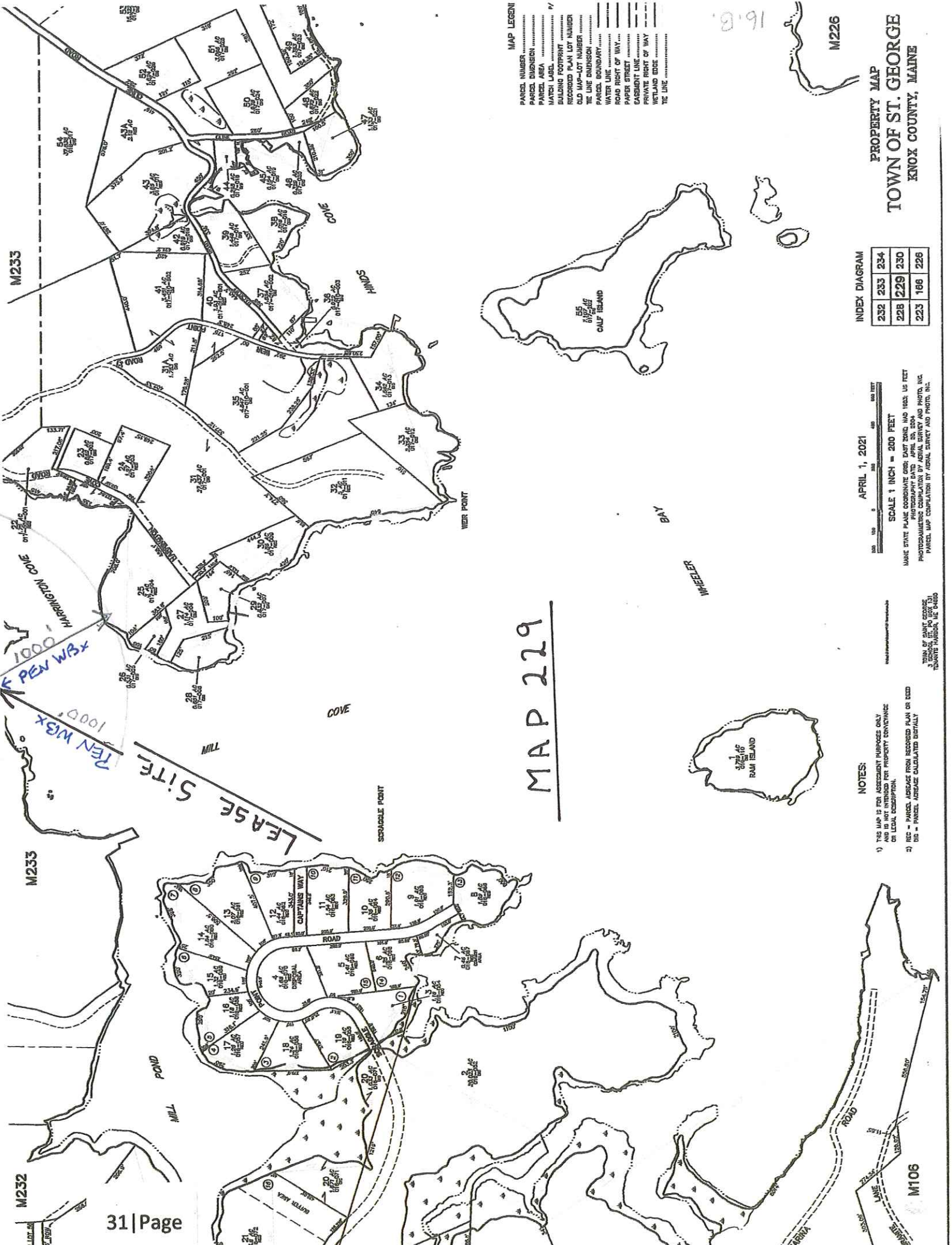
THE LINE

THIS ARE INTERSECTS
 INTERIOR AREAS
 OF MAP
 229

MAP 229

M233

0001



PROPERTY MAP
TOWN OF ST. GEORGE
KNOX COUNTY, MAINE

INDEX DIAGRAM

232	233	234
228	229	230
223	186	226

APRIL 1, 2021

SCALE 1 INCH = 200 FEET

MAINE STATE PLANE COORDINATE GRID DATA ZONE 18N UTM FEET
PHOTOGRAPHY DATE: APRIL 20, 2004
PHOTOMETRIC CORRECTION BY: AERIAL SURVEY AND PHOTO, INC.
PARCEL MAP COMPILED BY: AERIAL SURVEY AND PHOTO, INC.

- NOTES:
- THIS MAP IS FOR ASSESSMENT PURPOSES ONLY AND IS NOT INTENDED FOR PROPERTY CONVEYANCE OR LEGAL DESCRIPTION.
 - REC - PARCEL AREA FROM RECORDED PLAN OR DEED
 - DIG - PARCEL AREA CALCULATED DIGITALLY

- MAP LEGEND
- PARCEL NUMBER
 - PARCEL DIMENSION
 - PARCEL AREA
 - WATCH LABEL
 - BUILDING FOOTPRINT
 - RECORDED PLAN LOT NUMBER
 - OLD MAP-LOT NUMBER
 - THE LINE DIMENSION
 - PARCEL BOUNDARY
 - WATER LINE
 - ROAD RIGHT OF WAY
 - PAPER STREET
 - EASEMENT LINE
 - PRIVATE RIGHT OF WAY
 - WETLAND EDGE
 - THE LINE

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, MAINE

MAP #	LOT #	Landowner name(s) and address(es)
229	022	BARKSDALE, KATHERINE ANN – TRUSTEE, 57 LENGLE AVE, WERNERSVILLE PA 19565
229	023	DARLING, DENNIS, 100 HARRINGTON COVE ROAD, SPRUCE HEAD ME 04859
229	024	VASSO, PAMELA S., 112 HARRINGTON COVE ROAD, SPRUCE HEAD ME 04859
229	025	REYNOLDS, CAROL E., 125 HARRINGTON COVE ROAD, SPRUCE HEAD ME 04859
229	026	BORONSKI, WALTER E., 405 W. YALE CIRCLE, GLENWOOD SPRINGS CO 81601
229	027	RACKLIFF, HAROLD C., PO BOX 43, SPRUCE HEAD ME 04859
229	028	RACKLIFF, HAROLD C., PO BOX 43, SPRUCE HEAD ME 04859
229	031	RACKLIFF, NORMA J., 83 WEIR POINT RD, SPRUCE HEAD ME 04859
233	043	BILLINGS, FRED AUSTIN, 7223 COUNTY HIGHWAY 7, ROSCOE NY 12776-2568
233	044	BAILEY, LEROY J., 18312 S 1050 W, LACROSSE IN 46348
233	045	HANSON, STANWOOD & BARBARA, 3 BAUM RD., SPRUCE HEAD ME 04859
233	048	BAUM JR., EVERETT & ARLENE, 33 BAUM RD., SPRUCE HEAD ME 04859
233	049	BAUM, LARRY, 33 BAUM RD., SPRUCE HEAD ME 04859

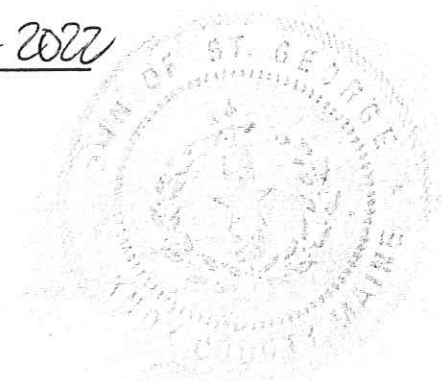
233	050	BAUM, LARRY, 33 BAUM RD., SPRUCE HEAD ME 04859
233	057	MCCOY, MAUDE ROBIN, PO BOX 139, SPRUCE HEAD ME 04859
233	058	LAWRENCE, CALEB C., 21 MCCOY RD, SPRUCE HEAD ME 04859
233	059	KELLEY, GAVIN P., 4 COPLEY DR., ANDOVER MA 01810
233	061	FULLER, NATHAN E. – ESTATE OF, C/O JAMES W. BRANNAN, PO BOX 1021, ROCKLAND ME 04841-1021
233	062	SAM MILLER, INC., 459 SEAL HARBOR ROAD, SPRUCE HEAD ME 04859
233	066	MILLER, STEVE N., 459 SEAL HARBOR ROAD, SPRUCE HEAD ME 04859

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, PATRICIA A. St Clair, ^{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: Patricia A. St Clair DATE: Mar 7-2022



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.

Co-applicant James Balano is a life-time resident of St. George and Monhegan Plantation engaged in every type of commercial fishing. He has owned and operated his own lobster boat. He has been stop seining purse seining, gillnetting, scalloping, tub trawling and offshore lobstering. Under DMR landings #51901 he has lobster license #8318 with 400 tags as well as aquaculture license #8259 and commercial shellfish license #6284. Under DMR landings #320912 he is licensed as a wholesale dealer - #10662 (Wholesale no lobster), #10662-1 (Wholesale no lobster supplemental) & #10663 (Shellfish Shipper).

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.

Please see following page, **34 | Page (a)**, a letter from Camden National Bank indicating that both applicants have accounts in good standing.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

No gear, rope, hardware or other infrastructure equipment required in the coming season. We currently own all necessary equipment and we do not intend further expansion in foreseeable future.
\$4,929.36 due for 150,000 (9-13mm) oyster seed prior to July 2022.
\$500 estimated for packaging in 2022.
\$500 estimated for ice in 2022.
\$2,000 estimated for truck expenses for oyster related activity in 2022.
\$2,000 estimated for licensing, farmer's market dues, fees, insurance and bonding in 2022.



Camden National Bank
300 Main St.
Rockland, ME 04841

7 March 2022

DMR Aquaculture Division
21 State House Station
Augusta, ME 04333-0021

To Whom It May Concern:

This letter attests to the fact that Maude Robin McCoy and James W. Balano, III both have accounts in good standing at Camden National Bank.

Bryn Montoya

Relationship Banker

Camden National Bank
300 Main St.
Rockland, ME 04841
207-230-5547

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*) Maude Robin McCoy, 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.

Maude Robin McCoy
Applicant Signature

02/28/2022
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*) James W. Balano, III, 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.

James W. Balano III
Applicant Signature

2-28-22
Date

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

INVOICE

Skillings Shaw & Associates

P. O. Box 1388
Bangor, ME 04402

COPY

Customer	Maude Robin McCoy and James W. Balano III
Acct #	480969
Date	02/01/2022
Customer Service	Judy Mills
Page	1 of 1

Maude Robin McCoy and James W. Balano III
43 McCoy Road
PO Box 139
Spruce Head, ME 04859

Payment Information	
Invoice Summary	\$ 100.00
Payment Amount	
Payment for:	Invoice#2758426
	107065902

Thank You

Please detach and return with payment



Customer: Maude Robin McCoy and James W. Balano III

Invoice	Effective	Transaction	Description	Amount
2758426	04/01/2022	Renew policy	Policy #107065902 04/01/2022-04/01/2023 Travelers Ins. Co. / Travelers Cas. & Surety Co of America Bonds - Miscellaneous - Aquaculture Lease PEN WBx Bond Amount: \$5,000 Thank you for your business! Due Date: 3/18/2022 <i>paid 2/10/22</i> <i>check # 1665</i>	100.00

Total

Checks should be made payable to: Skillings Shaw & Associates

\$ 100.00

Please mail payment to: Skillings Shaw / Cross Insurance
P.O. Box 1388
Bangor, ME 04402

Thank You

Skillings Shaw & Associates
P. O. Box 1388
Bangor, ME 04402

(207)947-7345

Date

02/01/2022



BOND
(License or Permit - Continuous)

Bond No. 107065902

KNOW ALL MEN BY THESE PRESENTS:

THAT WE Maude Robin McCoy and James W. Balano III as Principal, and Travelers Casualty and Surety Company of America, a corporation duly incorporated under the laws of the State of Connecticut and authorized to do business in the State of MAINE, as Surety, are held and firmly bound unto State of Maine Department of Marine Resources, as Obligee, in the penal sum of Five Thousand (\$5,000.00) Dollars, for the payment of which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain a license or permit for Aquaculture Lease No. PEN WBx

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the Principal shall faithfully comply with all applicable laws, statutes, ordinances, rules or regulations, pertaining to the license or permit issued, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond shall become effective on April 01, 2019.

PROVIDED, that regardless of the number of years this bond is in force, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the penal sum listed above.

PROVIDED FURTHER, that the Surety may terminate its liability hereunder as to future acts of the Principal at any time by giving thirty (30) days written notice of such termination to the Obligee.

SIGNED, SEALED AND DATED this March 26, 2019.

Maude Robin McCoy and James W. Balano III

By: Maude Robin McCoy James W. Balano III
Principal

Travelers Casualty and Surety Company of America

By: Louise C Beaumont
Louise C Beaumont Attorney-in-fact

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: Maude Robin McCoy

Title (if corporate applicant): N/A

Signature: Maude Robin McCoy Date: 02/28/2022

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: James W. Balano, III

Title (if corporate applicant): N/A

Signature: James W. Balano, III Date: 2-28-22

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.

Maude Robin McCoy
PO Box 139
43 McCoy Road
Spruce Head, ME 04859
(207)594-4600

15 January 2022

Maine Department of Marine Resources
Aquaculture Division
21 State House Station
Augusta, Maine 04333-0021

To Whom It May Concern,

RE: Standard Aquaculture Lease Application of Maude Robin McCoy and James W. Balano III, West of Harrington Cove, Wheeler's Bay, St. George, Knox County, Maine in a small cove bounded on the west side by St. George Town Map Parcel M233-057 and on the east side by Parcels M233-049 and M233-050.

I hereby grant permission to my husband, James W. Balano III, co-applicant for the above referenced lease, riparian access to the proposed lease site over land owned by me. As a further clarification, said land owned by me will be used for access to the lease site in this small cove.

Respectfully submitted,


Maude Robin McCoy



Town of St. George

3 School Street, P.O. Box 131
Tenants Harbor, Maine 04860-0131
Telephone: 207-372-6363
Fax: 207-372-8954

January 24, 2022

Maine Department of Marine Resources
Aquaculture Division
21 State House Station
Augusta, ME 04333-0021

RE: Standard Aquaculture Lease Application of Maude Robin
McCoy and James W. Balano, West of Harrington Cove, Wheeler
Bay, St. George, Knox County in a Small Cove Bounded on the West
Side by St. George Town Map Parcel M233-057 and on the East Side
By Parcels M233-049 and M233-050

To Whom It May Concern:

Because the proposed lease site would be located above mean low water, and because the Town of St. George has a shellfish conservation program, consent of the town officers is required for the intertidal lease, with documentation of their vote in a public meeting.

May this letter serve as documentation that such a meeting and vote has taken place and that the Select Board consents to a lease site in the area referenced above.

Respectfully submitted,

Richard J. S. Bates
Select Board Chairperson
Town of St. George
(207) 372-6904

Irene A Ames
Notary Public, State of Maine
My Commission Expires July 2, 2028

EXPLANATION ON CLAIM OF RIPARIAN OWNERSHIP TO ENTIRE PROPOSED LEASE AREA

The following 6 documents are copies of deeds, drawings, maps and surveys explaining why the entire riparian border of the proposed lease area is owned by co-applicant to this standard lease, Maude Robin McCoy, wife of the second co-applicant James W. Balano, III.

The west side of said cove/lease area is owned by Maude Robin McCoy as shown on the Town of St. George Tax Map 233-057. The other side or east side of the cove is owned by Larry Baum as shown on Town of St. George Tax Maps 233-049 and 233-050.

These documents explain how Maude Robin McCoy and Larry Baum became owners of their respective lots. In the case of Maude Robin McCoy and Map Area 233-057 on the west, the succession is as follows: Anna B McCoy, John Denys McCoy and Maude Robin McCoy inherited from their Parents, John W. McCoy and Ann Wyeth McCoy. Then, as part of an exchange for property elsewhere, Maude Robin McCoy gained sole title to 233-057 from her siblings Anna B. and John Denys McCoy.

On the Larry Baum side or east side of the cove on lots 233-049 and 233-050, you will see a letter of "Findings on the five-foot strip of land in the "Cove" by J. H. Mathieson Surveying and also a large-scale survey map depicting what is a five-foot-wide strip of land (in Blue) extending from the mean high-water mark shoreward onto lots 233-049 and 233-050 showing ownership by Maude Robin McCoy of a five foot strip bordering the cove on the shoreside edge of lots 233-049 and 233-050. This carries over from an old deed from when the cove had a dam at the south end and was probably used as a pound or fresh water pond. Remains of the old granite dam are still visible and are shown on the survey drawing. The five-foot-wide strip ends at a ¾ inch iron bolt in a boulder at one side of the granite dam on lot 233-049. The entire proposed lease area ends at said granite dam.

This same documentation was submitted when applying for experimental lease PEN WBx. The documentation was reviewed and approved for the experimental lease which is identical in all respects to the current standard lease application.

J. H. MATHIESON SURVEYING
ENGINEERING & PROFESSIONAL LAND SURVEYOR

John H. Mathieson, PLS
21 Samoset Road
Rockland, ME 04841
207-596-6695 Fax: 207-596-5661

Jan 12, 2002

Anna B. McCoy
841 Fairville Road
Chaddsford, PA 19317

Subject: **Findings on the five foot strip of land in the "Cove".**

Dear Anna:

The grantors of this land obtained their titles from Nina P. Lovell, administrator of the estate of Charles E. Bicknell dated 08-26-1920 & recorded in KCRD in Bk 168, Pg 90. Your farther obtained his title later on from Charles E. Bicknell, II, et. al. in 1948 per his deed 295/350. The source of titles come from lands owned by Robert Maker and Edwin Wyllie.

The first five foot parcel in your farther's deed begins on the point and runs Northwesterly 400' across {your} point; thence Northwesterly around the shore to a small cove to land of Robert Maker, now Baum. The second five foot parcel comes out of what Robert Maker owned or obtained title to. It is here that determines where the five foot ends. Robert Maker's source is from a deed from David Wheeler to Daniel Elwell, Lincoln Records Knox Lands dated August 12th, 1828 and recorded in above LRKL in Bk 31, Pg 440. This is where it states "South 22 deg West sixty six rods or 990'; thence South 77 degrees West 20 rods" and again in "1871" when Harriet Elwell conveys to Lillia's Kinney it states "Easterly by the Town Road until it strikes the land of Rufus Kinney; thence by land South 26 degrees West 60 rods; thence South 73 degrees West to Wheelers Cove". (See attached deeds & sketch)

Both deeds are calling for the same line evidenced by the stone wall running NE by SW with the same calculated deflection angle to the cove 20 rods. This is where there is an iron bolt found at the edge of the remains of a stone dam at the mouth of the cove.

Sincerely,



John H. Mathieson, PLS

mathieso@midcoast.com

cc: file

350

Quitclaim
Bicknell, II
et als

to
McCoy, 2nd,
et al
St. George

Know all Men by these Presents, That

We, Charles E. Bicknell, 2nd, and Alfreda B. Smith, both of Rockland in the County of Knox and State of Maine, and Esley Read of Belfast in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations, (Consideration less than \$100.00. No stamp required) paid by John W. McCoy, 2nd, and Ann Wyeth McCoy, both of Chadds Ford, County of Delaware and State of Pennsylvania,

the receipt whereof we do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said, John W. McCoy, 2nd, and Ann Wyeth McCoy, and the survivor of them, their assigns, and the heirs and assigns of such survivor, forever, ~~Heirs and assigns forever, all right, title and interest in and to~~ A certain lot or parcel of land situated in St. George, County of Knox and State of Maine, bounded and described as follows, to wit:

BEGINNING at high water mark at stake and stones on the shore of Harrington's Cove and near a fish house now or formerly of Edwin O. Wiley; thence northwesterly across a point about four hundred (400) feet to stake and stones, five (5) feet from highwater mark; thence northwesterly around the shore to a small cove and five (5) feet from highwater mark; the whole distance to land now or formerly of Robt. Maker; thence southeasterly by land of Robert Maker, five (5) feet to highwater mark; thence southeasterly by highwater mark to the first mentioned bound; together with our rights in the flats of said Cove which this strip of land bounds, also a right of way for people on foot, or in teams or carriages from the main road to said point.

ALSO another certain lot or parcel of land situated in said St. George, and bounded and described as follows, to wit:

BEGINNING on the line between land now or formerly of Robert Maker and land now or formerly of Edwin Wyllie on the westerly shore of Harrington's Cove and five (5) feet from highwater mark; thence southeasterly in a irregular line and five (5) feet from highwater mark around the shore of a small cove to a stake and stones; thence southwesterly five (5) feet to highwater mark near the mouth of a small cove; thence following highwater mark northwesterly to the line between land now or formerly of Robert Maker and said Wyllie; thence westerly on said line five (5) feet to the first mentioned bounds, together with all our rights to the flats, or any other rights to low water make in said cove.

See deed Nina P. Lovell, Administratrix, to Chas. E. Bicknell, dated August 26, 1920, and recorded in Knox Registry of Deeds, Book 168, Page 90. Grantors derive their title as all of the heirs of Charles E. Bicknell.

To Have and to Hold the same, together with all the privileges and appurtenances thereunto belonging to the said John W. McCoy, 2nd, and Ann Wyeth McCoy, and the survivor of them, their assigns, and the heirs and assigns of such survivor, forever.

And we do covenant with the said Grantees, and the survivor of them, their assigns, and the heirs and assigns of such survivor, that we will warrant and forever defend the premises, to them the said Grantees, and the survivor of them, their assigns, and the heirs and assigns of such survivor, forever, against the lawful claims and demands of all persons claiming by, through or under me - us.

In Witness Whereof, we, the said Charles E. Bicknell, 2nd, and Alice Bicknell, and wife of the said Charles E. Bicknell, 2nd; Alfreda B. Smith and Blanchard B. Smith, husband of the said Alfreda B. Smith, Esley Read and Norman Read, husband of the said Esley Read joining in this deed as Grantor, and relinquishing and conveying our rights by descent and all other rights

in the above described premises, have hereunto set our hand s and seal s this sixth day of October in the year of our Lord one thousand nine hundred and forty-eight.

Signed, Sealed and Delivered
in presence of
S. A. Lavender
S. A. Lavender
S. A. Lavender
S. A. Lavender
Hadley B Miller
Hadley B Miller

Charles E Bicknell II L.S.
Alice Bicknell L.S.
Alfreda B. Smith L.S.
Blanchard B. Smith L.S.
Esley B Read L.S.
Norman A Read L.S.

State of Maine, Knox, ss. October 6, 1948. Personally appeared
the above named Charles E. Bicknell, 2nd,

and acknowledged the above instrument to be his free act and deed.
Before me, Stephen A Lavender Notary Public
Justice of the Peace
Recorded October 8, 1948 at 12 o'clock 20 m.P. M., and recorded according to the original.
Attest: Helena H. Coltart Registrar



28/313

Brown Proven

61-28
D 6-10-1841
R 9-5-1841

Know all Men by these Presents: That I ~~Harriet~~ ~~Ellis~~ of St George County of Norway State of Maine Married Woman in consideration of the maintenance of me and my husband during our natural lives paid by ~~William~~ ~~William~~ of St George County and State aforesaid Married Woman the receipt whereof is hereby acknowledged do hereby sell convey release and forever Quit Claim unto the said ~~William~~ ~~William~~ for and in consideration of the support and maintenance of me and my husband Andrew Ellwell during the term of our natural lives The lot of land on which I and my husband now live situated in St George bounded Beginning at Whelan's Cove so called Thence North twenty six Degrees East by land of or occupied by Edwin Whelan to town road situated some from land of Jackson Clark Thence on said road North easterly to land of Hatach Whitehead Thence South twenty six Degrees West to the town road known as the Deal Harbor Road from there to Whelan's St Georges Meeting House Thence Easterly by the Town road until it strikes the land now occupied by Rufus Kimsey Thence by said land South twenty six Degrees West six rods Thence South twenty three Degrees West to Whelan's Cove Thence by the channel of said Cove Northwesterly to the head of said Cove Thence by the Brook until it strikes the first mentioned bounds containing Forty five acres more or less Together with all the buildings thereon Reference to Norway Registry April 3^d 1841 Book 25 Page 565 To have and To hold the above released premises with all the privileges and appurtenances to the same belonging to the said ~~William~~ ~~William~~ her heirs and Assigns to their use and behoof forever And I the said Harriet Ellwell for myself and my heirs Executors and Administrators do covenant with the said ~~William~~ ~~William~~ her heirs and Assigns that the premises are free from all incumbrances made or suffered by myself or my heirs and that I will and my heirs Executors and Administrators shall warrant and defend the same to the said ~~William~~ ~~William~~ her heirs and Assigns forever against the lawful claims and demands of all persons claiming by through or under me or my heirs but against none other In Witness Whereof the said Harriet Ellwell have hereunto set my hand and seal this ~~Twenty~~ ~~Twenty~~ day of ~~June~~ ~~June~~ in the year of our Lord ~~One Thousand Eight~~ ~~One Thousand Eight~~ ~~Hundred~~ ~~and~~ ~~Twenty~~ ~~Seven~~

Signed Sealed and Delivered in presence of
 Asa Loombs - Harriet Ellwell her mark X L S
 Norway 1841 Then personally appeared the above named Harriet Ellwell and acknowledged the above instrument to be her free act and Deed Before me Asa Loombs Justice of the Peace
 Recd Sept 5th 1841 at 10h A.M

Entered and Examined by
 Geo W White Regr

Note: All names and in substantiations must come from signatures and official

602-95

Stamp # 56

LRK & 31

Baum Property

31/440
28-12-18
712-26-1
K

Vol. 156
Wheeler
to
Elwell

ST GEORGE

KNOW ALL MEN BY THESE PRESENTS, THAT I
DAVID WHEELER of St George in the County of Lincoln & State Maine, yeoman,
in consideration of the sum of fifty Dollars paid by
DANIEL ELWELL of St George in the County & State of Maine, yeoman, the receipt
whereof I do hereby acknowledge, do hereby give, grant, sell & convey unto the
said Daniel Elwell his heirs & assigns forever, a certain tract or parcel of
land being & lying in St George aforesaid, bounded as follows,

beginning at stake marked at David Wheeler corner at the town road; thence
West twenty two degrees North twenty eight rods to land of John Wheeler to
stake marked; thence South 22° ^W sixty six rods; thence South 77 degrees west
20 rod; thence round the shore to land of David Wheeler; thence North twenty
two degrees East to the first mentioned bounds, containing twelve acres, more
or less.

TO HAVE and TO HOLD the aforegranted premises to the said Daniel Elwell
his heirs & assigns to his & their use & behoof forever. And I do covenant
with the said Daniel his heirs & assigns, that I am lawfully seized in fee of
the aforegranted premises; that they are free of all incumbrances; that I have
good right to sell & convey the same to the said Daniel Elwell, & that I will
warrant & defend the same premises to the said Daniel Elwell his heirs and
assigns forever, against the lawful claims & demands of all persons.

IN WITNESS WHEREOF, I the said David Wheeler have hereunto set my hand &
seal this twelfth day of August in the year of our Lord one thousand eight
hundred & twenty eight.

David Wheeler & a seal.

Oliver Wheeler.
her
Hannah Wheeler.
mark

Signed, sealed, & delivered in presence of us Joseph Robinson, Abigail
Robinson.

Lincoln ss. August 12th. 1828. then the above named David Wheeler acknowl-
edged the above instrument to be his free act & deed, before me, Joseph
Robinson, Justice of Peace.

Rec'd December 26. 1832. & entered & examined
by Warren Rice Reg'r.

STATE OF MAINE, 1831 July 16 1923
A TRUE COPY OF INSTRUMENT IN
LINCOLN REGISTRY OF DEEDS, VOL. 156. PAGE 711
COPIED AND COMPARED
Edward K. Gould COMMISSIONER

THOMAS
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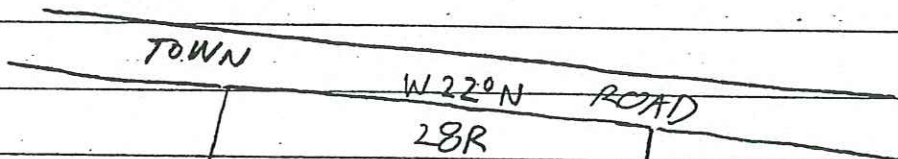
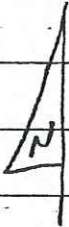
edg
McI

11°58'14"

ARK 31-440

12 Aug 1828

David Wheeler to
Daniel Elwell



W 22° N
28R
(462')

John
Wheeler

S 22° W
66R (1089')

12 AC ±

N 22° E

David
Wheeler

S 77° W
20R
(330')

TO David Wheeler
by shore

WARRANTY DEED

Know All By These Presents

That I, **ANN BRELSFORD MCCOY A/K/A ANNA B. MCCOY AND JOHN DENYS MCCOY**, of Chaddsford, State of Pennsylvania

in consideration of one dollar and other valuable considerations,

paid by **MAUDE ROBIN MCCOY**

whose mailing address is 525 Fairville Road
Chaddsford, PA 19317

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell, and convey unto the said **MAUDE ROBIN MCCOY**, her heirs and assigns forever,

an undivided 2/3 interest in three (3) certain lots or parcels of land with the buildings and improvements thereon situated in the Town of St. George, County of Knox and State Maine bound and described as follows:

PARCEL ONE: Beginning at a stake and stones on the southerly side of Seal Harbor Road at the bridge; thence Westerly along said road and at the corner of the junction of said road with the Eagle Quarry Road; thence southerly along said road to stake and stones at the Bicknell land; thence northerly along the westerly side of the Inez Pierson land to the place of beginning, being the wood lot connected with said Edwin D. Wiley homestead.

For reference see the second described parcel in a deed from Wright recorded in the Knox County Registry of Deeds Book 305, Page 24.

PARCEL TWO: Beginning on the highway at the northwest corner of land now or formerly of Agnes Elwell; thence westerly by said highway three hundred thirty (330) feet, more or less, to land now or formerly of John McCoy (Parcel One); thence southerly by land of McCoy to a granite monument at Eagle Quarry Road; thence running in a northeasterly direction by land now or formerly of Wilbur A. Dennison to a granite monument at the southwesterly corner of Agnes Elwell, now or formerly; thence northerly by land of Elwell to the place of beginning.

For reference see deed from Manning recorded in the Knox County Registry of

MAINE REAL ESTATE TRANSFER
TAX PAID

Deeds Book 2647, Page 1.

PARCEL THREE

Beginning at a iron pin in the easterly line of the Eagle Quarry Road and at the northwesterly corner of property now or formerly of Carson as described in the Knox County Registry of Deeds Book 652, Page 68; thence Northerly along the easterly line of the assumed two-rod wide right-of-way known as Eagle Quarry Road in a counter-clockwise arc to the West, the radius of which is 197.0 feet a distance of 42.98 feet; thence North 17° 37' 30" West and still along right-of-way 143.15 feet; thence in a counter-clockwise arc to the northwest, the radius of which is 289.41 feet a distance of 29.91 feet; thence North 23° 32' 50" West 26.33 feet; thence in a counter-clockwise arc to the northwest, the radius of which is 213.7 feet a distance of 71.50 feet; thence North 42° 43' 20" West 67.24 feet; thence in a clockwise arc to the northeast and still along the Eagle Quarry Road, said arc having a radius of 115.5 feet, a distance of 194.04 feet; thence in a counter-clockwise arc to the North, said arc having a radius of 308.94 feet a distance of 222.09 feet to an iron pin at the southwesterly corner now or formerly of Gervais as recorded in the Knox County Registry of Deeds Book 493, Page 210 (Parcel Two); thence South 58° 54' 20" East along the above described Parcel One 181 feet to a 5/8 inch re-bar; thence North 31° 6' East 343.7 feet to a 5/8 inch re-bar; thence South 63° 25' 40" East along property now or formerly of Elwell as described in the Knox County Registry of Deeds Book 262, Page 86 343.2 feet to a 5/8 inch re-bar at land now or formerly of Baum as described in the Knox County Registry of Deeds Book 366, Page 22; thence South 31° 6' West along land of Baum 194.8 feet to a 5/8 inch re-bar set in the ledge on the southwesterly side of a brook; thence in a southerly direction along the brook and along the apparent high water line of the "Cove" to the stone work of an old wharf; thence continuing along the high water line of Wheeler's Bay to a point which lies South 8° 17' 20" West 18 1/2 feet from an iron bolt set in a boulder in the line of land of Anna B. McCoy as described in a deed recorded in the Knox County Registry of Deeds Book 1388, Page 137; thence North 8° 17' 20" East 18.5 feet to an iron bolt in a boulder; thence continuing same course along land of Anna B. McCoy 416.1 feet to a 5/8 inch re-bar set near the southwesterly line of a gravel drive; thence North 53° 39' 30" West along said gravel drive 112.3 feet; thence continuing same course 4.1 feet; thence North 49° 26' 40" West a distance of 49 feet; thence North 35° 23' 20" West and still along said gravel drive 77.6 feet; thence South 7° 9' West 7.5 feet to an iron bolt in the westerly line of Anna B. McCoy property; thence South 7° 9' West along the land of Anna B. McCoy 348.3 feet to an iron pin; thence North 73° 44' 20" West along land of Carson 210.2 feet to a iron pin in the Easterly line of the Eagle Quarry Road, the place of beginning.

Grantor also conveys all right, title and interest in and to the shores and flats appurtenant thereto. Grantor also conveys a right-of-way in common with others for ingress, egress and utilities from the above described parcels over the Eagle Quarry Road to the public way.

For reference see the following deeds recorded in the Knox County Registry of Deeds, Book 2707, Page 78, Book 2715, Page 105, Book 3036, Page 5 and Book 3192, Page 62. Also see Deed of Distribution from George A. Brutscher, Personal Representative of the Estate of Ann Wyeth McCoy to these grantors and grantee to be recorded herewith.

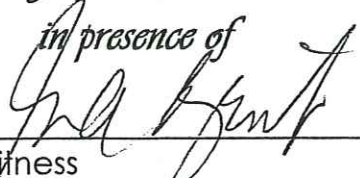
To Have and To Hold the aforegranted and bargained premises with all privileges and appurtenances thereof to the said **MAUDE ROBIN MCCOY**, her heirs and assigns, to them and their use and behoove forever,

AND *I do Covenant* with the said **MAUDE ROBIN MCCOY**, her heirs and assigns, that **I am** lawfully seized in fee of the premises, that they are free of all encumbrances; that **I** have good right to sell and convey the same to the said **MAUDE ROBIN MCCOY** to hold as aforesaid; and that **I, and MY** heirs shall and will


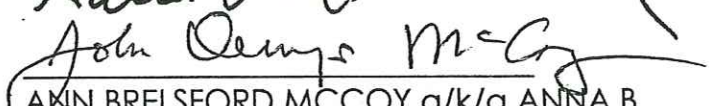
Warrant and Defend the same to the said **MAUDE ROBIN MCCOY**, her heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said **ANN BRELSFORD MCCOY A/K/A ANNA B. MCCOY AND JOHN DENYS MCCOY**, have hereunto set my hand and seal this 15th day of the month of ~~January, 2002.~~ *MAY, 2007*

Signed, Sealed and Delivered

in presence of


Witness

ANN BRELSFORD MCCOY a/k/a ANNA B.
MCCOY AND JOHN DENYS MCCOY

Perma
A State of *Maine*
County of *Knox, ss.*

MAY 15, 2007 ~~January, 2002~~

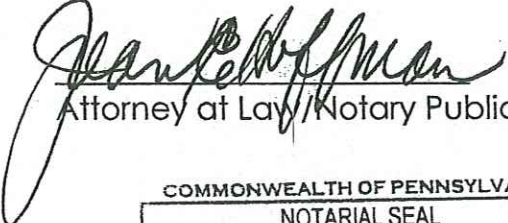
Then personally appeared the above named **ANN BRELSFORD MCCOY A/K/A ANNA B. MCCOY AND JOHN DENYS MCCOY** and acknowledged the above

Doc# 6443
Bk: 3807 Ps: 277

instrument to be their free act and deed.

Before me,

SEA


Attorney at Law / Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JOAN E. HOFFMAN, Notary Public
Kennett Square Boro., Chester County
My Commission Expires August 31, 2009

KNDX SS: RECEIVED

Jun 06, 2007
at 02:08:03P
ATTEST: LISA J SIMMONS
REGISTER OF DEEDS